

City Council Meeting Minutes
August 12, 2010
Executive Session
5:30 p.m.

The Xenia City Council met in an Executive Session on August 12, 2010, at 5:30 p.m., in the First Floor Conference Room, City Hall, with the following members present: Jeanne Mills, John Caupp, Dale Louderback, William R. Miller, Wesley Smith, Marsha J. Bayless, and Patricia L. Felton.

Motion by Vice President Mills, seconded by Councilman Louderback, to meet in Executive Session to discuss Purchase or Sale of Real Estate. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton
Nays: None motion carried.

The City Council met in Executive Session to discuss Purchase or Sale of Real Estate. The Council adjourned their Executive Session at 6 p.m.

Regular Session
7:00 p.m.

At 7:00 p.m., the Xenia City Council met in a Regular Session in the City Council Chambers, City Hall, with the following members present: Jeanne Mills, John Caupp, Dale Louderback, William R. Miller, Wesley Smith, Marsha J. Bayless, and Patricia L. Felton.

INVOCATION: Joanne Tarver, Greater Grace Church of Springfield, gave the invocation after which all joined in the Pledge of Allegiance.

APPROVAL OF MINUTES: Motion by Vice President Mills, seconded by Councilman Louderback, to approve the July 14, 2010, Special/Executive Session minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton
Nays: None motion carried.

Motion by Councilman Louderback, seconded by Councilman Smith, to approve the July 22, 2010, Regular Session minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton
Nays: None motion carried.

Motion by Councilman Caupp, seconded by Mayor Bayless, to approve the July 29, 2010, Special/Executive Session minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Miller, Smith, Bayless, and Felton
Abstain: Louderback
Nays: None motion carried.

AUDIENCE COMMENTS: President Felton explained the procedures for audience comments and invited anyone who wished to speak to come forward.

Wendell Cultice, 885 S. Detroit Street, said he and his bride, Rebecca, located to Xenia in 2006 from Fairfield County, Connecticut. Two years ago they were queried about renovations at Spring Hill Park and he was happy to answer the questionnaire. He was also happy to say that he emphasized playground equipment was needed and was glad someone read the questionnaire he returned. They are here tonight to commend Council on the quality of the recent park renovations. They reside in an area where families using that park go by their house on the way there and traffic has increased. Entire families go there to play basketball and use the equipment. They personally have been walking in the park and have noticed others utilizing the equipment. Having been in school administration for 25 years in four different states, he understands when improvements are made on a municipal facility, there are those who will say they expended funds in the wrong place, but he personally believes Council is on the right track. He believes our most precious natural resource in this country is our children, not oil, gold, or silver because our children are going to inherit all of our institutions, our wealth, and everything we have. Currently many children are overweight and need a place to play. He remembers a time when parents told their children to go outside and play and children did not ask why. This area is fortunate to have this type of equipment at Spring Hill Park. He and his wife would be glad to assist where needed with that park and will be offended if they are not contacted. He thanked Council for the opportunity to address them.

President Felton said she appreciated Mr. Cultice's comments and agreed Spring Hill Park is a nice park. She asked him to call the Police Department if he or his wife sees anything that seems wrong at the park. Mr. Cultice said they would be glad to do that. He was glad Spring Hill Park is wide open from the street to the back because that makes it easy to see what is going on. He was glad the original public restrooms were removed because that can cause problems. President Felton noted the City is having problems with vandalism at Shawnee Park and Xenia Station. They are asking neighbors to keep an eye out, and if they see mischief to call the Police Department.

Ted Maurer, 608 N. Galloway Street, said he has been trying to attend as many Council meetings as possible since the May tax levy so he will have a better understanding of how he needs to vote on the November tax levy. He used information from the newspaper, the Internet, pamphlets he received in his utility bill, and conversations with interested citizens to help form his decision. All those sources led him to vote "no" on the May ballot. Now that the levy is going back on the ballot, he is trying to make a better decision and understand what is prompting Council to so diligently push for tax increase revenue rather than finding ways to work within the City's budget. It was said at a recent Council meeting that if anyone has a better idea other than a tax increase, Council would like hear it. Although he appreciates Council's willingness to listen to the people, he feels part of the City Manager's responsibility is to come up with those alternatives. So far the only alternative solution he has heard is a tax increase. He was not saying one simple answer will fix everything because it will not. However, he thinks there are other areas where they need to direct their focus and time.

