

**XENIA CITY COUNCIL  
REGULAR MEETING AGENDA  
FEBRUARY 9, 2023**

**LOCATION:**

City Administration Building  
City Council Chambers  
107 E. Main Street  
Xenia, OH 45385

<p><b>NOTE:</b> Regular and Special Meetings are open to the public. Executive Sessions are closed to the public. Only Regular Sessions are live streamed on the City's government channel (via Spectrum/Channel 5) and YouTube channel (eXplore Xenia). There is an opportunity for Audience Comments during Regular Sessions only and during Public Hearings. Please see note under Audience Comments below.</p>
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**REGULAR SESSION**

- **INVOCATION** (or moment of silence)
- (1) **PLEDGE OF ALLEGIANCE** Councilman Cody Brannum
- (2) **CALL TO ORDER** 6:00 p.m.
- (3) **ROLL CALL AND EXCUSAL OF ABSENCES** Vice President Wesley Smith, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Levi Dean, Mayor Sarah Mays, and President Will Urschel
- (4) **APPROVAL OF MINUTES** January 26, 2023
- (5) **SPECIAL PRESENTATION(S)** None.
- (6) **AUDIENCE COMMENTS** The public may also submit comments and/or questions for Council consideration by emailing the City Clerk at [mjohnson@ci.xenia.oh.us](mailto:mjohnson@ci.xenia.oh.us) by 3 p.m. on 02/09/2023.
- (7) **OLD BUSINESS**
  - A. ORDINANCE 2023-02 (Public Hearing) APPROVING THE SALE AND CONVEYANCE OF THE CITY-OWNED PROPERTY AT 130 E. CHURCH STREET (0.9537 ACRES) TO DR. PAUL SOHL, *introduced by Councilman Brannum on 01/26/2023*
- (8) **NEW BUSINESS**
  - A. ORDINANCE 2023-03 (Introduction) EXTENDING THE MORATORIUM ON ADDICTION TREATMENT FACILITIES ESTABLISHED BY ORDINANCE 2022-31 FOR AN ADDITIONAL THREE MONTHS (*City Manager*)
  - B. RESOLUTION 2023-006 AUTHORIZING THE PURCHASE OF A SEWER INSPECTION VEHICLE UNIT FOR THE PUBLIC SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM (*City Manager*)
  - C. RESOLUTION 2023-007 WAIVING COMPETITIVE BIDDING FOR, AND AUTHORIZING THE PURCHASE OF, THREE (3) MARKED VEHICLES FROM LEBANON FORD FOR THE XENIA POLICE DIVISION (*City Manager*)

**XENIA CITY COUNCIL  
REGULAR MEETING AGENDA  
FEBRUARY 9, 2023**

**D. RESOLUTION 2023-008**

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE GREENE COUNTY BOARD OF COMMISSIONERS FOR THE GREENE COUNTY DEPARTMENT OF BUILDING REGULATION TO PROVIDE CHIEF BUILDING OFFICIAL AND OTHER BUILDING CODE ENFORCEMENT SERVICES ON CERTAIN PROJECTS

*(City Manager)* ~ published

**(9) APPOINTED OFFICIALS' REPORTS**

**(10) COUNCIL COMMENTS & REPORTS**

**(11) EXECUTIVE SESSION**

**(12) ADJOURNMENT**

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**Published upon approval of the Council President by:**

Michelle D. Johnson, City Clerk

**XENIA CITY COUNCIL  
REGULAR MEETING  
JANUARY 26, 2023**

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President Will Urschel asked everyone to stand, and then he provided the Invocation.

**(1) PLEDGE OF ALLEGIANCE:** All present remained standing and recited the Pledge of Allegiance led by Councilman Thomas Scrivens.

**(2) CALL TO ORDER:** President Urschel called the Regular Session to order at 6:01 p.m.

**(3) ROLL CALL:** Vice President Wesley Smith, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, and President Will Urschel were present. Mayor Sarah Mays and Councilman Levi Dean were absent.

President Urschel entertained a motion to excuse Mayor Mays and Councilman Dean from the meeting.

Motion by Vice President Smith, seconded by Councilwoman Dean, to excuse from the meeting Mayor Mays due to family obligations and Levi Dean for work obligations. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None motion carried.

**Staff Present:** City Manager Brent Merriman, Assistant City Manager Jared Holloway, Assistant Finance Director Jason Lake, Law Director Donnette Fisher, City Clerk Michelle Johnson, Deputy Fire & EMS Chief Mike Bogan, and Police Chief Chris Stutes.

**(4) APPROVAL OF MINUTES:** President Urschel called for a motion on the minutes of the January 7, 2023, Special Meeting.

Motion by Councilwoman Dean, seconded by Councilman Brannum, to approve the January 7, 2023, minutes of the Special Meeting as written. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None motion carried.

President Urschel called for a motion on the minutes of the January 12, 2023, Regular Meeting.

Motion by Vice President Smith, seconded by Councilwoman Dean, to approve the January 12, 2023, minutes of the Regular Meeting as written. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None motion carried.

**(5) SPECIAL PRESENTATION(S):** None.

(6) **AUDIENCE COMMENTS:** President Urschel explained the procedures for Audience Comments and invited those who wished to speak to come forward. Nobody came forward to speak.

(7) **OLD BUSINESS:** None.

(8) **NEW BUSINESS:**

**A. ORDINANCE 2023-01 PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY (2023 ANNUAL APPROPRIATION ORDINANCE).** Mr. Merriman said ORC 5705.38 and City Charter Section 9.05 A. required Council to adopt an Annual Appropriation Ordinance on or before April 1<sup>st</sup> if Council passed a temporary appropriation measure for the first quarter of the year (as done in December by Ordinance 2022-49) while the year-end closeout was completed, which had since been done. The purpose of the Annual Appropriation Ordinance was to set forth all spending authorizations for all departments and services and various capital projects for the 2023 fiscal year. Council had previously engaged in discussions concerning this budget through meetings of the Finance & Budget Committee, approval of the tax budget, through the five-year capital planning, and final budget review and development processes. He noted that the budget process was an iterative process, and the numbers from the first version were different from this final version. The spending plan as presented would continue all services provided in 2022 and would add additional capacity and some targeted priority areas specifically including areas such as law enforcement. While the spending plan was comprehensive, it was also quite conservative; there was a distinct possibility that staff would seek supplemental appropriations for various actions or issues during the year. As presented in Ordinance 2023-01, appropriations total \$92,187,946.85, and the spending plan included positive ending balances for all funds. Staff projected key operating fund ending balance of approximately \$4,592,000, which met the City's reserve requirement as established by the City's financial management policies and goals. He reminded them that the budget total as presented was not the anticipated actual cash outlay. He explained that due to generally accepted accounting principles, a lot of transfers, etc., were double counted but were required to be reflected in the budget. He assured Council that the City would not spend anywhere near \$92 million in 2023.

President Urschel called for a motion on Ordinance 2023-01.

Motion by Councilman Scrivens, seconded by Vice President Smith, to adopt Ordinance 2023-01 as presented. President Urschel entertained comments or questions. Councilman Brannum thanked the City Manager's Office staff, the Finance Department staff, and all Department/Division heads for their time and energy in developing the final appropriations for 2023. He was certain the process was not easy. President Urschel agreed, adding the Finance Department staff and CMO staff were always willing to explain and answer his questions. He noted the budget process for the next year starts early in the preceding year, which included multiple iterations. They all did a tremendous job. Mr. Merriman noted with the recent Charter amendments, the Finance Department would take a more aggressive role in the budget

development process. He expressed his appreciation for Mr. Holloway's efforts in working with Department/Division Heads in 2022 as he anticipated a bit of a transition in 2023. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

**B. Introduction of Ordinance 2023-02 Approving the Sale and Conveyance of the City-owned Property at 130 E. Church Street (0.9537 Acres) to Dr. Paul Sohl.** Mr. Merriman said at Council's direction, the City-owned property at 130 E. Church Street (the former Xenia Adult Recreation and Services Center) had been listed for sale since last summer. The site included a 10,400 sq. ft. building on a 0.9537-acre lot. As recently discussed with Council, the City received an offer to purchase this building and property for \$350,000 from Dr. Paul Sohl, who expressed his intent to open a dentist office at that location. Staff supported this sale as an excellent use of the property that would bring value to the neighborhood and downtown Xenia as a whole. Staff recommended that Council accept the offer and initiate the sale process via Ordinance 2023-02.

President Urschel called for introduction of Ordinance 2023-02 as presented.

