

CITY COUNCIL AGENDA

February 24, 2022

LOCATION:

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

NOTE: Regular and Special Meetings are open to the public. Executive Sessions are closed to the public. Only Regular Meetings 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 Meetings only and during Public Hearings. Please see note under Audience Comments below.

REGULAR MEETING

- **INVOCATION** Senior Pastor Todd Martin, Liberty Worship Center
- A. **PLEDGE OF ALLEGIANCE** Councilman Levi Dean
- B. **CALL TO ORDER** 6:00 p.m.
- C. **ROLL CALL AND EXCUSAL OF ABSENCES** Vice President Will Urschel, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Levi Dean, Mayor Sarah Mays, and President Wesley Smith
- D. **APPROVAL OF MINUTES** February 10, 2022 Regular Meeting
February 12, 2022 Special Meeting (published)
- E. **SPECIAL PRESENTATION(S)** None.
- F. **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 by 3 p.m. on 02/24/2022.
- G. **OLD BUSINESS**
 - 1. RESOLUTION 2022-H
(Second Reading) AUTHORIZING THE SALE OF REAL PROPERTY AT 194 E. CHURCH STREET (FORMER CARNEGIE LIBRARY) TO O'NEAL'S CATERING, LLC, AND REPEALING RESOLUTION 2021-WW, *introduced by Councilwoman Dean on 02/10/2022*
 - 2. RESOLUTION 2022-I
(Second Reading) AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE BELLBROOK AVENUE (PEACEPIPE TRAIL TO ALLISON AVENUE) RESURFACING PROJECT, *introduced by Councilman Dean on 02/10/2022*
- H. **NEW BUSINESS**
 - 1. ORDINANCE 2022-04
(Public Hearing/Emergency) AMENDING SECTIONS 1220.01(e), 1220.10(b), 1220.11, 1226.06 AND 1244.02, AND REPEALING SECTION 1220.10(d)(2), OF THE CITY OF XENIA'S LAND DEVELOPMENT CODE, AND ADOPTING THE REVISED FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE MARCH 8, 2022, AND DECLARING AN EMERGENCY (~~City Manager~~ **Law Director**)

CITY COUNCIL AGENDA
February 24, 2022

- 2. ORDINANCE 2022-05 AMENDING SECTION 260.04, TITLED “HOLIDAYS,” OF THE
(Introduction) CITY’S ADMINISTRATIVE CODE, AS CONTAINED IN PART
TWO OF THE XENIA CITY CODE (*City Manager*)

- 3. RESOLUTION 2022-J AMENDING APPENDIX 2 OF THE EMPLOYEES’ BENEFITS
(Introduction) MANUAL (NONUNION WAGE RANGES) FOR THE YEAR
2022 (*City Manager*)

- 4. Administrative Motion Approving the Schedule of Bills in the amount of \$392,733.16
(*Finance Director*)

I. APPOINTED OFFICIALS REPORTS

J. REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES

1. Planning and Zoning Commission (02/17/2022) *President Smith*

K. COUNCIL COMMENTS

L. EXECUTIVE SESSION None.

M. WORK SESSION None.

N. ADJOURNMENT

Published upon approval of the Council President by:

Michelle D. Johnson, City Clerk

**XENIA CITY COUNCIL
MEETING MINUTES
FEBRUARY 10, 2022
6:00 P.M.**

President Smith noted that John Scherer from Faith Community United Methodist Church and Men's Christian Fellowship was not present; therefore, Vice President Urschel provided the Invocation.

A. PLEDGE OF ALLEGIANCE: All present stood and recited the Pledge of Allegiance led by Mayor Sarah Mays.

B. CALL TO ORDER: President Smith called the Regular Meeting to order at 6:02 p.m.

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

D. APPROVAL OF MINUTES: Motion by Mayor Mays, seconded by Vice President Urschel, to approve the January 27, 2022, meeting minutes as written. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Urschel, Scrivens, Brannum, L. Dean, Mays

Abstain: R. Dean, Smith

Nays: None motion carried.

E. SPECIAL PRESENTATION(S): None.

F. AUDIENCE COMMENTS: President Smith explained the procedures for Audience Comments and invited those who wished to speak to come forward.

Clayton Brady, Xenia, said he was present to speak about Lexington Park. He and three friends recently met with the City Manager; he noted two of those friends were also present in the audience this evening. He heard the City was budgeting some funds for Lexington Park; if so, he offered his thanks. Lexington Park was near and dear to his heart. He was born in 1956 and began visiting the park in 1962. He loves sports, and during his youth, he spent 12 hours a day there. Now, it has gone by the wayside. He and his friends were trying to revitalize the park and that side of town. He offered to do anything he could to help with awareness and getting community support. He has coached junior varsity volleyball at the high school and 7th grade girls' basketball and softball at the middle school for the last 16 years. He thanked them for their time as they continue their good work for the City of Xenia.

President Smith said the Council and Appointed Officials have been discussing future plans for Lexington Park since last year; they toured the park in addition to holding a Neighborhood Night Out there. They plan to discuss Lexington Park at the Council Retreat on Saturday, February 12th. They intend to engage the community on the future of the park, and he believed there would be a project they could all look forward to in 2022.

President Smith thanked the citizens who expressed concerns on social media during the winter weather event last week. He said City Manager Brent Merriman planned to provide an update during his City Manager's report.

G. OLD BUSINESS:

1. President Smith presented **ORDINANCE 2022-01 REPEALING CHAPTER 1492, TITLED REGISTRATION OF VACANT COMMERCIAL AND INDUSTRIAL BUILDINGS, OF THE XENIA CITY CODE**, introduced by Councilman Dean on 01/27/2022, and it was read for a second time.

Motion by Councilman Dean, seconded by Councilwoman Dean, to adopt Ordinance 2022-01 as presented. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

2. President Smith presented **ORDINANCE 2022-02 AMENDING SECTION 452.11 OF THE CITY OF XENIA TRAFFIC CODE**, introduced by Mayor Mays on 01/27/2022, and it was read for a second time.

Motion by Mayor Mays, seconded by Councilman Brannum, to adopt Ordinance 2022-02 as presented. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

3. President Smith presented **RESOLUTION 2022-F ACCEPTING AMERICAN RESCUE PLAN ACT WATER & WASTEWATER INFRASTRUCTURE PROGRAM GRANT FUNDING FOR THE WILBERFORCE SANITARY SEWER SLIPLINING PROJECT**, introduced by Councilman Scrivens on 01/27/2022, and it was read for a second time.

Motion by Councilman Scrivens, seconded by Vice President Urschel, to pass Resolution 2022-F as presented. Brief comment followed. Councilman Scrivens said the City was receiving a grant in the amount of \$562,500, and the local match was \$187,500, which he felt was a pretty good deal. The Roll on this was the following:

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

Nays: None motion carried.

H. NEW BUSINESS:

1. **ORDINANCE 2022-03 PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY (2022 ANNUAL APPROPRIATION ORDINANCE)**. City Manager Brent Merriman said this Ordinance constituted the final budget approval for fiscal year 2022. The City is required by Charter and the Ohio Revised Code to develop, hold a public hearing for, and approve a spending plan that outlined the suggested expenditures for the fiscal year.

Appropriations as presented total \$78,850,452.73, which was for all funds including general services, utilities, internal service functions, etc. He reminded everyone that the \$78 million was not the total amount that would be spent “in cash.” Rather, \$78 million was the budgeted total the reflected transfers, interfund loans, etc., which resulted in an inflated number based on required accounting principles. He estimated the more realistic “cash” amount was less than \$60 million. Council previously authorized the 2022 temporary budget, which sustained operations to date. The appropriations presented in Ordinance 2022-03 differed slightly in what was previously given to Council in the estimated budget in October 2021. The updates and changes were reviewed by the Council Budget & Finance Committee and included updated health insurance rates, funding for 2022 community events, the additional Information Technology Management Analyst position, et al. The budget as presented maintained all services at current levels and provided for all capital improvement program items for this year. All budget funds were anticipated to have positive balances, and the City was projected to exceed its reserve fund policy requirement. Following the public hearing, he requested emergency passage of Ordinance 2022-03.

President Smith opened the public hearing at 6:14 p.m. and asked for those wishing to speak in favor of the 2022 Annual Appropriation Ordinance to come forward. No one came forward to speak. He then asked for those wishing to speak against the 2022 Annual Appropriation Ordinance to come forward. No one came forward to speak. He closed the public hearing at 6:15 p.m. and entertained a motion to adopt Ordinance 2022-03 as an emergency.

Motion by Mayor Mays, seconded by Vice President Urschel, to adopt Ordinance 2022-03 as presented. President Smith entertained comments or questions. None followed. The Roll on this was the following:

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

2. RESOLUTION 2022-G AUTHORIZING THE SALE OF THE CITY-OWNED PROPERTIES AT 825 AND 843 N. DETROIT STREET TO CARL W. AND KIMBERLY RAE WILLIAMS, AND DECLARING AN EMERGENCY. Mr. Merriman said at the direction of City Council, staff continued to make it a priority of divesting of unneeded and underutilized City-owned properties in order to relieve the City of liability costs and maintenance obligations and return the property to private ownership, productive use and into tax-paying status. Resolution 2022-G, if approved, would authorize the sale of the two City-owned properties at 825 N. Detroit Street and 843 N. Detroit Street—a vacant lot on a high visibility, mixed-use corridor. The subject lots were offered for sale to adjacent property owners and were listed with a local realtor, who recently entertained a competitive purchase offer in the amount of \$14,000 from Carl and Kimberly Williams. They intend to build a single-family residence, to be used as an Airbnb, on the property with a goal to cater to users of the Bike Path. Both staff and the Property Management Committee are satisfied with the proposed offer and the intended use, and recommend approval of this resolution, as an emergency, in order to meet the buyers’ deadlines for closing on the property.

President Smith entertained questions or comments. Councilman Scrivens said the Property Management Committee recommended that the City divest of these properties. Hearing no further comments, President Smith entertained a motion to pass Resolution 2022-G as an emergency.

Motion by Councilwoman Dean, seconded by Councilman Scrivens, to pass Resolution 2022-G as presented. No discussion followed. The Roll on this was the following:

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

3. Introduction of Resolution 2022-H Authorizing the Sale of Real Property at 194 E. Church Street (former Carnegie Library) to O’Neal’s Catering, LLC, and Repealing Resolution 2021-WW. Mr. Merriman said on November 23, 2021, Council approved the sale of this property (historic Carnegie Library) to CLX, LLC, made up of a local business and a development firm. After that action, however, the partnership between the parties to CLX fell through when they were unable to come to a final partnership agreement. As a result, Council’s Property Management Committee entertained revised proposals from both the local business (under its new limited liability company, O’Neal’s Catering, LLC) and the development firm (still doing business as CLX) and was recommending that the property be transferred to the local business, rather than the development firm. Thus, in addition to authorizing the sale of this property to O’Neal’s Catering, it was also necessary to repeal Resolution 2021-WW, which authorized the sale to CLX.

President Smith entertained questions or comments. Councilman Scrivens commended all involved who worked out all the details, noting it was a complicated matter. Mr. Merriman said he had a good follow up conversation with CLX, who was still looking for opportunities in Xenia for their project. He felt it was positive that two firms wish to make an investment in Xenia and feel they can turn a profit, especially when dealing with a historic building. President Smith asked how long the property had been in the City’s possession. Mr. Merriman said the property was acquired by Greene County through a tax foreclosure many years ago; it was deeded over by Greene County to the City in November 2021, which was unfortunately before the partners’ development agreement was fully vetted. President Smith noted it was not the City’s policy to take on vacant buildings. Mr. Merriman agreed. He briefly explained why it was easier for the County to deed the property over to the City. Hearing no further comments, President Smith he entertained introduction of Resolution 2022-H as presented.

Councilwoman Dean presented RESOLUTION 2022-H AUTHORIZING THE SALE OF REAL PROPERTY AT 194 E. CHURCH STREET (FORMER CARNEGIE LIBRARY) TO O’NEAL’S CATERING, LLC, AND REPEALING RESOLUTION 2021-WW, and it was read for the first time.

4. Introduction of Resolution 2022-I Awarding the Bid and Authorizing the City Manager to Execute a Contract with Barrett Paving Materials, Inc., for the Bellbrook Avenue (Peacepipe Trail to Allison Avenue) Resurfacing Project. Mr. Merriman said in October 2020, the City’s engineering staff applied for grant funding through the Ohio Public Works Commission (OPWC) to rehabilitate a portion of Bellbrook Avenue. The project involved the full width resurfacing of Bellbrook Avenue from Peacepipe Trail to Allison Avenue along with the replacement of select sections of curbing and sidewalk. The total project estimate as submitted for grant funding was \$607,300. The approved grant funding for the project from the State was up to \$449,300 (74%), with the City’s local match being up to \$158,000 (26%). On January 27, 2022, the City received three (3) bids from qualified contractors to complete the project, which came in

significantly lower than the project estimate, with the lowest and best bid received from Barrett Paving Materials, Inc., in the amount of \$492,311.41. Barrett Paving has successfully completed similar projects for the City and for regional jurisdictions for many years; therefore, City staff recommended moving forward with this contractor.

President Smith entertained questions or comments. Vice President Urschel asked when this project would commence. Mr. Merriman said it would be completed in 2022. Law Director Donnette Fisher noted the contract documents specified a completion date of June 30th. Councilman Scrivens asked how this project area was selected. City Engineer/Public Service Director Chris Berger said over the last four years, it was staff's mission to resurface all of Bellbrook Avenue, which had been completed in sections. This section still needed to be done. Mr. Merriman noted that the criteria for the grant funding available fit this area/project. Councilman Brannum asked Mr. Berger to check into the valve at Industrial and Bellbrook; he feared it was in need of replacement, which should be done before the paving began. Mr. Berger noted his suggestion. Councilman Scrivens asked if all the infrastructure had been improved (water and sewer). Mr. Merriman said he would check to be certain. Hearing no further comments, President Smith entertained introduction of Resolution 2022-I as presented.

Councilman Dean presented RESOLUTION 2022-I AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE BELLBROOK AVENUE (PEACEPIPE TRAIL TO ALLISON AVENUE) RESURFACING PROJECT, and it was read for the first time.

5. Administrative Motion Approving the Schedule of Bills in the amount of \$244,389.19. Mr. Duke respectfully requested the payment of bills in the amount of \$244,389.19.

President Smith entertained questions or comments. Hearing none, he entertained a motion.

Motion by Councilman Brannum, seconded by Councilwoman Dean, to approve the schedule of bills in the amount of \$244,389.19. No discussion followed. The Roll on this was the following:

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

I. APPOINTED OFFICIALS REPORTS

President Smith asked Mr. Duke for his comments. Mr. Duke had nothing further to share.

President Smith asked Ms. Fisher for her comments. Ms. Fisher said she participated in a OneOhio webinar on Friday, February 4th. She explained that as part of the settlement, the State of Ohio was divided into 8 metropolitan regions and include big cities, such as Franklin County [Columbus], Cuyahoga County [Cleveland], etc.; the remaining regions were all non-metropolitan regions made up of multiple counties. Xenia was assigned to Region 14, which consists of 7 counties. There was no set government structure on how OneOhio would work, and each region had to set up its own structure on how to govern itself. She suggested, and was seeking Council's blessing, that she get in touch with Greene County Prosecutor David Hayes, who represents all 12 Greene County Townships and the County itself, and together they can try to come up with a structure for Greene County and hopefully get the other Counties in Region 14 to do the same. She noted each Region

would get one representative on the State Foundation Board. The Regions themselves would not be in charge of the money, and the State Foundation would authorize the funding for various projects. They have to start somewhere for this 18-year agreement, and perhaps Greene County could lead the charge. Mayor Mays said this subject was a hot topic at the recent Mayors and Managers meeting; everybody was very confused and had many questions. Vice President Urschel asked if Xenia would receive a settlement separate from this one. Ms. Fisher said yes; each political subdivision would receive a direct payment. Then, every region gets a seat on the Board to determine which specific projects would be funded from the remaining settlement dollars. Vice President Urschel asked how many regions were in Ohio. Ms. Fisher said there are 19 in total.

Motion by Councilman Scrivens, seconded by Vice President Urschel, to appoint Law Director Donnette Fisher as the interim person to reach out to Greene County in an attempt to formulate the OneOhio Planning Committee for Region 14 and to work with Finance Director Ryan Duke on this initiative. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

President Smith asked Mr. Merriman for his comments. Mr. Merriman said the weather event from February 2nd through February 4th was the most significant in over a decade. The City saw rain, then freezing rain resulting in ice, sleet, and then 6” to 8” of snow. Public Service workers could not pretreat the roads with all the rain. He expected some people in the community to not be entirely satisfied with the City’s response and service delivery, and he acknowledged there was always room for improvement. That said, he noted Public Service personnel worked around the clock in 12-hour shifts from 10 p.m. on Wednesday through Saturday evening, including their supervisors who are salaried employees. An 8-man crew also went out on Sunday, to include dealing with a water main break. It was a significant effort. Everyone owes them a “thank you” and some pats on their backs. The City cannot get to every road exactly when citizens want it. He personally drove around the City for two hours on Friday and again on Saturday. He agreed that some streets still looked bad—particularly Whisper Lane and Kathy’s Way. After some discussion with staff, he extended a commitment to evaluate the snow routes with the intent to make some changes, acknowledging that some streets are always done last. The community has grown, and they need to make some adjustments. Further, technology could be used to help track which streets were plowed and treated to result in a much more efficient operation. During the winter storm event, they were also dealing with fuel issues, noting a delivery was not able to be made and then the motherboard failed at the City’s pumps. Snow plowing services was a very expensive endeavor—for staff, equipment, and materials/supplies—but it was essential. There were many unique circumstances that they had to deal with during this storm. While there were some complaints, there were also many comments of gratitude, which were appreciated. Finally, he reported that City offices would be closed in observance of Presidents Day on Monday, February 21st.

President Smith agreed that Public Service workers did a very nice job. Vice President Urschel agreed, noting there was 18 million square feet of roadway in the City of Xenia—the equivalent of a two-lane road from Xenia to Cleveland. The cul-de-sacs, vehicles parked on the roadways, and other obstacles, including people driving on the roads, all make the job much harder. Regarding driveways, it was impossible for plow drivers to avoid putting snow in front of the thousands of driveways in the City. Further, with the ice, they could not pretreat the roads, and the ice under the

snow made the job even harder. He reminded everyone that the plow drivers do not remove the snow from the City—they just push it out of the way and clear the roadways. By Saturday, roads were very passable ... he was amazed. They did a great job.

J. REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

1. Board for Recreation, Arts, and Cultural Activities: Mayor Mays said the February 1st meeting was canceled; the next meeting will be March 1st, at which time they will start planning the annual Easter Egg Hunt to be held at Shawnee Park on Saturday, April 16th.

2. Economic Development Advisory Board: Vice President Urschel said the February 8th quarterly meeting was canceled. The next regularly scheduled meeting is May 10th. He said it was important for Council to discuss economic priorities at the Council Retreat on Saturday and determine strategies for X-Plan, which was scheduled to be refreshed/updated. The Council and staff have work to do first before engaging the Board members for advice.

President Smith noted the February 3rd Planning and Zoning Commission meeting was rescheduled to February 17th due to the winter storm.

K. COUNCIL COMMENTS:

Councilwoman Dean said “Who Dey!”

Councilman Scrivens congratulated everyone in Xenia for making it through the recent winter storm. It was nice to see neighbors helping each other. He commented on the number of recent water main breaks, noting the Public Service workers were overwhelmed with the winter storm and water main breaks. As Vice President Urschel stated, the City has enough roadway to go all the way to Cleveland, and everybody’s street cannot be done first. He thanked the workers for doing an excellent job removing the snow. He commented on the lack of a pedestrian walkway on N. Columbus Avenue. Residents in that area don’t have anywhere to walk with or without snow piles on the side of the roadway. He believed State funding was available and asked Mr. Berger to check into it. He was glad to see Coach Brady in the audience this evening. Coach Brady and his friends had a park structure that supported them, and they benefited from that. He was glad to see their interest in revitalizing the park structure in the East End. Today’s children need to grow up playing in the dirt, and he was glad that Lexington Park was a part of Council’s conversation with regard to budget priorities. He would like some of the ARPA dollars designated for the park.

Councilman Brannum said of course there were some complaints on Facebook, but he felt the Public Service workers did a phenomenal job. The workers who drive the snow plows are the same workers who take a freezing cold bath to fix water main breaks. They do it all.

Councilman Dean echoed others’ comments—Public Service did a great job. He noted he was recently on a job and a water meter was buried under the snow. He thanked the Public Service worker (he did not get his name) who came and located it, saving him a lot of time.

Vice President Urschel thanked Mr. Brady for attending the meeting to talk about Lexington Park. The City did not have the resources to manage activities at the park, but many organizations would bring activities to the park, including Wilberforce, Central State, and Cedarville Universities,

Athletes in Action, etc., if they could get kids there. He noted the City's Park Department only had 1 to 2 employees. At one point, people thought the City would organize activities, but that was just not going to happen. Those interested are now stepping forward to partner with the City. They have taken the first step forward, and involvement equals hope.