Considering the City's revenue decrease of \$600,000 from 2008 to 2009 and with our City Manager estimating another possible decline this year, Mr. Maurer felt a tax increase was not the best answer—just the easiest temporary answer. With unemployment at 10.5% to 11% in

Greene County, and many citizens who are lucky enough to still have jobs taking reduced hours, pay, and benefits, he did not think it was fair to raise taxes on people that are already going through so much. He personally thinks the lost revenue needs to come back through economic growth and not through increased taxes. The City Manager stated the levy will generate \$2.5 million with \$500,000 for streets, \$500,000 for capital improvements, and \$1.5 million for the fire and police. Citizens need to know how that \$1.5 million breaks down in terms of pay, benefits, pensions, equipment, or just extra money to use for side projects. He feels the police, firefighters, and their unions need to understand the hardship in which they are putting our city. From 2004 to 2009, spending in the safety sector for fire and police has increased \$2 million. Even with passage of the levy, without economic recovery and growth, in five years they will have spent \$1.5 million per year and will need more each year; therefore, we will find ourselves facing the same dilemma. It is time for the police, firefighters, and their unions to discontinue an increase on pay and benefits until the Xenia economy catches up with their pay and benefits. The next time these contracts are up for negotiation, they need to be scaled down to what the City can actually afford, and something that is more proportionate to the growth rates and economic standing of the City. He appreciated Councilman Louderback's comments about how the firefighters accepted a raise rather than keeping their fellow firefighters working. If there is any one group that is putting the City's safety at risk, it is not the taxpayer's "no" vote, but the firefighters, police, and their unions.

Mr. Maurer said he will vote "no" again in November if they are again confronted with the issue of the City tax increase and he hopes others will also vote "no." He hopes City Council listens to the majority of voters this time so they can begin to protect Xenia's future. The people spoke in May with their "no" vote. He challenged City Council to come up with a better plan of action rather than just pushing the City plan that was already rejected.

President Felton asked Mr. Maurer to meet with the City Manager and Finance Director to discuss what has already been done, and the number of employees that were laid off in addition to police and firefighters. It is not that they have not worked on it, but they are doing the best they can. They think they did it right, but Mr. Maurer may see something else that can be done. If he does not get the information he wants, let her know, but she hopes he gets all his questions answered.

Ralph Doster, 1636 W. Second Street, said he saw the City Manager on television discussing the West Main Street Enhancement Project between Allison Avenue and Progress Drive. He feels that is a waste of money when the City does not have money to keep Fire Station 2 open. That road was built in 1953, and all those houses back up to it. The next thing they will want to do is install new street lights all the way to Dayton, and he is against it! President Felton asked Mr. Doster to stay for the rest of the meeting to hear the agenda items addressing the project. Mr. Doster said everyone is saying the federal government allocated that money, but he does not agree with it. Instead of spending money on something that is needed, they are just throwing money away. After the 1974 tornado, Xenia received money from the federal government and spent it unwisely. He is 80 years old, and it may not make a difference to anyone, but he cannot see throwing money away.

REPORTS OF COMMITTEES:

Traffic Commission: Councilman Smith said the August meeting was cancelled due to lack of agenda items. The next meeting will be the first Tuesday in September (due to the Labor Day holiday on Monday, September 6th).

Greene County Regional Planning Commission: Councilman Caupp said there was no meeting due to lack of agenda items. He announced the August 5th Xenia Planning and Zoning Commission meeting was rescheduled to Thursday, August 19th at 7 p.m.

Board of Zoning Appeals: Mayor Bayless said BZA met on July 26th and approved two variance requests: (1) approved a variance request to continue non-conforming use of a farm and structure at 1017 Stevenson Road, filed by John and Renee Lamont; and (2) approved a variance for an accessory structure at 2075 Mississippi Drive filed by Barry E. Burke.

ITEMS FROM CITY COUNCIL AND MAYOR: None.

OLD BUSINESS: None.