Councilman Brannum introduced **ORDINANCE 2023-02 APPROVING THE SALE AND CONVEYANCE OF THE CITY-OWNED PROPERTY AT 130 E. CHURCH STREET (0.9537 ACRES) TO DR. PAUL SOHL.**

President Urschel entertained comments or questions. Councilman Scrivens complimented staff and the Property Management Committee, noting the building had been vacant for quite some time. He felt the sale of this property was a good match for its intended purpose, and he was looking forward to seeing it thrive. President Urschel said Council's desire was to dispose of properties that did not have a municipal purpose, and Council conducted an Executive Session at their last meeting at which time they received pertinent background information on this action.

**C. RESOLUTION 2023-002 AUTHORIZING THE EXECUTION OF A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC., FOR THE ENGINEERING DESIGN OF INFRASTRUCTURE WITHIN AND AROUND XENIA TOWNE SQUARE.** Mr. Merriman said elements were coming together for the comprehensive redevelopment of the Xenia Towne Square ("XTS") site. As Council had been advised, they should expect multiple recommended action steps starting in February. In advance of those actions, staff presented a recommendation to approve a contract for comprehensive engineering services including the design of infrastructure within and around the site, which was a significant and necessary step in preparing the actual site for construction and finalizing the development plan. On November 1, 2022, engineering staff received two (2) responses to its Request for Qualifications ("RFQ") to complete the design of the necessary infrastructure improvements for the XTS site. After a thorough review of the two submittals, it was clear to the internal selection committee that American Structurepoint, Inc., was the most qualified firm to furnish the necessary engineering design services for this project. Structurepoint had successfully completed high-profile projects in the past for the City including the Shawnee Park Improvements, the James T. Henry Sr. Circle, and the S. Columbus Street Bridge Replacement Project. Structurepoint and its subconsultants have completed many similar projects in the Columbus, Ohio, area. Thus, staff

had little doubt in their abilities to successfully complete the infrastructure design of this important project. Subsequent to selecting Structurepoint to complete the infrastructure design, the internal selection committee met with its team to develop an acceptable and realistic Scope of Services (“Scope”), which was included in the agenda packet and included timelines and associated costs for each subtask listed. In order to complete all of the subtasks listed and their respective costs as listed, the contractual services amount would total \$976,345. The 2023 Annual Appropriations Ordinance that was also before Council (Ordinance 2023-01) included monies from both utility and key operating funds to meet the stated fee to establish a not-to-exceed cost of \$976,345. The costs should be recoverable—in whole or in part—as they move forward with the XTS project through Tax Increment Financing (TIFs) to the extent that those would be established and approved by the City’s partners. He respectfully recommended that Council move forward with this contract and approve Resolution 2023-002 as presented.

President Urschel called for a motion to pass Resolution 2023-002.

Motion by Councilwoman Dean, seconded by Vice President Smith, to pass Resolution 2023-002 as presented. President Urschel entertained comments or questions.

Councilman Scrivens commented that page 5 of the scope of services noted a transition of the curve on Church Street to a “T” intersection; he expressed his opposition to this overbuild. Mr. Merriman explained that the scope of services was preliminary and conceptual. Throughout the contract, he anticipated a lot of vetting of the initial concepts that were presented as they consider safety, practicality, costs, etc. However, he reiterated the desire to introduce higher-scale, higher lease/for sale townhome products and to create a much more robust residential environment along Church Street. With that, he would like to recapture some acreage at Mechanic and Church Streets that currently served no purpose. Further, Church Street was currently a 25 mph street, which was not regularly observed. He felt that the redevelopment project would drive foot traffic from the surrounding residential areas into the XTS site, and the street needed some traffic calming measures. President Urschel asked if the contract was for a “study” and not actual work. Mr. Merriman said yes; as they worked through the study, the end result would be design drawings.

Councilman Scrivens asked about the proposed removal of the southbound right turn slip lane at Detroit and Church Streets. Mr. Merriman said the southbound lane would likely be reduced but not eliminated. With semi-truck traffic using Church Street instead of the intersection of 68 and 35 and with additional residential housing proposed in this area, they needed to keep semi-truck traffic on the state routes and ensure an appropriate turning radius. President Urschel noted that the original street grid would be reinstated, which would encourage additional pedestrian traffic. Further, the site would include events and opportunities to draw people there from all around the area. The City had one shot at this redevelopment project, and this study was a critical step. Mr. Merriman agreed—they needed to make their way through all the steps of this very complex process, and they were trying to get it right.

The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

**D. RESOLUTION 2023-003 AUTHORIZING THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS AND RELATED EQUIPMENT FOR THE FIRE & EMS DIVISION FROM ATLANTIC EMERGENCY SOLUTIONS THROUGH THE HGAC COOPERATIVE PURCHASING PROGRAM.** Mr. Merriman said a critical component of fire service safety gear included self-contained breathing apparatus (“SCBA”) equipment. The current SCBAs utilized by the Xenia Fire & EMS Division were purchased in 2009 and have reached end of life, and the cylinders used with these SCBAs were in their last year of serviceability. In planning for replacement of this equipment, Fire & EMS Division leadership applied for and was awarded a Federal Fire Act Grant in the total amount of \$363,441 (\$330,400.90 in federal funding and \$33,040.10 in local funding). The grant was divided into two main categories: the purchase of thirty-four (34) SCBAs and associated equipment (this agenda item), and the purchase of a compressor/cascade unit for the filling of 5500 psi SCBA cylinders (the next agenda item/Resolution 2023-004). The new tanks and compressor system would be higher rated and would allow a greater psi, resulting in a longer duration per use. The SCBA portion had a total cost of \$352,782.96 with \$261,763.86 in federal funding and \$90,569.10 in local funding. If authorized, the purchase of the new SCBAs from Atlantic Emergency Solutions would be made through the Houston-Galveston Area Council Cooperative Purchasing Program (“HGACBuy”), under Contract #EE08-19. Pursuant Section 9.08 B.(3) of the City’s Charter, competitive bidding for this purchase was not required as the purchase was being made through a cooperative purchasing program. He commended the Fire & EMS Division staff on their efforts to secure grant funding for this critical equipment.

President Urschel called for a motion to pass Resolution 2023-003.

Motion by Councilman Brannum, seconded by Councilwoman Dean, to pass Resolution 2023-003 as presented. President Urschel entertained comments or questions. Councilman Scrivens asked the life of these new SCBAs. Chief Bogan said the cylinders had a 15-year lifespan, and as long as they passed annual testing, they could use them for their lifespan. Councilman Scrivens asked what they would do with the surplus equipment. Chief Bogan said they would try to sell the equipment on GovDeals. President Urschel asked if the City conducted the required testing. Chief Bogan said the City used an outside agency to conduct the testing. Vice President Smith commented on the value of the grant at \$6 for every \$1 in City funds, which was phenomenal. The City’s investment of \$100,000 was a great value for this critical equipment for the City’s Fire & EMS employees. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

**E. RESOLUTION 2023-004 AUTHORIZING THE PURCHASE OF A BAUER COMPRESSOR/CASCADE SYSTEM FOR THE FIRE & EMS DIVISION FROM BREATHING AIR SYSTEMS THROUGH THE NPPGOV COOPERATIVE PURCHASING PROGRAM.** Mr. Merriman said in conjunction with the previous agenda item, staff recommended approval of the resolution to authorize the purchase of a new compressor/cascade unit in the amount of \$83,572.40 (\$63,000 in federal funding and \$20,572.24 in local funding) through the National Purchasing Partners, Government Cooperative Procurement

Organization (“NPPGov”), under Contract #PS20095. Pursuant to Section 9.08 B(3) of the City’s Charter, competitive bidding for this purchase was not required as the purchase was being made through a cooperative purchasing program.

President Urschel called for a motion to pass Resolution 2023-004.

