

CITY COUNCIL AGENDA

APRIL 8, 2021

LOCATION:

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

NOTE: Regular and Special Meetings (Work/Study Sessions) 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. **PLEASE SEE NOTE UNDER AUDIENCE COMMENTS AND PUBLIC HEARING BELOW.**

REGULAR MEETING

- **INVOCATION** (or moment of silence)
- A. CALL TO ORDER** 6:00 p.m.
- B. ROLL CALL AND EXCUSAL OF ABSENCES** Vice President Levi Dean, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Will Urschel, Mayor Sarah Mays, and President Wesley Smith
- C. PLEDGE OF ALLEGIANCE** Councilman Will Urschel
- D. APPROVAL OF MINUTES** March 25, 2021
- E. SPECIAL PRESENTATION(S)** None.
- F. AUDIENCE COMMENTS** Guests are asked to practice social distancing. Space is extremely limited; depending on the number of guests, some may be asked to stage in an adjacent lobby and/or conference room. Face masks are required. 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 04/08/2021.
- G. OLD BUSINESS** None.
- H. PUBLIC HEARING(S)** None.
- I. NEW BUSINESS**
 - 1. ORDINANCE 2021-08
(Emergency) AMENDING ORDINANCE 2021-07 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY (*Finance Director*)
 - 2. ORDINANCE 2021-09
(Introduction) AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE 53.4 ACRES, MORE OR LESS, AT THE INTERSECTION OF VAN EATON ROAD AND LOWER BELLBROOK ROAD, FROM PUD PLANNED UNIT DEVELOPMENT AND A-1 AGRICULTURAL DISTRICT TO 44.7 ACRES OF R-1C ONE-FAMILY RESIDENTIAL DISTRICT ZONING AND 8.7 ACRES OF R-2 TWO-FAMILY RESIDENTIAL DISTRICT ZONING (*City Manager*)
to be delivered later

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- 3. RESOLUTION 2021-U AUTHORIZING THE PURCHASE OF IT SECURITY
 (Introduction) PROGRAMS AND PROFESSIONAL SERVICES BY THE IT
 DEPARTMENT OF UP TO \$75,000 WITHOUT COMPETITIVE
 BIDDING (*Finance Director*)

- 4. RESOLUTION 2021-V AUTHORIZING A PROPERTY USE AGREEMENT WITH
 (Introduction) STUDIO B SIGNS FOR THE USE OF THE CITY-OWNED
 PROPERTY LOCATED AT 713 N. DETROIT STREET
 (*City Manager*)

- 5. Administrative Motion Approving the City’s Budget Priorities for 2022 (*City Manager*)

- 6. Administrative Motion Approving the Schedule of Bills in the amount of \$163,061.20
 (*Finance Director*)

J. APPOINTED OFFICIALS REPORTS

K. REPORTS OF BOARDS AND COMMISSIONS

- 1. Planning and Zoning Commission (04/01/2021) *Councilman Brannum*
- 2. Traffic Commission (04/05/2021 Canceled) *Vice President Dean*
- 3. Board for Recreation, Arts, and Cultural Activities (04/06/2021 Canceled) *President Smith*

L. COUNCIL COMMENTS

M. EXECUTIVE SESSION None.

N. WORK SESSION Compensation Plan Alternatives

O. ADJOURNMENT

Published upon approval of the Council President by:

Michelle D. Johnson, City Clerk

**XENIA CITY COUNCIL
MEETING MINUTES
MARCH 25, 2021
REGULAR MEETING**

Those present observed a moment of silence before the Call to Order.

A. CALL TO ORDER: President Wesley Smith called the Regular Meeting to order at 6:00 p.m.¹

B. PLEDGE OF ALLEGIANCE: President Smith changed the order of the agenda and asked all participants to recite the Pledge of Allegiance led by Mayor Sarah Mays before the Roll call.

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

D. APPROVAL OF MINUTES: Motion by Councilman Scrivens, seconded by Councilwoman Dean, to approve the March 11, 2021, minutes of the Regular Meeting as written. No comments followed. The Roll on this was the following:

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

Nays: None motion carried.

E. SPECIAL PRESENTATION(S): None.

F. AUDIENCE COMMENTS: President Smith said the meeting was open to the public. He invited anyone wishing to speak to come to the podium, noting there was a public hearing on the agenda as well, and they will have an opportunity to speak at that time as well. Nobody came forward to speak.

G. OLD BUSINESS:

1. President Smith presented **RESOLUTION 2021-Q AMENDING POLICY EBM-3.10, TITLED "HEALTH & DENTAL INSURANCE," OF THE CITY OF XENIA EMPLOYEES' BENEFITS MANUAL**, originally introduced by Councilman Urschel on 03/11/2021, and it was read for a second time.

Motion by Councilman Urschel, seconded by Mayor Mays, to pass Resolution 2021-Q as written. Brief comments followed. President Smith said this Resolution is presented upon the recommendation of the Administrative Steering Committee. The Roll on this was the following:

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

Nays: None motion carried.

H. PUBLIC HEARING(S):

1. President Smith presented **RESOLUTION 2021-P APPROVING THE APPLICATION SUBMITTED BY THE CITY MANAGER FOR THE ESTABLISHMENT**

¹ Due to COVID-19, the meeting was open to the public with limited capacity and social distancing; one staff member joined via Zoom videoconferencing

OF A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) IN THE CITY’S HISTORIC DOWNTOWN DISTRICT, originally introduced by Councilwoman Dean on 03/11/2021, and it was read for a second time. He asked Law Director Donnette Fisher a procedural question about when to conduct the public hearing. Ms. Fisher said President Smith should entertain a motion and a second on Resolution 2021-P and then open the public hearing. President Smith entertained a motion.

Motion by Councilwoman Dean, seconded by Councilman Brannum, to pass Resolution 2021-P as written. President Smith then opened the public hearing at 6:10 p.m. and asked those wishing to speak in favor of Resolution 2021-P to approve the DORA application to come forward to speak.

Doug Lane, owner of Devil Wind Brewing, 130 S. Detroit Street, said he is in favor of the Designated Outdoor Refreshment Area for many reasons. He wished to address one of the main concerns he has heard about regarding alcohol in public. He said people are concerned about public drunkenness and/or disorderly conduct. He said there is already a heavy police presence in Xenia with the City of Xenia Police Division, Greene County Sheriff, and Ohio State Patrol, which he believed would help stem any issues of any kind for those participating in the DORA. The jurisdictions that have approved DORAs and have started implementing them have stated that there is an increase of those coming into and visiting their downtown areas, which has effectively decreased the amount of negative issues. He believed the increased volume of people actually discourages people from causing trouble, although those who wish to cause problems will cause problems with or without a DORA. The cities of Middletown, Chillicothe, and Wilmington have a negative reputation, which is similar to Xenia’s reputation, and the implementation of DORAs in those cities has actually helped and their downtowns are thriving with more businesses and more patrons and visitors. Xenia is similar ... there is a lot of potential in this community to continue to grow and expand and get rid of the City’s bad reputation. The more people who visit the downtown will only make things better for everyone, especially with the new development that will be going in at Xenia Towne Square. The DORA will bring more people to the downtown area for community events and will allow people to see all the good that Xenia has to offer.

President Smith entertained additional comments in favor of Resolution 2021-P. Hearing none, he noted the City Clerk received a total of 44 emails in support of the DORA, 41 emails opposed to the DORA, and two emails from those with general questions and concerns as follows:

Those who sent emails ***IN FAVOR OF*** the DORA:

Name	Home or Business (if provided)
Blair Davis	Montgomery Insurance & Investments
Chad Curtis	“lifelong resident of Xenia”
Tyler McCormick	President, Collett Propane Inc.
Becky Hawkes	FLOUR Bake Shop and Gift Box Shop
Billy Lampiasi	Xenia Smoke Shop, 37 E. Main Street
Nelson King	754 N. West Street
Jennifer Dunn	Eavey Exchange, 17 W. Third Street
Chamber of Commerce	*Signed by Alan Liming (President/CEO) and Matthew Bennett (Chairman of the Board)
Heidi Hilderbrandt	The Flower Stop (owner/designer)
Chad Galliger	1984 Sierra Trail
Melissa Galliger	1984 Sierra Trail
Todd Hiney	Hiney Companies, 1101 S. Columbus Street
Marc Perkins	Nick’s Restaurant , 1443 N. Detroit Street

Matt Radel	Lives in Hamilton in their DORA
Melissa Rinehart	54 Kinsey Road
Jane and Brian Newton	Collett Services
Scott and Shandah Brannen	Home: 41 Hardacre Drive Business: SB III Fire Protection Company, 249 Bellbrook Avenue
Sean and Kiann Phillips	370 Woodcrest Way
Dave Walton	20205 Hancock Court
Jen Saunders	640 Waynesville Jamestown Road
Amber Lawson	Hiney Companies
Brian Abner	General Manager, Hiney Companies 1101 S. Columbus Street
Angela Hinkle	239 Omalee Drive
Kristie Dotson Boyer	349 Country Club Drive
Tom Swigart	Tiffanys Jewelers, 179 W. Main Street
Brianna Hyslope	887 N. Columbus Street
Tammy and Tim Clark	843 Blackfoot Trail, Jamestown
Andy Lewis	Gladiator Training Center, E. Second Street
Missy Krause	Not provided
Shannon Huff, Owner	Halo Salon, 29 S. Detroit Street
Timothy Blackburn	Owns home in Xenia, practices law in Xenia
Andy McConaughy	Lives in Xenia
Cathy Winter Brown	983 Mound Court
Doug and Leslie Johnson	1717 Stone Road
Sean and Searsa Brannen	Home: 1144 Woodland Drive Business: SB III Fire Protection Company, 249 Bellbrook Avenue
Justin and Brook Lodge	1119 Woodland Drive
Michael and Lisa Anderson	269 N. King Street
Greg Bernitt	“business and property owner”
Donna Templeton	701 Mt. Vernon Drive
Chrissy Roundtree	904 Louise Drive
John Zeller	Zeller Insurance, 508 N. Detroit Street
Melanie Thomas	Gypsy Alley Boutique
Elaine Hughes and Robert Dillaplain	1293 Gultice Road
Davin Carson	Carson’s Treasures

Those who sent emails ***OPPOSED TO*** the DORA:

Name	Home or Business Address (if provided)
Barb Colaner	784 S. Detroit Street
Mary Amlin	Omalee Drive
Marty Larson	2228 Sierra Trail
John Sherer	Not provided
Kay Bond	Not provided
Denver and Betty Griffitts	Wright Cycle Estates
Sharleen Venters	1431 Foust Road
Desney Burrick	Not provided
Janda Bicknell	Not provided
Barry Skelly	Not provided
Michael Parks	Pastor, Ledbetter Road Church of God
Cindy McKinney	Not provided
Karan Puttin	Not provided
Harold (no last name provided)	Not provided
Mary Pence	Not provided
Patricia Carey	Not provided
John Terrell	Not provided

Paul and Susan Jero	251 Mount Vernon Drive
Tim and Cindy Anderson	1530 Pavey Place
Susan Crumbacher	774 S. Detroit Street
Pam Jordan	91 Tackett Drive
Darren and Cheryl Sabo	“Concerned Citizens of Xenia Township”
Mark Atherton	Not provided
Donna Thomas	348 Omalee Drive
Edythe Baker	1352 Jasper Road
Karen Cummings	Not provided
Debbie Frye	Not provided
David Dameron	572 Jodee Drive
Denise Davis	976 Orville Way
Dana Cline	583 Nevada Drive
Kyle Thompson	One Bistro
Sarah Kinnison	Not provided
Diane Dixon	976 Orville Way
Hannah Lutz	895 Murray Hill Drive
Greg Couser	Not provided
Jeanne Adelsberger	Not provided
David and Debbie Beam	“concerned citizens of Xenia Township”
Barbara Jean Powell	637 Nevada Drive
Melissa Kay Sanders	Not provided
Mike Burtnett, Pastor	Mount Zion Church, 428 Shepherd Road
M. David Chrisman	380 N. West Street

John Saraga did not voice his opinion for or against but presented several questions, and William Schwochow, Pastor, First Evangelical Lutheran Church, voiced concerns, presented questions, and encouraged cooperation so the project is mutually beneficial. For the sake of time, President Smith did not read each email into the record. He then invited those wishing to speak in opposition to Resolution 2021-P to come forward.