REPORTS OF CITY OFFICES:

City Manager's Office:

Introduction of an Ordinance amending XCO Part Eight – Business Regulation and Taxation Code, Title Four: Taxation, Chapter 878: Definitions and Chapter 880: Income Tax to create an income tax rebate program. Mr. Percival noted this agenda item was originally discussed at the July 8th work session. He respectfully requested that Council introduce an ordinance that would allow any non-retail business that is generating \$1 million or more in new payroll to the City to be eligible for a rebate of a portion of their income tax their employees are paying to the City for five years, if they commit to staying in Xenia for at least 10 years. The rebate agreement would contain claw back provisions if the company left prior to the 10-year period or significantly reduced their payroll below that \$1 million level. At least 20 percent of the jobs created would have to be held by Xenia City residents. If a company adds the requisite number of employees, they would receive a rebate equal to the “one percent” portion of the 1.75 percent collected. The Program would rebate a portion of income taxes collected from non-retail businesses creating at least 45 new full time jobs with a wage of 150 percent of the federal minimum wage (which equates to \$10.88/hour) or 20 jobs at 400 percent of the federal minimum wage (which equates to \$28/hour). They want businesses to come in and create new jobs and new payroll in our community. The program is an incentive to attract new businesses and to assist existing businesses with employment expansion. This is just another tool to help us work with our business partners and will allow the City to give them something back as they invest in our community.

President Felton entertained comments.

Councilman Caupp commented that citizens are constantly asking what Council is doing to entice businesses to come to Xenia and to bring jobs to our City. On the flip side, when Council does something like this, they are questioned about the City needing the tax revenue, but they are giving half of it away. These are the types of programs that keep our City competitive with all our surrounding communities, and things that are necessary to stay competitive with other municipalities in the area. He felt this program would be a good thing. The City also offers businesses tax abatements. This will be an income tax rebate program but the City will still receive taxes from new businesses that come into the City. This is just another tool to entice businesses to come to the City for the economic growth of the City.

Councilman Louderback said what this city, this state, and this country needs is jobs. He is in the real estate business. Even if the interest rate is 0%, if you do not have a job, you cannot buy a house. He is very pleased with the income tax rebate program, because what we need in this town is new jobs and we need to grow our existing base. He is very much in favor of the program.

Vice President Mills said many people say the only opportunities are for new businesses, but this income tax rebate program is also for existing businesses. At least 20 percent of the jobs would have to be held by Xenia City residents, which is very important. She is very excited about the program.

Councilman Caupp noted the qualifying businesses would be for non-retail businesses involved in manufacturing, distribution, research and development, or technology firms. Mr. Percival agreed.

Councilman Caupp introduced an ORDINANCE AMENDING PART EIGHT – BUSINESS REGULATION AND TAXATION CODE, TITLE FOUR: TAXATION, CHAPTER 878: DEFINITIONS AND CHAPTER 880: INCOME TAX OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, TO CREATE AN INCOME TAX REBATE PROGRAM, and it was read for the first time.

Award of Bid for Xenia City Fire Station #31 (aka #1) Sprinkler System Project.

Mr. Percival noted the Fire Division received a Fire Act Grant for the retrofitting of an automatic sprinkler system at Fire Station #1 at 225 East Main Street. He respectfully requested that Council award the bid for the retro-fit installation of a fire sprinkler system at Fire Station #1 to Central Fire Protection Co., Inc., and authorize him to enter into a contract and issue a Purchase Order in an amount not to exceed \$50,094. He noted Fire Chief Leaming was available for questions.

Motion by Councilman Louderback, seconded by Vice President Mills, to award the bid for the retro-fit installation of a fire sprinkler system at Fire Station #31 (aka Fire Station #1) to Central Fire Protection Co., Inc., and authorize the City Manager to enter into a contract for said work and issue a Purchase Order in an amount not to exceed \$50,094.00. Discussion followed.

Councilman Louderback felt the safety and security of all our employees must be #1 on Council's list, and he very strongly supports this.

Councilman Caupp noted the City is not spending \$50,000 on this project. The City received a grant and is paying a 10% match or \$5,009.40.

Vice President Mills noted this money is exclusively for the sprinkler system and cannot be used for salaries or any other needs of the Fire Department. Grants are awarded for very specific items. She wished they could take the money and spend it where they feel it is necessary, but it is hard to turn away money on other items that are needed, and this is one of those.