Motion by Councilwoman Dean, seconded by Councilman Scrivens, to pass Resolution 2023-004 as presented. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

**F. Procedural Motion to Appoint the Council Board/Commission/Committee Assignments for 2023.** President Urschel announced the following appointments to the Standing Committees of Council for 2023, which did not require a vote of Council:

- **Economic Development Advisory Committee:** President Will Urschel, Chair; Mayor Sarah Mays, Vice President Wesley Smith (Alternate: Councilman Thomas Scrivens)
- **Finance & Budget Committee:** Vice President Wesley Smith, Chair; President Will Urschel; Councilman Levi Dean (Alternate: Councilwoman Rebekah Dean)
- **Legislative Review & Government Affairs Committee:** Mayor Sarah Mays, Chair; Councilman Thomas Scrivens; Councilwoman Rebekah Dean (Alternate: Vice President Wesley Smith)
- **Property Management Committee:** President Will Urschel, Chair; Councilman Levi Dean; Councilman Cody Brannum (Alternate: Councilman Thomas Scrivens)
- **Public Safety Committee:** Councilman Thomas Scrivens, Chair; President Will Urschel; Councilwoman Rebekah Dean (Alternate: Councilman Cody Brannum)
- **Public Service & Utilities Committee:** President Will Urschel, Chair; Councilman Thomas Scrivens; Councilman Cody Brannum (Alternate: Vice President Wesley Smith)

With recent amendments to Xenia City Code Title Eight, “Boards, Commissions, and Committees” via passage of Ordinance 2022-21, Chair appointments were now two-year appointments. Therefore, he announced that 2023 shall be the second year of the two-year appointments as follows:

- **Board of Zoning Appeals Chair:** Councilman Cody Brannum
- **Planning & Zoning Commission Chair:** Vice President Wesley Smith
- **Xenia Recreation and Events Commission Chair:** Mayor Sarah Mays

He then respectfully requested appointments as follows:

- **Greene County Career Center’s Health Science Academy Advisory Board:** Councilman Thomas Scrivens
- **JEDD-1 Board of Directors:** Finance Director Ryan Duke (four-year appt.) to serve as the City’s Representative
- **Miami Valley Regional Planning Commission:** Mayor Sarah Mays (Alternate: President Will Urschel)

President Urschel called for a motion on the appointment to the Greene County Career Center’s Health Science Academy Advisory Board.



Motion by Vice President Smith, seconded by Councilman Brannum, to appoint Councilman Scrivens to the Greene County Career Center's Health Science Academy Advisory Board. President Urschel entertained comments or questions. President Smith asked how often the Health Science Academy Advisory Board met. Councilman Scrivens said they met quarterly, but they did not meet in 2022 due to Covid. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel  
Nays: None motion carried.

President Urschel called for a motion on the appointment to the JEDD-1 Board of Directors.

Motion by Councilman Scrivens, seconded by Councilwoman Dean, to appoint Mr. Duke to the JEDD-1 Board of Directors. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel  
Nays: None motion carried.

President Smith asked if an alternate was needed for the JEDD-1 Board of Directors. Mr. Duke said per the by-laws, there was only one City representative on the Board of Directors; however, he could only serve two consecutive terms. While there was some ambiguity as to when a term started, for the next term, Council may need to consider appointing Mr. Lake. Because there were financial reporting requirements, he served as the Board's treasurer, and he would be uncomfortable reporting on the financials without the Finance Department being involved in that Treasurer role.

President Urschel called for a motion on the appointment to the Miami Valley Regional Planning Commission.

Motion by Vice President Smith, seconded by Councilman Brannum, to appoint Mayor Mays as the representative and President Urschel as the alternate to the Miami Valley Regional Planning Commission as noted above. President Urschel entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel  
Nays: None motion carried.

**G. RESOLUTION 2023-005 WITHDRAWING THE CITY'S OBJECTIONS TO THE RENEWAL OF PERMIT NO. 7670240, HELD BY SAFFRON SIX, LLC, PERMIT NO. 9804316, HELD BY XENIA GAS & SNACK, INC., AND PERMIT NO. 5424165, HELD BY MAHARAJA INC. FOOD MART, BY THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL.** Ms. Fisher said in April 2022, Council passed Resolutions to object to the renewal of three liquor permits because criminal charges were pending on the sale of drug paraphernalia at all three permit premises. She announced that there were convictions in all three cases. The Xenia Police Division conducted an operation and visited the businesses last fall and found that they were no longer selling the drug paraphernalia. In speaking with Mr. Merriman and Chief Stutes, the City did not wish to put these locations out

of business. The goal was to ensure that they were good, corporate citizens and not selling drug paraphernalia that was harmful to this community. Therefore, the City of Xenia recently entered into written agreements with the subject three liquor permit holders who agreed they would refrain from selling drug paraphernalia and had removed it from their stores. The Ohio Division of Liquor Control advised that a Resolution was required to withdraw the City's objections to these three liquor permit renewals. If in the future there was a violation of the agreement, the City could renew its objection to the liquor permit renewal.

President Urschel called for a motion to pass Resolution 2023-005.

Motion by Councilman Scrivens, seconded by Councilwoman Dean, to pass Resolution 2023-005 as presented. President Urschel thanked Ms. Fisher and the Police Division for working together on this matter. He encouraged them to continue their vigilance. He then entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

#### **(9) APPOINTED OFFICIALS REPORTS**

President Urschel asked Ms. Fisher for her comments. Ms. Fisher had nothing further to share except to say "Go Bengals!"

President Urschel asked Mr. Duke for his comments. Mr. Duke said he recently sent out his monthly financial update, which included a recap of 2022. He encouraged them to read through the narrative on the first several pages that provided a quick synopsis of the City's current financial status. He said 2022 was a decent year as there was revenue growth, but due to inflationary factors, expenses also increased. There was a lot to monitor in 2023 to see how the expenses and revenue were trending, and he expressed concern about meeting the reserve requirement in the out years. If they had any questions about the contents of the report, he encouraged them to reach out to him.

President Urschel asked Mr. Merriman for his comments. Mr. Merriman had nothing further to share.

#### **(10) COUNCIL COMMENTS & REPORTS:**

Councilwoman Dean had nothing further to share.

Councilman Brannum said the Board of Zoning Appeals had not met since June 2022, which he assumed meant the Land Development Code was doing its job. He then shared information on the three cases presented at the January 23, 2023, Board of Zoning Appeals meeting:

- Case #BZA2023-01: Variance to allow construction of a 420 sq. ft. addition to an existing 720 sq. ft. garage, on a residential lot that also contains a 144 sq. ft. shed, resulting in a total accessory building floor area of 1,284 sq. ft., which requires a variance from the Land Development Code's maximum accessory building floor area of 720 sq. ft. per lot in a residential district for the property located at 204 Franklin Avenue. An amended variance was approved to allow the

existing 144 sq. ft. shed that was built without a permit to remain but to deny the request to allow construction of a 420 sq. ft. addition to the existing garage.

- Case #BZA2023-02: Variance to allow construction of a 15' tall freestanding sign, in excess of the maximum 8' height permitted by the Land Development Code for the property located at 104 Hospitality Drive, which was approved. He noted this sign was for the new Buffalo Wild Wings restaurant.
- Case #BZA2023-03: Variance to allow an accessory shed, built without a permit, to remain on the property prior to construction of a single-family home, which requires a variance from the Land Development Code requirement that an accessory building must be built AFTER the principle use (e.g., a home) is constructed for Parcel M40000200240000700 located on Union Road, which was approved. He noted the variance would expire on March 11, 2024, and the home must be completed by that date or the shed would have to be removed.

Councilman Scrivens said the Public Service & Utilities Committee had not yet met in 2023, but he assumed they would be holding a meeting within the next month. He said the Legislative Review & Government Affairs Committee would continue to pare down the Xenia City Code and stay on top of State legislation. He expressed his excitement for upcoming street projects in the City, advising that the City would soon be full of orange barrels.

Vice President Smith said last year, the Planning and Zoning Commission voted to change their meeting schedule in 2023. The Commission would now be meeting on the day before (Wednesday) the first Council meeting of the month. Therefore, the next meeting was scheduled for February 8<sup>th</sup> at 6 p.m. He said “Go Bengals! Who Dey!”

President Urschel said in Mayor Mays’ absence, he shared her update as follows:

- January 16<sup>th</sup>: She welcomed everyone to the MLK Jr. community celebration service. There was a great turnout, and they had a wonderful time with the community choir as well as the lead pastor from United AME.
- January 17<sup>th</sup>: She and Mr. Merriman had a meeting with Kettering Health Network leadership.
- January 18<sup>th</sup>: She participated in a board meeting with the Clark State Foundation at the Xenia campus.
- January 20<sup>th</sup>: She had an opportunity to meet with a Xenia Community resident; this resident and her mother asked some great questions and brought up concerns, but they were also looking for ways to help be a part of the solutions. She was thankful to have opportunities to meet with people who want to volunteer their time and efforts to help the community. President Smith encouraged people to contact any Councilmembers if they had concerns to express or had questions.
- January 23<sup>rd</sup>: She participated in an area Mayors lunch in Fairborn.

He said Mayor Mays took her role as Mayor very seriously, and he thanked her for all the extra tasks she did, noting she did a tremendous job. She attended numerous meetings and events every month on the City, County, and regional level. He also commended Vice President Smith on his work as Council President for the last three years. He was already learning that a lot went on behind the scenes in coordination with the City Manager, Finance Director, Law Director, and City Clerk, who all kept things running very smoothly. He reported that he recently attended a Xenia Board of Education meeting and learned that School Treasurer Carolyn Huber was stepping down. She would be sorely missed but was leaving a great legacy with her staff. He anticipated that the School Board would conduct a search for her replacement later this year. He

asked residents to be patient with the City's Public Service workers. They successfully got through recent snow and ice events, and he anticipated that there would be future events this winter season. He reminded residents that the snow plow drivers were working in very hazardous conditions while trying to work around cars in the street and many other obstacles. They work hard, and he encouraged people to give them a thumbs up and some leeway as they work to treat and/or clear the streets. Those with concerns should contact the City Manager's Office or any Councilmember.