Denise Davis, 976 Orville Way, said she submitted an email, but she wished to read her comments into the record. She then read her email in its entirety as follows: “I am not against alcohol or responsible drinking for those of a legal age; however, using alcohol as a means to lure foot traffic to our downtown shops and bait to attract business owners to set up shop in Xenia seems preposterous and quite frankly, is concerning about what we may be fishing for and our measurements of success. Some of the reasons I am opposed to DORA for Xenia are as follows:

- The area proposed is too large and it doesn’t make sense especially with little existing shopping/restaurants.
- Our downtown area is nothing like Lebanon or the Oregon District with bars, restaurants and small shops being in one, compact area.
- Two of the five establishments mentioned in the DORA proposed area already have an outdoor dining area where folks can sit and enjoy a cold alcoholic beverage – Devil Wind and The Buck N Ear.
- I do not think this is going to encourage a lot of ‘drunks stumbling around our streets’ but I am very concerned about DORA cups being passed off to under-age individuals and folks taking advantage of the younger citizens of Xenia.
- We are also a city known for its immense efforts in caring for the homeless, the elderly, the addicted, the poor, the food insecure, and those in recovery, through a large number of non-profits. For the City of Xenia to endorse and support DORA seems counterproductive to the good works so many have done and continue to do.
- Xenia also has a large community of adults and young adults with disabilities and mental illness. This is a very vulnerable group of citizens and I question how DORA would impact or benefit them.
- Xenia and especially our downtown area, already has a ‘trash’ problem and DORA would compound the problem. Additionally, plastic DORA cups are not good for our environment!

- If folks want something like DORA for a few celebratory events per year in the city they can purchase permits to allow for alcohol in a designated area – this should not be at the expense of the entire community or the City of Xenia.
- When I think about all the wonderful things the City of Xenia has done, currently does and plans to do for our community, DORA is not one of them. Paying for a DORA plan which includes a public safety officer to monitor the plan, the cost of communicating and educating businesses & the public, a sanitation plan/person, production & expense of signage, business stickers, plastic DORA cups...it just all doesn't add up to something I believe the City of Xenia should be paying for or endorsing.
- I do applaud those who are interested in doing their part to revitalize the downtown area and who are trying to think creatively about attracting businesses to our community. I, too, am interested; however, I challenge the thinking that DORA is the answer. As I look at the crafty presentations, clever wording and shiny fliers with a seemingly innocent picture of a young couple strolling the streets with a baby in carriage and an alcoholic beverage in hand, it seems like rhetoric under the auspicious of being a boon to our downtown and economic development. I sincerely and most respectfully, urge you to think again and vote NO for the proposed DORA for Xenia.”

Kristy Kettering, 1764 Irvin Road, Jamestown, said even though she currently lives in Jamestown, she was raised in Xenia. She just heard about the proposed DORA, and she asked who stands to benefit from the DORA and who could be harmed by the DORA. She asked City Council to consider those questions.

Hearing no further comments, President Smith closed the public hearing at 6:22 p.m. and asked City Manager Brent Merriman for his staff report.

Mr. Merriman said this process has a very specific timeline as established by statute, and one concern that has been raised is the lack of time to consider the public's feedback before voting on the resolution. He said staff's role is to present to Council the policy options that Council will decide upon—either to approve or disapprove. The DORA is Council's decision, and while staff has put a lot of time into this because they believe the DORA presents an opportunity as a tool to help the downtown (not THE tool that fixes all the problems), he said Council should not feel rushed to make a decision. If they wished to table the decision for further deliberation, he encouraged them to do so. He explained that this particular effort will cease due to failure to act, but it could be brought back and reintroduced at a later date for consideration. Ms. Fisher agreed; however, she encouraged Council to render a vote versus not taking any action at all. This is not a Division of Liquor Control decision—this is a local decision. If approved, the DORA can be amended (such as reducing the size of the DORA) or repealed at any time.

President Smith asked how the DORA cups would be handled; specifically, he asked if the cups are reusable/refillable. Mr. Merriman said a new cup would be provided with every purchase. Community Development Director Ryan Baker agreed, noting it would be an inexpensive plastic disposable cup. President Smith asked what businesses are open past 5 or 6 p.m. that would benefit from the DORA other than the liquor establishments. Mr. Merriman said he could shift the question and say perhaps the reason they are not open is because there is no traffic. Mayor Mays said one business that is open beyond 5 or 6 p.m. is Route 68 Vintage Toys, and the owners have expressed that they are not necessarily in favor of the DORA.

Councilwoman Dean said she would support the DORA because she believes it would be good for the downtown and will go hand-in-hand with the Xenia Towne Square redevelopment project. However, if there are issues, she would support amending or repealing it. She understands why some do not support it, but they have the power to change it or repeal it if necessary. They have got to do something different for the downtown area.

Councilman Scrivens said he has received more phone calls and emails in the last week than he has in the last year combined. He did not have an opportunity to respond to all of them. He is still undecided at this time.

Councilman Brannum said staff came to City Council beforehand to discuss this “hot button” issue, and Council, with the exception of Mayor Mays and Councilman Urschel (who wasn’t on Council at that time), asked staff to proceed. He personally supports the DORA. Xenia was hit with the tornado in 1974, and it took a toll on this community. The downtown has been sluggish for quite a while. The west side of town is doing good, but the downtown is lacking. Every business owner can decide whether they want to participate in the DORA or not. If they don’t accept it and don’t want to participate, they can put the appropriate sticker on their doors and windows. If people want to put liquor in a cup and walk around, they could if they really wanted to. He feels it is worth a shot. If there are problems, they can amend or rescind it.

Councilman Urschel said he was not on the Council when the DORA was presented for Council discussion. However, since that time, things have changed with the purchase of the leasehold interests at Xenia Towne Square. At this point, the City of Xenia is the predominant owner of the land area and the largest participant of the DORA. As they look at the future development of that land, they have expressed that they want public input. The DORA will change the flavor of the downtown area, and the residents need to weigh in. He has spent time over the last two Saturdays at the Xenia Station, the dog park, the Coffee Hub, etc., talking with people and most did not know anything about the DORA. Staff did a good job working with and communicating with the businesses in the downtown area, but they have to have a conversation with the general public. He recognized they have received almost 100 emails, but the population of the City is over 25,000 people. He believes they should table the motion until they have that input from the public. He asked Ms. Fisher if he could make a motion to table. Ms. Fisher said yes, a motion to table would be a subsidiary motion. However, she reiterated that she did not recommend a motion because Ohio Revised Code Section 4301.82) states the “legislative authority shall approve or disapprove” the DORA. If disapproved, Mr. Merriman could resubmit the application at a later date with or without changes.

Motion by Councilman Urschel to table Resolution 2021-P pending discussion of the Xenia Towne Square development project. Brief discussion followed. Mr. Merriman said if Resolution 2021-P is voted down, he would not bring it back to Council in 2021. Mayor Mays asked what would happen if the action is tabled. Mr. Merriman said it would essentially “kill” it due to the statutory timeline. Mayor Mays seconded the motion. Discussion followed.

Mayor Mays said she has been on City Council for 6 or 7 years, and if she combined all the emails she has received during that time, it still would not equal the amount of emails she has received on the DORA. It seems the public is split down the middle with the citizens against it and the businesses in favor of it. She is a huge proponent of Xenia’s businesses, and she frequents them all and supports them all. She has talked with Xenia’s former Mayor John Saraga as well as Fairborn’s Mayor. It was not a consumption of alcohol issue for her—she just did not want to see measures of success based on alcohol. She also wants to hear the public’s opinion on the Xenia Towne Square project. Once they have a set direction on that project, she would be happy to revisit the DORA again. She knows staff has done a ton of work on this, and she appreciates that because it shows they take their jobs seriously, particular Mr. Baker who is out there trying to figure out

ways to better the City's downtown. If the DORA passes tonight, she is on board but she is interested in tabling the vote this evening.

Ms. Fisher said a motion to table will essentially kill Resolution 2021-P, and it will be hanging out there forever.

Vice President Dean said regarding public input, most people are just apathetic and/or not interested with regard to government and what is going on in their cities, but 85 emails is a lot of public input. Regarding some concerns about litter issues, crime, public drunkenness, etc., he did not believe the DORA would evolve into a "Mardi Gras" party atmosphere. He believed the only time they would ever really see people walking around with beverages would be during special community events. It will not be an everyday thing, and Council has the power to impose time limits. He did not think it would affect life in Xenia—even those out and about with their children. He did not believe other communities with DORAs have experienced anything negative with the exception of a little more trash clean up. He supports the DORA, and it really comes down to personal responsibility. Those who go into an establishment to purchase a DORA cup/beverage and follow all the rules are not the ones who will probably cause any problems.

President Smith expressed his concerns about people reusing and refilling their own cups with liquor from their vehicles. He cannot control public behavior, and he did not believe that law enforcement had enough time to take on this issue. Therefore, he was not in favor of the DORA. He agreed he was originally in favor of the DORA, but that was before the Xenia Towne Square issue was presented to Council. The DORA is the entire Xenia Business District, except for midtown. He thinks they need more input on the Xenia Towne Square redevelopment, and now was not the time to implement the DORA.

Councilwoman Dean said they are elected to make decisions, and she believed they should take a vote on Resolution 2021-P. Councilman Urschel said they have to vote on the motion to table. Councilman Scrivens suggested they end the discussion and take a Roll Call on the subsidiary motion at hand. Councilman Brannum said there are no businesses in the largest part of the DORA, which is the Xenia Towne Square property—but who knows when development will actually occur at that site. Councilman Urschel reiterated with the Xenia Towne Square property, they have the ability to define a strategy to set the tone and flavor of that development.

President Smith entertained the Roll Call on the motion to table Resolution 2021-P, noting an aye vote is a vote to table. The Roll on the subsidiary motion was as follows:

Ayes: Urschel, Mays, Smith

Nays: L. Dean, Scrivens, R. Dean, Brannum motion failed.

President Smith entertained the Roll Call on the original motion to pass Resolution 2021-P, noting an aye vote is a vote to pass. The Roll on the main motion was as follows:

Ayes: L. Dean, R. Dean, Brannum

Nays: Scrivens, Urschel, Mays, Smith motion failed.

I. NEW BUSINESS:

1. ORDINANCE 2021-07 AMENDING ORDINANCE 2021-02 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR

THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY. Finance Director Ryan Duke said this ordinance makes two amendments to the City's Annual Appropriations. First, the City recently petitioned the Greene County Court of Common Pleas to approve a transfer of funds from the General Obligation Bond Payable Fund, which is no longer needed, to the City's General Fund. Staff is pleased to report that the Court granted the City's petition. Second, several water main breaks throughout the City have caused damage to a few streets that were recently paved. Staff would like to use water funds to properly repair these streets, as it was the water main breaks that caused the damage. To do so, however, money needs to be appropriated for these repairs. Therefore, an appropriation of the transfer to the General Fund is needed to move the money.

President Smith entertained a motion to adopt Ordinance 2021-07 as presented.

Motion by Mayor Mays, seconded by Councilwoman Dean, to pass Ordinance 2021-07 as written. No comments followed. The Roll on this was the following:

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

2. RESOLUTION 2021-R AUTHORIZING A THEN AND NOW PAYMENT OF \$4,492.49 TO CARMEUSE AMERICAS FOR THE SUPPLYING OF LIME TO THE FORD ROAD WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY. Mr. Merriman said this Resolution is a housekeeping item required because an invoice for the lime product used at the Ford Road Wastewater Treatment Plant was received after the 2020 blanket purchase order was already closed out. Therefore, payment of an invoice in this amount requires acknowledgement by Council; therefore, he respectfully requested passage of this emergency resolution to complete a then and now payment as close to the invoice date as possible.