President Felton asked under which agency the Fire Act Grant falls under. Chief Leaming said the Fire Act Grant is awarded under FEMA.

The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Smith, Bayless and Felton

Nays: Miller motion carried.

Councilman Miller said he voted ‘nay’ because he did not believe in spending tax dollars just because it is given “free”. We have firefighters who know how to put out fires.

Emergency Resolution Authorizing the Award of the Bid for West Main Enhancements Phase I. Mr. Percival noted in October 2006, the City of Xenia applied for and was awarded Transportation Enhancement (TE) Funds through the Miami Valley Regional Planning Commission to install enhancement landscaping along West Main Street from Progress Drive to Allison Avenue on the north side of the roadway. A new entrance sign will also be installed at the southeast corner of Progress Drive and W. Main Street that will improve that entire intersection.

On Tuesday, July 5, 2010, the City received competitive bids from four (4) qualified contractors to construct these improvements. The budget for this project was originally \$381,700, but the actual lowest bid for Phase I was \$309,382.49. Because the design of these enhancements was completed in 2009, this project was eligible to receive ARRA funds to abate the local share (financial) commitment. The following summarizes the funding for this project:

ARRA (Federal)	\$295,139.68
Transportation Enhancement (Federal)	\$ 59,027.94
Local (City of Xenia)	<u>\$ 15,756.98</u>
Total:	\$369,924.60

In essence, the City is getting almost \$350,000 worth of improvements for \$15,000.

Mr. Percival respectfully requested that Council waive the second reading of a Resolution at two consecutive meetings and approve as an emergency a Resolution to award the bid and authorize the City Manager to enter into a contract with Stone Creek Landscaping, Inc., of Centerville, Ohio at a not-to-exceed cost of \$309,382.49 for the West Main Enhancements Phase I.

Councilman Caupp presented a RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STONE CREEK LANDSCAPING, INC. OF CENTERVILLE, OHIO AT A NOT-TO-EXCEED COST OF \$309,382.49 TO CONSTRUCT THE WEST MAIN ENHANCEMENTS, PHASE I, AND DECLARING IT TO BE AN EMERGENCY.

Motion by Councilman Caupp, seconded by Councilman Louderback, that the rules requiring the reading of a resolution at two consecutive meetings be dispensed with and this resolution be placed at once upon its passage. Discussion followed.

Councilman Miller said he understood the comments made during *Audience Comments*, but he would like to defend the project. As a realtor, not only do you want the house you are trying to sell to look good, but you also want the neighborhood to look good. They are trying to sell and market Xenia so new businesses come to town and old businesses stay in town. As long as he has been on Council, he felt they have spent money wisely. They chose to redevelop Spring Hill Park and to allocate money to complete the park over time. This enhancement project will give Xenia the upper edge when a company visits the City’s website or wants to see a business site when they come to Xenia. We don’t get a second chance to make a good first impression. When they redevelop an area, they want to do it right the first time, and this is the first step. He realized the City and State have lost jobs, but they have to put their foot down and decide when

they want to stop losing and start winning and this is one step they are winning. They have to market the City and put a positive picture out there. He will vote 'aye' on this project as well as the next one.

Councilman Caupp said he could not agree with Councilman Miller more. Sometimes people tend to say Council is more concerned about marketing the City than keeping the current citizens happy, but that is far from the truth. As Mr. Cultice said very well this evening, they made his neighborhood more attractive, and he and his wife are happy with the results. He thought everyone coming into Xenia will be happier when they see this project completed. The City will look much nicer, but it is not just for marketing the City, but also for current residents.

Councilman Caupp referenced the Phase I Bid Tabulation, Page 3, Item 638-63900, Special - complete irrigation system. He asked if that system was just for the corner or for the entire section. Mr. Berger said the irrigation system is just for the corner where the entrance sign is located so staff does not have to bring out a water tank to maintain it. Councilman Caupp noted the Phase II Bid Tabulation, Page 3, Item 662-30101 – landscape watering was also included. Mr. Berger said there is a significant amount of landscaping surrounding the entrance sign and the irrigation system will service that area only, but not the rest of the section. Staff will have to bring in a water tanker to service the remaining landscaping. Mr. Percival said they do not have the ability to water the entire area with an irrigation system because there are no water mains in that area. Councilman Caupp said that was his original concern a long time ago.