Mayor Mays said over the last two weeks, she attended the Wendy's grand opening, noting they invested a lot of money to tear down and rebuild the restaurant. On February 2nd, she and Development Director Steve Brodsky attended the annual Dayton Development Day Coalition luncheon. On February 5th, she attended Doug Yates' Miami Valley Tournament Association event where eight Hall of Fame recipients were named and 118 received awards. It was a fun evening at the Schindler Banquet Center. On February 9th, she attended a Friends of Scouting breakfast, and that evening, she attended Mayors and Managers. She also thanked Public Service for their efforts. She recognized that negative comments take a toll after a while. They just need to say thank you and be supportive. She thanked Public Service for all their hours of hard work. She congratulated Xenia Fire Captain Greg Beegle on 20 years with the City. He was a great guy, and it was not just a job to him. He truly enjoyed serving this community. She planned to attend the "Made to Thrive" conference on April 1st and 2nd at the Xenia Community Center, which would feature one of her favorite authors, Dr. Tammy Smith. Tickets are on sale now for those interested.

President Smith wished everyone a "Happy Valentine's Day" on February 14th and "Happy Presidents' Day" on February 21st. He announced the Ohio River Road Runners Club would host a half marathon and a full marathon in the City on April 3rd, which was a Boston Marathon qualifier. He noted the Cincinnati Bengals decorations in the City Council Chambers, noting City funds did not pay for them. He purchased them because he has been a season ticket holder since 2013. Over the years, there have been some dismal seasons; needless to say, he was very excited. Congratulations to the Bengals for making it to Superbowl LVI. Who Dey! He noted Pastor Sherer arrived after the start of the meeting and was in the audience. He asked Pastor Sherer if he would like to close out the meeting with a prayer. Pastor Sherer was happy to oblige. He came to the podium and led those present in prayer.

L. EXECUTIVE SESSION: None.

M. WORK SESSION: None.

N. ADJOURNMENT: Motion by Councilwoman Dean, seconded by Mayor Mays, to adjourn the Regular Meeting at 7:17 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

Michelle D. Johnson
City Clerk

Wesley Smith, President
Xenia City Council

**XENIA CITY COUNCIL
MEETING MINUTES
FEBRUARY 12, 2022
9:00 A.M.**

A. CALL TO ORDER: President Smith called the Special Meeting to order at 9:00 a.m.

B. ROLL CALL: Vice President Will Urschel, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Mayor Sarah Mays, and President Wesley Smith were present. Councilman Levi Dean was absent due to illness.

C. COUNCIL RETREAT: City Manager Brent Merriman thanked everyone for attending the Retreat. He appreciated their time, noting he prepared a robust “working” agenda for the day. Assistant City Manager Jared Holloway distributed the working agenda to all in attendance. Mr. Merriman said Law Director Donnette Fisher, Finance Director Ryan Duke, and he met with President Smith, Vice President Urschel, and Mayor Mays about a week ago to come up with the topics for discussion in consideration of all the items Council members submitted several weeks ago. He would not be seeking approval of any action items today, although Council’s endorsement/consensus would be sought on several items. He would like Council to consider holding another retreat/strategic conversation this summer; he did not believe doing an all-day session once a year was enough.

• **Major Initiatives Planned for 2022**

- Charter Updates—Approved ordinance submitted to Board of Elections (BoE); issue number has not been assigned to date. They need to determine the public outreach campaign. Ms. Fisher said Xenia is a Charter City; therefore, they can spend public dollars in support of the Charter amendments. Mr. Merriman said the public outreach effort can include newsletters, public engagement opportunities, website updates, etc. Those present briefly discussed the existing Political Action Committee (PAC) that was set up and still exists for previous levy campaigns. They discussed the need to develop a talking points “white paper,” letters to the editor, etc. Mayor Mays said she would come up with a list of events where they could promote the Charter amendments for the February 24th meeting.
- Xenia Towne Square Redevelopment—Planning and Zoning Commission will hear Dillin’s final plan presentation at their rescheduled meeting on February 17th; the meeting with Council will need to be scheduled for the first week of March. The presentation would include final recommendations and details of the overall merchandising plan to include a mix of commercial, residential, and retail. The presentation would also include financing components to include both public and private dollars, lease revenue, etc. They would eventually need to formally accept the plan and establish a developer of record. Ms. Fisher gave a brief update on the status of the Ramada Inn, noting there have been delinquency issues (lease, hotel/motel tax, and property tax payments) with the owner since he took over the land lease in 2004. She noted the City owns the land but not the building. The lease payments to the City are for the land. Mr. Duke noted the owner made a payment yesterday and was finally current for the first time in about 10 years. There was a brief discussion on the condition of the building, noting numerous code enforcement and fire code violations. Ms. Fisher said even with the owner’s \$100,000 investment for the generators, she believed the needed improvements exceeded the building’s value. Mr. Holloway said Larry Dillin had a very candid conversation with the owner of the building and shared the same sentiment. There was a brief conversation regarding Xenia Towers and Xenia Crossings with regard to the XTS redevelopment project. Mr. Merriman did not believe there would be any changes to those two facilities with the exception of possible façade improvements and other aesthetic changes. Vice President Urschel

asked for an update on the lease payments and if they were keeping up with the bond payments. Mr. Duke said the lease payments are paying for the operating and maintenance costs of the site and the interest on the bonds, which were just renewed for a one-year period. Mr. Merriman said the City's goal was to be made whole with the redevelopment project.

- East Second Street Neighborhood Rehab Pilot Project—Staff discussed implementing a neighborhood rehabilitation strategy, and they propose to start with Second Street. The initial project would include several blocks on E. Second Street from N. Columbus Street eastward. Council has authorized use of the Community Development Block Grant (CDBG) dollars to improve the curbs and sidewalks in the area, and the City would work to holistically improve everything else. This pilot project would help them determine a best practice strategy regarding this holistic approach to include street resurfacing, water and sewer infrastructure improvements, and how to address code enforcement/fire code/law enforcement issues. He noted that due to the age and condition of the sewer line, the sanitary line cannot be cleaned and sliplined—it needed to be replaced. Regarding the water and sewer mains, the City was responsible for the main lines in the street, but property owners were responsible for the water and sewer laterals from the mains to the homes. He, Ms. Fisher, and Mr. Duke have discussed options (grants, assessments, payment plans, rate increases, etc.) on how the work on private properties could be accomplished at a reduced cost to private property owners. Vice President Urschel said they need to engage those property owners and talk to them about this pilot project before they get started. Mr. Merriman agreed, noting some properties are rentals and are not owner occupied. However, in the end, water and sewer infrastructure improvements must be accomplished. He anticipated hosting a smaller version of a Neighborhood Night Out, i.e., Neighborhood Walk, in an effort to engage the residents in that area.
- Admin Software Transition—The new Payroll and Timekeeping System had already been implemented. Next, they will implement the new Finance System (budgeting, capital planning, purchasing), which affects every single department and almost every employee. The conversion and training process would be substantial.
- Trash Collection RFP—2022 was the final year under the existing Rumpke contract. He reported that Mr. Holloway had already begun the process of developing a request for proposals (RFP) to put out for bid later this year. If Rumpke did not present a bid or Council elects to go with a different vendor, a change to this service would be a significant ordeal. Based on other jurisdictions' recent bids, he did not believe the City would receive more than two bids. While there have been a few issues with Rumpke and a few complaints are received every week, there are over 10,000 accounts (customers). Overall, they are doing a good job even while facing the same issues with maintaining a tenured work force. He recognized that they need to address the problem with regular emptying of trash cans in the downtown area, and some downtown businesses are too cheap to pay for their own trash removal and use the trash cans as a means to discard their waste. He anticipated an increase in sanitation rates in 2023 due to an increase for a new contract as well as increased dumping/tipping fees, fuel prices, landfill compliance, etc. Mr. Duke noted the last rate increase was in 2021. Further, the sanitation rate (\$19.08 per month) includes an administrative fee (\$4.93 per month) for leaf collection, street sweeping, and landfill maintenance expenses. Businesses who do not receive trash collection services from the City still have to pay the monthly administrative fee.
- Fiber Buildout/Service Partnership/Utility Right-of-Way (RoW) & Access Regulations—Conversations continue with potential public and private sector partners where the City's infrastructure would be leveraged in some way to extend services throughout the community. Greene County was planning to invest about \$10 million for a significant buildout, some of which would connect to Xenia's fiber. He noted there are no set of rules and regulations on the books with regard to use of RoWs; therefore, they are seeking counsel from a law firm that was easily the statewide expert on how to leverage this asset. The Public Service & Utilities Committee would be

hearing more about this. Ms. Fisher noted the fees charged by the law firm could be recouped in the charges for the utility.

- XPD/FBI Law Enforcement Training Facility Project—This project was in partnership with the regional field office of the FBI, which includes Columbus, Cincinnati, and Dayton. He reported that Ms. Fisher had nearly completed the Memorandum of Understanding (MOU), and Police Captain Chris Stutes was serving as the point person for this project. The FBI did not build its own training facilities; instead, they try to build partnerships in each of the regions where they operate. This project would invest nearly \$3 million to upgrade and update the City’s existing facility and shooting range as well as adding a rifle range. The MOU would depict the number of days and nights per month the FBI could use the facility. The City would benefit from the capital investment and for training purposes. The walls would be built in such a way that they can be reconfigured to establish new layouts in an endless number of options for training purposes, including fire rescue training, along with a catwalk above and the ability to change the lighting in different spaces/rooms. This project would be unique for the multi-state region, and he believed there would be a very robust and consistent demand to rent the facility. The rental fees would need to be determined but would need to cover upkeep, long-term and day-to-day maintenance, personnel costs, etc. Councilman Scrivens asked if the public would be able to use it. Mr. Merriman did not believe so due to the liability.
- Recruitment & Retention Programs and Compensation Plan Update—Staff was spending a lot of time dealing with the constant turnover issues. There are currently two openings in the Fire Division, two current staff members may be pursuing outside opportunities, and there may even be another vacancy for a total of five openings. The eligibility list contained a list of 17 candidates, and they have already hired several of them. Related to recruitment and retention issues is the City’s core compensation plan. When he was hired in 2006, the City’s plan was sorely antiquated. They hired a firm to do a compensation study. After a two-year period, a new plan was adopted by Council in 2008, but it had not been updated since that time. He believed it was time for a refresh and make some modifications to the existing structure. As the labor market continues to evolve, they are not just competing with surrounding cities that are similar in size and makeup ... they are competing with every county, every municipality, every township, and the public sector. Some wage ranges for Xenia positions are fairly competitive, but many are not and continue to fall behind. There was also an issue with non-union staff supervisors (salary; not eligible for overtime) making less than the union staff they supervise—based on base wages and not overtime wages (e.g., Deputy Fire Chief vs. Fire Captains). They would not be successful if they tried to negotiate with the labor unions; further, Fire Captains are part of the platoon command and staffing and cannot be “managerial, non-union” positions. Therefore, the only way to remedy the problem was to adjust the non-union wages accordingly. Mr. Duke said with this inequity, there was no incentive for employees to promote if they could make more in “lower” positions. There was a conversation about local training opportunities at the Greene County Career Center (GCCC) for police and fire candidates. Vice President Urschel believed that they may have a better retention rate with local candidates. Mr. Merriman agreed; he spoke of the collaborative efforts with the City, GCCC, and Greene County. Currently, the GCCC offers a law enforcement program. A fire training program would be much more expensive due to the need for turnout gear, self-contained breathing apparatus (SCBAs), a burn structure, etc.
- Emergency Operations Plan Update—From a training standpoint and administrative infrastructure standpoint, they were not where they needed to be. He did not have a reason to question the City’s response—they always rise to the occasion. But from a planning standpoint, they need to develop something in writing and in a digital platform. They may need to seek contractual resources to accomplish this essential update. Staff has the ability to do it but not the time. They need to conduct an annual table top or community exercise.

- Major Legislative Initiatives—Work continues with Ms. Fisher to comprehensively and systematically review the current Xenia City Code. They are looking at the enabling ordinances and department structures, responsibilities, etc., to determine if the current approach was the best approach to include determining where Building Inspection may fit.
- X-Plan Update—The current comprehensive plan was adopted eight years ago and was in need of an update. Typically, these types of plans are updated every five years. X-Plan was outdated, not just because it was enacted eight years ago, but also because many things had been accomplished and executed. The current plan was a significant, award-winning plan. He spoke with City Planner Brian Forschner who presented his thoughts, methodology, and proposed timeline for an update. Mr. Forschner envisioned starting in March, but he was not sure they are prepared to do that. He was seeking Council's input with regard to updating the plan in 2022, noting that the process would include meetings with stakeholders, public meetings, conversations with staff, Council, and the public. It was not a small commitment, but he did not know if they could wait until 2023. X-Plan should reinforce and establish direction for economic development, for infrastructure, for downtown programming, etc. In the next 30 days, he would work with Mr. Forschner and come back to Council with a proposed timeline. Vice President Urschel felt the X-Plan update was very important. He knew they were all busy, but they would be busy next year also.
- American Rescue Plan Act (ARPA) Funding Use—The City was not obligated to spend the ARPA funds until 2024. The first tranche of monies was received in the amount of \$1.4 million; the second tranche for another \$1.4 million was expected in late spring (May). The Finance & Budget Committee had good initial conversation with regard to where the City stands from a reserve fund and cash flow standpoint. Cash flow was not enough to deal with infrastructure as well as operating and cost increases—but, things are stable. Staff recommends that one-third to one-half of the monies be reserved in the General Fund balance to ensure sufficient resources for economic contingencies. After a lengthy discussion, all present agreed on the following ARPA funding use: \$1 million for operating revenue replacement, \$1.2 million on streets/resurfacing, and \$.6 million on quality of life (i.e., parks, Xenia Towne Square, etc.). Councilmembers should submit (as soon as possible) to the City Clerk projects for consideration by the Finance & Budget Committee within the next month.
- **Personnel/Services/Structure**
 - Building Inspection—Late last year, the recommendation was to give Greene County Building Inspection more time to address service delivery issues. Further, all jurisdictions being serviced by the County have been receiving copies of adjudication letters, so staff was now aware of what was happening with projects within the City of Xenia. Unfortunately, he did not believe service delivery issues had been resolved. If they wish to make a change to the provision of building inspection services, the options are as follows: Contract with an outside vendor or re-establish an in-house Building Inspection Division. Either way, Xenia City Code legislative changes would be needed, which would need to be reviewed by the Legislative Review & Government Affairs Committee. The legislative process would take several months, and they would need to provide notice to Greene County by July 1st. Vice President Urschel said Building Inspection was a critical service and the City of Xenia had no ability to hold Building Inspection accountable. Councilwoman Dean agreed; businesses have identified building inspection services as a significant issue. Mr. Merriman said making a transition would result in a lot of additional work; he asked for their patience because he wanted to do it right. If they proceed, the changes would need to be complete by the end of 2022. He explained all that would need to be accomplish to include developing and issuing an RFP, interviewing the companies who submit proposals, making a selection, writing and executing a contract, coming up with a fee structure, making the necessary legislative changes, etc. Mr. Duke said it was important to note that building inspection services were subsidized to the County back

in the late 1990s for financial reasons, and not because they thought they would receive a better service. At that time, they were subsidizing building inspection upwards of \$200,000 per year. With the change to an outside vendor, there was still a real possibility that they would need to subsidize the service. Mr. Merriman said as a function of economic development in this community, they need to be okay with that. Further, many people have said they would be willing to pay more for building inspection services if that meant they would receive better service. Based on the recommendation of the Legislative Review & Government Affairs Committee, he suggested bringing back to Council an action within the next two months with regard to official notification to Greene County.

- Police Division & Chief Search—The position of Police Chief would be posted in-house (only) on February 28th. He met with the Police Division’s staff quality improvement team, and they feel there are excellent in-house candidates. Candidates would be asked to prepare and make a presentation on service delivery, the future of the Police Division, etc. He looked to appoint the new Chief mid-May to allow some overlap. Under the new chief, he anticipated substantive changes in structure and how resources are allocated and prioritized in addition to creating a culture for leadership succession planning to include looking at the distribution of workload, responsibility, and span of control. While there was not a lot of violent crime in this community, there were a lot of social issues, including drug use. Law enforcement was a tough position to be in today. He was concerned with staff burnout and turnover, and he wanted to maintain a standard where individuals feel valued and rewarded. He would keep Council informed as the process advanced.
- Comprehensive Departmental Legislative Review/Updates:
 - *Public Safety (Communications/Dispatch, Police Division, Fire Division)*—Regarding Communications, he planned to present legislative changes to make Communications its own division instead of being under the Police Division. The Communications Director would then be a direct report to the City Manager.
 - *Planning and Development*—As the changes occur with building inspection services, they will have to look at how and where they will fit those services into planning and development functions.
 - *Information Technology and Public Safety technology support*—There was a brief discussion regarding the Communications Technical Director and the Municipal Court’s information technology needs. The current employee in the Communications Technical Director position did a great job and was very knowledgeable, but there was no #2 position. IT Department employees could help in the interim in his absence, but it was a major vulnerability. More integration with the IT Department was needed, but Public Safety serves under him and the IT Department serves under the Finance Director. Mr. Merriman believed a dedicated full-time IT Technician was needed to serve Xenia Municipal Court and all Public Safety divisions. Councilman Scrivens asked why there was a hesitation to add staff if they are needed. Mr. Merriman said he was sensitive to the limitations of Xenia’s tax base. Staff was eliminated in 2008/2009, and many of the administrative support positions were never brought back.
 - *Public Service*—Concerns related to the efficiency of service delivery in the Public Service Department would continue to be addressed. It was one of his priorities and would be considered as part of the restructuring conversations in addition to Public Safety and Building Inspection services. He felt that too many oversight/supervisor positions had been eliminated. Again, span of control, scope of responsibility, etc., would need to be considered. It may be time to reinstate the Public Service Director position instead of having one employee serve as the City Engineer/Public Service Director. Two other Public Service supervisory positions were also eliminated.
- Broader Operational Integration—They need to take a step back and determine some realignment and consolidation was needed and if there are opportunities for integration and overlap. They need

to look at operations to determine if they are operating to fullest potential and capacity. The challenge is that the separate appointed officials (City Manager, Finance Director, and Law Director) inhibit their ability to overlap some services. President Smith said they would have to change the City Charter to change that structure. Mr. Merriman agreed, but he thought there was still room to make some substantive changes that would work under the current Charter. He, as City Manager, can only handle so many direct reports. Ms. Fisher suggested that they build positions into the organizational structure, so they exist if needed. For example, they may need to create a position for an Assistant Public Safety Director. Mr. Merriman said for every position, every contract, and every service they provide, there are legal, financial, political, and practical filters. Eventually, they may need to look at a reorganization to become as efficient as possible.

- Law Department Staffing Changes—Ms. Fisher said Kim Mayhew was scheduled to retire this year. Her current position title was Legal Assistant to the Law Director. In reality, she supported the Prosecutor. The current Prosecutor’s work history involved felony work, and he was now doing misdemeanor work. He was overwhelmed because he was spending too much time researching all the case law for every single case. She was unsure if he could work differently and more efficiently. As a result, he was dismissing a lot of cases. She had given him a chance to make some changes. With that said, with Ms. Mayhew retiring, there was an opportunity to make some changes in the Law Department including looking at a diversion program. The Court already has a Small Claims Division and a Traffic Division, and they may need to look at an Environmental and Housing Division. Regarding filling Ms. Mayhew’s position, she had considered hiring an attorney right out of law school or a part-time attorney to support the department. Mr. Merriman said the last two judges did not prioritize certain issues, and there was no adjudicative process in place right now to impact the problems. When the new judge was appointed, he felt that several members of Council needed to sit down with him or her and share their concerns, set some expectations of partnership, etc. Regarding Victim Advocate services, the grant funding to provide these services has been reduced over the years. If they discontinue providing services to some Greene County jurisdictions, it would reduce the case load. If that occurred, she may not need three Victim Advocates and one could be transitioned to the vacated position upon Ms. Mayhew’s retirement. They would need to wait until a new judge was appointed before making any recommendations.
- Finance Department—Mr. Duke felt that the Finance Department was in good shape. Each segment had individual responsibilities including Accounts Payables, Payroll, Finance Technician, etc. However, at some point he would like to integrate those functions where multiple Finance Technicians know how to do everything from a redundancy standpoint. Several long-time employees are eligible for retirement, and when that occurred, he may look to make those changes. It did not make sense to cross train people who are about to retire. The transition to RITA had gone well, but he underestimated how much the (previous) Income Tax employees covered for Utility Billing. Now that there are only four Utility Billing clerks, if one or two employees are out for any reason, that left one person at the window, one person to do the banking, and the Supervisor had to answer the phones. Vice President Urschel asked if the City was spending more or less to contract with RITA. Mr. Duke believed they would be saving money. RITA had a retainer fee and would rebate back the rest. He would know more in 2022 as 2021 was the first full year under RITA. He estimated a savings between \$50,000 and \$60,000.
- Water Treatment Plant—Mr. Merriman said he had already discussed some concerns with Council at a previous Work Session with regard to the longevity of staff, the changing nature of the requirements from a licensure and regulatory standpoint, etc. The youngest employee at the Water Plant was 53 years old, and the average age of the employees was 60 years old. If more than two people retire at one time, it would be difficult to have a licensed operator at the plant for 24 hours a day. They need to be very intentional when evaluating options including investing in a digitized supervisory control and data acquisition (SCADA) system. The plant was licensed to operate as a

24/7 manned plant. Mayor Mays asked an estimate cost for the SCADA system. Mr. Merriman said it would be a minimum of \$1 to \$2 million. If they installed a SCADA system, they would need to amend their licensure, and then they would have an employee on call. The SCADA system would send alerts if something was amiss, the employee on-call would check the system remotely and determine if an on-site visit was necessary. On the contrary, Mr. Duke said if the plant was not manned 24/7 and they moved to a SCADA system, they would need to be concerned about cyber security issues and physical security of the plant.