President Smith entertained a motion to pass Resolution 2021-R as presented.

Motion by Councilman Brannum, seconded by Councilman Urschel, to pass Resolution 2021-R as written. No comments followed. The Roll on this was the following:

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

3. RESOLUTION 2021-S ADOPTING A STATEMENT OF THE MUNICIPAL SERVICES TO BE PROVIDED TO THE PROPERTY AT 800 HEDGES ROAD, WHICH IS PROPOSED FOR ANNEXATION FROM XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO, AND DECLARING AN EMERGENCY. Mr. Merriman said the City received notice that an Annexation Petition was filed with the Greene County Board of Commissioners for 800 Hedges Road. Pursuant to ORC Section 709.023(C), within twenty (20) days of the filing of the petition, Council must adopt a statement of services that the City will provide to the property if the County approves and the City accepts the annexation. This statement of services resolution is required by statute and outlines both the City services that will be provided to the property as well as an approximate date when such services would begin. In this case, the services that will be provided are the same as those given to any other incorporated area. Staff is recommending approval of this emergency resolution to expedite the filing in order to meet the state-mandated deadline.

President Smith entertained a motion to pass Resolution 2021-S as presented.

Motion by Councilman Scrivens, seconded by Vice President Dean, to pass Resolution 2021-S as written. No discussion followed. The Roll on this was the following:

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

4. RESOLUTION 2021-T ADOPTING A STATEMENT REGARDING ZONING BUFFER FOR THE PROPOSED ANNEXATION OF THE PROPERTY AT 800 HEDGES ROAD FROM XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO, AND DECLARING AN EMERGENCY. Mr. Merriman said this resolution is also related to the requested annexation of 800 Hedges Road and, in this case, establishes a policy statement regarding possible incompatible land uses and zoning buffers, which is a requirement under the ORC for a Type 2 Expedited Annexation as requested for the property. The resolution states that, in the event that the property is annexed and City zoning permits uses on the annexed property that are incompatible with uses permitted by township zoning in adjacent unincorporated areas, the City will require the property owner to provide a buffer between the annexed territory and adjacent unincorporated land. Council is reminded that approval of the resolution does not acknowledge the existence of incompatibilities, and City staff does not believe there will be any issue with incompatibilities based on the current use of the property. As with the prior agenda item, he reminded Council that passage of this resolution does not obligate the City to accept the annexation. Staff is recommending approval of this emergency resolution to meet the state-mandated filing deadline.

President Smith entertained a motion to pass Resolution 2021-T as presented.

Motion by Councilman Scrivens, seconded by Vice President Dean, to pass Resolution 2021-T as written. Discussion followed.

Councilman Urschel noted the City is only responding to the County's notification of the filing of the petition for annexation at this time. If the County accepts the petition, he asked if it would eventually come back to City Council to accept or reject the annexation. Mr. Merriman said yes, the Council would have to adopt an ordinance to accept the annexation. Ms. Fisher said if the County approves the annexation, there is a 60-day waiting period before the City can take action. Councilman Urschel asked if this was an attached annexation. Mr. Merriman said under a Type 2 Expedited Annexation, which is what this is, it would be attached. Councilman Urschel said in the spirit of collaboration with Xenia Township, he assumed the County notified the Township as well but asked what the City's process is to reach out to the Township. Mr. Merriman said the Township was served notice of the petition for annexation, and there is not any additional specific procedure that they follow in terms of outreach and communication. He noted the County has not received any commentary or feedback from Xenia Township or any other interested parties. Councilman Urschel requested that the City provide a "grace" notice to Xenia Township on this and all future annexation petitions, which he feels would help with the City's collaboration with the Township. Mr. Merriman said if Councilman Urschel wished to make that a standing expectation, he suggested that Council adopt a policy to provide that direction. In the meantime, he would reach out to Xenia Township to establish that communication and express the City's intent to consider this annexation.

The Roll on this was the following:

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

Nays: None motion carried.

5. Administrative Motion Authorizing the Purchase of a Tandem Dump Truck Chassis from Stoops Freightliner-Dayton through the ODOT Cooperative Purchasing Program and a Bed, Salt Spreader, and Snowplow Unit from Henderson Products, Inc., through the Sourcewell Purchasing Program. Mr. Merriman said as planned in the Five-Year CIP and included in the approved budget for 2021, he respectfully requested authorization to move forward with the purchase of a replacement tandem axle dump truck for the Water Maintenance Division. As detailed in the agenda report, staff has worked to extend the life of this front-line unit as much as possible, but they have reached a point of diminishing return with the current truck needing extensive and costly work to remain road safe. Staff is recommending replacement through the purchase of a Freightliner 114SD chassis from Stoops Freightliner-Dayton in the amount of \$92,714 and a dump bed, salt spreader, and snowplow unit purchase from Henderson Products Inc. in the amount of \$99,942. The combined total falls within the allotted budget in the Water Fund. The chassis would be procured through the ODOT Purchasing Program and the accessory components purchase would be made through the Sourcewell Purchasing Program (formerly NJPA). Pursuant to State law, competitive bidding is not required for purchases made through these programs. The purchase is requested at this time as he anticipates the lead time necessary for delivery and prep to be 6-7 months, meaning that by completing the purchase now, the unit could be available for the next winter season when it would be heavily relied upon.

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

Motion by Mayor Mays, seconded by Vice President Dean, to approve the purchase of a dump truck chassis from Stoops Freightliner-Dayton through the ODOT Cooperative Purchasing Program, at a not-to-exceed cost of \$92,714, and the purchase of a bed, salt spreader, and snowplow unit from Henderson Products Inc. through the Sourcewell Purchasing Program, at a not-to-exceed cost of \$99,942. No comments followed. The Roll on this was the following:

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

Nays: None motion carried.

6. Administrative Motion Awarding the Bid and Authorizing the City Manager to Execute a Contract with Custom Landscape Contractors for the James T. Henry, Sr. Circle Roundabout Landscaping Project. Mr. Merriman respectfully requested the award of a bid and authority to execute a contract with Custom Landscape Contractors for the James T. Henry, Sr. Circle Roundabout Landscaping Project. This project is the last phase of the roundabout installation and includes stone hardscape features with lettering denoting the roundabout's name, landscaping, and a central obelisk containing Xenia welcome signage. Custom Landscape Contractors was the lone bidder after a second bid attempt; staff has completed a reference check on the firm and the respondents offered positive appraisals.

President Smith entertained a motion.

Motion by Councilman Scrivens, seconded by Mayor Mays, to award the bid and authorize the City Manager to execute a contract with Custom Landscape Contractors for the James T. Henry,

Sr. Circle Roundabout Landscaping Project at a cost not-to-exceed \$54,852.27. Brief comments followed. Councilman Scrivens thanked City Planner Brian Forschner for his work on this project. He looks forward to the improved gateway, noting they should consider improving all of the waymarkers at the City's gateways. The Roll on this was the following:

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

7. Administrative Motion Authorize the City Manager to Execute Change Order #1 with Insituform Technologies, Inc., for an Additional 1,666 Linear Feet of Sewer Sliplining as a Part of the 2020 Sewer Pipeline Rehabilitation Project. Mr. Merriman said City staff recently became aware of a major sanitary sewer line concern in the area of Cincinnati Avenue that requires immediate attention to ensure regulatory compliance. Council previously approved the 2020 sanitary sewer Pipeline Rehabilitation Project with Insituform Technologies, Inc. To the City's benefit, the firm is still on site and nearing completion of the initial project. Insituform is willing to extend its scope of work to include rehabbing the identified section of sanitary sewer main along Cincinnati Avenue totaling 1,666 linear feet. Staff is recommending Council approve an administrative motion authorizing Change Order #1 for an additional \$90,135.80 with Insituform Technologies to provide for this urgent repair.

President Smith entertained a motion.

Motion by Councilman Urschel, seconded by Councilman Brannum, to authorize the City Manager to execute Change Order #1 in the amount of \$90,135.80 with Insituform Technologies, Inc., for the 2020 Sewer Pipeline Rehabilitation Project for additional sliplining along Cincinnati Avenue totaling 1,666 linear feet. No comments followed. The Roll on this was the following:

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

8. Administrative Motion Approving the Schedule of Bills in the amount of \$419,573.50. Mr. Duke respectfully requested the payment of bills in the amount of \$419,573.50.

President Smith entertained a motion.

Motion by Vice President Dean, seconded by Councilwoman Dean, to approve the schedule of bills in the amount of \$419,573.50. No comments followed. The Roll on this was the following:

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

J. APPOINTED OFFICIALS REPORTS

President Smith asked Mr. Duke for his comments. Mr. Duke did not have anything further to share. President Smith asked if the City's income tax filing deadline would be extended to May 17th, which is this year's deadline for federal filing. Mr. Duke said the State of Ohio has also voted to extend its filing deadline to May 17th to mirror the federal deadline, and since the City is subject to the State's deadline, the City's deadline is automatically extended to May 17th. President Smith said if a taxpayer owes money, he asked if they have to pay by April 15th or by May 17th. Mr. Duke said the extension applies to filing and payments of taxes due; however, he noted estimated

payments are still due on the regular due dates. Councilman Urschel said Council has had a lot of discussion on RITA's presence in the building, and he congratulated Mr. Duke on his work to get RITA back into the building. He has referred several people to RITA, and they have provided positive feedback in terms of the service they received. Mr. Duke said that is good to hear; he was excited that they are back in the office. However, while in person service is an option, he encouraged tax payers to take advantage of the online filing or drop-box filing options as more expedient methods of filing.

President Smith asked Ms. Fisher for her comments. Ms. Fisher updated Council on the Purdue Pharma opiate litigation case, noting she filed a claim on the City's behalf in July 2020. She received a notice of distribution/notice of directive, and Purdue Pharma has filed a Chapter 11 reorganization plan. Therefore, she followed up and submitted additional paperwork. When she receives the ballots, she will share that information with Council so she knows what type of vote to submit. She believes this litigation will be drawn out for a long period of time. She hopes the City will eventually receive some funds. She wished everyone a Happy Easter.

President Smith asked Mr. Merriman for his comments. Mr. Merriman said he recently participated, as Xenia's Chief Executive Officer, in a Greene County Public Health District Advisory meeting. It was a long meeting, and they received an update on services, they reviewed the budget, etc. He praised Health Commissioner Melissa Howell and her staff. While they may not all agree with State mandates, Ms. Howell and her staff have been very reasonable and very good to work with during the pandemic. There are no outstanding issues from a financial or service delivery standpoint. He said the City has been notified that they will be receiving a sum of money estimated at over \$5 million as part of the American Rescue Plan Act. He plans to engage Council on how to utilize those funds, starting with the Budget and Finance Standing Committee, noting he has not received guidance from the federal or state government yet in terms of restrictions on the use of those dollars. The City will receive some money this year and the remainder next year. He said the forecast for the area indicates the threat of severe weather this evening. He reminded everyone to stay alert, including using a weather app on their smart phones as well as signing up for HyperReach alerts following severe weather events. Finally, he asked Council to consider an additional Administration Motion this evening with regard to property and liability insurance. He explained that he just received communication that day from Montgomery Insurance, the City's local insurance broker, that the City's property and liability insurance through PEP is up for renewal on May 1. He typically would bring an agenda item forward in April; however, there is an expedited process that could save the City some money, but he needs Council's permission to proceed. He noted he would still bring the renewal back to Council for final approval.