**(11) EXECUTIVE SESSION:** President Urschel said there was not a need for an Executive Session this evening.

**(12) ADJOURNMENT:** Motion by Councilwoman Dean, seconded by Councilman Brannum, to adjourn the Regular Meeting at 6:53 p.m. No discussion followed. The Roll on this was the following:

Ayes: Smith, Scrivens, R. Dean, Brannum, Urschel

Nays: None                      motion carried.

Michelle D. Johnson  
City Clerk

William J. Urschel, President  
Xenia City Council



**XENIA CITY COUNCIL**  
**LEGISLATIVE COVER MEMO**

**Introduction:** January 26, 2023  
**Public Hearing & Vote:** February 9, 2023  
**Effective Date:** March 11, 2023

**Agenda Item:** **ORDINANCE 2023 – 02**  
APPROVING THE SALE AND CONVEYANCE OF THE CITY-OWNED  
PROPERTY AT 130 E. CHURCH STREET (0.9537 ACRES) TO DR. PAUL  
SOHL  
*Introduced by Councilman Cody Brannum on January 26, 2023*

**Submitted By:** Jared Holloway, Assistant City Manager  
**Presented By:** Brent Merriman, City Manager

**Scope/Description:** As Council is aware, the City-owned property at 130. E Church Street (the former Xenia Adult Recreation and Services Center) has been listed for sale since last summer. Council authorized listing the property with a commercial realtor by Resolution 2022-EE, passed on May 26, 2022. Since that time, staff has worked with a surveyor to separate the City’s parking lot from the building and an adjacent homeowner’s driveway. The property on which the driveway was located was transferred to the homeowner, Brian Ryan, by Ordinance 2022-39.

The City has received an offer for Tract II of the property at 130 E. Church Street, which includes the approximately 10,400 sq. ft. building. This tract is approximately 0.9537 acres in total. The offer to purchase this tract for \$350,000 is from Dr. Paul Sohl, who intends to use the property as a dentist office. Staff supports this sale as the intended use will bring value to the neighborhood and downtown Xenia as a whole. The current P-1 zoning does have square footage restrictions for a medical office, so a rezoning to O-1 Office will need to be approved prior to closing to accommodate the dentist office use. Staff is supportive of this rezoning request, which will work through PZC and come back before Council in the coming weeks.

**Cover Memo**  
**Attachments:** Property Survey (Subject Parcel is Tract II)

**Budgetary Impact:** \$350,000 into 361 Fund.

**Vote Required for**  
**Passage:** The affirmative vote of a majority of Council members present at the meeting.

**Recommendation:** Staff recommends the adoption of Ordinance 2023-02 to approve the conveyance of the City-owned property at 130 E. Church Street (approximately 0.9537 acres) to Dr. Paul Sohl for \$350,000.

**CITY OF XENIA, OHIO  
ORDINANCE 2023 – 02**

**APPROVING THE SALE AND CONVEYANCE OF THE CITY-OWNED PROPERTY AT  
130 E. CHURCH STREET (0.9537 ACRES) TO DR. PAUL SOHL**

**WHEREAS**, Section 4.01 G.(2) of the City Charter grants this Council the power to convey any real property owned by the City when Council has made a determination that the property is not needed for any municipal purpose and upon the adoption of an ordinance approving such conveyance;

**WHEREAS**, Council, by Resolution 2022-EE passed on May 26, 2022, determined that the property at 130 E. Church Street is not needed for any municipal purpose and authorized the listing of said property for sale;

**WHEREAS**, Dr. Paul Sohl has made an offer to purchase said property, consisting of approximately 0.9537 acres, for \$350,000; and

**WHEREAS**, this Council finds it to be in the best interests of the health, safety and welfare of the City to authorize the sale and conveyance of said property to Dr. Paul Sohl,

**NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS**, at least four (4) members of the City Council concurring, that:

**Section 1.** The sale and conveyance of the City-owned property at 130 E. Church Street, consisting of 0.9537 acres more or less, as shown in the attached Exhibit A, to Dr. Paul Sohl in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) is hereby approved.

**Section 2.** The City Manager is authorized to execute a deed and any other documents necessary for the sale and conveyance of said property.

**Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 4.** This Ordinance shall be effective on March 11, 2023.

Introduced: January 26, 2023

Adopted: February 9, 2023

Attest:

William J. Urschel  
President, Xenia City Council

Michelle D. Johnson  
City Clerk

TRACT II  
DESCRIPTION OF 0.9537 ACRES

Located in Virginia Military Survey 2243, City of Xenia, Greene County, Ohio and being a part of the 1.83 acres conveyed to the City of Xenia by Deed Book 555, Page 968 of the Records of Greene County, Ohio.

Commencing at a 5/8" iron pin found, being the southeast corner of Lot 1 of Frank W. Dodds' Addition to the City of Xenia as shown in Plat Cabinet 31, Page 266B-267A, said 5/8" iron pin also being in the West Right-of-Way of Edison Boulevard (80' R/W)

Thence with the West Right-of-Way of said Edison Boulevard, the East line of said City of Xenia's 1.83 acre tract, S 06°18'38" E 15.00' to a 5/8" iron pin set being the TRUE POINT OF BEGINNING of the hereinafter described 0.9537 acre tract;

Thence continuing with the West Right-of-Way of said Edison Boulevard S 06°18'38" E 185.00' to a 5/8" iron pin set at the intersection of the West Right-of-Way of said Edison Boulevard and the North Right-of-Way of East Church Street (59.5' R/W);

Thence continuing with the North Right-of-Way of said East Church Street, S 83°41'22" W 218.96' to a 5/8" iron pin set;

Thence on a new division line, N 06°18'38" W 200.00' to a 5/8" iron pin set into the North line of said City of Xenia 1.83 acre tract, also being the South line of Lot 11 of said Frank W. Dodds' Addition;

Thence with the South line of said Lot 11, N 83°41'22" E 68.96' to a 5/8" iron pin set being the southeast corner of said Lot 11 and the southwest corner of said Lot 1;

Thence on a new division line the following two (2) calls:

1. S 06°18'38" E 15.00' to a 5/8" iron pin set;
2. N 83°41'22" E 150.00' returning to the TRUE POINT OF BEGINNING;

Containing 0.9537 acres, more or less, and being subject, however, to all covenants, conditions, restrictions, reservations and easements of record.

The above description was prepared from the results of a field survey made by Prism Surveys, LLC., Kenneth W. Boutwell, Ohio Registered Surveyor No. 8211 in July of 2022. Iron pins found are 5/8" diameter. Iron pins set are 5/8" diameter, 30 inches in length with a pink plastic cap stamped Prism Surveys, LLC., set flush with the ground. Bearings are based on NAD 83 (2011)

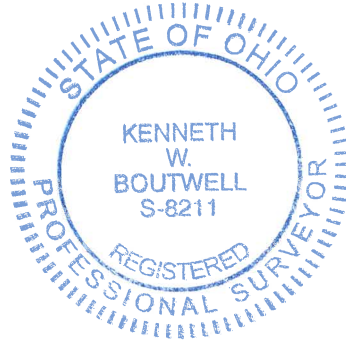
State Plane Coordinates (SPC) derived from differential GPS satellite observations. Ground distances were used.

Prior Deed Reference: Deed Book 555, Page 968 of the Records of Greene County, Ohio.

Prism Surveys, LLC.



Kenneth W. Boutwell, P.S.  
Ohio Registration Number S-8211  
Job Number 22-004



**APPROVED  
CITY OF XENIA**

**SEP 27 2022**

Sign: \_\_\_\_\_

City Planner





**Introduction:** February 9, 2023  
**Public Hearing & Vote:** February 23, 2023  
**Effective Date:** March 25, 2023

**Agenda Item:** **ORDINANCE 2023 – 03**  
EXTENDING THE MORATORIUM ON ADDICTION TREATMENT FACILITIES ESTABLISHED BY ORDINANCE 2022-31 FOR AN ADDITIONAL THREE MONTHS

**Submitted By:** Brian Forschner, City Planner  
**Presented By:** Brent Merriman, City Manager

**Summary:** Council enacted Ordinance 2022-31 on August 25, 2022 (effective September 24, 2022) to establish a moratorium on the establishment or commencement of addiction treatment facilities in response to increasing demand for such facilities in Xenia and the inadequacy of the Land Development Code’s regulations of them. The purpose of the moratorium was to pause establishment of more such facilities and maintain the status quo while City staff develops more appropriate zoning regulations. Since the passage of the moratorium, City staff has researched addiction treatment, studied other jurisdictions’ regulations, and met with a range of social service providers in Xenia.