Councilman Louderback said he understood what Mr. Doster was saying earlier. Accounting for federal money that trickles down to the City drives him crazy. He would much rather take \$369,000 and fix the Shawnee Park retaining wall or use it to call back the 24 employees that were laid off, but unfortunately that is out of their control. They cannot transfer \$1.5 million from the Water and Sewer Funds to use somewhere else. He does not completely understand the accounting – it is just too complicated for him. The public may question why they are spending \$369,000 for the West Main Street Enhancement Project when that money could be used to do a lot more for the City, but their hands are tied. He agrees with the project because it will be good for the City. If he had a choice, he would rather do more with that money, but it is out of his control.

President Felton noted just like the grant money that paid for the Spring Hill Park renovations, grant money will pay for this project.

The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Motion by Councilman Caupp, seconded by Councilman Louderback, that Resolution Number 10-S be now passed. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Emergency Resolution Authorizing the Award of the Bid for West Main Enhancements Phase II. Mr. Percival noted in October 2007, the City of Xenia applied for and was awarded Transportation Enhancement (TE) Funds through the Miami Valley Regional

Planning Commission to install enhancements along West Main Street from Progress Drive to Allison Avenue, mostly along the center of the roadway. This is a companion to the project just discussed. At one point, the two projects were going to be completed separately and were going to take one to two years to complete, but with the advent of the ARRA funding, they were able to have both projects done simultaneously. As such, the following summarizes the funding for this project:

ARRA (Federal)	\$282,044.00
Transportation Enhancement (Federal)	\$ 56,408.81
Local (City of Xenia)	<u>\$ 14,102.20</u>
Total:	\$352,555.01

The City is getting over \$350,000 of improvements completed for \$14,000. Both Phase I and Phase II were bid at the same time. Examination of the bid tabulation shows that *Evans Landscaping, Inc.* of Cincinnati, Ohio, submitted the lowest and best bid of \$331,162.60 for Phase II.

Mr. Percival respectfully requested that Council waive the second reading of a Resolution at two consecutive meetings and approve as an emergency a Resolution to award the bid and authorize him to enter into a contract with Evans Landscaping, Inc., of Cincinnati, Ohio at a not-to-exceed cost of \$331,162.60 for the West Main Enhancements Phase II.

Councilman Caupp presented a RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EVANS LANDSCAPING, INC. OF CINCINNATI, OHIO AT A NOT-TO-EXCEED COST OF \$331,162.60 TO CONSTRUCT THE WEST MAIN ENHANCEMENTS, PHASE II, AND DECLARING IT TO BE AN EMERGENCY.

Motion by Councilman Caupp, seconded by Mayor Bayless, that the rules requiring the reading of a resolution at two consecutive meetings be dispensed with and this resolution be placed at once upon its passage. Discussion followed.

Councilman Caupp noted the Bid Tabulations for both projects include special landscaping maintenance for two years. He asked if that meant Stone Creek Landscaping and Evans Landscaping would maintain the landscaping for two years. Mr. Percival said that was correct; it is a maintenance bond for the landscaping.

The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton
 Nays: None motion carried.

Motion by Councilman Caupp, seconded by Mayor Bayless, that Resolution Number 10-T be now passed. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton
 Nays: None motion carried.

Emergency Ordinance relative to City Hall HVAC Repairs. Mr. Percival respectfully requested that Council approve an emergency ordinance to waive competitive bidding for the emergency repair of the City Building's HVAC System and authorize a purchase order,

retroactive to August 3, 2010, to Waibel Energy Systems to repair the HVAC System in an amount not to exceed \$14,366.

Mr. Percival said last week when it was about 95 degrees, the HVAC system at City Hall failed due to the loss of a compressor on one of the air handler units. Emergency repairs were necessary because the building became very hot in a very short time. The Assistant City Manager asked what they should do. He told him to get the HVAC system repaired, and those repairs were completed on an emergency basis. He respectfully requested that Council approve an emergency ordinance to waive competitive bidding for the emergency repair of the City Building's HVAC System and authorize completion of the repairs.