Motion by Vice President Dean, seconded by Mayor Mays, to authorize the City Manager to verbally commit to the renewal with Montgomery Insurance for property and liability insurance through an expedited renewal process. Brief comment followed. President Smith thanked Mr. Merriman for bringing this to their attention to take advantage of the potential savings. The Roll on this was the following:

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

K. REPORTS OF BOARDS AND COMMISSIONS:

1. Board of Zoning Appeals: Mayor Mays said BZA met on March 22nd to consider a variance request to allow a drive-through restaurant with ordering station and loudspeaker to be located 166 ft. from a residential unit instead of the required 250 ft., filed by Stephen Butler on behalf of the Wendy's restaurant located at 363 W. Main Street, which was approved. Per the staff report, a new restaurant will be built next to the existing restaurant, and then the existing restaurant will be demolished.

L. COUNCIL COMMENTS:

President Smith said this year's Easter Egg Hunt would be a drive-thru event at Shawnee Park on Saturday, April 3rd, at 10 a.m. Bags of eggs will be provided to the children to take home and have safe egg hunts there. The event is limited to the first 500 participants. The Easter Bunny will be present to wave at the children as they drive by. Participants should not exit their vehicles to pick up the eggs or visit with the Easter Bunny. He thanked the Xenia Area Association of Churches and Ministries (XAACM) and the City's Board for Recreation, Arts, and Cultural Activities for purchasing the filled eggs and bags for the event and all those who have volunteered for the event. He thanked Xenia Community Schools for distributing the flyers last week.

Councilwoman Dean thanked all who submitted feedback, both for or against, regarding the DORA. It was good to hear from everyone, and it's the most feedback she's ever seen on any subject. She encouraged citizens to send emails or letters if they wish to convey information to any Council member or wished to set up a meeting with any of them.

Councilman Brannum agreed with Councilwoman Dean; he hopes this opens the door for continued communication and discussion on other matters, including the budget, capital improvement plans, etc. He congratulated Xenia Fire Captain Brian Brennaman on his retirement after 29 years of service. He also expressed condolences to the family, friends, and co-workers of Xenia Firefighter/Paramedic Steve Helling. Mr. Merriman said he was remiss in addressing the loss of Xenia Firefighter/Paramedic Steve Helling, noting he was distracted by the public hearing and other matters. He acknowledged the loss of Firefighter Helling, who was a member of the Xenia family, and the third member of the Xenia family they have lost in the last six months. It's been a hard year for City staff. To acknowledge Firefighter Helling's 13 years of service to this community, there will be a very special event on Monday, March 29th. The Public Relations Coordinator will announce those details tomorrow. The public should expect some traffic delays during the procession, which will include all the City's fire apparatus among apparatus from surrounding jurisdictions. He encouraged the public to come outside and observe as they make their way through the City, past both Fire Stations, on the way to his final resting place.

Councilman Urschel said he has participated in a number of discussions with the United Way of Greene County, which is looking to establish a program for those at risk of homelessness. They will provide case managers and funds to come alongside up to 50 families with school age children and help them for a period of one year. He noted Montgomery County has already established this program. Assistance may include help with utilities, rent, transportation, etc. He noted he participated through his affiliation with XAACM. However, he would advocate for families and children here in Xenia.

Mayor Mays said she had several good meetings these last two weeks including a meeting with Athletes in Action and Payne Theological Seminary. She is working with City staff, Ryan Baker and Christina Schaefer, on the July Fireworks Festival event scheduled for July 2nd. She thanked

local merchant Xenia Shoe and Leather, specifically Matt Jopson, who spent time working with her 10-year-old son on a project. Mr. Jobson showed her son the workshop, let him use some tools, etc., and she really appreciated it. She thanked the Public Service staff member who recently helped a girl catch her dog that was on the loose. Finally, someone from her church wished to thank Xenia Police Sergeant Matt Foubert who recently checked in on some college students to make sure they were okay. She congratulated Billie Carrico on the opening of 51 East Salon at 51 E. Main Street. They both love Xenia and she was excited that she established her business here in downtown Xenia. Route 68's Vintage Toy Show is Saturday from 9 a.m. to 4 p.m. at the Greene County Fairgrounds. They will be using five buildings for the show. Easter weekend is coming up, and she hoped people participate in the Egg Hunt Drive Thru event as well as Easter services at one of the area's local churches. Finally, she extended her condolences to the friends and family of Firefighter Helling. She had an opportunity to talk with Fire Chief Kenneth Riggsby, and a few days ago she ran into some Fire Division employees at the emergency room. There is a lot of hurt and sadness. The Fire Division is truly a family. She assured them that many people are praying for them.

Vice President Dean did not have anything further to share.

Councilman Scrivens extended his condolences to the friends and family, especially his wife and children, of Firefighter Helling. He congratulated Captain Brennaman on his retirement and thanked him for his service. He also congratulated Mr. Duke whose alma mater, Oral Roberts University, beat Ohio State in the first round of the NCAA basketball tournament. He wished everyone a Happy Easter. He encouraged everyone who is eligible to get the Covid vaccination, noting it is free. He expressed his desire to tour the Xenia Municipal Court and asked if that could be arranged. He asked Mayor Mays if they were still planning on meeting on Saturday for a clean-up event. Mayor Mays said she would be at the City Administration Building at 9 a.m., and she encouraged anyone interested to join her and her family. Mr. Merriman noted that Public Service will provide gloves, trash cans, etc. Councilman Scrivens said for those who cannot assist them on Saturday, he encouraged them to clean up around their own properties.

The Council took a five-minute recess to prepare for the Executive Session immediately following. The Council was in recess from 7:45 to 7:50 p.m.

M. EXECUTIVE SESSION: At 7:50 p.m., President Smith entertained a motion to go into Executive Session, noting they would not be conducting any additional business other than adjourning the Regular Meeting; therefore, the video portion of the meeting would end at this time.

Motion by Vice President Dean, seconded by Councilman Brannum, to go into Executive Session to discuss Pending Litigation per XCO §206.04(a)(3) and ORC §121.22(G)(3). No comments followed. The Roll on this was the following:

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

The Council convened in Executive Session with the same members present.

N. WORK SESSION: None.

O. ADJOURNMENT: Motion by Councilwoman Dean, seconded by Mayor Mays, to adjourn the Regular Meeting at 8:31 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

Michelle D. Johnson
City Clerk

Wesley E. Smith
President, Xenia City Council



**XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO**

Meeting Date: April 8, 2021
Emergency: YES
Effective Date: April 8, 2021

Agenda Item: **ORDINANCE 2021-08**
AMENDING ORDINANCE 2021-07 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY

Submitted By: Ryan Duke, Finance Director
Presented By: Ryan Duke, Finance Director

Scope/Description: This Ordinance makes two amendments to the City’s Annual Appropriations:

First, as City Council is aware, as a result of a recent snow event earlier this year, a pickup truck traveling westbound on E. Main Street struck the flashing beacon that assists pedestrians crossing the roadway to facilitate access to the City Administration Building and other retail ventures on the south side of the street. Unfortunately, there was insufficient evidence to identify the party responsible for striking the beacon and, therefore, the costs to replace the beacon will fall back onto the City. Because the pedestrian crosswalk did not meet acceptable standards, it is imperative that it be restored in accordance with ODOT’s Manual of Uniform Traffic Control Devices. The City’s Engineering Division requested and received a price quote to properly restore the crosswalk to meet legal and engineering standards from Security Fence Group in the amount of \$18,250. Staff requests that City Council appropriate \$25,000 in order to address any unforeseen subsurface conditions that may arise during the installation of the Rectangular Rapid Flash Beacons, which will mirror those installed on W. Main Street and W. Second Street near McDonald’s.

Second, last year the Ohio Supreme Court conducted a safety and security study of the Municipal Court in order to identify potential security risks to Court and Justice Center staff. The main security breach/risk identified in the study was the lack of an area to screen visitors before entering the Court’s operational areas. According to the study, “the current configuration allows unscreened persons to enter into the waiting areas, the clerk’s windows, and the courtroom door, which adjoins secured work areas before they are screened.” To address this deficiency, it seems logical to create a front alcove at the E. Market Street entrance so that any visitors to the Justice Center would be screened prior to entering the building and the Court. The benefit to this is that it will also allow screening of visitors to the Xenia Police Division, Dispatch, and the City Law Department. App Architecture recently completed a feasibility study for constructing a front alcove and submitted a proposed design fee of \$20,450. The current plan is to complete the design in 2021 followed by construction in 2022. City staff will be working with the Court on a plan for funding the improvements over the next few months.

Cover Memo
Attachments: N/A



XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Budgetary Impact:	233-1441-55508	\$25,000
	101-1009-53290	\$10,225
	363-1009-53290	\$10,225

Recommendation: Adopt Ordinance 2021-08, as an emergency, to make amendments to the appropriation of funds for 2021 for the reasons described above.

**CITY OF XENIA, OHIO
ORDINANCE 2021 – 08**

AMENDING ORDINANCE 2021-07 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY

WHEREAS, the pedestrian beacon at the intersection of E. Main Street and S. Whiteman Street needs to be replaced in accordance with ODOT’s Manual of Uniform Traffic Control Devices;

WHEREAS, last year the Ohio Supreme Court conducted a safety and security study of the Xenia Municipal Court and found that there was a lack of a sufficient area to screen visitors before entering the Court’s operational area;

WHEREAS, there is a need to make appropriations to replace the pedestrian beacon at E. Main Street and S. Whiteman Street and for the design of a front alcove at the Xenia Justice Center’s E. Market Street entrance; and

WHEREAS, Sections 5.04 and 9.07 of the City’s Charter provide for such emergency appropriations, when such appropriations are made pursuant to an emergency ordinance,

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

Section 1. This Ordinance is an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Xenia, Ohio. The reason for such necessity arises from the need to amend the appropriations for current expenses and other expenditures, for the fiscal year ending December 31, 2021, to ensure the continued, usual, daily operation of the City government and to allow for the replacement of the pedestrian beacon at E. Main Street and S. Whiteman Street and to allow for the design of a front alcove at the Xenia Justice Center’s E. Market Street entrance.

Section 2. To provide for current expenses and other expenditures of the City of Xenia, Ohio, for the fiscal year ending December 31, 2021, the following sums in Exhibit A are hereby appropriated, with the following sums to show the following amendments:

101 – General Fund	
Operating	Increase by \$10,225
233 – Special Miscellaneous Imp	
Capital	Increase by \$25,000
363 – Municipal Court Capital Imp	
Operating	Increase by \$10,225

Section 3. Existing Ordinance 2021-07 is hereby repealed.

Section 4. The Finance Director is hereby authorized to make payments from any of the appropriations herein made, upon receiving proper claims, certificates and/or vouchers approved by the officials, department heads, or their respective designees, authorized by law, City Charter or this Ordinance to approve the same, or upon an ordinance or resolution of Council to make expenditures; provided, however, that no payments for salaries or wages shall be made except to persons employed in accordance with the ordinances of the City of Xenia and/or laws of the State of Ohio.

Section 5. In accordance with the City's Charter, no warrant for payment of any claim shall be issued by the Finance Director until such claim has first been approved by the City Manager and funds therefore appropriated by Council. No warrant for payment of any contract for goods or services shall be issued by the Finance Director unless the contract has been executed by the City Manager and endorsed by the Law Director. No warrant for payment for legal services of outside counsel shall be issued by the Finance Director unless such special counsel has been employed by the Law Director, who is hereby authorized to employ special counsel to handle particular legal matters for the City within the limits of the appropriation for such services made by this Council.

Section 6. The Finance Director is hereby authorized, in accordance with the Charter and Ordinances of the City, to adjust appropriations within any Fund or Department, so long as the adjustments made do not exceed the total appropriations authorized within any Fund. In addition, the Finance Director is hereby authorized to establish additional accounts within any Fund as may from time to time be required to ensure proper accounting or by the State of Ohio.

Section 7. 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 Chapter 121 of the Ohio Revised Code.

Section 8. This Ordinance shall take effect upon its adoption, in accordance with Sections 5.04 and 9.07 of the City's Charter.