Staff has determined: (1) addiction treatment is often interconnected with other social services; and (2) some of the perceived and actual concerns generated by addiction treatment uses are also generated by other social service uses, many of which are grouped under the same category in the Land Development Code. Additionally, thorough analysis of the statutory definitions and limitations related to addiction treatment and the other similar social services mentioned above add much complexity to any effort to further regulate these functions locally. For these reasons, it is necessary to take a more thoughtful and comprehensive regulatory approach toward social service uses in general, not just addiction treatment facilities. Developing the comprehensive approach has taken more time than initially anticipated due to the complexity and scope of impact.

In order to allow for appropriate vetting of the draft ordinance for the recommended changes to the Land Development Code, staff believes that a three-month extension of the moratorium is needed. The additional time will allow staff to develop a more sustainable set of regulations that balances the needs of various interests. Staff requests that the moratorium be extended beyond its original expiration date of March 24, 2023, to a new expiration date of June 24, 2023.

**Cover Memo Attachments:** None.

**Budgetary Impact:** None.

**Vote Required for Passage:** The affirmative vote of a majority of the members of Council present at the meeting.

**Recommendation:** Staff respectfully recommends that City Council adopt Ordinance 2023-03 to extend the moratorium established by Ordinance 2022-31 by three months, with a new expiration date of June 24, 2023.

**CITY OF XENIA, OHIO  
ORDINANCE 2023 – 03**

**EXTENDING THE MORATORIUM ON ADDICTION TREATMENT FACILITIES  
ESTABLISHED BY ORDINANCE 2022-31 FOR AN ADDITIONAL THREE MONTHS**

**WHEREAS**, due to the opioid crisis that is affecting every community in this country, there is a growing need for inpatient and/or outpatient addiction treatment facilities;

**WHEREAS**, while recognizing the need for such addiction treatment facilities, this Council also recognizes the need to assure that such facilities are properly zoned to mitigate the potential harmful impact such facilities can have on residential and commercial areas;

**WHEREAS**, the City needs time to study and determine the impact such addiction treatment facilities could have on the City to assure they are properly zoned and desires to maintain the status quo while doing so;

**WHEREAS**, initial studies have revealed a need for a comprehensive regulatory approach that addresses a range of social service uses, which has taken more time than initially anticipated; and

**WHEREAS**, this Council finds it to be in the best interest of the health, safety, and general welfare of the citizens of Xenia to extend the six-month moratorium on the establishment or commencement of inpatient and/or outpatient addiction treatment facilities within the City, as established by Ordinance 2022-31, by an additional three months to allow ample time to determine the appropriate zoning for such facilities;

**NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS**, at least four (4) members of the City Council concurring, that:

**Section 1.** It is the legislative intent of this Ordinance to extend the temporary moratorium, established by Ordinance 2022-31, on the establishment or commencement of inpatient and/or outpatient addiction treatment facilities within the City of Xenia for an additional three (3) months. The purpose of this moratorium extension is to maintain the status quo while the City continues to review and study these types of facilities to determine the appropriate zoning for such facilities for the purpose of protecting residential and commercial neighborhoods from negative secondary effects created by such facilities.

**Section 2.** An extension of a temporary moratorium established by Ordinance 2022-31 is hereby imposed on the establishment or commencement of inpatient and/or outpatient addiction treatment facilities or similar uses with the City of Xenia for a period of three (3) months from the effective date of this Ordinance, unless ended earlier by action of the City Council. Said moratorium may be further reasonably extended by the Council, if necessary, by ordinance.

**Section 3.** No inpatient and/or outpatient addiction treatment facilities or similar uses, as determined by the City Planner, shall be established or shall commence operations within the City of Xenia for a period of three (3) months from the effective date of this Ordinance.

**Section 4.** The City Manager and City Planner are hereby directed to continue their study of these types of uses and to recommend to Council, as soon as is practicable, the appropriate zoning for inpatient and/or outpatient addiction treatment facilities or similar uses.

**Section 5.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 6.** This Ordinance shall be effective on March 25, 2023.

Introduced: February 9, 2023

Adopted:

Attest:

William J. Urschel  
President, Xenia City Council

Michelle D. Johnson  
City Clerk



**Meeting Date:** February 9, 2023  
**Effective Date:** February 9, 2023

**Agenda Item:** **RESOLUTION 2023 – 006**  
**AUTHORIZING THE PURCHASE OF A SEWER INSPECTION VEHICLE UNIT FOR THE PUBLIC SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM**

**Submitted By:** Chris Berger, Public Service Director/City Engineer  
**Presented By:** Brent Merriman, City Manager

**Summary:** One of the most valued pieces of equipment in the entire Public Service Department fleet is the sewer inspection vehicle. It is routinely used to inspect the condition of sanitary sewers and their carrying capacity and/or assess their susceptibility for failure. The current sewer inspection vehicle is a 2009 model that, mechanically speaking, is in decent shape. The reason for staff requesting its replacement is because of its limited capabilities.

The vehicle that is being proposed for purchase has the ability to inspect sewers up to a diameter of thirty inches (30”), while the current model can only inspect sewers up to twelve inches (12”). This is a significant enhancement, as the ability to inspect up to 30” permits it to also be used for storm sewer inspections. In addition, the model proposed for purchase is steerable, while the current unit can only go forward and back. This will allow for the camera to be veered through manholes for continuous inspections instead of the time-consuming current method of setting up between manholes. Similarly, the new model is traceable – meaning the user can follow the camera through bends and turns within the sewer where the current model does not have such capabilities. Lastly, the model to be purchased can be upgraded in the future to add the capability for inspection of sewer laterals to individual properties. The current model cannot be upgraded.

If authorized, the sewer inspection vehicle will be purchased from MTech Company through the Ohio Department of Administrative Services Cooperative Purchasing Program (Ohio STS #800905) in the amount of \$292,898.48. No competitive bidding is required when purchases are made through this program. It is currently estimated that the delivery of the vehicle would be 90-120 days. The reel for the existing sewer camera vehicle will be traded in with the purchase of the new (camera) vehicle.

**Cover Memo Attachment(s):** Sales Proposal from MTech Company dated January 13, 2023  
Maintenance Record for Vehicle #1409 available upon request.

**Budgetary Impact:** Account # 665-1332-55401-011409 \$292,898.48

**Vote Required for Passage:** The affirmative vote of a majority of the members of Council present at the meeting.

**Recommendation:** It is the recommendation of City staff that Council pass Resolution 2023-006 authorizing the purchase of a sewer inspection vehicle unit from MTech Company (Ohio STS #800905) through the Ohio Department of Administrative Services Cooperative Purchasing Program at a cost not to exceed \$292,898.48.

**CITY OF XENIA, OHIO  
RESOLUTION 2023 – 006**

**AUTHORIZING THE PURCHASE OF A SEWER INSPECTION VEHICLE UNIT FOR THE  
PUBLIC SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF  
ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, this Council finds it necessary to replace the current sewer inspection vehicle unit for the Public Service Department;

**WHEREAS**, this Council wishes to utilize the Ohio Department of Administrative Services (ODAS) Cooperative Purchasing Program to make said purchase;

**WHEREAS**, pursuant to Section 9.08 B.(3) of the City Charter, competitive bidding is not required for purchases made through a cooperative purchasing program; and

**WHEREAS**, per Section 214.01 of the Xenia City Code, Council approval is required for any purchase of \$50,000 or more,

**NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES**, a majority of the members of Council present concurring, that:

**Section 1.** The City Manager is hereby authorized to execute, on behalf of the City, a contract with MTEch Company, 7401 First Place, Cleveland, Ohio 44146, for the purchase of a sewer inspection vehicle unit for the Public Service Department, in the total amount of Two Hundred Ninety-Two Thousand Eight Hundred Ninety-Eight Dollars and Forty-Eight Cents (\$292,898.48), pursuant to the Ohio Department of Administrative Services Cooperative Purchasing Program, Ohio STS #800905.

**Section 2.** It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 3.** This Resolution shall become effective immediately upon its passage.