- **Economic Development Policy and Goals**

- Defining, Prioritizing, and Resourcing—He felt City leadership and the community in general needed to take a step back and determine what they are trying to achieve. On a very preliminary level, they need to determine how they define economic development in this community. Some people’s views on economic development were very one dimensional. He felt that economic development was very diversified and included residential, commercial, retail, and industrial—anything that was adding wealth and value to this community. They need to determine where they want to go and if they are putting the right resources into that effort. Vice President Urschel said the City needed a certain amount of wealth to provide services, and currently, they are deferring about \$3 million a year in road maintenance alone. They can only do that for so long. Mr. Merriman agreed; however, at times they have had to prioritize public safety over infrastructure. They have to juggle quality of life issues. The core issue was there are not enough resources to meet all the needs in this community.
- EDAB 2.0 (Economic Advisory & Incentive Review)—As they start the conversation on the X-Plan update, they need to do some complimentary work in conjunction with the update. This group’s membership should work on a definition of how they define economic development in a way that can be empirically measured.
- Planning for Core Tenets—Mr. Merriman presented the following core tenets for Council’s consideration: Infrastructure Reliability & Readiness; Tax, Fee, & Incentive Policies; Building, Zoning, & Business Regulations; Access to Quality Core Services (education, healthcare, aging, other professional); Marketplace Dynamics (cost of living, housing diversity and availability, demographics); Public Safety (crime rates, responses times, insurance rates); Quality of Life Factors (recreation, convenience services [retail], aesthetics and amenities, community programming and special events, arts and entertainment, historic preservation); and downtown programming.
- Community Growth Policy

Vice President Urschel felt that staff should prepare a four- to five-page white paper for EDAB’s and Council’s review. Then, they should talk to the Greene County Career Center, Xenia Community Schools, County and Township governments, etc., so they can share their vision for economic development to see how their ideas correlate. President Smith said before the Covid pandemic, Council took action to work with a downtown association, who hired a Downtown Manager. He asked the status of that initiative. Mr. Merriman said several key drivers (businesses) were lost during the pandemic, and the effort came to a halt. The group had the legwork completed to establish their by-laws and governing structure. He has been told that they still have a desire to make it happen.

There was a brief conversation on the subject of the CSU annexation. Mr. Merriman said the next phase was entirely in CSU’s and the State of Ohio’s hands. He encouraged Council to support that endeavor and speak with CSU officials on their own. He noted the contract with CSU for the provision of EMS and fire services was due to expire again in June.

Mr. Merriman noted they cannot solely focus on street improvements. They also need to look at other capital improvements noted below.

- **Infrastructure and Physical Planning**

- Parks Priorities—Determine projects to pursue in 2022, including Lexington Park improvements and other major parks/recreation amenities projects.
- Approach to Street Rehabilitation—He challenged staff to come up with a three- to five-year plan with a high degree of specificity in terms of a listing of streets. He realized the plan may change depending on grant awards. Ms. Fisher noted that when streets are rehabbed, the City was also doing the curbs, gutters, and sidewalks. Per State law, property owners are responsible for curbs, gutters, and sidewalks, and the City should be assessing those improvements via assessments. When the City pays for improvements for curbs, gutters, and sidewalks, the money for street improvements will not go as far. When she worked at the City of Franklin, they put a \$2 surcharge on everybody’s utility bill, which went to improve curbs, gutters, and sidewalks.
- Capital Funding Strategies—Develop long-term plan for general capital funding (streets, parks, etc.)
- Storm Sewer Funding—Consider the Equivalent Residential Unit (ERU) fee approach.
- Fire Station 32 Replacement—The MOU with Kettering Health was being developed for a new Fire Station for only a \$1 land lease per year for an initial period of 30 years plus a 30-year renewal opportunity. A fire station was considered an essential facility, and the building code regulations were higher. The longer they wait, the more expensive the project would be.

There was some discussion about a street levy, the term of the levy (i.e., 10 years vs. 30 years), and even doing a levy per neighborhood. Mayor Mays did not think they would be able to promote the Charter amendments and a tax levy during the same calendar year or even the same ballot. Those present also discussed the possibility of assessments. Mr. Merriman said if they look at Xenia’s cost of governance per capita and compare it to surrounding communities in the region, the only two that are lower than Xenia are Dayton and Trotwood. It was not fair for the public to put the burden on local government when the investment they are making was so low. The reason the roads in Kettering, for example, are better was because per capita residents are paying more because they make more money and they pay more taxes. Over the last 20 years, the City has continued to provide and maintain the services—with a demand that continues to grow—with the available resources *despite* the fact that the State of Ohio had cut local support (including local government funds and estate and tangible personal property taxes). Residents needed to understand the average Xenia household’s tax burden, which was the third lowest in the Miami Valley. All agreed that they would wait and discuss a street levy at a later date.

D. ADJOURNMENT: Motion by Councilwoman Dean, seconded by Mayor Mays, to adjourn the Special Meeting at 3:34 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

Michelle D. Johnson
City Clerk

Wesley Smith, President
Xenia City Council



1st Reading: February 10, 2022
2nd Reading & Vote: February 24, 2022
Effective Date: February 24, 2022

Agenda Item: **Resolution 2022 – H**
AUTHORIZING THE SALE OF REAL PROPERTY AT 194 E. CHURCH STREET (FORMER CARNEGIE LIBRARY) TO O’NEAL’S CATERING, LLC, AND REPEALING RESOLUTION 2021-WW
Introduced by Councilwoman Rebekah Dean on February 10, 2022

Submitted By: Steve Brodsky, Economic Development Director
Presented By: Brent Merriman, City Manager

Summary: The Carnegie Library has been a focal point in Xenia since it opened on June 26, 1906, serving as the central library in Greene County until 1978 when the current Xenia Library opened on Market Street to accommodate the needs of a growing library system. In 1983, the building was briefly used as a private residence before being sold back to Greene County, who has retained ownership ever since.

In 2014, volunteers with the Carnegie Historic District, Inc., worked to develop a nomination to the National Register for Historic Places for the Library. On February 4, 2015, the Xenia Carnegie Library was officially listed on the National Register of Historic Places, making it eligible for state and federal historic tax credits, as well as other special development funding. In 2015, Carnegie volunteers and the City of Xenia worked together to obtain funding for a formal Historic Structures Report as well as a Master Planning process. The Historic Structure Report was completed in 2016 and presented to Xenia City Council on February 9, 2017, as the kickoff of a 2017 Carnegie Library Master Planning and public input campaign to raise awareness, develop feasible projects, and involve the community into "Reimagining the Xenia Carnegie Library."

On November 23, 2021, Council approved the sale of this property to CLX, LLC, made up of a local business and a development firm. After that action, however, the partnership between the parties to CLX fell through when they were unable to come to a final partnership agreement. As a result, Council’s Property Management Committee entertained revised proposals from both the local business (under its new limited liability company, O’Neal’s Catering, LLC) and the development firm (still doing business as CLX), and is recommending that the property be transferred to the local business, rather than the development firm. Thus, in addition to authorizing the sale of this property to O’Neal’s Catering, it is also necessary to repeal Resolution 2021-WW, which authorized the sale to CLX.

Cover Memo Attachments: None.

Budgetary Impact: None.

Recommendation: The Property Maintenance Committee recommends City Council repeal Resolution 2021-WW, which authorized the sale to CLX, and pass this Resolution to authorize the transfer of the property at 194 E. Church Street, commonly known as the Carnegie Library, to O’Neal’s Catering, LLC.

**CITY OF XENIA, OHIO
RESOLUTION 2022 – H**

**AUTHORIZING THE SALE OF THE REAL PROPERTY AT 194 E. CHURCH STREET
(FORMER CARNEGIE LIBRARY) TO O’NEAL’S CATERING, LLC,
AND REPEALING RESOLUTION 2021-WW**

WHEREAS, the Greene County Board of Commissioners transferred the real property at 194 E. Church Street (Parcel ID M40000200050032000) and a 28’ x 200’ parcel between E. Church Street and Hayes Street (Parcel ID M40000200050032100) to the City (“the Property”) pursuant to ORC 307.10(B);

WHEREAS, the Greene County Board of Commissioners transferred the Property to the City with the intent that the City transfer the property, pursuant to Section 9.16(B) of the City’s Charter, to a third party for the purpose of redeveloping the property;

WHEREAS, Section 9.16 of the City’s Charter provides that the sale of property, including the fixtures thereon, may be accomplished without competitive bidding, when approved by this Council; and

WHEREAS, this Council finds it to be in the best interests of the health, safety, and welfare of the City to enter into a Purchase and Sale Agreement with O’Neal’s Catering, LLC, to transfer the Property to it for the purpose of O’Neal’s Catering, LLC, redeveloping the Property,

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

Section 1. The transfer of the real property located at 194 E. Church Street (Parcel ID M40000200050032000) and a 28’ x 200’ parcel between E. Church Street and Hayes Street (Parcel ID M40000200050032100), through negotiation as authorized by City Charter Section 9.16, to O’Neal’s Catering, LLC, an Ohio limited liability company, is hereby approved.

Section 2. The City Manager is authorized to execute a Purchase Agreement with O’Neal’s Catering, LLC, for the transfer of the Property, and to execute the deeds and any other documents necessary for the transfer, upon the Law Director’s approval of the Agreement and other documents as to form.

Section 3. Resolution 2021-WW, passed on November 23, 2021, is hereby repealed in its entirety.

Section 4. 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 5. This Resolution shall be effective immediately upon its passage.

Introduced: February 10, 2022
Passed: February 24, 2022

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk



1st Reading: February 10, 2022
2nd Reading & Vote: February 24, 2022
Effective Date: February 24, 2022

Title: **Resolution 2022 – I**
AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE BELLBROOK AVENUE (PEACEPIPE TRAIL TO ALLISON AVENUE) RESURFACING PROJECT
Introduced by Councilman Levi Dean on February 10, 2022

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

Summary: In October 2020, the City’s engineering staff applied for grant funding through the Ohio Public Works Commission (OPWC) to rehabilitate Bellbrook Avenue, from Peacepipe Trail to Allison Avenue. The Project involves the full width resurfacing of Bellbrook Avenue, from Peacepipe Trail to Allison Avenue, along with the replacement of select sections of curbing and sidewalk. The total Project estimate as submitted for grant funding was \$607,300. The approved grant funding for the project from the State is up to \$449,300 (74%), with the City’s local match being up to \$158,000 (26%).

On Thursday, January 27, 2022, the City received three (3) bids from qualified contractors to complete the Project, which came in significantly lower than the Project estimate, as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Barrett Paving Materials, Inc.	\$492,311.41
Outdoor Enterprise, LLC.	\$508,368.40
John R. Jurgensen Co.	\$524,300.70

Barrett Paving Materials, Inc., has successfully completed similar projects for the City and for regional jurisdictions for many years and, therefore, City staff recommends moving forward with this contractor.

Cover Memo Attachment(s): Bid Summary, dated 01/27/22

Budgetary Impact:	Account #228-5102-55508	\$128,000.97
	Account #362-5102-55508	<u>\$364,310.44</u>
	Total	\$492,311.41

Recommendation: It is the recommendation of City staff to award the bid to, and authorize the City Manager to execute a contract with, Barrett Paving Materials, Inc., for the Bellbrook Avenue (Peacepipe Trail to Allison Avenue) Resurfacing Project.

**CITY OF XENIA, OHIO
RESOLUTION 2022 – I**

**AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE
A CONTRACT WITH BARRETT PAVING MATERIALS, INC., FOR THE BELLBROOK AVENUE
(PEACEPIPE TRAIL TO ALLISON AVENUE) RESURFACING PROJECT**

WHEREAS, bids for the Bellbrook Avenue (Peacepipe Trail to Allison Avenue) Resurfacing Project were opened on January 27, 2022, in accordance with the Notice to Bidders;

WHEREAS, it is determined by Council that the bid from Barrett Paving Materials, Inc., is the lowest and best; and

WHEREAS, this Council has authorized this Project and the expenditure of funds for said contract through the appropriation of funds in the City's operating budget,

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

Section 1. The Bid for the Bellbrook Avenue (Peacepipe Trail to Allison Avenue) Resurfacing Project is hereby awarded to Barrett Paving Materials, Inc., 3751 Commerce Drive, Franklin, Ohio 45005, in the total bid amount of Four Hundred Ninety-Two Thousand Three Hundred Eleven Dollars and Forty-One Cents (\$492,311.41), all in accordance with the Notice to Bidders, Instructions to Bidders, General Conditions, Specifications, Plans, and other documents contained in the bid packet.

Section 2. The City Manager is hereby directed to execute a contract with Barrett Paving Materials, Inc., for said Project, in accordance with Notice to Bidders, Instructions to Bidders, General Conditions, Specifications, Plans and other documents contained in the bid packet upon which the bid was received. The costs of the contract shall be paid out of the funds appropriated for it in the City's operating budget.

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.

Introduced: February 10, 2022

Passed: February 24, 2022

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

2022 Bellbrook Ave. Resurfacing Project Bid Tab
Bid Opening January 27, 2022

Item No.	Item	Est.		Barrett Paving		John R Jurgensen		Outdoor Enterprise	
		Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
ROADWAY									
1	Walk Removed	2,439	SF	5.50	\$13,414.50	4.00	\$9,756.00	2.00	\$4,878.00
2	Curb and Gutter Removed	4,104	FT	12.00	\$49,248.00	9.00	\$36,936.00	5.00	\$20,520.00
3	Catch Basin Removed	10	EA	700.00	\$7,000.00	400.00	\$4,000.00	500.00	\$5,000.00
4	4" Concrete Walk	1,347	SF	6.00	\$8,082.00	6.50	\$8,755.50	10.00	\$13,470.00
5	8" Concrete Walk	1,092	SF	8.00	\$8,736.00	11.00	\$12,012.00	12.00	\$13,104.00
6	Curb Ramp	200	SF	6.00	\$1,200.00	16.00	\$3,200.00	15.00	\$3,000.00
7	Detectable Warning	16	SF	35.00	\$560.00	48.00	\$768.00	40.00	\$640.00
8	Topsoil Furnished and Placed	330	CY	65.00	\$21,450.00	55.00	\$18,150.00	70.00	\$23,100.00
EROSION CONTROL									
9	Seeding and mulching (hydro-seeding)	990	SY	3.75	\$3,712.50	3.50	\$3,465.00	4.00	\$3,960.00
10	Erosion Control	1000	EA	1.00	\$1,000.00	1.00	\$1,000.00	1.00	\$1,000.00
DRAINAGE									
11	Catch Basin Misc: Catch Basin, Type 2	10	EA	3,700.00	\$37,000.00	2,500.00	\$25,000.00	2,500.00	\$25,000.00
12	Manhole Adjusted to Grade	7	EA	800.00	\$5,600.00	600.00	\$4,200.00	500.00	\$3,500.00
PAVEMENT									
13	Pavement Planing, Asphalt Concrete (3")	10,302	SY	2.10	\$21,634.20	2.90	\$29,875.80	4.00	\$41,208.00
14	Non-Tracking Tack Coat	1,289	GAL	3.00	\$3,867.00	1.00	\$1,289.00	6.00	\$7,734.00
15	Asphalt Concrete Surface Course, Type 1, (448), PG64-22	358	CY	195.00	\$69,810.00	225.00	\$80,550.00	185.00	\$66,230.00
16	Asphalt Concrete Intermediate Course, Type 2, (448), PG64-22	501	CY	170.00	\$85,170.00	190.00	\$95,190.00	165.00	\$82,665.00
17	Curb, Misc: Type C	4,104	FT	16.00	\$65,664.00	30.00	\$123,120.00	29.00	\$119,016.00
18	Controller Item, Misc.: Signal Monitor with Installation	1	EA	1,350.00	\$1,350.00	1,350.00	\$1,350.00	1,500.00	\$1,500.00
19	Valve Box Adjusted Grade	4	EA	300.00	\$1,200.00	200.00	\$800.00	140.00	\$560.00
20	Stop Line Radar Detection	3	EA	7,400.00	\$22,200.00	7,400.00	\$22,200.00	1,500.00	\$4,500.00
21	Advance Radar Detection	2	EA	7,730.00	\$15,460.00	7,730.00	\$15,460.00	1,500.00	\$3,000.00
TRAFFIC CONTROL									
22	Center Line	0.84	MI	5,565.25	\$4,674.81	6,400.00	\$5,376.00	7,000.00	\$5,880.00
23	Channelizing Line, 8"	315	FT	1.46	\$459.90	2.48	\$781.20	3.00	\$945.00
24	Stop Line, 24"	23	FT	9.42	\$216.66	20.00	\$460.00	22.00	\$506.00
25	Crosswalk Line 12"	32	FT	4.72	\$151.04	10.00	\$320.00	11.00	\$352.00
26	Lane Arrow	10	EA	94.28	\$942.80	138.00	\$1,380.00	150.00	\$1,500.00
MAINTENANCE OF TRAFFIC									
27	Work Zone Center Line Class, I	1.7	MI	1,540.54	\$2,618.92	2,430.00	\$4,131.00	2,700.00	\$4,590.00
28	Work Zone Center Line Class, III	0.84	MI	1,484.14	\$1,246.68	2,420.00	\$2,032.80	2,700.00	\$2,268.00
29	Maintaining of Traffic	1	LS	29,000.00	\$29,000.00	5,000.00	\$5,000.00	28,000.00	\$28,000.00
30	Law Enforcement Officer with Patrol Car for Assistance	10	HR	74.24	\$742.40	74.24	\$742.40	74.24	\$742.40
31	Mobilization	1	LS	8,900.00	\$8,900.00	7,000.00	\$7,000.00	20,000.00	\$20,000.00
TOTAL					\$492,311.41		\$524,300.70		\$508,368.40



Meeting Date: February 24, 2022
Emergency: YES
Effective Date: February 24, 2022

Public Hearing: Yes; required by the Land Development Code Section 1220.03(d)(4).

Agenda Item: **Ordinance 2022-04**
AMENDING SECTIONS 1220.01(e), 1220.10(b), 1220.11, 1226.06 AND 1244.02, AND REPEALING SECTION 1220.10(d)(2), OF THE CITY OF XENIA'S LAND DEVELOPMENT CODE, AND ADOPTING THE REVISED FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE MARCH 8, 2022, AND DECLARING AN EMERGENCY

Submitted By: Chris Berger, Public Service Director/City Engineer
Presented By: Donnette Fisher, Law Director

Scope/Description: On September 8, 2021, the City of Xenia was notified that officials at the Federal Emergency Management Agency (FEMA) prepared and accepted the latest Flood Insurance Study for the City and the rest of Greene County. The results of the study establish the 100-year floodplain, which also provides for the development of the Flood Insurance Rate Maps. These maps are revised/updated as necessary for each county and its respective jurisdictions every ten (10) years. As the attached correspondence of December 3, 2021, from FEMA indicates, no significant changes have been made to the flood hazard data for Greene County.

In order for the City of Xenia to continue to be a part of the National Flood Insurance Program (NFIP) when the new flood insurance rate maps become effective on March 8, 2022, City Council must: (1) adopt the new Flood Insurance Rate Maps and (2) make certain amendments to the City's Land Development Code. It should be noted that the City's Planning and Zoning Commission reviewed these proposed amendments to the LDC at their (rescheduled) regular meeting of February 17, 2022. The reasoning for each of the proposed amendments is as follows:

Section 1220.01(e)

Delete (e)(1) as the establishment and authorization for the position of City Engineer is not properly dictated by the Land Development Code. Amend (e)(2) to remove subdivision E., as the contents of this subdivision are now in 1226.06(b).

Sections 1220.10(b), 1220.10(d)(2), and 1220.11

These amendments include the deletion of 1220.10(b)(1), 1220.10(d)(2), 1220.11(b)(6), 1220.11(c)(2)(B), 1220.11(d)(2), and 1220.11(g), as the contents of these sections is being relocated to Section 1226.06.