Adopted: April 8, 2021

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

**Ordinance 2021-08
Exhibit A**

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
1. 101 - GENERAL FUND				
1001 - GEN GOVT/LEG AFF PERSONNEL	\$38,459.00			
OPERATING	\$263,338.65	\$301,797.65		
1002 - MUNICIPAL COURT PERSONNEL	\$1,081,200.00			
OPERATING	\$478,487.49	\$1,559,687.49		
1003 - LAW DIRECTOR PERSONNEL	\$181,888.00			
OPERATING	\$104,863.37	\$286,751.37		
1004 - CITY MANAGER PERSONNEL	\$153,636.00			
OPERATING	\$34,673.84	\$188,309.84		
1005 - HUMAN RESOURCES PERSONNEL	\$29,191.00			
OPERATING	\$31,304.65	\$60,495.65		
1006 - FINANCE OFFICE PERSONNEL	\$149,914.00			
OPERATING	\$65,365.23	\$215,279.23		
1007 - INCOME TAX PERSONNEL	\$37,011.00			
OPERATING	\$358,937.97	\$395,948.97		
1009 - MUNICIPAL BLDG & GENERAL SERVICES OPERATING	\$207,183.63	\$207,183.63	\$196,958.63	
1010 - MANAGEMENT INFORMATION SERVICES PERSONNEL SERVICES	\$177,487.00			
OPERATING	\$0.00	\$177,487.00		
1011 - CITY CLERK PERSONNEL	\$45,268.00			
OPERATING	\$50,232.86	\$95,500.86		
1013 - PUBLIC AFFAIRS AND CATV ADMIN PERSONNEL	\$0.00			
OPERATING	\$78,344.64	\$78,344.64		

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
1018 - MUNICIPAL ADMINISTRATIVE BUILDING PERSONNEL OPERATING	\$18,846.00 \$97,861.84	\$116,707.84		
1020 - OTHER FACILITIES/PROPERTIES OPERATING	\$56,208.59	\$56,208.59		
1050 - CEMETERY OPERATING	\$26,550.00	\$26,550.00		
1227 - BLDG INSPECTION OPERATING	\$0.00	\$0.00		
1228 - STREET LTS OPERATING	\$286,451.05	\$286,451.05		
1229 - HOMELAND SECURITY/RISK MGT. OPERATING	\$41,066.09	\$41,066.09		
1442 - GEN PARK MAINT PERSONNEL OPERATING	\$119,552.00 \$188,327.36	\$307,879.36		
1550 - ECONOMIC DEVELOPMENT PERSONNEL OPERATING	\$97,089.00 \$48,249.48	\$145,338.48		
1551 - NEIGHBORHOOD SERVICES PERSONNEL OPERATING	\$67,131.00 \$41,970.38	\$109,101.38		
1552 - PLANNING PERSONNEL OPERATING	\$116,107.00 \$67,551.76	\$183,658.76		
1553 - PROPERTY MAINT. PERSONNEL OPERATING	\$48,841.00 \$109,889.89	\$158,730.89		
1555 - ENGINEERING PERSONNEL OPERATING	\$53,081.00 \$75,778.21	\$128,859.21		
1556 - CONSTRUCTION INSPECTION PERSONNEL OPERATING	\$34,542.00 \$9,438.09	\$43,980.09		
1557 - XENIA STATION OPERATING	\$40,718.11	\$40,718.11		
7001 - INTERFUND LOANS INTERFUND LOANS	\$1,053,000.00	\$1,053,000.00		
9001 - TRANSFERS	\$6,613,835.00	\$6,613,835.00		
TOTAL GENERAL FUND		\$12,868,646.18	\$12,878,871.18	
Less Encumbrances - 12/31/20				(\$422,512.18)
2021 APPROPRIATION			\$12,446,134	\$12,456,359.00

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
II. SPECIAL REVENUE FUNDS				
203 - RECREATION SPECIAL				
OPERATING	\$36,018.77			
TOTAL RECREATION SPECIAL			\$36,018.77	
Less Encumbrances - 12/31/20				(\$4,718.77)
2021 APPROPRIATION				<u>\$31,300.00</u>
212 - INDIGENT DRIVER ALCOHOL TREATMENT				
OPERATING	\$145,530.00			
TOTAL INDIGENT DRIVER ALCOHOL TREATMENT			\$145,530.00	
Less Encumbrances - 12/31/20				(\$56,420.00)
2021 APPROPRIATION				<u>\$89,110.00</u>
213 - LAW ENFORCEMENT AND EDUCATION				
OPERATING	\$6,300.00			
TOTAL LAW ENFORCEMENT AND EDUCATION			\$6,300.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$6,300.00</u>
214 - PROBATION SERVICES FUND				
PERSONNEL	\$433,642.00			
OPERATING	\$140,186.04			
CAPITAL	\$500.00			
TOTAL PROBATION SERVICES FUND			\$574,328.04	
Less Encumbrances - 12/31/20				(\$11,565.04)
2021 APPROPRIATION				<u>\$562,763.00</u>
221 - STATE GASOLINE LICENSE VEHICLE FUND				
PERSONNEL	\$1,008,226.00			
OPERATING	\$613,765.44			
CAPITAL	\$200,000.00			
REFUND	\$2,000.00			
TOTAL STATE GASOLINE LICENSE VEHICLE FUND			\$1,823,991.44	
Less Encumbrances - 12/31/20				(\$149,353.44)
2021 APPROPRIATION				<u>\$1,674,638.00</u>
222 - STATE ROUTE REPAIR FUND				
PERSONNEL	\$20,027.00			
OPERATING	\$127,903.07			
TOTAL STATE ROUTE REPAIR FUND			\$147,930.07	
Less Encumbrances - 12/31/20				(\$41,315.07)
2021 APPROPRIATION				<u>\$106,615.00</u>
228 - MUNICIPAL MOTOR VEHICLE LICENSE FEE FUND				
OPERATING	\$1,147.97			
CAPITAL	\$345,000.00			
DEBT SERVICE	\$0.00			
TOTAL MUN MOTOR VEHICLE LICENSE FEE FUND			\$346,147.97	
Less Encumbrances - 12/31/20				(\$151,147.97)
2021 APPROPRIATION				<u>\$195,000.00</u>
229 - COUNTY AUTO TAX FUND				
CAPITAL	\$133,000.00			
INTERFUND LOAN	\$133,000.00			
TOTAL COUNTY AUTO TAX FUND			\$266,000.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$266,000.00</u>

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
233 - SPECIAL MISCELLANEOUS IMPROVEMENT FUND				
PERSONNEL	\$26,158.00			
OPERATING	\$168,973.29			
CAPITAL	\$115,000.00	\$90,000		
TOTAL SPECIAL MISC IMPROVEMENT FUND		\$285,131.29	\$310,131.29	
Less Encumbrances - 12/31/20				(\$50,936.29)
2021 APPROPRIATION			\$234,195	\$259,195.00
234 - TAX INCREMENT EQUIVALENT FUND				
OPERATING	\$5,137.18			
TOTAL TAX INCREMENT EQUIVALENT FUND			\$5,137.18	
Less Encumbrances - 12/31/20				(\$5,123.00)
2021 APPROPRIATION				\$14.18
236 - XENIA TOWNE SQUARE REDEVELOPMENT FUND				
OPERATING	\$239,250.00			
TRANSFERS	\$247,000.00			
TOTAL 911 FEE FUND			\$486,250.00	
PERSONNEL				\$0.00
OPERATING				\$486,250.00
250 - 911 FEE FUND				
PERSONNEL	\$113,148.00			
OPERATING	\$109,908.53			
CAPITAL	\$561,181.96			
DEBT SERVICE	\$51,103.00			
TOTAL 911 FEE FUND			\$835,341.49	
Less Encumbrances - 12/31/20				(\$466,034.49)
2021 APPROPRIATION				\$369,307.00
251 - LAW ENFORCEMENT FUND				
OPERATING	\$55,343.26			
CAPITAL	\$11,518.00			
TOTAL LAW ENFORCEMENT FUND			\$66,861.26	
Less Encumbrances - 12/31/20				(\$3,161.26)
2021 APPROPRIATION				\$63,700.00
252 - DRUG LAW ENFORCEMENT FUND				
OPERATING	\$18,000.00			
TOTAL DRUG LAW ENFORCEMENT FUND			\$18,000.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				\$18,000.00
253 - MUNIC.CT VICTIM FD.				
PERSONNEL	\$269,595.00			
OPERATING	\$40,720.84			
TOTAL MUNICIPAL COURT VICTIM FUND			\$310,315.84	
Less Encumbrances - 12/31/20				(\$8,362.09)
2021 APPROPRIATION				\$301,953.75
270 - POLICE & FIRE FUND				
PERSONNEL	\$14,189,336.00			
OPERATING	\$2,400,936.84			
CAPITAL	\$500.00			
TOTAL POLICE & FIRE FUND			\$16,590,772.84	
Less Encumbrances - 12/31/20				(\$227,507.84)
2021 APPROPRIATION				\$16,363,265.00
GRAND TOTAL SPECIAL REVENUE FUNDS		\$21,944,056.19	\$21,969,056.19	
Less Encumbrances - 12/31/20				(\$1,175,645.26)
2021 APPROPRIATION			\$20,768,410.93	\$20,793,410.93

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
III. CAPITAL PROJECTS FUNDS				
361 - GENERAL CAPITAL IMPROVEMENT FUND				
OPERATING	\$388,359.93			
CAPITAL	\$2,552,983.99			
DEBT SERVICE	\$456,099.00			
INTERFUND LOAN	\$332,820.00			
TOTAL GENERAL CAPITAL IMPROVEMENT FUND			\$3,730,262.92	
Less Encumbrances - 12/31/20				(\$842,291.92)
2021 APPROPRIATION				<u>\$2,887,971.00</u>
362 - ISSUE 2 CAPITAL IMPROVEMENT FUND				
CAPITAL	\$291,096.00			
TOTAL ISSUE 2 CAPITAL IMPROVEMENT FUND			\$291,096.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$291,096.00</u>
363 - MUN CT CAPITAL IMPROVEMEN				
PERSONNEL	\$19,279.00			
OPERATING	\$117,009.52	\$106,784.52		
CAPITAL	\$8,300.00			
TOTAL MUN COURT CAPITAL IMPROVEMENT FUND		\$134,363.52	\$144,588.52	
Less Encumbrances - 12/31/20				(\$3,818.52)
2021 APPROPRIATION			\$130,545.00	<u>\$140,770.00</u>
364 - POLICE/FIRE CAPITAL FUND				
OPERATING	\$145,652.01			
CAPITAL	\$5,862,000.00			
DEBT SERVICE	\$114,304.00			
TOTAL POLICE/FIRE CAPITAL FUND			\$6,121,956.01	
Less Encumbrances - 12/31/20				(\$535,000.00)
2021 APPROPRIATION				<u>\$5,586,956.01</u>
365 - BOND CONSTRUCTION FUND				
OPERATING	\$19,576.37			
CAPITAL	\$0.00			
TOTAL BOND CONSTRUCTION FUND			\$19,576.37	
TOTAL INDIGENT DRIVER ALCOHOL				(\$10,969.85)
Less Encumbrances - 12/31/20				\$8,606.52
2021 APPROPRIATION				<u>\$8,606.52</u>
GRAND TOTAL CAPITAL PROJECTS FUNDS				
		\$10,297,254.82	\$10,307,479.82	
Less Encumbrances - 12/31/20				(\$1,392,080.29)
2021 APPROPRIATION			\$8,905,174.53	<u>\$8,915,399.53</u>
IV. DEBT SERVICE FUNDS				
471 - GENERAL OBLIGATION BOND RETIREMENT FUND				
TRANSFERS	\$119,038.00			
TOTAL GEN. OB. BOND PAYMENT FUND			\$119,038.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$119,038.00</u>
472 - 2015 GENERAL OBLIGATION BOND RETIREMENT FUND				
DEBT SERVICE	\$516,000.00			
TOTAL GEN. OB. BOND PAYMENT FUND			\$516,000.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$516,000.00</u>
473 - 2021 GENERAL OBLIGATION BOND RETIREMENT FUND				
CAPITAL	\$3,350,000.00			
DEBT SERVICE	\$247,000.00			
TOTAL 2015 GENERAL OBLIGATION BOND RETIREMENT FUND			\$3,597,000.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$3,597,000.00</u>
GRAND TOTAL DEBT SERVICE FUNDS				
			\$4,232,038.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$4,232,038.00</u>