Passed: February 9, 2023

Attest:

William J. Urschel  
President, Xenia City Council

Michelle D. Johnson  
City Clerk



Cues Sewer Inspection System  
Sales Proposal for: Xenia, OH  
Ohio STS Pricing Effective through 3-31-23  
Presented by: MTech Company

Date: 1-13-23

Ohio STS: 800905  
Index: STS670

## Base System

Manufacturer	Model	Description	Price
CUES	E-450-DRW	<p><b>Ford E-450 DRW Cutaway Mounted Mainline TV Inspection Summit System for the Inspection of 6" and larger Sanitary Sewers and Storm Drains</b></p> <p><b>FORD E-450 GAS CUT-A-WAY 176" WB 2X4 CHASSIS</b></p> <p>6.8L SOHC EFI Triton V10 Engine 5-Speed Automatic Transmission with OD including: Auxiliary Cooler Tow / Haul Mode</p> <p>4.56 Axle Ratio 14,500 lb. GVWR 176" Wheel Base Standard Driver / Passenger Seat with Seat Belts and Sun Visors 12-Volt Light in Cab Area Cab Air Conditioner AM / FM Radio</p> <p><b>16' CARGO BOX WITH WALKTHRU</b></p> <p>Aero Cap with Walk Thru 2" X 6" Dense Pine Flooring LED Light Package Includes Body Clearance and Stop / Tail / Turn Full Width Barn Doors with CAM (Pipe) Locks on Each Door 2 Laminated Steel Lock Kemlite Covering on Inside Rear Doors Back up Alarm</p> <p><b>BACK-UP COLOR CAMERA SYSTEM (CHASSIS)</b></p> <p><b>SAFE ENTRY/EXIT BUMPER</b></p> <p>Three (3) Steps Evenly Spaced Bottom Step Folds Up for Ground Clearance Safety Grab Handle</p> <p><b>KICKPLATE TRANSPORTER STORAGE</b></p> <p>Lockable Storage Compartment for Camera and Transporter Sliding Drawer Notch in rear door threshold of body for TV cable to pass through to transporter storage drawer</p> <p><b>KICKPLATE 2 DRAWER STACK ALUMINUM STORAGE</b></p> <p><b>BULKHEAD WALL BETWEEN CAB AND CONTROL ROOM</b></p> <p>Door</p> <p><b>TV HIGH CUBE VAN EXTERIOR LIGHTING &amp; CONTROL ROOM EVOLUTION 3.0 TO INCLUDE:</b></p> <p>2 Amber Electronic Strobe Warning Beacons 2 Adjustable Floodlights Rear of Vehicle Area Illumination</p> <p>Control Room Interior: Lonseal Lonplate Flooring Kemlite Wall &amp; Ceiling Covering Bulkhead Wall with Passage Door from Control Room to Equipment Room Tinted Viewing Window in Bulkhead Wall Tinted Viewing Window in Bulkhead Door Above Desk Control Console with Rack Mount for Electronic Equipment Desktop / Work Area 12V High Intensity LED Light Fixture Electrical Outlet with Dual Receptacles Fire Extinguisher with Bracket, 10BC Rating Operators Chair, Swivel with Casters 12-Volt Courtesy Light</p> <p><b>ROOF TOP AIR CONDITIONER, 13,500 BTU WITH HEAT STRIP</b></p> <p><b>TV HI-CUBE VAN EQUIPMENT ROOM INTERIOR EVOLUTION 3.0 TO INCLUDE:</b></p> <p>Kemlite Wall &amp; Ceiling Covering Climate Controlled Breaker Box/Electronics Storage Area with Locking Positive Latches Electrical Outlet with Dual Receptacles 12V High Intensity LED Light Fixture 12-Volt Courtesy Light with 15 Minute Timer Located at Rear Door Area</p> <p><b>LONSEAL LONPLATE FLOORING IN EQUIPMENT ROOM</b></p> <p><b>32" REAR FLAT SCREEN MONITOR MOUNTED IN BULKHEAD WALL</b></p> <p>Flat Screen Monitor Cable Assembly - video Monitor to Monitor in Control Room Electrical Outlet</p> <p><b>7000 WATT GAS ONAN GENERATOR</b></p> <p>120 Volt 60 HZ 7000 Watt (Minimum) Commercial Grade Generator</p>	\$207,808.00

Gasoline Powered  
Electric Start  
Air Cooled  
Generator Remote Start/Stop Cable assembly

**GENERATOR COMPARTMENT [UNDER CHASSIS MOUNT]**

Generator Storage Compartment with Lockable External Access Door  
Commercial Power Supply Receptacle, 25' Cord, and Plug  
Electrical Supply Center with Circuit Breaker Box  
Commercial power and Generator Power Connectors  
Automatic Power Transfer Switch

**SYSTEM ENGINEERING PANEL, FOR POWER INFORMATION AND GENERATOR FUNCTIONS, RACK MOUNTED, TO INCLUDE:**

Four Function AC Power Meter displaying Critical Power Information including  
Voltage  
Hertz  
Amperage  
Active Power (Watts)  
Front panel Selector Switch for two modes of operation  
Fixed reading  
Continuous Auto-cycling  
Generator Battery Meter to Display Starting and Charging Voltage  
Generator Hour Meter  
Generator Remote Start/Stop Control Switch  
On/Off Switch for Emergency Warning beacons (Switch to Illuminate When On)

**P&T ZOOM M/C CAMERA**

Solid State Color Sewer TV Camera  
Pan & Rotate Camera Head, 40:1 Zoom Ratio, 10x Optical Zoom, 4x Digital Zoom  
NTSC Color Standard with 4x Light Integration  
Camera Lighting System for 6" through 72" lines  
Camera Transportation and Storage Case  
**LED LIGHTHEAD FOR MAINLINE CAMERA IN LIEU OF XENON**

**21" TRAC TRANSPORTER M/C TO INCLUDE:**

6" Track Transporter with Freewheel and Powered Reverse  
Y Eliminator

**8"-15" EXTENDERS FOR 21" TRAC TRANSPORTER**

**SPARE PARTS KIT FOR TRAC TRANSPORTER TO INCLUDE:**

Additional Chain Links and Rubber Cleats

**12/5/4 ADAPTER CABLE**

**1000' CABLE ASSEMBLY, M/C 12PIN METAL**

1000' Gold Multi Conductor Kevlar Fiber Armored Combination TV Transmission / Tow Cable  
.450 Diameter  
Metal Splice Chamber with Pigtail  
Cable Strain Relief

**TV REEL ASSEMBLY, MECHANICAL FOOTAGE FOR SUMMIT .450 CABLE**

Black Thermoplastic Powder Coated Frame  
Power Level wind & Multi Ratio Manual Transmission  
Footage Meter with Local Counter and Remote Electronic Counter  
Transmission Control at Viewing Station  
Local Reel Mount Electrical and Mechanical Control  
Sealed Continuous Contact Collector Assembly  
Removable Drip Pan for Cleaning

**AUTOMATIC PAYOUT SYSEMD FOR REEL - INSTALLED**

**19" (MINIMUM) FLATSCREEN COLOR INDUSTRIAL TV MONITOR NTSC / PAL COLOR STANDARDS**

**PCU ASSEMBLY [RACK MOUNT]**

**CCU ASSEMBLY [RACK MOUNT]**

Alpha Numeric Information Display, with Multi Paging and Defect Coding  
Remote "QWERTY" Keyboard for Data Entry  
On Screen Footage Display

**WIRED & WIRELESS USB CONTROLLER**

Joystick Control for Pan and Tilt Zoom Camera to Include:

360 Degree Rotate  
330 Degree Optical Pan

Joystick Control for All Steering Functions & Forward / Reverse Directions for Transporter

Camera Lift Control for Optional Electronic Camera Lift

All Other Controls for Camera to Include:

Camera Iris and Focus Override & Zoom  
Camera Lights & Shutter Control for Light Enhancement  
Camera Diagnostics & Auto Home

Cruise Control to Set Speed of the Transporter for Hands off Operation

All Reel Controls to Include: Retrieve, Release, and Variable Speed

**8.7" MINI KEYBOARD**

**MANHOLE TOPROLLER ASSEMBLY, TV ONLY**

**MANHOLE ADAPTER CLAW HOOK**

**RETRIEVAL/DOWNHOLE POLE ASSEMBLY (30')**

**INVERT ROLLER ASSEMBLY**

**RETRIEVAL HOOK**

**MULTI CONDUCTOR TV ONLY TOOL KIT**

Milliamp meter Tool  
 Electrical Tape  
 Needle Nose Pliers  
 Six-In-One Screwdriver  
 6" Adjustable Wrench  
 Anti Seize Grease  
 9-Piece Allen Wrench kit  
 Solder Iron Kit  
 Industrial Pliers  
 5/32 T-Handle Hex Wrench  
 Multi Conductor TV Only Operation Manual  
 Parts Catalog  
 Cable Repair Kit DVD  
 TV Only Training DVD