Vice President Mills presented an ORDINANCE WAIVING COMPETITIVE BIDDING FOR WAIBEL ENERGY TO REPAIR THE HVAC SYSTEM AT CITY HALL, AND DECLARING IT TO BE AN EMERGENCY.

Motion by Vice President Mills, seconded by Councilman Louderback, that the rules requiring the reading of an ordinance at two consecutive meetings be dispensed with and this ordinance be placed at once upon its passage. Discussion followed.

Councilman Louderback thought extensive repairs were made to the HVAC system at City Hall a year ago. Mr. Percival said a year ago all the thermostats were replaced, but the vendor did not replace the air handlers. Councilman Louderback clarified these repairs were unrelated to the HVAC upgrade completed a year ago. Mr. Percival said that was correct. These repairs were done to the external system; everything done earlier was on the internal system.

Vice President Mills said not only was the heat uncomfortable for employees, but the heat could also have caused equipment to overheat resulting in the loss of computers, etc.

The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Motion by Vice President Mills, seconded by Councilman Louderback, that Ordinance Number 10-33 be now passed. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Items for the City Manager: Councilman Smith noted Council met on July 29th and a motion was passed that everyone that serves as a volunteer on a City Board or Commission must attend mandatory Ethics Training and sign a Code of Conduct to be a member of that Board or Commission. If the volunteer does not go through the training or sign the form, they should be removed from their Board or Commission.

Motion by Councilman Smith, seconded by Vice President Mills, to put a 90-day moratorium on the above requirements until Council can clarify some of the verbiage. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless and Felton

Nays: None motion carried.

Finance Director's Office:

Refinancing of 2000 General Obligation Bond Issue for paying off unfunded pension liability for police and fire and street improvements in the Industrial Park. Mr. Bazalak said these bonds are callable and eligible to be refunded/refinanced. The current interest rate environment makes it financially advantageous to do the refinancing. The City expects to save approximately \$70,000 to \$80,000 over the next ten years due to the refinancing of the 2000 General Obligation Bonds.

Mr. Bazalak respectfully requested that Council entertain three motions:

Action 1. By motion award the contract for Bond Counsel to refund/refinance the 2000 General Obligation Bonds to Peck, Shaffer, and Williams in a not-to-exceed amount of \$8,500.

Action 2. By motion award the contract for Underwriter services to refund/refinance the 2000 General Obligation Bonds to Fifth Third Securities Inc. in a not-to-exceed amount of \$15,000.

Action 3. Introduction of a bond ordinance to issue bonds in the not-to-exceed amount of \$925,000 to refund/refinance the 2000 General Obligation Bonds that mature in 2020.

Motion by Councilman Louderback, seconded by Councilman Miller, to award the contract for Bond Counsel to refund/refinance the 2000 General Obligation Bonds to Peck, Shaffer, and Williams in a not-to-exceed amount of \$8,500 effective the same day as the bond ordinance. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless and Felton
Nays: None motion carried.

Motion by Councilman Miller, seconded by Vice President Mills, to award the contract for Underwriter services to refund/refinance the 2000 General Obligation Bonds to Fifth Third Securities Inc. in a not-to-exceed amount of \$15,000 effective the same day as the bond ordinance. Brief comment followed. Councilman Miller thanked Mr. Bazalak for saving the City money. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless and Felton
Nays: None motion carried.

Councilman Louderback introduced an ORDINANCE AUTHORIZING THE ISSUANCE OF NOT-TO-EXCEED \$925,000 OF BONDS FOR THE PURPOSE OF REFUNDING THE CITY'S VARIOUS PURPOSE BONDS, SERIES 2010 DATED AS OF JUNE 1, 2000, AND MATTERS RELATED TO SUCH BONDS, and it was read for the first time.

Schedule of Bills: Mr. Bazalak presented payment of bills totaling \$698,928.15.

Motion by Councilman Louderback, seconded by Mayor Bayless, to approve payment of bills totaling \$698,928.15. Discussion followed. Vice President Mills commented on the following expenditures:

- ✦ Page 2 – Beaver Creek Rentals Inc. at \$89.98 for tool rental. She did not know if it was possible to start using Xenia Tool Rental instead of a Beaver Creek company. Mr. Percival said he would look into it.