Section 1226.06

Although existing Section 1226.06 contains most of the necessary floodplain-related language required by ODNR, the proposed amendments are needed to assure that the City's floodplain regulations are fully compliant with FEMA requirements and ODNR's model 2019 floodplain regulations.



**XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO**

Section 1244.02

This section is being amended to amend and add certain, necessary floodplain-related definitions.

Cover Memo

Attachments:

December 3, 2021, letter from FEMA.

Budgetary Impact:

None.

Recommendation:

City staff and the City's Planning & Zoning Commission recommend that Council adopt this ordinance to bring the City's floodplain regulations in compliance with state and federal mandates. As ODNR did not return its review of these updates to the City until February 1st and the PZC meeting of February 3rd had to be rescheduled, this Ordinance needs to be adopted, following the public hearing, as an emergency to have the updated regulations in place by the March 8th deadline.

**CITY OF XENIA, OHIO
ORDINANCE 2022 – 04**

AMENDING SECTIONS 1220.01(e), 1220.10(b), 1220.11, 1226.06 AND 1244.02, AND REPEALING SECTION 1220.10(d)(2), OF THE CITY OF XENIA’S LAND DEVELOPMENT CODE, AND ADOPTING THE REVISED FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE MARCH 8, 2022, AND DECLARING AN EMERGENCY

WHEREAS, the City of Xenia has participated in the National Flood Insurance Program (NFIP) as administered through the Federal Emergency Management Agency (FEMA) for many years;

WHEREAS, FEMA routinely commissions engineering studies to validate that the boundaries of the 100-year floodplain have not been altered over time;

WHEREAS, the City of Xenia was notified by the Ohio Department of Natural Resources (ODNR) that FEMA has prepared a revised Flood Insurance Study and Flood Insurance Rate Maps to become effective March 8, 2022;

WHEREAS, it is necessary for City Council to formally adopt the revised FEMA Flood Insurance Study and Flood Insurance Rate Maps to continue participation in the National Flood Insurance Program for the City’s residents and businesses; and

WHEREAS, the adoption of the revised Flood Insurance Study and Flood Insurance Rate Maps will also require certain amendments to the floodplain regulations contained in the City’s Land Development Code to reference the revised study and maps, to be effective by March 8, 2022,

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, at least five (5) members of the City Council concurring, that:

Section 1. This Ordinance is declared to be an emergency measure necessary for the protection of the peace, health, and safety of the citizens of Xenia and for the preservation of their property, as the updated floodplain regulations must be effective on or before March 8, 2022, to assure that citizens of the City who are required to have floodplain insurance can do so.

Section 2. Sections 1220.01(e), 1220.10(b), 1220.11, 1226.06, and 1244.02 are hereby amended, as shown in the attached Exhibit A.

Section 3. Existing Sections 1220.01(e), 1220.10(b), 1220.11, 1226.06, and 1244.02 are hereby repealed.

Section 4. Section 1220.10(d)(2) is hereby repealed in its entirety, as shown in the attached Exhibit B.

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 immediately upon its adoption, in accordance with Section 5.04 of the City's Charter.

Adopted: February 24, 2022

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

1220.01 REVIEW AND DECISION-MAKING AUTHORITIES.

(e) City Engineer.

(1) ~~The City of Xenia City Engineer shall be established to aid in the administration and enforcement of this Code. The City Engineer may be provided with the assistance of such other persons as the City Manager may direct.~~

(2) ~~Roles and Powers of the City Engineer:~~ In addition to any other authority granted to the City Engineer by Charter, ordinance, or state law, the City Engineer shall have the following powers and duties related to **the administration of this Land Development Code** ~~these regulations:~~

- A. Develop and recommend the City of Xenia Construction Standard Drawings, ~~and~~ the City of Xenia Material and Specifications Manual, and other documents as may be approved by City Council related to subdivision improvement specifications;
- B. Review and make recommendations to the City Planner on minor subdivision applications;
- C. Review and make recommendations to the PZC and City Council on major subdivision applications;
- D. Participate in any pre-application conferences requested by a property owner or potential applicant in accordance with this Code;
- E. ~~Act as the floodplain administrator for the City of Xenia and perform the following related duties:~~
 - i. ~~Evaluate applications for permits to develop in special flood hazard areas;~~
 - ii. ~~Interpret floodplain boundaries and provide flood hazard and flood protection elevation information;~~
 - iii. ~~Issue flood development permits to develop in special flood hazard areas when the provisions of this Code have been met, or refuse to issue the same in the event of noncompliance;~~
 - iv. ~~Inspect buildings and lands to determine whether any violations of this Code have been committed;~~
 - v. ~~Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances and records of enforcement actions taken for violations of these regulations;~~
 - vi. ~~Enforce the provisions of these regulations;~~
 - vii. ~~Provide information, testimony, or other evidence as needed during variance hearings;~~
 - viii. ~~Coordinate map maintenance activities and FEMA follow up; and~~
 - ix. ~~Conduction substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.~~
- F. Maintain permanent and current records of all public improvements and improvement drawings that are part of major subdivision applications; ~~and~~
- E.** ~~G.~~ Inspect, or cause to be inspected, all construction or installation work related to public improvements as required by **this Code** ~~these regulations.~~

(2) (3) ~~Decisions of the City Engineer:~~ A decision ~~by~~ ~~on~~ the City Engineer **issued pursuant** ~~with regard~~ to this Code may be appealed to the BZA in accordance with Section 1220.12: Appeals, unless another appeals board is established in this Code.

1220.10 VARIANCES.

(b) Prohibition of Certain Variance Requests. ~~(1) Variances from standards of this code may be considered in most cases with the exception that variances are prohibited in any designated floodway if their will be an increase in flood levels during the base flood discharge. (2) Applications for a use variance are prohibited. Use variances are defined as a variance application to request allowing a use in a zoning district where it is otherwise prohibited. Such requests shall be reviewed as a zoning map or code text amendment as established in Section 1220.03: Code Text and Map Amendments.~~

1220.11 ZONING PERMIT.

(a) Purpose. A zoning permit shall be required in accordance with the provisions of this section in order to ensure that proposed development complies with the standards of this Code and to otherwise protect the public health, safety, and general welfare of the citizens of the City.

(b) Applicability.

- (1) No building or other structure shall be erected, moved, altered, or added to, nor shall any building, structure or land be used or changed in use without a zoning permit issued by the City Planner. A change in tenancy or ownership of a residential dwelling unit shall be exempt from the zoning permit requirement.
- (2) A zoning permit may be required for the establishment of certain temporary or accessory use as established in Chapter 1224: Accessory and Temporary Use Regulations.
- (3) The use of vacant land shall require the issuance of a zoning permit.
- (4) Unless otherwise specifically exempted in ~~Section~~ Chapter 1236: Signage, signs shall require a zoning permit.
- (5) Demolition of any building or structure that has a footprint of seven hundred square feet (700 ft.²) or more in a locally or nationally designated historic district shall require a zoning permit. Structures that are subject to a City-issued order to demolish shall be exempt from the demolition permit requirements of this section; except that the Greene County Historical Society may be invited to photograph and document the structures for historical recording.
- (6) Zoning Permits for Activities in Special Flood Hazard Areas.
 - ~~A. It shall be unlawful for any person to begin construction or other development activity including, but not limited to, filling, grading, construction, alteration, remodeling, or expanding any structure, or alteration of any watercourse wholly within, partially within, or in contact with any identified special flood hazard area, as established in Section 12206 Floodplain Regulations, until a zoning permit is obtained in accordance with this section.~~
 - ~~B. Where it is unclear whether a development site is in a special flood hazard area, the City Engineer may require an application for a floodplain development permit to determine the development's location.~~
 - ~~C. An application for a zoning permit in a special flood hazard area shall not be required for:
 - i. Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities, except for filling and grading;~~

- ~~ii. Development activities in an existing or proposed manufactured home park. Such activities are under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code §3701;~~
 - ~~iii. Major utility facilities permitted by the Ohio Power Siting Board under ORC Chapter 4906;~~
 - ~~iv. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under ORC Chapter 3734;~~
 - ~~v. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 Floodplain Management; and~~
 - ~~vi. Any other exemptions from the flood protection regulations of Section 1226.06 Floodplain Regulations.~~
- (7) Zoning permits shall be issued only in conformity with the provisions of this Code unless the application is subject to approval by the BZA or PZC providing for additional standards, conditions, or modifications, in which case the zoning permit shall be issued in conformity with the provisions of those approvals, as applicable.
- (7) ~~(8)~~ Failure to obtain a zoning permit shall be a violation of this Code subject to the provisions of Chapter 1242: Enforcement and Penalties.
- (c) Zoning Permit Review. The review procedure for a zoning permit shall be as follows:
- (1) *Step 1 – Application:* The applicant shall submit an application in accordance with Section 1220.02: Common Review Requirements and with the provisions of this section.
 - (2) *Step 2 – City Planner Review and Decision:*
 - A. The City Planner may distribute the application to other staff members and other City departments to solicit comment on the zoning permit application.
 - B. ~~For any zoning permit application for development or applicable activities in a special flood hazard area, the City Engineer shall be required to also review and make a decision on the zoning permit application. In such cases, if either the City Planner or the City Engineer deny the application, the entire application shall be denied.~~
 - C. Within thirty (30) days after the application is determined to be complete, the City Planner shall make a decision on the zoning permit application **by approving or denying**. In making its decision, the City Planner may approve or deny the application. The City Planner shall have sixty (60) days to make a decision on zoning permit applications for demolition to allow for proper notice to other agencies have review authority. In both cases, an extension on the decision may be granted with approval from the applicant.
 - C. ~~D.~~ Prior to finalizing approval of the application, the City Planner shall have the authority to provide comments to the applicant regarding necessary revisions to bring the application into full compliance **with the provisions of this Code**. The application shall not be ~~deemed formally~~ approved **by the City Planner** until the applicant makes all of the appropriate changes and submits all necessary revised forms, maps, and documents ~~to the City Planner~~.
- (d) Review Criteria.
- (1) *Review Criteria for All Zoning Permits:* In order to approve any zoning permit, the City Planner shall determine the following:
 - A. The application complies with all applicable provisions of this Code and the applicable zoning district; and

- B. The application complies with all approved plans, conditions, or other development approvals.
- (2) ~~*Additional Review Criteria for Zoning Permits in a Special Flood Hazard Area.*~~ Zoning permit applications for development or applicable activities in special flood hazard areas shall demonstrate:
- ~~A. The application complies with Section 1226.06 Floodplain Regulations of this Code; and~~
- ~~B. That all necessary permits have been received from those federal, state, or local governmental agencies from which proper approval is required. The applicant shall be responsible for obtaining such permits as required, including permits issued by the U.S. Army Corps of Engineers under § 10 of the Rivers and Harbors Act, being 33 USC § 577; and § 404 of the Clean Water Act, being 33 USC §1344; and the Ohio Environmental Protection Agency under § 401 of the Clean Water Act, being 33 USC § 1341.~~
- (3) *Additional Review Criteria for Zoning Permits for Demolition:* In addition to the general review criteria applicable to all zoning permits in Section 1220.11(d)(1), any zoning permit application for demolition shall be subject to the following conditions:
- A. Demolition may not commence until a demolition permit has also been issued from the Greene County Department of Building Regulation.
- B. The Greene County Historical Society shall be given the opportunity to review each demolition permit application, for a period not exceeding thirty (30) days, to determine if the structure proposed for demolition is a contributing or significant structure as defined in Section 1220.08(f). If the Greene County Historical Society determines that the structure is a contributing structure and ~~it~~ is of aesthetic interest that continues to contribute to the historic development or heritage of the City, it shall so advise the City Planner. The applicant shall then be requested to use available rehabilitation funds, if any, to repair and restore the structure or offer the structure for relocation or seek alternatives to save the structure. If all avenues and available resources have been exhausted and the only recourse is to demolish the structure, then a demolition permit may ~~shall~~ be issued.
- (e) Administrative Waiver Requests.
- (1) *Applicability:*
- A. The City Planner may grant administrative waivers for any area or dimensional regulation that does not exceed ten percent (10%) of the applicable minimum or maximum regulation. Area and dimensional regulations include, but are not limited to, minimum front, side, and rear yard setbacks; maximum height of structures; maximum sign height; maximum sign area; etc.
- B. An administrative waiver for minimum lot area or lot width requirement is prohibited.
- C. The applicant shall be required to apply for a variance for any waiver request that exceeds ten percent (10%) or other variations from the Code that do not qualify for administrative waivers.
- (2) *Administrative Waiver Review Procedure and Decision:*
- A. Administrative waivers shall be reviewed as part of the zoning permit review procedure.
- B. In making a decision on the administrative waiver, the City Planner may approve or deny the waiver request application.

- (3) *Review Criteria:* Decisions on an administrative waiver shall be based on consideration of the following criteria:
 - A. The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, similar sign areas, etc.);
 - B. Special circumstances exist that make precise compliance with subject standards impractical or unreasonable;
 - C. The waiver request is minor in nature;
 - D. The waiver request does not substantially alter characteristics found in the development character of the surrounding properties; and
 - E. The waiver request does not deviate from the overall purpose of this Code or the intent and objective of the original regulation.

- (f) Time Limit and Abandoned or Suspended Work.
 - (1) The applicant shall obtain an approved building permit within one (1) year of the date the zoning permit was approved or the approval shall be revoked. The date of approval shall be the date the City Planner provides a signed copy of the permit to the applicant.

 - (2) For activities that do not require a building permit, the activity shall have been substantially begun within one (1) year of approval and is thereafter pursued to completion, as determined by the City Planner.

 - (3) The deadlines in ~~paragraph~~ **division (f)(1)** or **(f)(2)** may be reduced if the work is mandated by this Code or by order of the City Planner, City Engineer, Code Enforcement Officer, or BZA. In such cases, the deadline for construction shall be noted on the zoning permit.

 - (4) Time limits for permitted temporary uses and structures shall be as authorized in Section 1224.02: Temporary Uses and Structures. An approval of a zoning permit for a temporary use shall include the approved start and end dates for the proposed temporary use.

 - (5) If construction activities for which a zoning permit has been issued is abandoned or suspended for a period of six (6) months after the time of commencing the work, the zoning permit approval shall be revoked. Abandonment shall be defined as the lack of building activity or progress towards achieving the scope of work defined in the zoning permit.

 - (6) Upon written request, up to two (2) extensions of six (6) months may be granted by the City Planner if the applicant can show good cause for a delay.

 - (7) The City Planner shall notify the **applicant** ~~application~~ of the revocation of a zoning permit, including notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

 - (8) Upon revocation of a zoning permit approval, a new application, including all applicable fees, shall be required before a new zoning permit application will be reviewed.

 - (9) The above time limits shall not apply if alternative time limits that have been approved by the City Planner or PZC in accordance with the applicable review procedure.

~~(g) Inspections and Post Construction Certifications for Zoning Permit Activities in Special Flood Hazard Areas.~~

- ~~(1) For zoning permit activities subject to the flood regulations of this Code, the City Engineer may make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.~~
- ~~(2) The following as built certifications are required after a zoning permit has been issued subject to the flood regulations of this Code:
 - ~~A. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency elevation certificate completed by a registered surveyor to record as built elevation data. For elevated structures in Zone A areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.~~
 - ~~B. For all development activities subject to the standards of Section 1226.06(g)(1) Requirement to Submit New Technical Data, a letter of map revision is required.~~~~

~~(h) Revoking a Zoning Permit. A zoning permit shall be revocable if, among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to BZA in accordance with Section 1220.12: Appeals of this Code.~~

~~(h) Appeals. Any person or entity claiming to be injured or aggrieved by any final action of the City Planner shall have the right to appeal the decision to BZA, as established in Section 1220.12: Appeals.~~

1226.06 FLOODPLAIN REGULATIONS.

(a) ~~(b)~~ General Provisions.

- (1) **Statutory Authorization:** **This section of the Land Development Code is adopted pursuant to** Article XVIII, Section 3, of the Ohio Constitution, **which** grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. **This section adopts regulations for areas of special flood hazard that are necessary for participation in the National Flood Insurance Program.**
- (2) **Findings of Fact and Intent:** The City of Xenia has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, flood proofed, or otherwise protected from flood damage also contribute to the flood loss. **The floodplain regulations contained in this section are intended** ~~In order~~ to minimize the threat of such damages and to achieve the purposes hereinafter set forth, ~~these regulations are adopted.~~
- (3) ~~(a)~~ **Statement of Purpose:** It is the purpose of these regulations to promote the public health, safety, and general welfare and to:
 - A.** ~~(1)~~ Protect human life and health;
 - B.** ~~(2)~~ Minimize expenditure of public money for costly flood control projects;
 - C.** ~~(3)~~ Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - D.** ~~(4)~~ Minimize prolonged business interruptions;
 - E.** ~~(5)~~ Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
 - F.** ~~(6)~~ Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
 - G.** ~~(7)~~ Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
 - H.** ~~(8)~~ Minimize the impact of development on adjacent properties within and near flood prone areas;
 - I.** ~~(9)~~ Ensure that the flood storage and conveyance functions of the floodplain are maintained;
 - J.** ~~(10)~~ Minimize the impact of development on the natural, beneficial values of the floodplain;
 - K.** ~~(11)~~ Prevent floodplain uses that are either hazardous or environmentally incompatible; and
 - L.** ~~(12)~~ Meet community participation requirements of the National Flood Insurance Program.
- (4) ~~(e)~~ **Methods of Reducing Flood Loss:** In order to accomplish its purposes, these regulations include methods and provisions for:
 - A.** ~~(1)~~ Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;

- B.** ~~(2)~~ Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
 - C.** ~~(3)~~ Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
 - D.** ~~(4)~~ Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and,
 - E.** ~~(5)~~ Preventing or regulating the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.
- (5)** **Lands to Which These Regulations Apply:** ~~(d) Applicability~~ These regulations shall apply to all areas of special flood hazard within the jurisdiction of the City of Xenia as identified in Section **1226.06(a)(6)** ~~1220.06(e): Basis for Establishing the Areas of Special Flood Hazard~~, including any additional areas of special flood hazard annexed **to the** ~~by~~ City of Xenia.
- (6)** ~~(e) Basis for Establishing the Areas of Special Flood Hazard:~~ ~~(4)~~ For the purposes of these regulations, the following studies and/or maps are adopted:
- A. Flood Insurance Study Greene County, Ohio and Incorporated Areas and Flood Insurance Rate Map Greene County, Ohio and Incorporated Areas, both effective **March 8, 2022** ~~3-17-2014~~.
 - B. Other studies and/or maps that may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard, as indicated by the Floodplain Administrator.**
 - C.** Any hydrologic and hydraulic engineering analysis authored by a registered professional engineer in the State of Ohio that ~~which~~ has been approved by the City of Xenia, as required by Section **1226.06(g)(3)** ~~1226.06(j)(4) Subdivisions and Large Developments~~.
 - D.** ~~(2)~~ Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. **Such maps and/or studies are on file at the City of Xenia, 107 E. Main Street, Xenia, Ohio 45385.**
- (7)** **Abrogation and Greater Restrictions: These floodplain regulations are not intended to repeal any existing subdivision, zoning or building regulations or codes. In the event of a conflict between these regulations and any other subdivision, zoning or building regulation, the more restrictive shall be followed. These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions; however, where these regulations and an easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.**
- (8)** **Interpretation: In the interpretation and application of these floodplain regulations, all provisions shall be:**
- A. Considered as minimum requirements;**
 - B. Liberally construed in favor of the City; and,**
 - C. Deemed neither to limit nor repeal any other powers granted under the Ohio Constitution or state statutes. Where a provision of these regulations may conflict with a state or federal law, such state or federal law shall take precedence over these regulations.**
- (9)** ~~(f) Warning and Disclaimer of Liability:~~ The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and

engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the City of Xenia, any officer or employee thereof, or ~~the Federal Emergency Management Agency~~ FEMA for any flood damage that results from reliance on these regulations, or any administrative decision lawfully made hereunder.

(10) Severability: Should any section or provision of these floodplain regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

(b) Administration.

(1) Designation of the Floodplain Administrator: The City Engineer, or his designee, is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

(2) Duties and Responsibilities of the Floodplain Administrator: The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:

A. Evaluate applications for permits to develop in special flood hazard areas;

B. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information;

C. Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance;

D. Inspect buildings and lands to determine whether any violations of these regulations have been committed;

E. Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, floodproofing certificates, variances, and records of enforcement actions taken for violations of these regulations;

F. Enforce the provisions of these floodplain regulations;

G. Provide information, testimony, or other evidence as needed during variance hearings;

H. Coordinate map maintenance activities and FEMA follow-up; and

I. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

(3) Floodplain Development Permits: It shall be unlawful for any person to begin construction or other development activity including, but not limited to filling; grading; construction; alteration, remodeling, or expanding any structure, or alteration of any watercourse wholly within, partially within, or in contact with any identified special flood hazard area, as established in Section 1226.06(a)(6), until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such floodplain development

permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(4) Application Required: An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished by the City for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a Floodplain Development Permit to determine the development's location. Such applications shall include, but not be limited to:

A. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing;

B. Elevation of the existing, natural ground where structures are proposed;

C. Elevation of the lowest floor, including basement, of all proposed structures;

D. Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations; and

E. Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable, including:

i. Floodproofing certification for nonresidential floodproofed structure, as required in Section 1226.06(g)(5);

ii. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Sections 1226.06(g)(4)E. are designed to automatically equalize hydrostatic flood forces;

iii. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 1226.06(g)(9)C.;

iv. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot (1') in special flood hazard areas where FEMA has provided base flood elevations but no floodway, as required by Section 1226.06(g)(9)B.;

v. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway, as required by Section 1226.06(g)(9)A.; and/or

vi. Generation of base flood elevation(s) for subdivisions and other new developments, as required by Section 1226.06(g)(3).