**REDI EVALUATION KIT TO INCLUDE**

Rugged Weather Proof Storage Case  
 Digital Hi-Resolution Wide Angle Web Camera  
 Diagnostic Test Box To Include  
 Voltage Test Points  
 Built-In Mini Camera

Footage Test Box  
 Digital Multi-Meter  
 USB Diagnostic Tool  
 Video Cables and Adaptors  
**TRAINING, ON-SITE**

## Add-On to Base System

Manufacturer	Model	Description	Price
CUES	TR3100	CUES Exclusive Boom Crane	\$7,399.00
CUES	TR3100-1	Equipment Drawer Under Crane	\$3,995.00
CUES	WC420	Closet in Control Room or Equipment Room	\$2,700.00
CUES	500200A	Wall Heater	\$508.00
CUES	DOOR	Curb Side Door	\$1,093.00
CUES	WC440	Bench Seat	\$1,276.00
CUES	TR2000	Moline 5 Drawer tool Box	\$2,116.00
CUES	940608	Vise	\$304.00
CUES	865002	First Aid Kit	\$133.00
CUES	8855	20 Gallon Wash down, upper/lower cabinet w/ retractable water hose reel	\$4,064.00
CUES	TR3339	DRAWER UNIT,PACK RAT,42X17.75X12.25	\$3,500.00
CUES	GX137	32" Rear Monitor	\$1,639.00
CUES	GX136B	Bulkhead wall upgrade for rear monitor	\$959.00
CUES	EL115	Add Additional Video Cable (\$5.71 per foot)	\$2,855.00
CUES	PRE	Pre Wire for LAMP	\$6,264.00
CUES	MZ904-16	Built in Sonde 512MZ Transmitter	\$5,590.00
CUES	WS360	Steerable Pipe Ranger Wheeled Transporter for 8"+ Mainline Inspection (IN LIEU OF Trac Transporter in Base Unit)	\$15,019.00
CUES	WS308	Electric Lift for use with large Pipe Ranger	\$6,008.00
CUES	WS911	SPR Pneumatic Tires 18"+ for Wheeled Transporter	\$1,495.00
CUES	WS112	Spiked Steel Wheels to inspect 8" Pipe for Wheeled Transporter	\$2,110.00
CUES	WM108	Spiked Steel Wheels to inspect 10" to 15" Pipe for Wheeled Transporter	\$2,340.00
CUES	WS910	PR & SPR Pneumatic Tires 12-15" for Wheeled Transporter	\$1,679.00
CUES	300654	Down hole Guide tube (tiger tail)	\$179.00
CUES	GN1400	Basic Pipeline Data Collection Rack mount computer w/ printer	\$15,303.00
CUES	GN537	Basic & Lite Support Plan	\$1,277.00
CUES	GN904	GNET Office	\$1,350.00
CUES	GN538	GNET Office Support Plan	\$389.00
CUES	TR1937	Uninterrupted Power Supply	\$538.00
CUES	TR2233	Flat Screen Monitor for PC	\$541.00
CUES	2023	2023 Model Year Update for Equipment & Chassis	\$24,000.00
CUES	F-550-DRW	Ford F-550 DRW Gas Cab Chassis in lieu of E 450 G in base	\$8,601.00

## Totals

Total Base With Add Ons	\$333,032.00
Ohio Cues STS Discount Percent	11%
STS Discount Dollars - (enter as a negative)	-\$36,633.52
Equipment Trade-In	-\$3,500.00
Net Price	\$292,898.48



## Options (Not included in above pricing)

Manufacturer	Model	Description	Price
CUES	LH900	Lateral and Mainline Launch System, Wheeled With Pan/Tilt/Zoom Main Camera And Lateral Pan & Tilt Camera System To Simultaneously inspect 6-15" mainlines And Adjacent Lateral Connections	\$125,417.00
CUES	LM712-4HS	150' Push Cable for LAMP System (\$1,645 EA)	\$3,290.00
CUES	LM906	Rear View Camera for Lamp system	\$3,780.00
CUES	GN512	Lateral Module	\$3,275.00



**XENIA CITY COUNCIL  
LEGISLATIVE COVER MEMO**

**Meeting Date:** February 9, 2023  
**Effective Date:** February 9, 2023

**Agenda Item:** **RESOLUTION 2023 – 007**  
WAIVING COMPETITIVE BIDDING FOR, AND AUTHORIZING THE PURCHASE OF, THREE (3) MARKED VEHICLES FROM LEBANON FORD FOR THE XENIA POLICE DIVISION

**Submitted & Presented By:** Chris Stutes, Police Chief  
Brent Merriman, City Manager

**Summary:** In the 2023 capital budget, the Xenia Police Division requested \$126,584.64 in 364-1221-55401 to purchase three (3) marked police vehicles. Scheduled for replacement are the marked police cruisers listed below:

Year	Make	Serial Number	Car	Mileage/Hours
2017	Ford Taurus	1FAHP2MK8HG121356	1107	77,690/11,856
2017	Ford Taurus	1FAHP2MK6HG121355	1109	65,648/7,938
2018	Ford Explorer	1FM5K8AR7JGB48386	1106	99,563/19,392

\* The mileage/hours listed on each marked vehicle was as of January 6<sup>th</sup>. We expect to have additional miles and hours on each marked vehicle at the time of the actual replacement. The Ford Tauruses were used as SRO cars, hence the lower miles. However, they are unreliable and consistently needing jump started and have been out of service because of electrical issues.

The shortage of available vehicles continues. There is no state bid this year through the Ohio Department of Administrative Services due to the unavailability of police cruisers.

Police Division staff were able to locate three (3) marked 2023 Ford Explorer Police Interceptor vehicles available from Lebanon Ford that are equal to or below the price for comparable vehicles at other dealerships. To obtain these vehicles, however, we would have to move quickly. Thus, in accordance with Section 9.08 B.(6) of the City’s Charter, staff is requesting Council to waive competitive bidding as staff believes doing so is in the best interests of the City and authorize the immediate purchase of these three (3) marked 2023 Ford Explorer Vehicles from Lebanon Ford. The total cost of the three (3) marked vehicles is \$126,584.64.

**Cover Memo Attachment(s):** Quote and Vehicle Purchase Contract by Lebanon Ford.  
MSRP cost from Ricart but none are available.

**Budgetary Impact:** The 2023 Appropriation Ordinance contains \$126,584.64 in Account 364-1221-55401 for the purchase of three (3) marked police vehicles. This is our annual fleet replacement purchase for police vehicles. The actual purchase cost is \$126,584.64.

**Vote Required for Passage:** Per Section 9.08 B.(6) of the City Charter, the affirmative vote of no less than four (4) members of Council is required to waive competitive bidding.

**Recommendation:** It is the recommendation of City staff that Council pass Resolution 2023-007 to waive competitive bidding and authorize the purchase of three (3) 2023 Ford Explorers from Lebanon Ford, Lebanon, Ohio, in the amount of \$126,584.64, and to further authorize the disposal of the City-owned vehicles these new vehicles will be replacing that are no longer needed for any public purpose.

**CITY OF XENIA, OHIO  
RESOLUTION 2023 – 007**

**WAIVING COMPETITIVE BIDDING FOR, AND AUTHORIZING THE PURCHASE OF, THREE  
(3) MARKED VEHICLES FROM LEBANON FORD FOR THE XENIA POLICE DIVISION**

**WHEREAS**, this Council finds it necessary to replace three (3) vehicles for the Xenia Police Division;

**WHEREAS**, due to the continuing shortage of vehicles, there is no State bid this year for police vehicles through the Ohio Department of Administrative Services Cooperative Purchasing Program and most dealerships are unable to supply the needed vehicles;

**WHEREAS**, the needed vehicles are available from Lebanon Ford, but the purchase of such vehicles must be made quickly while such vehicles are still available;

**WHEREAS**, pursuant to Section 9.08 B.(6) of the City Charter, this Council may waive competitive bidding when this Council determines that such waiver is in the best interest of the City; and

**WHEREAS**, Section 214.01 of the Xenia City Code requires Council approval for any purchase of \$50,000 or more,

**NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES**, at least four (4) of the members of Council concurring, that:

**Section 1.** In accordance with Section 9.08 B.(6) of the Xenia City Charter, Council hereby determines that it is in the best interest of the City to waive competitive bidding for the purchase of three (3) marked vehicles for the Xenia Police Division.

**Section 2.** The City Manager is hereby authorized to execute, on behalf of the City, a contract with Lebanon Ford, 770 Columbus Ave., Lebanon, Ohio 45036, for the purchase of three (3) marked 2023 Ford Explorer Police Interceptor vehicles in the total amount of One Hundred Twenty-Six Thousand Five Hundred Eighty-Four Dollars and Sixty-Four Cents (\$126,584.64).