- Page 6 – Dryden Builders Inc. at \$45,103 for the police training building on Ford Road. She noted the expense was paid from drug recovery money and cannot be used for anything but to enhance training for the Police Division. Mr. Percival said drug recovery money cannot be used to offset operating costs.
- Page 14 – Staples Advantage at \$183.39 for office supplies. She felt Geyer’s Office Supply could have provided the items. Mr. Percival noted the Xenia Municipal Court purchased the items. Vice President Mills wondered if Council could suggest that XMC use Geyer’s Office Supply. Councilman Louderback said he already spoke with the XMC Judge about this issue, but it did not work. President Felton said the XMC Judge can do what he wants to do; however, our staff has been good about using Geyer’s Office Supply. President Felton said staff is encouraged to use Xenia companies as long as the prices are competitive. Vice President Mills agreed.

The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Items for the Finance Director: None.

Law Director’s Office: President Felton thanked Adolfo Tornichio for attending the meeting for Mr. Lewis. Mr. Tornichio noted he had the opportunity to eat lunch at the Corner Restaurant that is back in business, which he believes is a real asset to this community.

Introduction of Ordinances and Resolutions: None.

Second Readings of Ordinances and Resolutions: None.

Items for the Law Director: None.

READING OF COMMUNICATIONS AND DISCUSSION: Councilman Miller said last week his son, brother, sister, and he took their annual vacation on the Appalachian Trail. They completed the highest peak in North Carolina, but cut the trip short due to the unbearable heat. Thankfully, they saw no bears this year. He congratulated his daughter, Jillian, as well as Morgan Wickline, for receiving awards at the Greene County Fair for their rabbits. His daughter also learned how to judge rabbits and won a medal for doing so. She did a great job and he is really proud of her.

Councilman Smith said he attended the Greene County Fair last Tuesday with his daughters and they had a great time. He appreciated all the efforts made by the Greene County Fair Board. He reminded citizens that Xenia High School athletics will be starting soon. The first Buccaneer football game is an away game at Carroll High School on August 28th. The first home game is September 3rd. There is a scrimmage game on Friday, August 13th at Cox Field. He wished the Buccaneers a lot of success. Simon Kenton and McKinley Elementary Schools are already in session, so please watch out for school buses and drive slowly.

Mayor Bayless said on August 1st she attended the Interfaith Hospitality Network dedication, which was a wonderful event for such a worthy cause. The event had a good turnout on such a hot day. She applauded everyone who volunteered and worked to bring that project to fruition. She missed “Music in the Park” on August 1st due to her family reunion. On August 6th she attended the Dayton Development Coalition breakfast, which is a gathering of businesses in the Miami Valley region. They gave an overview of job creation, water resources, and the impact

Wright-Patterson Air Force Base (WPAFB) has on our area, which is tremendous as far as job creation. WPAFB has the aerospace industry, human sciences, healthcare, advanced technology, alternative energy, and is basically a city within itself. It was a really good meeting and it was encouraging to hear there is some hope for jobs in our area. She announced that Dr. Robert Groves, Director of the U.S. Census Bureau, honored former City Planner Nimfa Simpson with a plaque thanking her for partnering with the U.S. Census Bureau to achieve a complete and accurate census count for 2010. She was also involved in the 2010 census and was happy to receive the plaque on behalf of the City. She presented a proclamation honoring the 100th birthday of Xenia resident Ruth McGlaun on Wednesday, August 11th (her birthday was August 9th). Although Ms. McGlaun is 100 years old, her mind is sharp and she lives independently.

Vice President Mills noted traditional schools will open August 25th, so residents should allow extra time due to the school buses. She attended *First Fridays* downtown on August 6th. Residents do not need to go elsewhere to receive spa treatments because Xenia's Emerald Loft has wonderful spa packages. Who knew we had *Jo Magazine* here in Xenia, Ohio. The magazine was launched in February 2010 and is going national in September 2010. The magazine highlights the careers of women in the music, entertainment, film industry, and the entertainers behind the scenes. For more information, visit their website at www.jomagazineonline.com. Mayor Bayless said she invited the editor to attend a Council meeting. Vice President Mills thanked the Xenia Daily Gazette for sharing positive information and for covering the rededication of Spring Hill Park. Community Development Block Grant money was used to pay for the renovations. The park is still considered a work-in-progress. Next year the city intends to add an open air shelter, picnic tables, benches, trash receptacles, signage, grills, and bicycle racks and hopes to accomplish that with additional CDBG money. She then read a thank you note from a resident who was awarded a Beautification Award recently. She thanked the Xenia Kiwanis for weeding the flowerbeds on the hill along N. Detroit Street and around the Armory; they did a marvelous job. She also thanked Xenia Rotary for allowing her to speak about what a great town Xenia is.