F. A floodplain development permit application fee, as set forth in the City's Fee Schedule, Chapter 298 of the Xenia City Code.

(5) Review and Approval of a Floodplain Development Permit Application:

A. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Section 1226.06(b)(4) has been received by the Floodplain Administrator.

- B. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state, or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required, including permits issued by the U.S. Army Corps of Engineers under § 10 of the Rivers and Harbors Act and § 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section § of the Clean Water Act.**
- C. Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If the Floodplain Administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this Section 1226.06, the Floodplain Administrator shall issue the permit. All floodplain development permits shall be conditional upon the commencement of work beginning within one hundred eighty (180) days of issuance. A floodplain development permit shall expire one hundred eighty (180) days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.**
- (6) Inspections: The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.**
- (7) Post-Construction Certifications Required: The following as-built certifications are required after a floodplain development permit has been issued:**
- A. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a FEMA Elevation Certificate completed by a registered surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.**
- B. For all development activities subject to the standards of Section 1226.06(c)(1), a Letter of Map Revision.**
- C. For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed Floodproofing Certificate for Nonresidential Structures, completed by a registered professional engineer or architect, together with associated documentation.**
- (8) Revoking a Floodplain Development Permit: A floodplain development permit shall be revocable if, among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to BZA in accordance with Section 1226.06(h).**
- (9) Exemption from Filing a Development Permit: An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than two thousand five hundred dollars (\$2,500).**

(10) State and Federal Development:

- A. Development that is funded, financed, undertaken, or preempted by state agencies shall comply with minimum NFIP criteria.**
- B. Before awarding funding or financing or granting a license, permit or other authorization for a development that is or is to be located within a 100-year floodplain, a state agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable regulations contained in this Section 1226.06, as required by ORC Section 1521.13. This includes, but is not limited to:**
 - i. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of Ohio Administrative Code Chapter 4781-12.**
 - ii. Major utility facilities permitted by the Ohio Power Siting Board under ORC Chapter 4906.**
 - iii. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under ORC Chapter 3734.**
- C. Development activities undertaken by a federal agency that are subject to Federal Executive Order 11988 – Floodplain Management. Each federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of Executive Order 11988.**

~~(c) (g)~~ Map Maintenance Activities. To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the City's of Xenia flood maps, studies, and other data identified in Section ~~1226.06(a)(6)~~ 1226.06(e) Basis for Establishing the Areas of Special Flood Hazard accurately represent flooding conditions (so appropriate floodplain management criteria are based on current data) the following map maintenance activities are identified:

(1) Requirement to Submit New Technical Data:

- A. For all development proposals that impact floodway delineations or base flood elevations, the Floodplain Administrator community shall ensure that technical data reflecting such changes be submitted to FEMA within six (6) months of the date such information becomes available. These development proposals include:**
 - i. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;**
 - ii. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;**
 - iii. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and**
 - iv. Subdivision or other new development large-scale development proposals requiring the establishment of base flood elevations in accordance with Section 1226.06(g)(3) ~~1226.06(j)(4)~~ Subdivisions and Large Developments.**
- B. It is the responsibility of the applicant to have technical data, required in accordance with Section 1226.06(c)(1) ~~1226.06(j)(4)~~ Subdivisions and Large Developments prepared in a format required for a CLMOR or LOMR, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.**
- C. The Floodplain Administrator City Engineer shall require a CLMOR prior to the issuance of a floodplain development zoning permit for:**
 - i. Proposed floodway encroachments that increase the base flood elevation; and**

- ii. Proposed development which increases the base flood elevation by more than one foot (1') in riverine areas where FEMA has provided base flood elevations but no floodway.

D. **Floodplain development permits issued by the Floodplain Administrator** ~~Zoning permit applications subject to these regulations that are issued by the City Planner and signed off on by the City Engineer~~ shall be conditioned upon the applicant obtaining a LOMR from FEMA for any development proposal subject to Section **1226.06(c)(1)A.** ~~1226.06(g)(1)(a)~~

- (2) *Right to Submit New Technical Data:* The **Floodplain Administrator** ~~City Engineer~~ may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made, in writing, by the City Manager and may be submitted at any time.
- (3) *Annexation or Detachment:* Upon occurrence, the **Floodplain Administrator** ~~City Engineer~~ shall notify FEMA in writing whenever the boundaries of the City of Xenia have been modified by annexation or when the ~~City~~ **community** has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Xenia's Flood Insurance Rate Map accurately represent the City's boundaries, the **Floodplain Administrator** ~~City Engineer~~ shall include within such notification a copy of a map of the City of Xenia suitable for reproduction, clearly showing the new corporate limits or the new area for which the City of Xenia has assumed or relinquished floodplain management regulatory authority.

(d) (h) Data Use and Flood Map Interpretation. The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

- (1) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the **Floodplain Administrator** ~~City Engineer~~ shall review and reasonably utilize any other flood hazard data available from a federal, state, or other sources.
- (2) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the **Floodplain Administrator** ~~City Engineer~~.
- (3) ~~When Preliminary Flood Insurance Rate Maps and/or Flood Insurance Study have been provided by FEMA:~~
 - A. ~~Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations; or~~
 - B. ~~Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and /or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and /or appeal to FEMA.~~

~~(4) The **Floodplain Administrator** ~~City Engineer~~ shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section **1226.06(h)** ~~1220.12 Appeals~~.~~

(4) Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this Section 1226.06 applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

~~(5) Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, and the like) shall prevail.~~

(e) Use of Preliminary Flood Insurance Rate Map and/or Flood Insurance Study Data.

(1) Zone A:

A. Within Zone A areas designated on an effective FIRM, data from preliminary FIRM and/or FIS shall be reasonably utilized as best available data.

B. When all appeals have been resolved and a notice of final flood elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

(2) Zones AE, A1-30, AH, and AO:

A. BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM; however,

i. Where BFEs increase in a restudied area, the City will ensure that new or substantially improved structures are protected. The City will reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of the citizens of the City are protected.

ii. Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.

B. If a preliminary FIRM or FIS has designated floodways where none had previously existed, the City will reasonably utilize this data in lieu of applying the encroachment performance standard of Section 1226.06(g)(9)B. since the data in the draft or preliminary FIS represents the best data available.

(3) Zones B, C, and X: Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zones B, C, or X on the effective FIRM that are being revised to Zone AE, A1-30, AH, or AO. The City will reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of its citizens are protected.

(f) (±) Substantial Damage Determinations.

- (1) Damages to structures may result from a variety of causes including tornado, wind, heavy snow, flood, fire, etc. After such a damage event, the **Floodplain Administrator** ~~City Engineer~~ shall:
 - A. Determine whether damaged structures are located in special flood hazard areas;
 - B. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
 - C. **Require** ~~Make reasonable attempt to notify~~ owners of substantially damaged structures ~~of the need to obtain a~~ **floodplain development** ~~zoning~~ permit prior to repair, rehabilitation, or reconstruction.
- (2) Additionally, the **Floodplain Administrator** ~~City Engineer~~ may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the **floodplain development** ~~zoning~~ permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with increased cost of compliance insurance claims.

(g) (±) Use and Development Requirements for Flood Hazard Reduction. The following use and development requirements apply to development wholly within, partially within, or in contact with any special flood hazard area as established in **Sections 1226.06(a)(6), (d)(1), or (e)** ~~Section 1226.06(e) Basis for Establishing the Areas of Special Flood Hazard and Section 1226.06(h)(1).~~

- (1) *Permitted Uses:* All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the City of Xenia are allowed provided they meet the provisions of these **floodplain** regulations.
- (2) *Prohibited Uses:*
 - A. ~~Private water supply systems in all special flood hazard areas identified by FEMA, permitted under ORC 3701.~~
 - B. ~~Infectious waste treatment facilities in all special flood hazard areas, permitted under Ohio R.C. 3734.~~
 - C. ~~Storage of hazardous materials within the 100-year floodplain is prohibited. For the purposes of this code, hazardous materials shall be defined as those material listed in Chapter 1620 of the City of Xenia Code of Ordinances or any other similar materials as determined by the City of Xenia Fire Chief, or his/her designee.~~
- (±) *Water and Wastewater Systems:* The following requirements apply to all water supply, sanitary sewerage and waste disposal systems **in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable state rules** ~~not otherwise regulated by the ORC:~~
 - A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
 - B. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
 - C. Onsite waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

- (3)** ~~(4)~~ *Subdivisions and **Other New Large Developments**:*
- A. All subdivision applications **proposals and all other proposed new development** shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
 - B. All subdivision applications **proposals and all other proposed new development** shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - C. All subdivision applications **proposals and all other proposed new development** shall have adequate drainage provided to reduce exposure to flood damage; and
 - D. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least fifty (50) lots or five (5) acres, whichever is less.
 - E. The applicant shall meet the requirement to submit technical data to FEMA of Section **1226.06(c)(1)A.iv.** ~~1226.06(g)(1)A~~ when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by **Section 1226.06(g)(3)D.** ~~this Subsection 1226.06(j)(4).~~
 - ~~F. In platted subdivisions, all proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) one percent chance annual floodplain. The buildable area shall be large enough to accommodate any primary structure and associated structures such as sheds, barns, swimming pools, detached garages, onsite sewage disposal systems, and water supply wells, if applicable.~~
 - ~~G. Approval shall not be given for streets within a subdivision which would be subject to flooding. All street surfaces must be located at or above the base flood elevation.~~
- (4)** ~~(5)~~ *Residential Structures: **The requirements of this Section 1226.06(g)(4) apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the City's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1226.06(e).***
- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring **(1226.06(g)(4)A.)** and construction materials resistant to flood damage **(1226.06(g)(4)B.)** ~~as required herein~~ are satisfied.
 - B. New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
 - C. New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - D. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. **In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet (2') above the highest adjacent natural grade.**
 - E. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to

allow **the automatic equalization of hydrostatic pressure** ~~unimpeded movement of flood waters~~ may have an enclosure below the lowest floor provided the enclosure meets the following standards:

- i. Be used only for the parking of vehicles, building access, or storage; and
 - ii. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - iii. Have a minimum of two (2) openings on different walls having a total net area not less than one square inch (1 in.²) for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot (1') above grade. The openings may be equipped with screens, louvers, or other coverings or devices if they permit the automatic entry and exit of floodwaters.
- F. Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- G. Repair or rehabilitation of historic structures, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of **Section 1226.06(g)(4)** ~~this section~~.
- H. **In AO and AH Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.**

(5) ~~(6)~~ *Nonresidential Structures:* **The requirements of this Section 1226.06(g)(5) apply to new construction and to substantial improvements of nonresidential structures in Zones A, A1-30, AE, AO, and AH when designated on the City's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1226.06(e).**

- A. New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall meet the requirements of **Section 1226.06(g)(4)A. – C. and E. – G.** ~~Subsections 1226.06(j)(5)A through 1226.06(j)(5)C and 1226.06(j)(5)E through 1226.06(j)(5)G.~~
- B. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
- i. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 - ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - iii. Be certified by a registered professional engineer or architect, through the use of a FEMA Elevation Certificate, that the design and methods of construction are in accordance with **Section 1226.06(g)(5)B.i. and B.ii.** ~~Subsections (i) and (ii), above.~~
- C. **In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet (2') above the highest adjacent natural grade.**

- (6)** ~~(7)~~ *Accessory Structures*: **Structures that are six hundred square feet (600 ft.²) or less that are used for parking and storage only are exempt from elevation or dry floodproofing standards within Zones A, A1-30, AE, AO, and AH designated on the City's FIRM** Relief to the elevation or dry floodproofing standards may be granted for accessory structures containing no more than six hundred square feet. Such structures must meet the following standards:
- A. They shall not be used for human habitation;
 - B. They shall be constructed of flood resistant materials;
 - C. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
 - D. They shall be firmly anchored to prevent flotation;
 - E. Service facilities such as electrical and heating equipment shall be elevated or flood proofed to or above the level of the flood protection elevation; and
 - F. They shall meet the opening requirements of **Section 1226.06(g)(4)E.iii.** ~~Subsection 1226.06(j)(5)E.iii.~~
- (7)** ~~(8)~~ *Recreational Vehicles*: Recreational vehicles **on sites within Zones A, A1-30, AE, AO, and AH** must meet at least one (1) of the following standards:
- A. They shall not be located on sites in special flood hazard areas for more than one hundred eighty (180) days, or
 - B. They must be fully licensed and ready for highway use, or
 - C. **They must be placed on the site pursuant to a floodplain development permit issued under Sections 1226.06(b)(3) and (b)(4), and meet all standards of Section 1226.06(g)(4)** ~~They must meet all standards of Section 1226.06(j)(5).~~
- (8)** ~~(9)~~ *Above Ground Gas or Liquid Storage Tanks*: **Within Zone A, A1-30, AE, AO, or AH new or substantially improved** ~~AH~~ above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
- (9)** ~~(10)~~ *Assurance of Flood Carrying Capacity*: Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:
- A. Development in Floodways –
 - i. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a **floodplain development zoning** permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
 - ii. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
 - a. Meet the requirements to submit technical data in Section **1226.06(c)(1)** ~~1226.06(g)(1)A~~;
 - b. An evaluation of alternatives **that** ~~which~~ would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
 - c. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;

- d. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
 - e. **Concurrence of the City Manager and the chief executive officer of any other communities impacted by the proposed actions.**
- B. Development in Riverine Areas with Base Flood Elevations but No Floodways –
- i. In riverine special flood hazard areas identified by FEMA where base flood elevation data ~~is~~ ~~are~~ provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than one foot (1') at any point. Prior to issuance of a **floodplain development zoning** permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,
 - ii. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data ~~is~~ ~~are~~ provided but no floodways have been designated causing more than one foot (1') increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:
 - a. An evaluation of alternatives which would result in an increase of one foot (1') or less of the base flood elevation and an explanation why these alternatives are not feasible; **and**
 - b. **Section 1226.06(g)(9)A.ii.a. and A.ii.c. – d. Subsection 1226.06(j)(10)A.ii of this section.**
- C. Alterations of a Watercourse – For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” shall be based on methods presented in Chapter 7 of the “USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique,” or other applicable publication available from a federal, state, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:
- i. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a **floodplain development zoning** permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
 - ii. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water **Resources**, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to **FEMA** ~~the Federal Emergency Management Agency~~.
 - iii. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the City of Xenia specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the **floodplain development zoning** permit.
 - iv. The applicant shall meet the requirements to submit technical data in **Section 1226.06(c)(1)A.iii.** ~~1226.06(g)(1)A.iii.~~ when an alteration of a watercourse

results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

~~D. Fill—~~

- ~~i. Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method.~~
- ~~ii. Fill slopes shall not be steeper than one foot vertical to two feet horizontal.~~
- ~~iii. Adequate protection against erosion and scour shall be provided for fill slopes. When expected velocities during the occurrence of the base flood of more than five feet per second, armoring with stone or rock protection shall be provided. When expected velocities during the base flood are five feet per second or less, protection shall be provided by covering fill slopes with vegetative cover.~~
- ~~iv. Fill shall be composed of clean granular or earthen material.~~

(h) Appeals and Variances.

(1) Powers and Duties of the Board of Zoning Appeals (BZA):

- A. The Board of Zoning Appeals (BZA) shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these floodplain regulations.**
- B. The BZA may authorize variances to these floodplain regulations in accordance with Section 1226.06(h)(3).**

(2) Appeals:

- A. Any person affected by any notice, order or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the BZA; provided, however, that such person shall file, within thirty (30) days of the date of such notice and order or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and shall be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the BZA.**
- B. Upon receipt of the notice of appeal, the BZA shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.**

(3) Variances: Any person believing that the use and development standards of these floodplain regulations would result in undue hardship may file an application for a variance. The BZA shall have the power to authorize, in specific cases, such variance from the standards of these regulations, not inconsistent with federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel (and not due to the actions of the owner) a literal enforcement of the provisions of these regulations would result in an undue hardship.

A. Application for a Variance –

- i. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance application shall transmit it to the BZA.**

Upon consideration of the above factors and the purposes of these regulations, the BZA may attach such conditions to the granting of variances as it deems necessary to further the purposes of these regulations.

E. Other Conditions for Variances –

- i. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.**
- ii. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the applicable standards in Section 1226.06(h)C. have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.**
- iii. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.**

(4) Procedure at Hearings:

- A. All testimony shall be given under oath.**
- B. A complete record of the proceedings shall be kept, except confidential deliberations of the BZA, but including all documents presented and a verbatim record of the testimony of all witnesses.**
- C. The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.**
- D. The Floodplain Administrator may present evidence or testimony in opposition to the appeal or variance.**
- E. All witnesses shall be subject to cross-examination by the adverse party or their counsel.**
- F. Evidence that is not admitted may be proffered and shall become part of the record for appeal.**
- G. The BZA shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.**
- H. The BZA shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing within a reasonable time after the hearing.**

(5) Appeal to the Court: Those aggrieved by the decision of the BZA may appeal such decision to the Greene County Court of Common Pleas, pursuant to ORC Chapter 2506.

(i) Enforcement.

(1) Compliance Required:

- A. No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a floodplain development permit, as stated in Section 1226.06(b)(9).**

- B. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 1226.06(i)(3).**
- C. Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 1226.06(i)(3).**
- (2) Notice of Violation: Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as herein provided.**
- A. Such notice and order shall:**
- i. Be put in writing on an appropriate form;**
 - ii. Include a list of violations, referring to the division(s) of this Section 1226.06 that have been violated, and order remedial action that, if taken, will affect compliance with the provisions of these regulations;**
 - iii. Specify a reasonable time for performance;**
 - iv. Advise the owner, operator, or occupant of the right to appeal; and**
- B. The notice and order shall be served on the owner, occupant, or agent in person; however, the notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the affected property.**
- (3) Violations and Penalties:**
- A. Any person who violates any provisions of this Section 1226.06 or who fails to comply with any of its requirements, or any order issued hereunder, is guilty of an unclassified misdemeanor and the offender shall be sentenced pursuant to ORC 2929.21 – 2929.28, except that the offender shall not be sentenced to a jail term nor sentenced to a community residential sanction pursuant to ORC 2929.26. Notwithstanding ORC 2929.28(A)(2)(a), the offender may be fined up to one thousand dollars (\$1,000), and notwithstanding ORC 2929.27(A)(3), the offender may be ordered pursuant to ORC 2929.27(C) to serve a term of community service of up to five hundred (500) hours. The failure of an offender to complete a term of community service imposed by the court may be punished as indirect criminal contempt under ORC 2705.02(A) and may be filed in the underlying case.**
- B. Each and every day such violation or failure to comply continues shall be deemed to be a separate offense.**
- (4) Penalties Not Exclusive: The penalties provided in this Section 1226.06(h) are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the City to seek cumulative remedies. If any person has violated or continues to violate the provisions of this Section 1226.06, the City may institute an appropriate action, whether in law or in equity, to restrain, correct or abate a violation, or petition for an injunction, to any court of competent jurisdiction.**

1244.02 GENERAL DEFINITIONS.

AMEND THE FOLLOWING DEFINITIONS:

Accessory Structure/Facilities. **A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.**

Accessory Facilities. Any building, shed, shelter, cabinet or similar structure used for the purpose of storing telecommunications equipment including, but not limited to, computer equipment and equipment necessary for the tower or antenna to perform its intended operation.

Base (100-Year) Flood Elevation (BFE). The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in feet mean sea level (MSL). In Zone AO areas, the base flood elevation is the **lowest adjacent** natural grade elevation plus the depth number (from one to three feet [1'-3']).

Basement. The portion of a building ~~that which~~ is partially or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story, except the portion of a building having more than one-half of its total vertical distance (height) above grade. **For the purposes of the floodplain regulations contained in Section 1226.06, a basement is defined as any area of a building having its floor subgrade (below ground level) on all sides.**

Development. Any manmade change to improved or unimproved **real estate land** including, but not limited to, the construction of buildings or other structures, mining, dredging, **filling** ~~filling~~, grading, paving, excavation or drilling **operations or storage of equipment or materials.**

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle." For the purposes of **this Code's floodplain** ~~these regulations~~, a manufactured home includes manufactured homes and mobile homes as defined in **ORC Chapter 4781** ~~Ohio R.C. Chapter 3733~~.