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
V. ENTERPRISE FUNDS				
601 - COMMUNITY DEVELOPMENT BLOCK GRANT/REVOLVING LOAN FUND				
OPERATING	\$3,000.00			
CAPITAL	\$157,000.00			
TOTAL COM DEV BLOCK GRANT/REV LOAN FUND			\$160,000.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$160,000.00</u>
602 - LOAN TRUST FUND				
OPERATING	\$265,883.00			
TOTAL LOAN TRUST FUND			\$265,883.00	
Less Encumbrances - 12/31/20				(\$115,352.00)
2021 APPROPRIATION				<u>\$150,531.00</u>
603 - HOUSING REHABILITATION GRANT FUND				
PERSONNEL	\$5,442.00			
OPERATING	\$863,903.23			
TOTAL HOUSING REHABILITATION FUND			\$869,345.23	
Less Encumbrances - 12/31/20				(\$443,891.23)
2021 APPROPRIATION				<u>\$425,454.00</u>
611 - WATER REVENUE FUND				
PERSONNEL	\$2,355,128.00			
OPERATING	\$1,150,495.27			
DEBT SERVICE	\$555,130.48			
TRANSFERS	\$830,599.00			
TOTAL WATER REVENUE FUND			\$4,891,352.75	
Less Encumbrances - 12/31/20				(\$201,039.75)
2021 APPROPRIATION				<u>\$4,690,313.00</u>
612 - SEWER REVENUE FUND				
PERSONNEL	\$2,520,354.00			
OPERATING	\$1,372,525.61			
DEBT SERVICE	\$742,757.00			
TRANSFERS	\$2,526,936.00			
TOTAL SEWER REVENUE FUND			\$7,162,572.61	
Less Encumbrances - 12/31/20				(\$310,640.61)
2021 APPROPRIATION				<u>\$6,851,932.00</u>
613 - SANITATION REVENUE FUND				
PERSONNEL	\$478,282.00			
OPERATING	\$2,139,715.20			
DEBT SERVICE	\$628.00			
TRANSFERS	\$625,645.00			
TOTAL SANITATION REVENUE FUND			\$3,244,270.20	
Less Encumbrances - 12/31/20				(\$221,659.20)
2021 APPROPRIATION				<u>\$3,022,611.00</u>

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
614 - STORM WATER FEES				
PERSONNEL	\$224,502.00			
OPERATING	\$107,899.30			
DEBT SERVICE	\$628.00			
TRANSFERS	\$0.00			
TOTAL STORM WATER FEES			\$333,029.30	
Less Encumbrances - 12/31/20				(\$16,623.30)
2021 APPROPRIATION				<u>\$316,406.00</u>
615 - PARKING REVENUE FUND				
PERSONNEL	\$31,466.00			
OPERATING	\$110,648.21			
TOTAL PARKING REVENUE FUND			\$142,114.21	
Less Encumbrances - 12/31/20				(\$1,165.21)
2021 APPROPRIATION				<u>\$140,949.00</u>
664 - WATER REPLACEMENT AND IMPROVEMENT FUND				
OPERATING	\$1,033,444.50			
CAPITAL	\$1,162,470.75			
TOTAL WTR REPL AND IMPROVEMEN			\$2,195,915.25	
Less Encumbrances - 12/31/20				(\$501,343.28)
2021 APPROPRIATION				<u>\$1,694,571.97</u>
665 - SEWER PLANT AND TRUNK FUND				
OPERATING	\$2,972,922.56			
CAPITAL	\$1,040,225.83			
TOTAL SEWER PLANT AND TRUNK FI			\$4,013,148.39	
Less Encumbrances - 12/31/20				(\$559,960.16)
2021 APPROPRIATION				<u>\$3,453,188.23</u>
666 - SANITATION CAPITAL IMPROVEMENT FUND				
OPERATING	\$280,088.71			
CAPITAL	\$270,000.00			
TOTAL SANITATION CAPITAL IMPROVMT FUND			\$550,088.71	
Less Encumbrances - 12/31/20				(\$146,901.02)
2021 APPROPRIATION				<u>\$403,187.69</u>
667 - STORM WATER CAPITAL IMPROVEMENT FUND				
OPERATING	\$211,147.41			
TOTAL SANITATION CAPITAL IMPROVMT FUND			\$211,147.41	
Less Encumbrances - 12/31/20				(\$15,217.33)
2021 APPROPRIATION				<u>\$195,930.08</u>
GRAND TOTAL ENTERPRISE FUNDS			\$24,038,867.06	
Less Encumbrances - 12/31/20				(\$2,533,793.09)
2021 APPROPRIATION				<u>\$21,505,073.97</u>

CODE/FUND DEPARTMENT PURPOSE	AMOUNTS	DEPARTMENT TOTAL	FUND TOTAL	ENCUMBRANCE TYPE GRAND TOTAL
VI. INTERNAL SERVICE FUNDS				
708 - UTILITY BILLING FUND				
OPERATING	\$210,410.91			
TOTAL UTILITY BILLING FUND			\$210,410.91	
Less Encumbrances - 12/31/20				(\$32,812.52)
2021 APPROPRIATION				<u>\$177,598.39</u>
709 - CITY GARAGE FUND				
PERSONNEL	\$198,718.00			
OPERATING	\$1,002,568.54			
CAPITAL	\$5,387.00			
TOTAL CITY GARAGE FUND			\$1,206,673.54	
Less Encumbrances - 12/31/20				(\$230,442.54)
2021 APPROPRIATION				<u>\$976,231.00</u>
710 - INFORMATION TECHNOLOGY FUND				
OPERATING	\$1,443,209.02			
CAPITAL	\$1,054,759.17			
DEBT SERVICE	\$23,297.00			
TOTAL INFORMATION TECHNOLOGY FUND			\$2,521,265.19	
Less Encumbrances - 12/31/20				(\$594,544.91)
2021 APPROPRIATION				<u>\$1,926,720.28</u>
711 - SELF INSURANCE FUND				
PERSONNEL	\$0.00			
OPERATING	\$3,509,932.00			
CAPITAL	\$0.00			
REFUNDS	\$0.00			
TOTAL SELF INSURANCE FUND			\$3,509,932.00	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$3,509,932.00</u>
GRAND TOTAL INTERNAL SERVICE FUNDS			\$7,448,281.64	
Less Encumbrances - 12/31/20				(\$857,799.97)
2021 APPROPRIATION				<u>\$6,590,481.67</u>
VII. TRUST FUNDS				
901 - INSURANCE DEPOSIT				
OPERATING	\$40,000.00			
REFUNDS	\$90,671.33			
TOTAL INSURANCE DEPOSIT FUND			\$130,671.33	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$130,671.33</u>
902 - UNCLAIMED FUNDS				
REFUNDS	\$40,000.00			
TOTAL INSURANCE DEPOSIT FUND			\$40,000.00	
203 - RECREATION SPECIAL				
PERSONNEL				\$0.00
				<u>\$40,000.00</u>
GRAND TOTAL TRUST FUNDS			\$170,671.33	
Less Encumbrances - 12/31/20				\$0.00
2021 APPROPRIATION				<u>\$170,671.33</u>
GRAND TOTAL ALL FUNDS		\$80,999,815.22	\$81,045,265.22	
Less Encumbrances - 12/31/20				(\$6,381,830.79)
2021 APPROPRIATION			<u>\$74,617,984.43</u>	<u>\$74,663,434.43</u>



XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

First Reading: April 8, 2021
2nd Reading & Vote: April 22, 2021
Effective Date: April 22, 2021

Agenda Item: **Resolution 2021-U**
AUTHORIZING THE PURCHASE OF IT SECURITY PROGRAMS AND PROFESSIONAL SERVICES BY THE IT DEPARTMENT OF UP TO \$75,000 WITHOUT COMPETITIVE BIDDING

Submitted By: Keith Pagett, IT Director
Presented By: Ryan Duke, Finance Director

Scope/Description: Section 9.16 of the City's Charter states that Council may authorize expenditures in excess of the monetary threshold set by Council (\$25,000) without bidding, for personal and professional services and for products and services of public utilities. As the professional services and programs needed by the IT Department to protect City systems and utilities fall within these two categories, Council may authorize the IT Department to purchase IT security programs and services over \$25,000 without Council approval and without competitive bidding.

Council often awards these individual contracts without bidding, because of the specialized nature of these products and services, when the amount of the purchase exceeds \$25,000 in a public meeting. Staff is requesting that Council approve a different threshold for the purchase of IT security programs and services in order to avoid the publication of these programs, services, and systems at such time that Council would award an individual contract. Identifying systems and vendors related to network security in a public meeting may compromise the City's strategies and systems. The less that a bad actor understands or has knowledge of the City's systems and related strategies, the better the City's chances of detecting a cybersecurity threat. For this reason, staff is requesting Council to authorize the IT Department to purchase IT security programs and services up to \$75,000 without individual awards by City Council for each such purchase.

Cover Memo Attachments: None

Budgetary Impact: None

Recommendation: It is the recommendation of City staff that City Council approve Resolution 2021-U authorizing the purchase of IT security programs and services up to \$75,000 without competitive bidding and without further approval of Council of such individual purchases.

**CITY OF XENIA, OHIO
RESOLUTION 2021 – U**

**AUTHORIZING THE PURCHASE OF IT SECURITY PROGRAMS AND
PROFESSIONAL SERVICES BY THE IT DEPARTMENT OF UP TO \$75,000
WITHOUT COMPETITIVE BIDDING**

WHEREAS, Section 9.16 of the City’s Charter states that this Council may authorize the expenditure of funds in amounts exceeding the limit set by Council under that Section, and without competitive bidding;

WHEREAS, the City’s IT Department must acquire security programs and professional services to protect the City’s information technology network and devices connected to that network and recommends, for security reasons, that such purchases be made without public discussion and Council approval so as to provide a greater level of security; and

WHEREAS, certain products and services related to network security may exceed the \$25,000 threshold but would rarely exceed \$75,000;

WHEREAS, this Council finds it to be in the best interests of the City, in order to protect the City Information Technology Network and appurtenances thereof, which if compromised may impact health, safety, security of personal information, and services rendered to the public,

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

Section 1. In accordance with Section 9.16 of the City’s Charter, the City’s IT Department is hereby authorized to purchase IT security programs and professional services of up to \$75,000 without further approval of Council and without competitive bidding.

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

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

Introduced: April 4, 2021

Passed:

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

1st Reading: April 8, 2021
2nd Reading & Vote: April 22, 2021
Effective Date: April 22, 2021

Agenda Item: **RESOLUTION 2021-V**
AUTHORIZING A PROPERTY USE AGREEMENT WITH STUDIO B SIGNS FOR THE USE OF THE CITY-OWNED PROPERTY LOCATED AT 713 N. DETROIT STREET

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

Scope/Description: The City currently owns two parcels of property at 713 N. Detroit Street, which have great traffic visibility and have long been used as a location for signage to inform the community of local events. The parcels have limited commercial or residential value due to their inability for ingress and egress.



In 2005, the City contracted with Studio B Signs to construct a permanent sign at this location to provide an increased level of communication of community events. Studio B Signs maintains the sign and the immediately adjacent landscaping, and coordinates the rental and messages on the sign. The City provides electricity to the sign as well as mows the remainder of the lot.