Councilman Louderback said he stopped and talked to Harold Hanlin, Steve Martin, and Shelley Bartix who weeded the flowerbeds on N. Detroit Street. That area was really looking bad. Kudos to all of them!

Mayor Bayless said while walking at Shawnee Park, she met a couple who were weeding around the front entrance to the park. She took a picture of them and sent it to the Gazette. She thought it was really nice that citizens who see a need step up to the plate.

Councilman Caupp noted tonight Council approved more projects that are funded from grant money, but Council keeps getting hammered about why they are spending money on some projects and not others. He felt the projects were great, but they could not do them without grant money. It is not free money coming to the City – it is the tax money that citizens pay to the federal government. If we do not accept those funds, other surrounding communities will and put them to work in their cities. Citizens should be thankful they are trying to get federal and state tax dollars coming back to the City to enhance everyone's lives. Councilman Miller stated staff applied for the TE grants in 2006 and 2007. Councilman Caupp noted the new Subway on N. Detroit Street broke ground, the Dairy Dream is coming along, Los Mariachis is expanding, a new body shop broke ground on Cincinnati Avenue, the Corner Restaurant reopened, and Xenia

China Inn is expected to reopen later this year. They are happy to see new businesses opening in Xenia. Lastly, he wished his father a “Happy Birthday.”

Vice President Mills noted Fox Antiques will expand on East Main Street to include furniture.

Councilman Louderback said Councilman Caupp and Vice President Mills already talked about all the new businesses and expansions he was going to discuss!

President Felton thought the 175th Greene County Fair was fun. She hates that Old Fashioned Days was cancelled this year, but vendor participation decreased and hard economic times have forced local sponsors to cut back. She hopes everyone including the City will be in better financial shape next year and that the event will return in 2011. They must have security for the event so everyone will be safe. She is glad *First Fridays* has been a big success because we need to draw people downtown. Fulmer’s will reopen under a different name. The new business will stock canned goods and dry goods, but she does not know when it will reopen. Local people and senior citizens need a grocery store downtown. When she was a child, there were small grocery stores on every corner and residents did not have to go far or walk through huge grocery stores. Even though she has lived all over the United States, Xenia is the best place in the world to live. Many cities are in financial trouble, but she has never seen it this bad. Council works diligently to save money and staff must be accountable for what they spend. Employees are stressed out and working extra hours doing the job of several positions due to the recent layoffs. If you see employees out working, she would appreciate it if citizens would say “thank you.” It would boost their morale. It means a lot that somebody came to the meeting and let them know that they appreciate what was done at Spring Hill Park. The Appointed Officials run the City and employees are accountable to them. It is hard for new members of Council to learn how the City works and to understand how funds are restricted. There are a lot of issues, but they are more than happy to open the financial books and explain what is going on with the City; nothing is kept a secret. She appreciated citizens’ interests and those who spoke tonight. If citizens have questions, please call any of them to get an answer.

Councilman Louderback clarified Old Fashioned Days is organized by a volunteer group (Old Fashioned Days, Inc.) ... not the Chamber of Commerce and not the City of Xenia. A lot of citizens think it is a City of Xenia function. Mr. Percival stated the Old Fashioned Days Committee is responsible for the event. Councilman Louderback noted the City supported the event by providing police security. President Felton said she always enjoyed the parade and the event, but the biggest problem is there were no vendors this year. Hopefully, things will be better next year.

ADJOURNMENT: Motion by Councilman Miller, seconded by Vice President Mills, to adjourn the Regular Session at 8:10 p.m. No discussion followed. The Roll on this was the following:

Ayes: Mills, Caupp, Louderback, Miller, Smith, Bayless, and Felton

Nays: None motion carried.

Michelle D. Johnson, Clerk
Xenia City Council

Patricia L. Felton, President
Xenia City Council