National Flood Insurance Program (NFIP). A federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. **This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the federal government will make flood insurance available within the community as a financial protection against flood loss.**

New Construction (Floodplain Regulations). Structures for which the "start of construction" commenced on or after the initial effective date of the City's **floodplain regulations** ~~of Xenia Flood Insurance Rate Map, 4-1-1981~~, and includes any subsequent improvements to such structures. **For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM (April 1, 1981) or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structure.**

Special Flood Hazard Area. Also known as “areas of special flood hazard,” any land in the floodplain that is subject to a one percent (1%) or greater chance of flooding in any given year. Special flood hazard areas are designated and defined by FEMA **on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, or A99.** **Special flood hazard areas may also refer to areas that are flood prone and designated from other federal, state, or local sources of data including, but not limited to, historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.**

Start of Construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. **For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.**

Structure. Anything constructed or erected on the ground or attached to the ground or onsite utilities including, but not limited to, buildings, fences, signs, sheds, detached garages, cabins, and manufactured homes. **For the purposes of the floodplain regulations contained in Section 1226.06 of this Code, “structure” means a walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.**

Substantial Improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures **that** ~~which~~ have incurred "substantial damage," regardless of the actual repair work performed. ~~When the combined total of all previous improvements or repairs made during the life of the structure equals or exceeds fifty percent (50%) of a structure's market value, that structure is considered a substantial improvement. The term does not, however, include:~~

- ~~Any improvement to a structure which is considered “new construction”; or~~
- A.** Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified ~~prior to the application for a development permit~~ by the local code enforcement official and which are the minimum necessary to assure safe living conditions; **or**
 - B.** **Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure."**

ADD THE FOLLOWING DEFINITIONS:

Enclosure Below the Lowest Floor. See “Lowest Floor.”

Executive Order 11988 (Floodplain Management). Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Flood Hazard Boundary Map (FHBM). Usually the initial map, produced by FEMA or the U.S. Department of Housing and Urban Development for a community depicting approximate special flood hazard areas.

Flood Insurance Rate Map (FIRM). An official map on which FEMA or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

Flood Insurance Risk Zones. Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community, defined as follows:

- A. Zone A:** Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.
- B. Zones A1-30 and Zone AE:** Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.
- C. Zone AO:** Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of one to three feet (1'- 3'), usually sheet flow on sloping terrain; average depths are determined.
- D. Zone AH:** Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of one to three feet (1'- 3'), usually areas of ponding; base flood elevations are determined.
- E. Zone A99:** Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a federal flood protection system under construction; no base flood elevations are determined.
- F. Zone B and Zone X (shaded):** Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than one foot (1') or with contributing drainage area less than one square mile (1 mile²); and areas protected by levees from the base flood.
- G. Zone C and Zone X (unshaded):** Areas determined to be outside the 500-year floodplain.

Flood Insurance Study (FIS). The official report in which FEMA or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Flood Protection Elevation. The Flood Protection Elevation, or FPE, is the base flood elevation plus [X] feet of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

Freeboard. A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that

could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

Historic Structure. Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- C. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.

Hydrologic and Hydraulic Engineering Analysis. An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

Letter of Map Change (LOMC). A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's are broken down into the following categories:

- A. Conditional Letter of Map Revision (CLOMR): A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.
- B. Letter of Map Amendment (LOMA): A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.
- C. Letter of Map Revision (LOMR): A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

Manufactured Home Park. As specified in the Ohio Administrative Code 3701-27-01(k), a manufactured home park means any tract of land upon which three (3) or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or oriented for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three (3) or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. "Manufactured Home Park" does not include any tract of land used solely for the storage or display for sale of manufactured homes.

Mean Sea Level. **For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on the City's Flood Insurance Rate Map are referenced.**

ORC. **ORC means the Ohio Revised Code.**

Recreational Vehicle. **A vehicle which is built on a single chassis; four hundred square feet (400 sq. ft.) or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.**

Registered Professional Architect. **A person registered to engage in the practice of architecture under the provisions of ORC Sections 4703.01 to 4703.19.**

Registered Professional Engineer. **A person registered as a professional engineer pursuant to ORC Chapter 4733.**

Registered Professional Surveyor. **A person registered as a professional surveyor pursuant to ORC Chapter 4733.**

1220.10 VARIANCES.

(d) Review Criteria.

~~(2) Variance Review Criteria Related to Floodplain Development.~~

- ~~A. The BZA shall have the authority to review variances to the floodplain development regulations of Section 1226.06 Floodplain Regulations, provided such request is not inconsistent with federal regulations and in such cases when the request will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.~~
- ~~B. In considering such variance applications, the BZA shall consider the following factors. Not all factors may be applicable in each case so each case shall be determined on its own facts.~~
- ~~i. The danger that materials may be swept onto other lands to the injury of others;~~
 - ~~ii. The danger to life and property due to flooding or erosion damage;~~
 - ~~iii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
 - ~~iv. The importance of the services provided by the proposed facility to the community;~~
 - ~~v. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;~~
 - ~~vi. The necessity to the facility of a waterfront location, where applicable;~~
 - ~~vii. The compatibility of the proposed use with existing and anticipated development;~~
 - ~~viii. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;~~
 - ~~ix. The safety of access to the property in times of flood for ordinary and emergency vehicles;~~
 - ~~x. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and~~
 - ~~xi. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.~~
- ~~C. A variance to the floodplain development regulations shall only be issued upon:~~
- ~~i. A showing of good and sufficient cause;~~
 - ~~ii. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations do not constitute an exceptional hardship to the applicant;~~
 - ~~iii. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, or conflict with existing local laws;~~
 - ~~iv. A determination that the structure or other development is protected by methods to minimize flood damages; and~~
 - ~~v. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~



FEMA

December 3, 2021

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

The Honorable Sarah Mays
Mayor, City of Xenia
City Administration Building
107 East Main Street
Xenia, Ohio 45385

Dear Mayor Mays:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for the City of Xenia, Ohio, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on March 8, 2022; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations (CFR) Section 60.3(d).

As noted in FEMA's letter dated September 8, 2021, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Greene County. Therefore, the City of Xenia should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for the City of Xenia will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Ohio Department of Natural Resources. You may contact Alicia Silverio, CFM, the NFIP State Coordinator, by telephone at (614) 265-1006, in writing at 2045 Morse Road, Building B-3, Columbus, Ohio 43229-6693, or by electronic mail at alicia.silverio@dnr.state.oh.us.

The FEMA Regional staff in Chicago, Illinois, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for the City of Xenia and will ensure its

The Honorable Sarah Mays
December 3, 2021
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participation in the NFIP. The Regional Office may be contacted by telephone at (312) 408-5500 or in writing. Please send your written inquiries to the Director, Mitigation Division, FEMA Region 5, at 536 South Clark Street, Sixth Floor, Chicago, Illinois 60605.

The NFIP State Coordinating Office for your State has verified that Ohio communities may include language in their floodplain management measures that automatically adopt the most recently available flood elevation data provided by FEMA. Your community's floodplain management measures may already be sufficient if the measures include suitable automatic adoption language and are otherwise in accordance with the minimum requirements of the NFIP. The NFIP State Coordinator can assist you further in clarifying questions you may have about automatic adoption.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until March 8, 2022, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by March 8, 2022. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Additional information on community suspensions as proposed, other notices of current NFIP community status information, and details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the Community Status Book section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Notices for scheduled suspension will be available on the National Flood Insurance Community Status and Public Notification section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book/public-notification. Individuals without internet access will be able to contact their local floodplain management official and/or NFIP State Coordinating Office directly for assistance.

Sincerely,



Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

The Honorable Sarah Mays
December 3, 2021
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cc: Moises Dugan, Acting Regional Administrator, FEMA Region 5
Alicia Silverio, CFM, NFIP State Coordinator, Ohio Department of Natural Resources
Christopher Berger, City Engineer, Public Services, City of Xenia



**XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO**

1st Reading: February 24, 2022
2nd Reading & Vote: March 10, 2022
Effective Date: April 9, 2022

Agenda Item: **Ordinance 2022-05**
AMENDING SECTION 260.04, TITLED “HOLIDAYS,” OF THE CITY’S ADMINISTRATIVE CODE, AS CONTAINED IN PART TWO OF THE XENIA CITY CODE

Submitted By: Administrative Steering Committee
Presented By: Jared Holloway, Acting/Assistant City Manager

Scope/Description: On June 17, 2021, President Biden signed legislation making June 19th, known as Juneteenth, a nationally recognized holiday effective June 19, 2021. The Administrative Steering Committee is presenting to City Council a recommendation to modify the existing policy on holidays to include Juneteenth as a recognized holiday date for nonunion staff and authorize the City Manager to negotiate with the bargaining units for recognition of the same. The adoption of this amendment would memorialize in the Administrative Code the addition of Juneteenth (June 19th – all day) as an observed City holiday.

Cover Memo Attachments: Policy EBM-3.02 Holidays

Budgetary Impact: There are no direct costs; however, there may be some productivity costs as a result of this change.

Recommendation: It is the recommendation of the Administrative Steering Committee adopted this Ordinance to amend Section 260.04 of the Administrative Code to add Juneteenth (June 19th – all day) as an observed holiday for all nonunion employees and authorize the City Manager to negotiate with all the bargaining units recognition of the same.

**CITY OF XENIA, OHIO
ORDINANCE 2022 – 05**

**AMENDING SECTION 260.04, TITLED “HOLIDAYS,” OF THE CITY’S ADMINISTRATIVE
CODE, AS CONTAINED IN PART TWO OF THE XENIA CITY CODE**

WHEREAS, Section 13.02 of the City’s Charter vests in the City Council the authority to fix the compensation of all City employees, which includes hours of work and holidays;

WHEREAS, on June 17, 2021, the President of the United States signed into law S.475 (Public Law No: 117-17), establishing Juneteenth National Independence Day, June 19, as a legal public holiday; and

WHEREAS, the City’s Administrative Steering Committee, consisting of the City Manager, Finance Director, Law Director, and the Xenia Municipal Court Clerk of Court, recommends to this Council adding Juneteenth National Independence Day as a recognized holiday for City employees,

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

Section 1. Section 260.04, titled “Holidays,” of Title Six – Administrative Code, of Part Two – City Government, of the Xenia City Code is hereby amended as shown in the attached Exhibit A.

Section 2. Existing Section 260.04 is hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 become effective on April 9, 2022.

Introduced: February 24, 2022

Adopted:

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

260.04 HOLIDAYS

(a) City Holidays. The following days are hereby designated as City holidays for the purposes of setting work schedules for the various City Departments and Divisions, and such days shall be deemed as paid holidays, to be paid as regular hours, for all full-time City employees, and may be deemed as paid holidays for all part-time City employees on a pro-rated basis, in the discretion of the appropriate appointed official or the Municipal Court Judge, except as otherwise provided herein or as otherwise provided in the employee’s applicable collective bargaining agreement:

New Year’s Day	January 1 st (all day)
Martin Luther King Jr. Day	Third Monday in January (all day)
Presidents Day	Third Monday in February (all day)
Memorial Day	Last Monday in May (all day)
<u>Juneteenth National Independence Day</u>	<u>June 19th (all day)</u>
Independence Day	July 4 th (all day)
Labor Day	First Monday in September (all day)
Veterans Day	November 11 th (all day)
Thanksgiving Day	Fourth Thursday in November (all day)
Day after Thanksgiving	Fourth Friday in November (all day)
Christmas Eve	December 24 th (half day)
Christmas Day	December 25 th (all day)
New Year’s Eve	December 31 st (half day)

(b) Observance. If **June 19th**, July 4th or Veterans Day falls on a Saturday, the holiday will be observed on the preceding day. If **June 19th**, July 4th or Veterans Day falls on a Sunday, the holiday will be observed on the next succeeding day. If Christmas Eve/New Year’s Eve and Christmas Day/New Year’s Day fall on Friday and Saturday, respectively, the Eve will be observed on Thursday and the Day observed on Friday. If Christmas Eve/New Year’s Eve and Christmas Day/New Year’s Day fall on a Saturday and Sunday, respectively, the Eve will be observed on Friday and the Day observed on Monday. If Christmas Eve/New Year’s Eve and Christmas Day/New Year’s Day fall on a Sunday and Monday, respectively, the Eve will be observed on Friday and the Day observed on Monday.

(c) Flex Holiday Time. In addition to the above-listed City holidays, each appointed official, consisting of the City Manager, the Finance Director and the Law Director, and the Judge of the Xenia Municipal Court, without order of the Court, may set and grant an additional eight (8) hours of holiday pay per year to their respective full-time employees, and may be deemed as paid holidays for all part-time City employees on a pro-rated basis, in the discretion of the appropriate appointed official or the Municipal Court Judge, to be paid as regular hours, for the Departments and Divisions under their control, except as otherwise provided herein or as otherwise provided in the employee’s applicable collective bargaining agreement. Such holiday time shall be set in the discretion of the appointed official or the Xenia Municipal Court Judge, but such time shall be scheduled and published for the various Departments and Divisions no later than January 15th of each year.

(d) Xenia Municipal Court. Nothing in this section shall be deemed to affect or limit the authority of the Xenia Municipal Court Judge, in his sole discretion, to set the Court’s yearly work and holiday schedule, upon an order from the Court.



1st Reading: February 24, 2022
2nd Reading & Vote: March 10, 2022
Effective Date: March 10, 2022

Agenda Item: **Resolution 2022-J**
AMENDING APPENDIX 2 OF THE EMPLOYEES' BENEFITS MANUAL
(NONUNION WAGE RANGES) FOR THE YEAR 2022

Submitted By: Jackie Potter, Human Resources Director
Presented By: Jared Holloway, Acting/Assistant City Manager

Scope/Description: This Resolution authorizes amendments to the City's Nonunion Pay Grade Wage Schedule, which was originally approved in 2008 as part of the comprehensive classification study conducted by Clemens Nelson. The most recent wage scale was approved by Council in March 2019, for a period of three years (through March 2022). Recently, City staff concluded negotiations with all seven (7) bargaining units. All bargaining unit employees are receiving a wage scale increase averaging a 2.5% increase in year one, a 2.25% increase in year two, and a 2.25% increase in year three.

The Administrative Steering Committee (ASC), which includes the three appointed officials and the Clerk of Courts, met to discuss wage adjustment options for nonunion staff. The Committee considered the City's financial position and the comparison data as the key factors before coming to a consensus to recommend Council increase the nonunion pay scale by 3% for year 2022. The recommendation is in line with the recent increases agreed upon between the City and the bargaining units.

The ASC is also recommending Council approve an amendment to the Compensation Plan Structure and Procedures to allow an annual lump sum payment to employees not to exceed \$5,000 at the discretion of the appointed officials or the Judge. The lump sum would be used in circumstances to bring equity between positions where subordinates' pay is outpacing that of their supervisor (i.e., Deputy Fire Chief) or in circumstances where the labor market is demanding higher wages for specific disciplines (e.g., Civil Engineering).

The amendments made by this Resolution to the City's Nonunion Pay Grade Wage Schedule only affects the ranges of the pay grades and does not approve or guarantee employees' pay increases. Nonunion pay increases are based on merit and the recommendation of the employee's supervisor, with approval by the respective appointed official or Judge.

Cover Memo Attachments: None.

Budgetary Impact: The requested adjustments to the Nonunion Pay Grade Wage Schedule for 2022 is within the parameters of what was approved in the 2022 budget; no additional appropriation is needed.

Recommendation: It is the Administrative Steering Committee's recommendation that this Resolution, amending the Nonunion Pay Grade Wage Schedule of the Employees' Benefits Manual, be approved to allow a 3% adjustment effective March 10, 2022, and to amend the Compensation Plan Structure and Procedures for the City's nonunion employees to include an annual lump sum payment, not to exceed \$5,000, at the discretion of the appointed official or Judge.

**CITY OF XENIA, OHIO
RESOLUTION 2022 – J**

**AMENDING APPENDIX 2 OF THE EMPLOYEES' BENEFITS MANUAL
(NONUNION WAGE RANGES) FOR THE YEAR 2022**

WHEREAS, the City of Xenia wishes to maintain a competitive wage and benefits package for its employees in order to retain qualified employees and attract qualified candidates to vacant positions;

WHEREAS, the Xenia City Council approved a Compensation Plan Structure and Procedures for the City of Xenia's nonunion employees in 2008, including the approval of the Pay Grade and Wage Schedule, set forth in Appendix 2 of the City's Employees' Benefits Manual;

WHEREAS, Section 260.02(f) of the Xenia City Code states that nonunion employees, including Council appointed employees, shall be paid wages as determined by City Council, which may be amended and revised from time to time;

WHEREAS, the City's Administrative Steering Committee has recommended Council amend the minimum, midpoint, and maximum wage rates of the Pay Grade and Wage Schedule for each nonunion employee pay grade for one (1) year, effective March 10, 2022; and

WHEREAS, the City's Administrative Steering Committee has further recommended Council amend the Compensation Plan Structure and Procedures for the City's nonunion employees to include an annual lump sum payment not to exceed \$5,000, at the discretion of the appointed official or Judge,

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

Section 1. In accordance with the authority granted to this Council under Section 260.02(f) of the Xenia City Code, the City's Employees' Benefits Manual, Appendix 2, Nonunion Pay Grade and Wage Schedule, is hereby amended to increase the minimum, midpoint, and maximum rates of each pay grade by three percent (3%), as shown on the attached Exhibit A, effective as of March 10, 2022.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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.

Introduced: February 24, 2022

Passed:

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

**City of Xenia
Compensation Plan – Appendix 2**

2022 Pay Grade and Wages – Effective March 10, 2022

Pay Grade		Minimum	Midpoint	Maximum
1	Hourly	<u>Minimum Wage</u>	<u>\$14.05</u>	<u>\$20.17</u>
			\$13.64	\$19.58
	Yearly	<u>Minimum Wage</u>	<u>\$29,224.00</u>	<u>\$41,953.60</u>
			\$28,371.20	\$39,832.00
2	Hourly	<u>\$16.23</u>	<u>\$20.96</u>	<u>\$25.68</u>
		\$15.76	\$20.35	\$24.38
	Yearly	<u>\$33,758.40</u>	<u>\$43,596.80</u>	<u>\$53,414.40</u>
		\$32,780.80	\$42,328.00	\$51,854.40
3	Hourly	<u>\$19.72</u>	<u>\$25.44</u>	<u>\$31.16</u>
		\$19.15	\$24.70	\$30.25
	Yearly	<u>\$41,017.60</u>	<u>\$52,915.20</u>	<u>\$64,812.80</u>
		\$39,832.00	\$51,376.00	\$62,920.00
4	Hourly	<u>\$23.19</u>	<u>\$29.94</u>	<u>\$36.68</u>
		\$22.51	\$29.06	\$35.61
	Yearly	<u>\$48,235.20</u>	<u>\$62,275.20</u>	<u>\$76,294.40</u>
		\$46,820.80	\$60,444.80	\$74,068.80
5	Hourly	<u>\$27.83</u>	<u>\$35.92</u>	<u>\$44.00</u>
		\$27.02	\$34.87	\$42.72
	Yearly	<u>\$57,886.40</u>	<u>\$74,713.60</u>	<u>\$91,520.00</u>
		\$56,201.60	\$72,529.60	\$88,857.60
6	Hourly	<u>\$30.74</u>	<u>\$39.69</u>	<u>\$48.63</u>
		\$29.84	\$38.53	\$47.21
	Yearly	<u>\$63,939.20</u>	<u>\$82,555.20</u>	<u>\$101,150.40</u>
		\$62,067.20	\$80,142.40	\$98,196.80
7	Hourly	<u>\$34.79</u>	<u>\$44.89</u>	<u>\$54.99</u>
		\$33.78	\$43.59	\$53.39
	Yearly	<u>\$72,363.20</u>	<u>\$93,371.20</u>	<u>\$114,379.20</u>
		\$70,262.40	\$90,667.20	\$111,051.20
8	Hourly	<u>\$37.11</u>	<u>\$47.89</u>	<u>\$58.66</u>
		\$36.03	\$46.49	\$56.95
	Yearly	<u>\$77,188.80</u>	<u>\$99,611.20</u>	<u>\$122,012.80</u>
		\$74,942.40	\$96,699.20	\$118,456.00
9	Hourly	<u>\$42.91</u>	<u>\$55.38</u>	<u>\$67.85</u>
		\$41.66	\$53.77	\$65.87
	Yearly	<u>\$89,252.80</u>	<u>\$115,190.40</u>	<u>\$141,128.00</u>
		\$86,652.80	\$111,841.60	\$137,009.60