This new use agreement will keep in place our long-standing arrangement for the use of the sign focusing on local nonprofits and community wide events and limiting commercial and political advertising on the sign. The City will also continue to receive seven (7) free days per month for use to advertise City events. The City has had no issues with use of sign, and staff supports the continued partnership with Studio B Signs.

Cover Memo
Attachment(s): None

Budgetary Impact: N/A

Recommendation: It is the recommendation of staff that Council approve, by Resolution, a Property Use Agreement with Studio B Signs for the continued placement and maintenance of the sign at 713 N. Detroit Street.

**CITY OF XENIA, OHIO
RESOLUTION 2021 – V**

**AUTHORIZING A PROPERTY USE AGREEMENT WITH STUDIO B SIGNS FOR THE USE
OF CITY-OWNED PROPERTY LOCATED AT 713 N. DETROIT STREET**

WHEREAS, Section 723.121 of the Ohio Revised Code grants to the legislative authority of a municipal corporation the authority to permit the use of, for such period as it shall determine, any lands owned by municipality not needed for street or highway purposes;

WHEREAS, the lease agreement with Studio B Signs for the City-owned property at 713 N. Detroit Street for the construction and maintenance of a message board sign has expired; and

WHEREAS, the City and Studio B Signs wish to execute a Property Use Agreement for the continued placement and maintenance of the sign on the City-owned property at 713 N. Detroit Street,

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

Section 1. The City Manager is hereby authorized to execute an Agreement for the Use of City Property (“Property Use Agreement”) with Studio B Signs to provide for the management and maintenance of the existing message board sign on the City-owned property at 713 N. Detroit Street.

Section 2. In no case shall the City of Xenia be liable for any damages that may arise through, or because of, Studio B Signs’ use of the City’s property, and the Property Use Agreement authorized pursuant to Section 1 of this Resolution, above, shall contain an indemnification clause in favor of the City of Xenia and the public reflecting the same.

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 Section 121.22 of the Ohio Revised Code.

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

Introduced: April 8, 2021

Passed:

Attest:

Wesley E. Smith
President, Xenia City Council

Michelle D. Johnson
City Clerk

City of Xenia, Ohio

AGREEMENT FOR USE OF CITY PROPERTY

This Agreement is entered into this ____ day of April, 2021, by and between the **City of Xenia, Ohio**, whose mailing address is 107 E. Main Street, Xenia, Ohio 45385, hereinafter “City,” by the authority of the Xenia City Manager, as provided in the Codified Ordinances of the City of Xenia, Ohio, and as approved by the Council of the City of Xenia on April 22, 2021, and **James Timothy Harner, d/b/a Studio B Signs**, an Ohio sole proprietorship, whose mailing address is 286 Purcell Drive, Xenia, Ohio 45385, hereinafter “User.”

WITNESSETH, that for and in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

- 1. Permit to Use.** The City hereby permits User to use the City’s property, described herein as “the Premises,” located at 713 North Detroit Street, Xenia, Ohio for the purpose of providing management and maintenance on an existing message board sign (“the Sign”), seven (7) days a week at the User's expense including repair parts and labor. During the term of this Agreement, the Sign shall be maintained by the User in conformance with previously agreed standards, as set forth in EXHIBIT A.
- 2. Premises.** The Premises which are the subject of this Agreement consist of approximately twenty square feet (20 sq. ft.) of land at 713 North Detroit Street, Xenia, Ohio, sitting approximately 26.6 feet from the north property line and approximately 10 feet from the west property line, where the Sign is currently located.
- 3. Term.** This Agreement shall take effect on the date first above written and shall remain in full force and effect until such time as the City notifies User in writing that the City has need of the premises for street, utility, or other purposes, or until otherwise terminated in accordance herewith.
- 4. Condition Subsequent.** User shall provide to the City plans and specifications for any structural changes, modifications or replacements to the Sign, which must be approved by the City as not interfering with the City’s uses of the Premises for its purposes and not unduly endangering the public. The City shall not unreasonably withhold approval of such plans, specifications, and contemplated use.
- 5. Use; Maintenance.** User and City agree to continue previously agreed upon use and maintenance standards as outlined in Exhibit A. The City shall have no duty to maintain and/or keep in good repair the Sign, and User assumes sole responsibility for the maintenance and repair of the Sign. The User shall ensure that the Sign remains on the Premises throughout the term of this Agreement, subject to the User’s responsibility to make repairs and maintenance.
- 6. Insurance.** User shall keep the Premises insured against claims for personal injury and property damage under a policy of comprehensive public liability insurance for both the protection of the User and the City. The City shall be named as an additional insured and the City’s name shall be added to the policy for the purposes of notification in case of cancellation. User shall provide the City proof of such insurance annually, on or before the 1st day of March.
- 7. Indemnification.** User hereby agrees that it will assume all risk of injuries to property or persons, including death, resulting from or arising out of its use of the premises, or in connection therewith, or appertaining thereto, whether sustained by User, the employees of the User, its customers, its visitors, or any other person. USER DOES HEREBY AGREE TO PROTECT, INDEMNIFY AND HOLD

HARMLESS THE CITY AGAINST ANY AND ALL ACTIONS, CLAIMS, DEMANDS OR LIABILITIES FOR DEATH, PERSONAL INJURIES OR PROPERTY DAMAGE ARISING FROM USER'S USE OF THE PREMISES BY ANY PERSON FOR ANY CAUSE WHATSOEVER, REGARDLESS OF ANY NEGLIGENCE ON THE PART OF THE CITY, ITS REPRESENTATIVES OR EMPLOYEES, UNLESS THE CITY OR ITS REPRESENTATIVES OR EMPLOYEES ARE DETERMINED BY THE GREENE COUNTY COURT OF COMMON PLEAS TO BE SOLELY NEGLIGENT. IN ADDITION, USER SHALL PAY ALL EXPENSES WHICH THE CITY MAY INCUR IN THE INVESTIGATION AND/OR DEFENSE OF ANY SUCH CLAIM, INCLUDING COUNSEL FEES AND COURT COSTS. USER HEREBY AGREES TO GIVE THE CITY PROMPT NOTICE OF ANY CLAIM OR SUIT THAT MAY RESULT IN A JUDGMENT AGAINST THE CITY.

8. Termination.

A. By the City: In addition to any other right of termination under this Agreement or by law, the City may terminate this Agreement if any of the following occur:

- (1) The City determines it has need of the Premises for street or utility purposes;
- (2) The City decides to abandon or otherwise dispose of the Premises;
- (3) User assigns or attempts to assign its rights or interests, or any part thereof, under this Agreement to any other party without the prior written consent of the City;
- (4) User voluntarily abandons its Sign on the Premises for a continuous period of six (6) months;
or
- (5) User defaults under any condition of this Agreement, and the default is not cured within thirty (30) days after written notice of default. If the default is such that it cannot reasonably be corrected within thirty (30) days, it will be considered timely cured if User begins corrective measures promptly after notice and diligently prosecutes them to completion, provided the default is fully corrected within a reasonable time.

B. By User: In addition to any other right of termination under this Agreement or by law, User may terminate this Agreement if any of the following occur:

- (1) User is prevented by court order from using the Premises, or a substantial part thereof, for a continuous period of six (6) months; or
- (2) The City defaults under any condition of this Agreement, and the default is not cured within thirty (30) days after written notice of default. If the default is such that it cannot reasonably be corrected within thirty (30) days, it will be considered timely cured if the City begins corrective measures promptly after notice and diligently prosecutes them to completion, provided the default is fully corrected within a reasonable time.

C. Notice of Termination; Effective Date. In order to exercise a right of termination under this section, the party entitled to terminate this Agreement shall give the other party written notice of cancellation, specifying the reason under division A. or B. of this section, and specifying the date termination becomes effective, which shall be not less than thirty (30) nor more than ninety (90) days from the date of the notice. At any time before the effective date of termination specified in the notice, the notice of cancellation may be rescinded in writing by the party giving it, in which case the parties shall be in the same position as if notice of cancellation had not been given.

9. Surrender of Premises. At the end of the term of this Agreement, or upon termination of this Agreement by either party, the User shall surrender use of the Premises to the City. Upon termination for any reason, the City may request the User to remove the Sign. If not so requested, the Sign shall become the property of the City upon termination.

10. Miscellaneous.

- A. Neither party shall assign, sublet, or transfer their interest in this Agreement without the express written consent of the other party.
- B. This Agreement represents the entire and integrated agreement of the parties, and supersedes all prior negotiations, representations, and/or agreements, written or oral.
- C. This Agreement may only be amended or modified upon the written agreement of the parties, as evinced by an Addendum to this Agreement.
- D. This Agreement and all rights and obligations of the parties hereunder, shall be construed and governed by the laws of the State of Ohio.
- E. Any written notices required under this Agreement shall be served by certified mail, return receipt requested, or by personal service upon the other Party at the address listed above or to the tax mailing address.

Witness our signatures on the date first above written.

James Timothy Harner,
d/b/a Studio B Signs:

City of Xenia, State of Ohio:

By: _____
James Timothy Harner, Owner

By: _____
Brent W Merriman, City Manager

Approved as to form:

Donnette A. Fisher, Law Director

EXHIBIT A

1. The Sign location shall remain at 713 N. Detroit Street, Xenia, Ohio, sitting approximately twenty-six and sixth tenths feet (26.6') from the north property line and approximately ten feet (10') from the west property line. The Sign will remain facing traffic in a north/south direction.
2. The User shall provide full maintenance on the Sign seven (7) days a week at the User's expense including repair parts and labor.
3. The User shall provide to the City a customer service telephone number for service, inquiries, complaints, and repairs.
4. The User will be the point of contact for handling all questions and arrangements for space rental on the Sign.
5. The User agrees to abide by the following rules for the use of the Sign:
 - a. The Sign will only be rented out to Greene County based non-profit organizations and Government Agencies for their events. Advertisement shall follow the maximum day's restriction of thirty (30) days for non-profit organizations. Income from rent will go to User.
 - b. Messages on the Sign will not be obscene, crude or inappropriate nor be designed to incite hate for any person's race, creed, gender, sexual orientation, age or handicap status, riots, or other illegal activity, as determined by the City.
 - c. Advertisement by retail, commercial, and industrial establishments will not be allowed unless it promotes Xenia, subject to the approval of both the City and User.
 - d. Business sponsored non-profit, public events like "Fishing Derby at Shawnee Park" shall be allowed.
 - e. Space shall not be rented out for political events or political candidates.
 - f. The User will maintain records of the organizations renting Sign space and provide to the City an annual accounting, by June 1st of each year, of said rentals along with figures showing rent received by the User. The City shall have the right to inspect the User's records after giving thirty (30) days written notice.
 - g. The City will be granted the right to use the Sign space for at least seven (7) calendar days per month for its sponsored events or public information, or as needed, in the event that the sign is not booked for non-City events. The City may request longer time periods and trade off time from a future month's allocations. It is the City's responsibility to notify the User in a timely manner with upcoming events that should be on the sign so the week can be reserved in advance. If no effort is made from the City for the use of the sign, then the City's right to use the sign is forfeited for that month.
 - h. The User shall be solely responsible for message changes.
6. The City shall cut the grass in the lawn area surrounding the Sign.
7. The City shall extend the power supply to the sign and pay the cost of electricity consumed in the use of the Sign.
8. The City agrees to promptly notify User of any customer inquiries, conditions or service problems.
9. The City shall not move, disconnect, or tamper with the Sign, nor shall the City modify or alter the Sign or permit anyone other than authorized representatives of the User to perform any service or repair work on the Sign, unless the User has given prior written authorization.

10. The changeable face aspect of the Sign shall be three and one half feet (3.5') by eight feet (8'), with a white copy face on two sides, with a one foot (1') metal header on top, reading: Xenia Community Events. Metal elements of the Sign shall be painted medium blue and feature white letters. The base of the Sign shall feature a gray stone veneer, as shown below. Message board letters shall be medium blue. The Sign shall be internally lit. Total height of the Sign shall be no more than six (6'). The Sign shall be oriented for vehicular traffic on North Detroit Street. The faces of the Sign shall have vandal covers. Any changes, improvements or modifications to these parameters must be agreed to in writing.