**Section 3.** It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 4.** This Resolution shall become effective immediately upon its passage.

Passed: February 9, 2023

Attest:

William J. Urschel  
President, Xenia City Council

Michelle D. Johnson  
City Clerk

Cincinnati inc. D.B.A.

Phone: (866) 427-5575

LEBANON FORD
VEHICLE PURCHASE CONTRACT
AND/OR DEPOSIT RECEIPT
770 Columbus Ave, Lebanon, OH 45036

Date 8/22/2022

Salesperson Richard Suppe

Deal No.

Cust. No. CV2023893

Order #

The undersigned (Purchaser) hereby agrees, under the terms and conditions set forth below, to purchase from Lebanon Ford (Seller) the following:

PURCHASER

VEHICLE

Name City Of Xenia
Address 101 N DETROIT ST
City Xenia State OH
County Zip Code 45385-2996
Home Phone 937-376-7232
Cell Phone (1) Cell Phone (2)

NEW DEMO RENTAL UNIT USED
Yr. 2023 Make Ford Stock No. order
Model Explorer PIU Body Type
Color Blue Top Trim
V.I.N. Order

GPC included in selling price

See additional pages for included equipment

Table with columns: TRADE-IN (1), PURCHASE, TRADE-IN (2). Rows include Yr, Make, Model, Vin #, Mileage, Stock #, Selling Price, Protection Package, Added Equip., Doc Fee, Ext Serv Agrmnt, SUB TOTAL, Sales Tax, License/Title, TOTAL CASH PRICE.

TERMS AND CONDITIONS

- 1) The odometer of the purchased vehicle currently reads miles and is accurate to the best of Seller's knowledge.
2) This written Vehicle Purchase Contract constitutes the final expression of our agreement.
3) In the event Purchaser breaches this contract by failure to take delivery of the purchased vehicle...
4) Purchaser warrants to Seller that Purchaser's trade-in vehicle does not have a "salvage", "flood", "lemon law buyback" or other type of branded title.
5) None of the above Terms and Conditions shall be construed to limit Seller's legal remedies against Purchaser.

NEGATIVE EQUITY TRANSFER AGREEMENT

I/WE ACKNOWLEDGE THE BALANCE OWED ON THE TRADE-IN VEHICLE EXCEEDS ITS ACTUAL CASH VALUE. I/WE AGREE TO TRANSFER \$ 0 OF THE TRADE-IN PAYOFF TO THE BALANCE DUE ON THE PURCHASED VEHICLE.

X

Purchaser(s)

WARRANTY INFORMATION/OWNER DECLARATION

THE ONLY WARRANTY ON THE VEHICLE IS THAT WHICH IS SUPPLIED BY THE VEHICLE MANUFACTURER, UNLESS THE SELLER, LEBANON FORD, INC FURNISHES BUYER WITH A SEPARATE WRITTEN WARRANTY, MADE BY SELLER ON ITS OWN BEHALF.

If the vehicle purchased is a "used vehicle" as defined in The Federal Trade Commission Used Motor Vehicle Trade Regulation Rule, THE INFORMATION YOU SEE ON THE WINDOW FORM FOR THIS VEHICLE IS PART OF THIS CONTRACT. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE.

I/WE HEREBY CERTIFY THAT I/WE HAVE ACCEPTED DELIVERY OF THE VEHICLE, EITHER PHYSICALLY OR CONSTRUCTIVELY, THUS CONFIRMING MY/OUR OWNERSHIP EFFECTIVE 8/22/2022

X

Purchaser(s)

Table with columns: TRADE-IN BALANCE OWED TO, TRADE-IN PAYOFF, BALANCE DUE. Values include 0, 42194.88.

FOR OFFICE USE ONLY

ACV, C, D.F.M., UNPAID BALANCE OF CASH PRICE DUE FROM

DUE BILL is part of this contract
HOLD CHECK agreement is part of this contract

ACCEPTED LEBANON FORD

by



STARTING MSRP FROM \*\$47,165

VIEW INVENTORY

REQUEST A QUOTE

### Trim Recap



AWD  
STARTING MSRP FROM \*

\$47,165

VIEW INVENTORY

VIEW CURRENT OFFERS

## Contact Us

\* = required

### Contact Information

First Name\*

Last Name\*

Email\*

user@mydomain.com

Cell Phone

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Language: English

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\*: Prices do not include additional fees and costs of closing, including government fees and taxes, any finance charges, any dealer documentation fees, any emissions testing fees or other fees. All prices, specifications and availability subject to change without notice. Contact dealer for most current information.



**XENIA CITY COUNCIL  
LEGISLATIVE COVER MEMO**

**Meeting Date:** February 9, 2023  
**Effective Date:** February 9, 2023

**Title:** **RESOLUTION 2023 – 008**  
AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE GREENE COUNTY BOARD OF COMMISSIONERS FOR THE GREENE COUNTY DEPARTMENT OF BUILDING REGULATION TO PROVIDE CHIEF BUILDING OFFICIAL AND OTHER BUILDING CODE ENFORCEMENT SERVICES ON CERTAIN PROJECTS

**Submitted By:** Jared Holloway, Assistant City Manager  
**Presented By:** Brent Merriman, City Manager

**Summary:** As Council is aware, the City is in the midst of a transition for building inspection services from the Greene County Department of Building Regulation to National Inspection Corporation (NIC). As part of the transition process, Greene County has recommended the County Department of Building Regulation retain building code enforcement and oversight over construction projects that are near completion. City staff agrees that projects that are near completion should stay with the Greene County Department of Building Regulation until their completion, as this will provide a better level of customer service to the permit applicant. Most of these private sector building projects should be complete within a few days or weeks and are generally just awaiting final inspection.

City and County staff have also identified several other upcoming projects, including the Greene County Adult Detention Center expansion, Greene County Media Room addition, the Greene County Jail project, and the Greene County Greene House, that makes sense to keep under the Greene County Department of Building Regulation’s jurisdiction through completion for various reasons. All other new projects will transition to NIC, effective February 21, 2023.

**Cover Memo Attachment(s):** None

**Budgetary Impact:** N/A

**Vote Required for Passage:** The affirmative vote of a majority of the Council members present at the meeting.

**Recommendation:** It is the recommendation of City staff that Council pass Resolution 2023-008 authorizing the execution of a professional services agreement with the Greene County Board of Commissioners to have the Greene County Department of Building Regulation continue its provision of services as the City’s Chief Building Official for the projects specified in the agreement, upon such terms and conditions as approved by the Law Director.

**CITY OF XENIA, OHIO  
RESOLUTION 2023 – 008**

**AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH  
THE GREENE COUNTY BOARD OF COMMISSIONERS FOR THE GREENE COUNTY  
DEPARTMENT OF BUILDING REGULATION TO PROVIDE CHIEF BUILDING OFFICIAL  
AND OTHER BUILDING CODE ENFORCEMENT SERVICES ON CERTAIN PROJECTS**

**WHEREAS**, this Council, pursuant to City Charter Section 7.01, has established a Building Division within the Department of Development Services;

**WHEREAS**, said Division has been certified by the Ohio Board of Building Standards to exercise enforcement authority, to accept and approve plans and specifications, and to make inspections pursuant to the Ohio Building Code and the Residential Code of Ohio;

**WHEREAS**, Section 234.02 of the City’s Administrative Code states that, upon the recommendation of the City Manager, the City Council may contract for the services of a Chief Building Official and related support services;

**WHEREAS**, upon the recommendation of the City Manager, this Council, by Resolution 2022-AAAA, passed on December 28, 2022, contracted with National Inspection Corporation for the services of a Chief Building Official and related support services beginning February 21, 2023; and

**WHEREAS**, the City Manager has recommended, in the interest of providing the best level of customer service, to also contract with the Greene County Board of Commissioners to have the Greene County Department of Building Regulation continue in its provision of Chief Building Official services and related support services on certain construction projects that are near completion or are or which are known to be forthcoming,

**NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES**, a majority of the members of Council present concurring, that:

**Section 1.** The City Manager is hereby authorized to execute a professional services agreement with the Greene County Board of Commissioners to have the Greene County Department of Building Regulation act as the City’s Chief Building Official for the enforcement of the City’s Building and Housing Codes and to provide other building code enforcement services for such projects as are set forth in the professional services agreement and upon such terms and conditions as are approved by the Law Director.

**Section 2.** It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 3.** This Resolution shall become effective upon its passage.

Passed: February 9, 2023

Attest:

William J. Urschel  
President, Xenia City Council

Michelle D. Johnson  
City Clerk