City of Xenia

Schedule of Bills

2/24/2022

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
A&A SAFETY INC	2022-01-31	181525	4 ELEC VEH PUMP PLUGS-CHRG STA	\$955.00	101-1020-54299
	2022-01-28	181631	WHITE SIGN BLANKS/GREENE FILM	\$745.00	233-1441-54299
	Total for Vendor			\$1,700.00	
AG-PRO	2022-02-04	P68606	PLOW RADIANT HEATER-SALT	\$490.16	222-1441-54246
	2022-02-04	P68606	PLOW RADIANT HEATER-SALT	\$1,960.64	221-1441-54246
	Total for Vendor			\$2,450.80	
AIM MEDIA MIDWEST OPERATING LLC	2022-01-11	90139420	BID ADS-BELLBROOK OPWC PROJ	\$284.86	101-1555-53290
	2022-01-07	90139520	PUB ORDS: 21/23-26, RES: 21/BBB-EEE	\$253.39	101-1011-53290
	Total for Vendor			\$538.25	
AIRGAS USA LLC	2021-12-31	9984946369	CYLINDER RENTAL-STA 2	\$98.90	270-1225-54299
	2022-01-31	9985632335	CYLINDER RENTAL-STA 1	\$157.39	270-1225-54299
	Total for Vendor			\$256.29	
ALL LINES TECHNOLOGY	2022-01-27	A160781	ADAPTER/TOWER/INTEL CORE	\$2,408.94	710-1221-54299
	2021-11-08	A159842	COMPUTER ADAPTERS	\$24.24	270-1222-54299
	2022-01-26	A160755	2 COMPUTER WORKSTATIONS	\$2,319.40	270-1222-54299
	2022-02-04	A160887	4 CAD WORKSTATIONS	\$9,980.00	250-1226-54299
	Total for Vendor			\$14,732.58	
AMERICAN WATER WORKS ASSN	2022-03-31	7001988264	03629335 MMBRSHP-S MILLS	\$77.00	611-1337-52110
	2022-03-31	7001988285	02386883 MMBRSHP-HUSSONG	\$77.00	611-1337-52110
	2022-03-31	7001988284	00621640 MMBRSHP-BATES	\$77.00	611-1337-52110
	2022-03-31	7001988286	03629329 MMBRSHP-HUTCHISON	\$77.00	611-1337-52110
	2022-03-31	7001991774	01144711 MMBRSHP-C MILLS	\$77.00	611-1337-52110
	2022-03-31	7001988287	3629331 MMBRSHP-EADS	\$77.00	611-1337-52110
	Total for Vendor			\$462.00	
BDI	2022-01-21	9502279164	HYDRAULIC STACKER	\$1,393.00	612-1331-54299
	Total for Vendor			\$1,393.00	
BATTERIES PLUS BULBS	2022-02-01	P48506750	32 12V LEAD BATTERIES	\$725.44	611-1337-54299
	Total for Vendor			\$725.44	
BELTANE WEB SERVICES	2022-02-02	3598	4/2/06-4/2/26 DOMAIN REG	\$600.00	710-1010-53290
	Total for Vendor			\$600.00	
BOBCAT OF DAYTON-DIVISION OF DEHAAI	2022-02-02	R12391	EXCAVATOR RENTAL-960 CATHERINE	\$1,650.00	101-1553-53208
	Total for Vendor			\$1,650.00	
BOUND TREE MEDICAL LLC	2021-12-23	84337326	MANIKIN HEAD	\$995.00	270-1225-54299
	2022-02-01	84387252	GLOVES	\$309.90	270-1225-54299
	Total for Vendor			\$1,304.90	
BRENNAMAN PEST SOLUTIONS LLC	2022-02-01	2/1/22	PEST CONTROL STA 1/2	\$80.00	270-1225-53290
	Total for Vendor			\$80.00	
BURKHARDT ENGINEERING COMPANY	2022-02-11	12748	2 SEWER EASEMENTS	\$1,700.00	101-1555-53290
	2022-02-11	12748	SEWER EASEMENTS	\$37.90	101-1555-53290
	2022-02-11	12748	3 WATER LINE EASEMENTS	\$2,600.00	101-1555-53290
	Total for Vendor			\$4,337.90	
SCOTT BURROWS	2022-01-27	22-01	REIMB OFFICER DEV COURSE	\$550.00	270-1225-51403

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
				Total for Vendor	\$550.00
CAL TEC PROCESS MGMT LLC	2022-02-02	116754	RADAR CALIBRATN X 11 CRUISERS	\$975.00	270-1221-53792
				Total for Vendor	\$975.00
CDW GOVERNMENT INC	2022-01-05	Q450706	SMART-UPS X 3	\$1,702.77	710-1010-54299
	2022-02-02	R676094	MICROPHONE/AUDIO CABLES	\$54.44	710-1010-54299
	2021-10-21	M495473	7 SURFACE PRO COVERS	\$490.49	710-1010-54299
	2021-10-25	M662660	12/6-12/5 NETMOTION MAINT	\$2,800.00	710-1010-53792
	2021-10-25	M662660	12/6-12/5 NETMOTION MAINT	\$3,900.00	710-1010-53792
				Total for Vendor	\$8,947.70
CSUTEST.COM	2021-12-01	3345	1YR ONLINE CONT ED X 45	\$900.00	270-1221-52110
				Total for Vendor	\$900.00
CARR SUPPLY XENIA	2022-01-27	00387201	HOSE BIB REPAIR KIT	\$57.70	611-1337-54299
				Total for Vendor	\$57.70
CINTAS CORPORATION LOC G62	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$7.54	613-1333-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$6.20	613-1333-53290
	2022-02-09	4110148928	UNIFORM SVC-2 EMPLOYEES	\$9.06	709-1446-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$16.53	221-1441-53290
	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$20.12	221-1441-53290
	2022-02-02	4109459393	UNIFORM SVC-2 EMPLOYEES	\$9.06	709-1446-53290
	2022-02-07	4109849966	MAT SERVICE	\$104.40	101-1018-53290
	2022-01-31	4109180987	MAT SERVICE	\$104.40	101-1018-53290
	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$6.29	101-1442-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$5.17	101-1442-53290
	2022-02-01	4109037116	MAT SERVICE	\$42.50	709-1447-53290
	2022-02-08	4110000308	MAT SERVICE	\$42.50	709-1447-53290
	2022-02-07	4109849992	MAT SERVICE	\$55.80	101-1009-53290
	2022-01-31	4109181014	MAT SERVICE	\$55.80	101-1009-53290
	2022-02-08	4110000318	MAT SERVICE	\$7.50	101-1557-53290
	2022-02-01	4109307115	MAT SERVICE	\$7.50	101-1557-53290
	2022-02-02	4109459509	MATS/UNIFORM SVC-2 EMPLOYEES	\$12.99	612-1336-53290
	2022-02-22	4109459509	MATS/UNIFORM SVC-2 EMPLOYEES	\$12.99	612-1336-53290
	2022-02-02	4109459347	MATS/UNIFORM SVC-6 EMPLOYEES	\$29.90	612-1331-53290
	2022-02-02	4109459347	MATS/UNIFORM SVC-6 EMPLOYEES	\$29.90	612-1331-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$23.77	612-1332-53290
	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$28.93	612-1332-53290
	2022-02-09	4110141012	UNIFORM SVC-6 EMPLOYEES	\$20.42	611-1337-53290
	2022-02-02	4109456956	UNIFORM SVC-6 EMPLOYEES	\$20.42	611-1337-53290
	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$9.45	614-1340-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$7.77	614-1340-53290
	2022-02-09	4110149247	UNIFORM SVC-MAINT	\$23.77	611-1338-53290
	2022-02-02	4109459375	UNIFORM SVC-MAINT	\$28.93	611-1338-53290
				Total for Vendor	\$749.61
CINTAS CORPORATION	2022-02-07	5094520125	BANDAGES	\$17.29	614-1340-54299
	2022-02-07	5094520125	BANDAGES	\$31.94	612-1332-54299
	2022-02-07	5094520125	IB	\$9.32	101-1442-54299
	2022-02-07	5094520125	DISINFECTANT	\$31.94	221-1441-54299
	2022-02-07	5094520117	DISINFECTANT/EYE DROPS	\$77.18	709-1446-54299
	2022-02-07	5094520125	EYE DROPS	\$31.94	611-1338-54299
	2022-02-07	5094520125	PEPCID	\$10.65	613-1333-54299
				Total for Vendor	\$210.26
CITRAN OCCUPATIONAL HEALTH LLC	2022-02-01	14317	AUDIOMETRIC EXAM	\$92.00	270-1222-53290
				Total for Vendor	\$92.00
COLLETT PROPANE INC	2022-01-31	U007K145	1325GAL PROPANE	\$1,707.93	611-1337-53803
	2022-02-09	I044100	2 CYLINDER REFILLS	\$149.88	221-1441-53803

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
			Total for Vendor	\$1,857.81	
CREATIVE PRODUCT SOURCING INC					
	2022-02-04	143958	DARE SHIRTS/BACKPACKS/HOODIES	\$3,267.58	251-1224-54299
			Total for Vendor	\$3,267.58	
CUSTOM LANDSCAPE CONTRACTORS					
	2022-01-31	2	COL/CHURCH ROUNDABOUT ENHNCMNT	\$2,074.09	233-6025-55599
			Total for Vendor	\$2,074.09	
D AND D PROPERTY MAINTENANCE					
	2022-02-09	671405	REMV DEBRIS-650 XENIA AVE	\$200.00	101-1553-53290
			Total for Vendor	\$200.00	
D&M AUTO PARTS					
	2022-02-09	26405	RETAINER V1401	\$6.60	709-1446-54505
			Total for Vendor	\$6.60	
D & S AUTO PARTS INC					
	2022-02-10	112407	AIR FLOW SENSOR V1917	\$9.69	709-1446-54505
	2022-02-08	112242	FILTER KIT/OIL/FUEL FILTERS	\$262.26	709-1446-54505
	2022-02-01	111818	CORE RETURN	-\$54.00	709-1446-54505
	2022-02-09	112288	2CS DIESEL FLUID/CONNECTORS	\$231.74	709-1446-54505
	2022-02-02	111887	WIPER BLADE/FILTERS/COOLANT	\$36.34	709-1446-54505
	2022-01-28	111584	BATTERY/CORE V1932	\$278.12	709-1446-54505
	2022-02-02	111993	FUSES V1320	\$17.96	709-1446-54505
	2022-02-03	112023	2CS DIESEL FLUID	\$206.40	709-1446-54505
			Total for Vendor	\$988.51	
DAYTON DOOR SALES INC					
	2022-02-11	37633200	REP LDDR TRCK GARAGE DR-STA 1	\$245.00	270-1225-53290
			Total for Vendor	\$245.00	
DAYTON RELIABLE AIR FILTER					
	2022-02-01	571866	FILTER SERVICE-2022	\$387.60	101-1018-53290
	2022-02-01	571866	FILTER SERVICE-2022	\$387.60	101-1009-53290
			Total for Vendor	\$775.20	
DELUXE					
	2022-02-01	02050864832	BUS CHECKS-TR/CR/CV-DEP FORMS	\$685.49	101-1002-54299
			Total for Vendor	\$685.49	
DETROIT TIRE SALES					
	2022-01-31	650122218	FLAT REPAIR V1123	\$22.95	709-1446-53740
	2022-02-01	650122280	FLAT REPAIR V1916	\$40.00	709-1446-53740
	2022-01-31	650122222	MOUNT/BALANCE TIRES V1108	\$30.00	709-1446-53740
			Total for Vendor	\$92.95	
DIGITAL ALLY INC					
	2022-01-28	1119398	IN CAR CAMERA SYSTEM X 3	\$11,500.00	270-1221-54505
			Total for Vendor	\$11,500.00	
DILLIN LLC					
	2022-01-31	DRAW 1	GROUNDS MAINT/HVAC REP	\$15,817.12	236-1501-53290
	2022-01-31	DRAW 1	PROPERTY MGMT FEE	\$1,635.00	236-1501-53290
	2022-01-31	DRAW 1	ACCOUNTING/LEGAL	\$800.00	236-1501-53290
	2022-01-31	DRAW 1	ELECTRICITY	\$2,668.29	236-1501-53802
			Total for Vendor	\$20,920.41	
EJ PRESCOTT INC					
	2022-02-09	5981571	REPAIR CLAMPS	\$1,866.42	664-1338-54299
	2022-01-31	5973800	CURB STOPS/YOKE VALVES	\$2,220.85	664-1338-54299
	2022-02-09	5923974	YOKE BARS	\$95.90	664-1338-54299
			Total for Vendor	\$4,183.17	
ELAN FINANCIAL SERVICES					
	2022-01-11	039839	BIRTHDAY GIFT CARDS	\$20.00	270-1225-54299
	2022-01-11	0489023	BIRTHDAY CARDS	\$33.80	270-1225-54299
	2022-01-19	880436	FIRE/EXPLOSION GUIDES	\$398.95	270-1225-54299
	2022-01-10	2054122	BATTERY TAX CREDIT	-\$11.75	270-1225-54299
	2022-01-20	4039434	DISWASHER WHEELS/FILTER	\$171.16	270-1225-54299
	2022-01-15	0456260	FIRE OFFICER-PRINCPLS/PRACTICE	\$213.82	270-1225-54299
	2022-01-11	093529	BIRTHDAY GIFT CARDS	\$20.00	270-1225-54299
	2022-01-21	3912	RETIREMENT GIFT CARD-TEMPLETON	\$200.00	101-1005-54299

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	2022-01-13	2971011763	5000 EASTER EGGS	\$635.00	101-1001-54299
	2022-01-13	694977	20PC CHICKEN MEAL-BUDGET MTG	\$48.99	101-1001-54299
	2022-01-11	039839	BIRTHDAY GIFT CARDS	\$20.00	611-1013-54299
	2022-01-11	093529	BIRTHDAY GIFT CARDS	\$20.00	611-1013-54299
	2022-01-11	0489023	BIRTHDAY CARDS	\$33.80	611-1013-54299
	2022-01-04	9382	DDC MTG-MAYOR MAYS	\$50.00	101-1001-52110
	2022-01-11	202210529	SEAT COVERS CREDIT M-32	-\$28.50	270-1225-54505
	2022-01-05	241846	ALPHA STIM STIMULATRS/ELECTRDS	\$1,850.00	270-1225-54505
	2021-12-30	6707413	MAGNETIC WHITEBOARD	\$59.89	270-1225-54505
	2022-01-11	6083218	SEAT COVERS M-32	\$315.00	270-1225-54505
	2022-01-12	2013501684	1YR GODADDY SUBSCRIPTION	\$249.99	710-1010-53290
	2022-01-11	093529	BIRTHDAY GIFT CARDS	\$20.00	221-1441-54299
	2022-01-21	5154639	HOTBOX WATERPROOF BATTERY	\$147.49	221-1441-54299
	2022-01-11	0489023	BIRTHDAY CARDS	\$33.80	221-1441-54299
	2022-01-18	2555256201	WINDOWS 10 PRO	\$218.84	710-1010-54299
	2022-01-18	9250838875	WINDOWS 10 PRO	\$218.84	710-1010-54299
	2022-01-10	9227431	4 LAPTOP DOCKING STATIONS	\$616.00	710-1010-54299
	2022-01-14	3864640	6 COMPELLENT DISCS	\$1,564.22	710-1010-54299
	2022-01-05	SP100260463	SIMPLI SAFE	\$26.68	270-1221-53290
	2022-01-12	395917441	ALARM SYSTEM PHONE	\$8.07	270-1221-53290
	2022-01-11	039839	BIRTHDAY GIFT CARDS	\$20.00	221-1441-54299
	2022-01-24	10186	OEDA MEMBERSHIP-BRODSKY	\$299.00	101-1550-52110
	2022-01-04	09381	DDC MTG REG-BRODSKY	\$50.00	101-1550-52110
	2022-01-04	3371528	2022 ECONOMIC FORUM-BRODSKY	\$49.00	101-1550-52110
	2022-01-14	83G9EB7CP2	FACEBOOK HIRING POST	\$10.00	101-1013-53290
	2022-01-16	8PS6EB3CP2	FACEBOOK HIRING POST	\$10.00	101-1013-53290
	2022-01-18	8MCVKB7CP2	FACEBOOK HIRING POST	\$10.00	101-1013-53290
	2022-01-21	M4E2MB3CP2	FACEBOOK HIRING POST	\$15.00	101-1013-53290
	2022-01-06	6366	CHARGER CABLE/USB/TAX	\$40.57	101-1004-54299
	2022-01-06	2257	CHARGER CABLE/USB	\$38.00	101-1004-54299
	2022-01-19	6205069	STAPLES/STAPLER	\$56.19	101-1004-54299
	2022-01-06	2256	CHARGER CABLE/USB/TAX REFUND	-\$40.57	101-1004-54299
	2022-01-24	10583	OCEOA MBRSHPS-MUTERSPAW/BARKER	\$50.00	101-1553-52110
	2022-01-05	9412	DDC MEETING-B MERRIMAN	\$50.00	101-1004-52110
	2022-01-05	9421	DDC MEETING-J HOLLOWAY	\$50.00	101-1004-52110
	2021-12-30	570100001	EVIDENCE DOCUMENT	\$15.50	270-1221-54299
	2021-12-28	3989045	PHONE CHARGING PLUGS	\$104.91	270-1221-54299
	2022-01-11	093529	BIRTHDAY GIFT CARDS	\$20.00	612-1013-54299
	2022-01-11	0489023	BIRTHDAY CARDS	\$33.80	612-1013-54299
	2022-01-11	039839	BIRTHDAY GIFT CARDS	\$20.00	612-1013-54299
	2021-12-30	3SZFGO	CODERUBIK MEMBERSHIP	\$96.00	101-1013-52110
	2022-01-19	1FOZDKJX	NENA CONF RESVTN-M LANE	\$418.49	270-1222-52110
	2022-01-14	019171	CERTIFICATE OF MAILING	\$3.76	101-1553-53930
	2022-01-05	073641	CERTIFICATE OF MAILING	\$1.65	101-1553-53930
	2022-01-12	002101	CERTIFICATE OF MAILING	\$1.41	101-1553-53930
	2022-01-20	052324	CERTIFICATE OF MAILING	\$2.82	101-1553-53930
	2022-01-04	027433	CERTIFICATE OF MAILING	\$2.35	101-1553-53930
	2022-01-06	060228	CERTIFICATE OF MAILING	\$2.82	101-1553-53930
	2021-12-27	040830	CERTIFICATE OF MAILING	\$3.30	101-1553-53930
	2022-01-24	055741	CERTIFICATE OF MAILING	\$4.23	101-1553-53930
	2022-01-19	026395	CERTIFICATE OF MAILING	\$1.88	101-1553-53930
	2022-01-18	036208	CERTIFICATE OF MAILING	\$3.30	101-1553-53930
	2022-01-03	052065	CERTIFICATE OF MAILING	\$3.29	101-1553-53930
	2022-01-11	030075	CERTIFICATE OF MAILING	\$2.35	101-1553-53930
	2021-12-28	096718	CERTIFICATE OF MAILING	\$1.41	101-1553-53930
	2022-01-13	015544	CERTIFICATE OF MAILING	\$3.76	101-1553-53930
	2022-01-12	23323	OH EPA ASBESTOS PMT-960 CTHRIN	\$76.42	101-1553-53607
	2022-01-12	137242118	RAPCA FEE-960 CATHERINE	\$78.38	101-1553-53607
	2022-01-12	66695918	DEMO PERMIT FEE-960 CATHERINE	\$83.58	101-1553-53607
	2022-01-18	1156206	FDIC CONF REG-T BUNDY	\$600.00	270-1225-52110
	2022-01-07	5882649	TEXT BOOKS-FIRE OFFICER CLASS	\$312.82	270-1225-52110
	2022-01-10	11845334	1/10-1/9 EMAIL ENCRYPTION	\$1,747.68	710-1010-53792

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	2022-01-11	1043760	AMAZON GIS WEB SERVICES	\$54.83	710-1010-53792
	2022-01-11	10736489	AMAZON GIS WEB SERVICES	\$250.97	710-1010-53792
	2021-12-22	1490634	PENS/CALENDAR/POSTER BOARD	\$114.00	101-1551-54299
	2022-01-11	039839	BIRTHDAY GIFT CARDS	\$20.00	101-1013-54299
	2022-01-11	093529	BIRTHDAY GIFT CARDS	\$20.00	101-1013-54299
	2022-01-11	0489023	BIRTHDAY CARDS	\$33.80	101-1013-54299
	2022-01-06	2110	TYLER CONNECT CONF-HAHN	\$1,099.00	270-1221-52110
	2022-01-07	140700	FBINA REG-STUTES	\$525.00	270-1221-52110
	2022-01-10	125214	FBINA REG-S LANE	\$525.00	270-1221-52110
	2022-01-06	GGSWWKG	AIRFARE-CALEA CONF X 2	\$508.76	270-1221-52110
			Total for Vendor	\$14,658.55	
ELAVON					
	2022-01-31	4900003533	JAN BANK CHGS-TR/CR	\$584.55	101-1002-52140
	2022-01-31	8015508776	JAN BANK CHGS-CV	\$151.65	101-1002-52140
			Total for Vendor	\$736.20	
ENROLLMENT MGMT SVCS					
	2022-02-11	6073	FEB ENROLLMENT MGMT FEES	\$5,000.00	711-1773-53290
			Total for Vendor	\$5,000.00	
ENTERPRISE FM TRUST					
	2022-02-03	FBN4399140	FEB VEH LEASE CAB	\$70.50	664-1018-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS ENGINEER	\$72.36	664-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS MAINT SPRVSR	\$180.62	664-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE CAB	\$70.50	665-1018-53521
	2022-02-03	FBN4399140	FEB VEH LEASE FIRE	\$960.09	364-1225-55401
	2022-02-03	FBN4399140	FEB VEH LEASE PS ENGINEER	\$72.36	667-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS MAINT SPRVSR	\$45.15	667-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE SEWER PLANT	\$175.42	665-1331-55401
	2022-02-03	FBN4399140	FEB VEH LEASE P & Z	\$272.95	361-1553-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS ENGINEER	\$72.36	666-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS MAINT SPRVSR	\$45.16	666-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS MAINT SPRVSR	\$180.62	665-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE PS ENGINEER	\$72.36	665-1446-53521
	2022-02-03	FBN4399140	FEB VEH LEASE P & Z	\$272.95	361-1552-53521
	2022-02-03	FBN4399140	FEB VEH LEASE WTR PLANT SPRVSR	\$289.45	664-6602-53521
	2022-02-03	FBN4399140	FEB VEH LEASE CAB	\$70.49	361-1018-53521
			Total for Vendor	\$2,923.34	
ERTH SYSTEMS SHREDDING INC					
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$60.00	101-1018-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$50.00	270-1221-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$25.00	709-1447-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$25.00	101-1003-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$4.95	101-1006-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$25.00	611-1337-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$10.00	270-1222-53290
	2022-02-09	15170	FEB DOCUMENT SHREDDING	\$65.00	101-1002-53290
			Total for Vendor	\$264.95	
F&E PAYMENT PROS					
	2022-02-01	220059	DEC/JAN LOCKBOX/PER ITEM FEES	\$477.88	708-1008-53290
			Total for Vendor	\$477.88	
FEDERAL EXPRESS CORPORATION					
	2022-01-19	7-634-62022	SHIPPING-ENTERPRISE	\$26.40	101-1004-53930
			Total for Vendor	\$26.40	
RAY FERRELL					
	2022-02-04	PC22-3	REIMB EMPL LUNCH-SNOW EVENT	\$110.75	221-1441-52110
			Total for Vendor	\$110.75	
FLOWER STOP (THE)					
	2022-01-31	11531	SYMPATHY ARRGMNT-R MILLER	\$78.99	101-1001-54299
			Total for Vendor	\$78.99	
GERMAIN AUTOMOTIVE PARTNERSHIP					
	2022-02-05	117885F	SOLENOID V1003	\$26.87	709-1446-54505
	2022-01-31	117819F	STUDS/NUTS V1003	\$14.82	709-1446-54505
	2022-01-31	117816F	CONVERTER/GASKETS V1003	\$359.38	709-1446-54505

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	2022-02-08	117987F	1 CASE OIL	\$101.40	709-1446-54505
	2022-01-28	117775F	COIL/BOOTS V1114	\$76.03	709-1446-54505
	2022-02-03	117910F	THROTTLE/GASKET V1417	\$432.24	709-1446-54505
			Total for Vendor	\$1,010.74	
GOOD VALLEY WATER					
	2022-02-10	25217	WATER X 5/JAN/FEB RENTAL	\$45.75	101-1003-54299
			Total for Vendor	\$45.75	
GREENE COUNTY ANIMAL CONTROL					
	2022-02-02	4TH QTR	4TH QTR CAT FEES	\$1,140.00	101-1001-53290
			Total for Vendor	\$1,140.00	
GREENE COUNTY DEPT OF DEVELOPMENT					
	2022-02-10	43475	CHIP HOME REPAIRS-FARTHING	\$1,250.00	603-5401-53607
			Total for Vendor	\$1,250.00	
HANDYMAN ACE HARDWARE					
	2022-02-09	117217	MAGNUM LOCK	\$27.99	270-1225-54299
	2022-02-09	117204	GARDEN SPRAYER	\$22.99	221-1441-54299
	2022-02-02	117155	ANTI-SLIP TAPE V1230	\$12.99	709-1446-54505
	2022-02-01	117140	MARKING PAINT/BUNGEE STRAPS	\$60.74	270-1221-54299
			Total for Vendor	\$124.71	
HEIL BROTHERS LAWN & GARDEN EQUIP					
	2022-01-24	88911	CHAPS EXTENDERS	\$27.96	233-1441-54299
			Total for Vendor	\$27.96	
HENDERSON PRODUCTS INC					
	2022-02-08	351980	PINS V1234	\$74.01	709-1446-54505
			Total for Vendor	\$74.01	
HORAN ASSOCIATES INC					
	2022-02-05	1060006	FEB CONSULTING SVC	\$2,500.00	711-1773-53290
			Total for Vendor	\$2,500.00	
HORTON EMERGENCY VEHICLES					
	2022-01-31	177591	BACKBOARD COMPARTMENT M-31	\$555.99	270-1225-53740
			Total for Vendor	\$555.99	
INSIGHT PUBLIC SECTOR					
	2022-01-18	1100908192	TRIPP LITE POWER CORDS	\$73.72	710-1221-54299
	2022-01-20	1100908889	VEAAM SUPERMICRO SYS X2	\$2,534.87	710-1221-54299
			Total for Vendor	\$2,608.59	
INTERACTION INSIGHT CORP					
	2022-02-01	2642	3/1-2/28 AUDIO RECORDER MAINT	\$11,825.00	270-1222-53792
			Total for Vendor	\$11,825.00	
INT'L ACADEMIES OF EMERG DISPATCH					
	2022-01-31	SIN300617	EMD RECERTIFICATION-REED	\$55.00	270-1222-53183
			Total for Vendor	\$55.00	
JOHN DEERE FINANCIAL					
	2022-01-24	47239	FUEL ADDITIVE	\$64.95	612-1331-54299
	2022-02-01	49275	COUPLING/275GAL TOTE	\$156.47	221-1441-54299
	2022-02-03	50060	ELBOWS/HOSE CLAMPS	\$17.52	221-1441-54299
	2022-02-01	30548	BOTTLED WATER-SNOW EVENT	\$5.97	221-1441-54299
	2022-01-20	19169	ROPE THIMBLES V1943	\$1.98	709-1446-54505
	2022-01-28	7702	MAGNETIC HOLDERS V1230	\$33.98	709-1446-54505
	2022-02-03	50003	PLOW WORKLIGHTS V1228A	\$55.98	709-1446-54505
			Total for Vendor	\$336.85	
JOHNSON CONTROLS FIRE PROTECTION LP					
	2022-01-31	22727563	2/1-1/31 FIRE ALARM MAINT	\$4,147.40	101-1018-53792
	2022-01-31	22727579	2/1-1/31 FIRE ALARM MAINT	\$2,850.80	101-1009-53792
			Total for Vendor	\$6,998.20	
K-TECH SPECIALTY COATINGS INC					
	2022-02-07	K0005	1096GAL BEET HEAT SOLUTION	\$1,174.42	222-1441-54246
	2022-02-07	K0005	3387GAL BEET HEAT SOLUTION	\$4,698.97	221-1441-54246
			Total for Vendor	\$5,873.39	
KEY CHRYSLER JEEP DODGE					
	2022-02-02	23152	WHEEL CAP V1416	\$141.75	709-1446-54505
			Total for Vendor	\$141.75	

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KOENIG EQUIPMENT INC					
	2022-01-28	P86822	CHAPS EXTENDERS	\$6.99	709-1446-54505
	2022-02-02	P86939	FILING KITS/BAR & CHAIN OIL	\$130.52	709-1446-54505
			Total for Vendor	\$137.51	
LAWSON PRODUCTS INC					
	2022-01-28	9309225900	CABLE TIES	\$19.58	709-1446-54505
			Total for Vendor	\$19.58	
LAYH & ASSOCIATES INC					
	2022-02-02	114013088	PRE EMPL PSYCH EVAL-PLYMAN	\$770.00	270-1222-53290
			Total for Vendor	\$770.00	
LEXISNEXIS RISK SOLUTIONS					
	2022-01-31	1476820-131	JAN LOCATOR SVC	\$150.00	708-1008-53290
			Total for Vendor	\$150.00	
MVECA					
	2022-01-11	22-1684	JAN INTERNET SVC	\$1,500.00	710-1010-53290
	2021-12-07	22-1560	OCT-DEC INTERNET SVC	\$4,500.00	710-1010-53290
	2022-02-03	22-1773	FEB INTERNET SVC	\$1,500.00	710-1010-53290
			Total for Vendor	\$7,500.00	
MARTIN MARIETTA MATERIALS					
	2022-01-20	34470837	69.4TN STONE	\$1,069.38	611-1338-54299
	2022-01-19	34458428	67.7TN STONE	\$1,027.49	611-1338-54299
			Total for Vendor	\$2,096.87	
MERCY HEALTH OCCUPATIONAL HEALTH					
	2022-02-01	205869	RANDOM DRUG SCREEN	\$13.05	709-1446-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$6.52	613-1333-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$39.16	221-1441-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$6.52	101-1442-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$26.11	612-1336-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$32.64	612-1331-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$39.16	612-1332-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$13.04	614-1340-53290
	2022-02-01	205869	RANDOM DRUG SCREEN	\$71.80	611-1338-53290
			Total for Vendor	\$248.00	
MITCHELL 1					
	2022-01-27	RL4298224	1/27-1/26 SOFTWARE RENEWAL	\$1,762.56	709-1446-53792
			Total for Vendor	\$1,762.56	
NAPA AUTO PARTS					
	2022-02-07	384327	COUPLERS/PIONS	\$125.34	709-1446-54505
	2022-01-28	383984	SALT SPREADER V1302B	\$2,075.00	709-1446-54505
	2022-02-07	384361	WINTER FUEL ADDITIVE	\$175.00	709-1446-54505
	2022-02-02	384143	2CS DIESEL FLUID	\$215.76	709-1446-54505
	2022-02-11	384627	HOPPER VIBRATOR V1320B	\$169.00	709-1446-54505
			Total for Vendor	\$2,760.10	
NEENAH FOUNDRY COMPANY					
	2022-01-25	442354	24 INLET FRAMES W/GRATES	\$9,868.00	667-1340-54299
			Total for Vendor	\$9,868.00	
OFFICE360					
	2022-02-10	2192683	LABELS/ENVELOPES/FILE FOLDERS	\$199.66	270-1222-54299
	2022-02-10	2192683B2	HIGHLIGHTERS	\$8.68	270-1222-54299
	2022-02-10	2192683B1	STAPLES	\$4.12	270-1222-54299
			Total for Vendor	\$212.46	
OHIO ALCOHOL MONITORING SYS INC					
	2022-01-31	01/1/2022	JAN ALCOHOL MON-SCRAM X 18	\$3,970.00	212-1242-53290
	2022-01-31	1/1/2022	JAN ALCOHOL MON-INDIGENT X 10	\$1,593.00	214-1201-53295
			Total for Vendor	\$5,563.00	
OHIO UTILITIES PROTECTION SERV					
	2022-01-31	128859	UTILITIES PROTECTION SVC	\$563.45	612-1332-53290
	2022-01-31	128859	UTILITIES PROTECTION SVC	\$563.46	611-1338-53290
			Total for Vendor	\$1,126.91	
OPEN ONLINE LLC					
	2022-01-31	547456	JAN BACKGROUND CHECKS	\$47.25	101-1005-53290

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				Total for Vendor	\$47.25	
O'REILLY FIRST CALL						
	2022-02-02	416343	BATTERY/CORE		\$148.30	709-1446-54505
	2022-02-04	416607	CAPSULE V1902		\$9.37	709-1446-54505
	2022-02-08	417177	FUEL ADDITIVE		\$77.99	709-1446-54505
	2022-02-01	416196	BATTERY		\$126.30	709-1446-54505
				Total for Vendor	\$361.96	
ORKIN EXTERMINATING CO INC						
	2022-02-08	223689292	PEST CONTROL		\$95.00	101-1009-53290
	2022-02-09	227972952	PEST CONTROL		\$95.00	709-1447-53290
	2022-01-28	227972946	PEST CONTROL		\$95.00	709-1447-53290
				Total for Vendor	\$285.00	
P&R COMMUNICATIONS SERV INC						
	2022-02-01	68672	2022 NETCLOCK MAINT		\$1,890.00	270-1222-53792
				Total for Vendor	\$1,890.00	
PAYMENT SERVICE NETWORK INC						
	2022-02-02	252521	JAN PHONE PAYMENT PROCESSING		\$12.95	708-1008-53290
				Total for Vendor	\$12.95	
PLATTENBURG & ASSOCIATES INC						
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$10.00	270-1225-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$350.00	270-1225-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$140.00	101-1002-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$4.00	101-1002-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$12.00	611-1334-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$420.00	611-1334-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$1.00	614-1334-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$35.00	614-1334-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$3.00	270-1222-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$105.00	270-1222-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$4.00	221-1441-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$140.00	221-1441-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$245.00	613-1334-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$7.00	613-1334-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$1,050.00	101-1006-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$30.00	101-1006-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$10.00	270-1221-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$350.00	270-1221-53101
	2022-02-08	JAN3122	FY2021 JAN LANDFILL AUDIT		\$19.00	612-1334-53101
	2022-02-08	JAN312022	FY2021 JAN AUDIT		\$665.00	612-1334-53101
				Total for Vendor	\$3,600.00	
PLUNKETT'S PEST CONTROL INC						
	2022-01-01	7370402	DEC 21 WILDLIFE MGMT		\$2,000.00	101-1001-53290
	2022-02-01	7401673	JAN WILDLIFE MGMT		\$2,000.00	101-1001-53290
				Total for Vendor	\$4,000.00	
RUMPKE OF OHIO INC						
	2022-01-18	3536844	JAN REFUSE COLLECTION		\$137,020.40	613-1335-53261
	2022-01-18	3537009	JAN 40YD DUMPSTER		\$531.59	613-1335-53261
				Total for Vendor	\$137,551.99	
RUSH TRUCK CENTER DAYTON						
	2022-02-10	3026551893	RADIATOR CAP V1906		\$29.57	709-1446-54505
	2022-02-08	3026530705	BRACKET/MODULE V1902		\$177.15	709-1446-54505
				Total for Vendor	\$206.72	
SECURITY FENCE GROUP INC						
	2022-02-09	S-5376	TRAF SIG REP-BELLBK/COL		\$342.65	221-1444-53740
	2022-02-09	S-5377	TRAF SIG REP-N DET/KINSEY		\$220.00	221-1444-53740
				Total for Vendor	\$562.65	
SEITER SERVICES LLC						
	2022-02-09	111121-FR	STARTUP BOILER SVC		\$537.00	611-1337-53792
				Total for Vendor	\$537.00	
SHARP BUSINESS SYSTEMS						
	2022-02-06	90003676014	FEB FINANCE COPIER MAINT		\$69.00	710-1010-53792

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
				Total for Vendor	\$69.00
SIG SAUER INC					
	2022-01-13	4462618	GUN SPRINGS	\$7.00	270-1221-54299
	2022-01-14	4464929	GUN O-RINGS	\$7.00	270-1221-54299
	2022-01-12	4460391	GUN POSTS	\$7.00	270-1221-54299
	2022-01-31	4480985	GUN RECOIL SPRING ASSY	\$21.00	270-1221-54299
	2022-01-25	4474929	GUN TRIGGER STOP	\$7.00	270-1221-54299
	2022-01-04	4446647	GUN PINS	\$14.00	270-1221-54299
	2022-01-03	4444429	GUN PINS/STRIKERS	\$73.50	270-1221-54299
	2022-02-02	4483670	GUN SLIDE KIT	\$42.50	270-1221-54299
				Total for Vendor	\$179.00
STAPLES BUSINESS ADVANTAGE					
	2022-01-22	3498028671	SHEET PROTECTORS	\$4.30	611-1334-54299
	2022-01-22	3498028673	POST IT NOTES/INK PENS	\$26.17	611-1334-54299
	2022-01-22	3498028671	SHEET PROTECTORS	\$4.30	612-1334-54299
	2022-01-22	3498028673	POST IT NOTES	\$11.81	612-1334-54299
				Total for Vendor	\$46.58
STEINKE TRACTOR SALES INC					
	2022-01-11	R6034	CLUTCH/BEARINGS V1909	\$1,069.10	709-1446-54505
	2022-01-11	R6034	PICKUP/DELIVERY/LABOR V1909	\$1,942.80	709-1446-53740
				Total for Vendor	\$3,011.90
STOOPS FREIGHTLINER INC					
	2021-10-27	X305300381:01	CORE RETURNS	-\$120.00	709-1446-54505
	2021-10-27	X305300380:01	CORE RETURNS	-\$97.20	709-1446-54505
	2022-02-02	X305311432:01	EXHAUST FLUID	\$244.50	709-1446-54505
	2022-02-08	X305312758:01	DEF TANK VENT V1224	\$37.24	709-1446-54505
	2022-01-27	X305311304:01	SWITCH V1233	\$16.84	709-1446-54505
	2022-02-09	X305312916:01	DEF TANK VENT	\$37.24	709-1446-54505
				Total for Vendor	\$118.62
CORY STROUP					
	2022-01-23	22-02	REIMB OFFICER DEV COURSE	\$550.00	270-1225-51403
				Total for Vendor	\$550.00
TEC ENGINEERING INC					
	2022-02-04	011161	XTS TRAFFIC STUDY	\$6,919.65	233-1555-53290
				Total for Vendor	\$6,919.65
TRACTOR SUPPLY COMPANY					
	2022-01-31	148892	TUBING V1302B	\$49.99	709-1446-54505
	2022-02-02	149452	WATER BLOCK ELEMENT	\$19.99	612-1331-54299
				Total for Vendor	\$69.98
TREASURER STATE OF OHIO					
	2022-01-18	22RC05395	1/1-3/31 MARCS RADIO USAGE FEE	\$756.00	270-1222-53792
	2022-01-18	22RC05395	1/1-3/31 MARCS RADIO USAGE FEE	\$3,024.00	270-1221-53792
	2022-01-18	22RC05395	1/1-3/31 MARCS RADIO USAGE FEE	\$2,520.00	270-1225-53792
				Total for Vendor	\$6,300.00
TREASURER STATE OF OHIO					
	2022-02-08	873-01-01	2022 LGIF LOAN PAYMENT	\$40,000.00	364-8901-56161
				Total for Vendor	\$40,000.00
VANCE'S LAW ENFORCEMENT					
	2022-01-28	3865370-IN	DFNS TECH EXACT IMPACT SPONGES	\$233.10	270-1221-54299
				Total for Vendor	\$233.10
VEOLIA WATER SOLUTIONS & TECH					
	2022-02-10	22000721	TANK REGEN/FILTERS	\$87.00	611-1337-53290
				Total for Vendor	\$87.00
VERSAPAY					
	2022-02-11	0885	JAN EMS ONLINE CREDIT CARD FEES	\$131.47	270-1006-53290
	2022-01-31	4880	JAN CREDIT CARD FEES	\$3,901.46	708-1008-53290
				Total for Vendor	\$4,032.93
DANIELLE WALTER					
	2022-01-25	22-03	REIMB RIT SAFETY TRG	\$75.00	270-1225-51403
				Total for Vendor	\$75.00
WARREN FIRE EQUIPMENT INC					

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
	2022-02-14	IN1676488	SCBA ELECTRONICS REPAIR	\$222.55	270-1225-53740
			Total for Vendor	\$222.55	
WASH IT DEAN LLC					
	2021-12-31	2821	VEHICLE WASHES	\$100.00	709-1446-53740
			Total for Vendor	\$100.00	
WELLNOW URGENT CARE					
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$25.20	221-1441-53290
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$6.30	613-1333-53290
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$6.30	101-1442-53290
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$37.80	612-1332-53290
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$12.60	614-1340-53290
	2022-01-31	77949	PRE EMPL EXAM-J POWERS	\$37.80	611-1338-53290
			Total for Vendor	\$126.00	
WEST PAYMENT CENTER					
	2022-02-04	845865876	FEB LIBRARY PLAN CHGS	\$266.21	101-1003-53290
	2022-02-01	845774249	JAN INFO CHARGES	\$641.53	101-1003-53290
			Total for Vendor	\$907.74	
IMPREST CASH ENG DEPARTMENT					
	2022-01-26	PC22-4	COPIES-GR CO RECORDER	\$0.20	101-1555-53320
	2022-02-11	PC22-5	CERT MAIL-LANDFILL MONITORING	\$8.16	613-1334-53930
			Total for Vendor	\$8.36	
PETTY CASH UTILITY BILLING					
	2022-02-03	PC22-6	K-9 TRG-MARC MARGIORAS	\$50.00	270-1221-53183
			Total for Vendor	\$50.00	
				\$392,733.16	