Meeting Date: April 8, 2021

Title: **Administrative Motion** – Approving the City’s Budget Priorities for 2022

Submitted By: Jared Holloway, Assistant City Manager
Presenter: Brent Merriman, City Manager

Summary: The City Charter requires that, each year, City Council approve budget priorities for the City for the upcoming year’s budget cycle. These priorities must be approved, per the Charter, no later than July 1st. Staff is recommending the approval of these priorities in advance of the deadline in order to utilize them prior to beginning the budget creation process.

The Council Budget Committee met on March 11th to discuss Budget Priorities for the 2022 budget process. The following attached list was discussed and compiled for presentation to Council. The Council Budget Committee and City Staff recommend that City Council approve the Budget Priorities for 2022 as prepared in the Council Budget Committee.

The high-level priorities include the following:

- Develop a Funded Long-Term Strategy for City Infrastructure;
- Position Xenia for Economic Investment;
- Retain Quality Employees, Attract New Talent and Assess Current Position Retention;
- Continue to Provide Quality and Efficient Municipal Services;
- Build a Healthier Community;
- Continue to Practice Sound Financial Management; and
- Seek Strategic Solutions for Ongoing Challenges.

A more detailed listing of the recommended 2022 Budget Priorities is attached.

Item Report Attachment(s): Proposed 2022 Budget Priorities.

Budgetary Impact: N/A

Recommendation: Approve the Budget Priorities for 2022, as prepared by the Council Budget Committee.

2022 PROPOSED BUDGET PRIORITIES



DEVELOP FUNDED LONG-TERM STRATEGY FOR CITY INFRASTRUCTURE

- Seek Long-Term Solutions for Street Conditions
- Update Stormwater Funding Model & Rehab Capital Components
- Continue Strategic Capital Replacement of Water, Sewer, Stormwater Infrastructure
- Construct Fire Station 32 Replacement in new location

POSITION XENIA FOR ECONOMIC INVESTMENT

- Prioritize Redevelopment of Towne Square
- Seek Citywide Marketing & Image Enhancement Opportunities
- Update Programming for Business Attraction, Retention & Expansion
- Improve/Streamline Building Permitting & Inspection Processes
- Partner with Schools and Organizations to Help Build & Develop Local Workforce

RETAIN QUALITY EMPLOYEES, ATTRACT NEW TALENT, & ASSESS CURRENT RETENTION

- Offer Competitive Employment Packages
- Compare Regionally & Review Internal Employee Compensation Structure & Benefits
- Improve Employee Engagement & Promote Positive Team Culture
- Update Civil Service Commission Rules & Regulations for Efficiencies

CONTINUE TO PROVIDE QUALITY & EFFICIENT MUNICIPAL SERVICES

- Maintain Police, Fire, and 911 Dispatch Front Line Staffing
- Seek Efficiencies in Operations to remain Cost Competitive
- Expand Fire Safety Awareness/Prevention & Community Engagement
- Pursue Strategies to Recoup/Reduce Expenses in Underfunded Areas

BUILD A HEALTHIER COMMUNITY

- Encourage access to Health Care, Healthy Food Options, & Lifestyle for All Residents
- Invest in City Parks & Promote Use
- Continue to Invest in Successful Community Events
- Maintain Closed Landfill Compliance
- Partner with local Institutions, Social Services & Faith Community to Improve Community Wellbeing, Service Delivery, & Address Financial Strain on Municipal Services

CONTINUE TO PRACTICE SOUND FINANCIAL MANAGEMENT

- Maintain a Cash Reserve that meets Reserve Requirements
- Require Positive Ending Fund Balances on all Funds
- Compile Realistic, Funded, & Thorough Financial Documents
- Strategize to address Underfunded & Unfunded Capital Expenses

SEEK STRATEGIC SOLUTIONS FOR ONGOING CHALLENGES

- Seek Resolutions for Collier Property, Eavey Building, Carnegie Library, and H&A.
- Update & Utilize *X-Plan* and *Downtown Plan*
- Pursue Opportunities of Intergovernmental Cooperation to Reduce Costs
- Encourage & Support Community Educational Services
- Continue to Seek Annexation of CSU and other desirable properties

City of Xenia

Schedule of Bills

4/8/2021

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
ADVANCED WILDLIFE MGMT LLC	2021-03-22	12001	MAR NUISANCE ANIMAL REMOVAL	\$2,000.00	101-1001-53290
			Total for Vendor	\$2,000.00	
ADVANCED WINDOW CLEANING SVC INC	2021-03-10	32943	WINDOW CLEANING	\$574.00	101-1018-53290
	2021-03-10	32942	WINDOW CLEANING	\$279.00	101-1009-53290
			Total for Vendor	\$853.00	
AIRGAS USA LLC	2021-02-28	9977521837	CYLINDER RENTAL-STA 2	\$57.83	270-1225-54299
			Total for Vendor	\$57.83	
ALLOWAY	2021-02-28	141308	LAB TESTING	\$504.00	612-1331-53241
			Total for Vendor	\$504.00	
AMERICAN SAFETY & HEALTH INSTITUTE	2021-03-23	1372600	FIRST AID DIGITAL CERTIFICATION	\$223.00	270-1225-54299
	2021-03-22	1371801	CPR/AED CARDS	\$227.40	270-1225-54299
			Total for Vendor	\$450.40	
AMERICAN WATER WORKS ASSN	2021-03-23	7001867269	9/1-3/22 MEMBERSHIP-HUSSONG	\$75.00	611-1337-52110
	2021-03-23	7001867272	9/1-3/22 MEMBERSHIP-HUTCHINSON	\$75.00	611-1337-52110
	2021-03-23	7001915642	9/1-3/22 MEMBERSHIP-C MILLS	\$37.50	611-1337-52110
	2021-03-23	7001867254	9/1-3/22 MEMBERSHIP-J BATES	\$75.00	611-1337-52110
	2021-03-23	7001867270	9/1-3/22 MEMBERSHIP-SUTTER	\$75.00	611-1337-52110
	2021-03-23	7001856908	9/1-3/22 MEMBERSHIP-S MILLS	\$75.00	611-1337-52110
			Total for Vendor	\$412.50	
BOONE WATER SYSTEMS INC	2021-03-16	22735	REPAIR WELL PUMP	\$9,583.00	665-1331-55305
	2021-03-16	22736	ADDITIONAL REPAIR-PUMP 2	\$9,500.00	665-1331-53290
			Total for Vendor	\$19,083.00	
BROWN SUPPLY COMPANY	2021-03-17	248653-1	TOILET TISSUE	\$218.90	101-1009-54299
	2021-03-17	248652-1	TOWELS	\$35.50	709-1446-54299
			Total for Vendor	\$254.40	
BURGESS & NIPLE INC	2021-03-25	970740	WTR SYS RISK/RESILIENCE ASSESS	\$1,566.73	664-6602-53290
			Total for Vendor	\$1,566.73	
BUSINESS EQUIPMENT COMPANY	2021-03-25	AR31104	COPY PAPER	\$500.00	270-1222-54299
	2021-03-25	AR31104	COPY PAPER	\$980.00	270-1221-54299
			Total for Vendor	\$1,480.00	
CBC ENGINEERS	2021-02-27	0069014	PHASE 1 ESA-TOWN SQUARE	\$2,500.00	101-1550-53290
			Total for Vendor	\$2,500.00	
CARR SUPPLY XENIA	2021-03-09	S5912625.001	ABRASIVE CLOTHS	\$24.44	611-1337-54299
	2021-03-16	S5919975.001	O-RINGS	\$8.45	709-1447-54299
	2021-03-16	S5919501.001	VACUUM BREAKER REPAIR KIT	\$8.48	709-1447-54299
			Total for Vendor	\$41.37	
THE CINCINNATI INSURANCE CO	2021-03-11	1000567137	3/2-3/2 COMMERCIAL INS PKG	\$775.00	234-1550-53290
			Total for Vendor	\$775.00	
CINTAS CORPORATION LOC G62	2021-03-17	4078853167	UNIFORM SVC-MAINT/LABORER	\$7.45	613-1333-53290
	2021-03-17	4078853118	UNIFORM SVC-2 EMPLOYEES	\$12.20	709-1446-53290
	2021-03-24	4079467020	UNIFORM SVC-2 EMPLOYEES	\$12.20	709-1446-53290

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
	2021-03-24	4079467249	UNIFORM SVC-MAINT/LABORER	\$5.69	613-1333-53290
	2021-03-17	4078853167	UNIFORM SVC-MAINT/LABORER	\$28.47	221-1441-53290
	2021-03-24	4079467249	UNIFORM SVC-MAINT/LABORER	\$21.42	221-1441-53290
	2021-03-24	4079467249	UNIFORM SVC-MAINT/LABORER	\$6.79	101-1442-53290
	2021-03-22	4079188981	MAT SERVICE	\$88.90	101-1018-53290
	2021-03-15	4078517939	MAT SERVICE	\$88.90	101-1018-53290
	2021-03-17	4078853167	UNIFORM SVC-MAINT/LABORER	\$8.55	101-1442-53290
	2021-03-17	4078853306	MATS/UNIFORM SVC-2 EMPLOYEES	\$16.11	612-1336-53290
	2021-03-23	4079251733	MAT SERVICE	\$7.89	101-1557-53290
	2021-03-16	4078588676	MAT SERVICE	\$7.89	101-1557-53290
	2021-03-24	4079467126	MATS/UNIFORM SVC-6 EMPLOYEES	\$39.66	612-1331-53290
	2021-03-17	4078853105	MATS/UNIFORM SVC-6 EMPLOYEES	\$39.66	612-1331-53290
	2021-03-17	4078853167	UNIFORM SVC-LABORER	\$1.54	222-1441-53290
	2021-03-24	4079467249	UNIFORM SVC-LABORER	\$1.54	222-1441-53290
	2021-03-24	4079467741	MATS/UNIFORM SVC-2 EMPLOYEES	\$16.11	612-1336-53290
	2021-03-16	4078588659	MAT SERVICE	\$51.26	709-1447-53290
	2021-03-23	4079251629	MAT SERVICE	\$51.26	709-1447-53290
	2021-03-15	4078517883	MAT SERVICE	\$50.00	101-1009-53290
	2021-03-22	4079189018	MAT SERVICE	\$52.79	101-1009-53290
	2021-03-24	4079467249	UNIFORM SVC-MAINT/LABORER	\$31.47	612-1332-53290
	2021-03-17	4078853167	UNIFORM SVC-MAINT/LABORER	\$42.06	612-1332-53290
	2021-03-17	4078850610	UNIFORM SVC-7 EMPLOYEES	\$32.83	611-1337-53290
	2021-03-24	4079459296	UNIFORM SVC-7 EMPLOYEES	\$32.83	611-1337-53290
	2021-03-17	4078853167	UNIFORM SVC-MAINT	\$13.51	614-1340-53290
	2021-03-24	4079467249	UNIFORM SVC-MAINT	\$9.98	614-1340-53290
	2021-03-17	4078853167	UNIFORM SVC-MAINT/LABORER	\$42.06	611-1338-53290
	2021-03-24	4079467249	UNIFORM SVC-MAINT/LABORER	\$31.47	611-1338-53290
			Total for Vendor	\$852.49	
CINTAS CORPORATION					
	2021-03-26	5056683886	BANDAGES/NITRILE GLOVES	\$316.95	611-1337-53290
			Total for Vendor	\$316.95	
CITY ELECTRIC SUPPLY #426					
	2021-03-09	BEC/090755	HV RUBBER TAPE/PUTTY PADS	\$86.97	611-1337-54299
	2021-03-10	BEC/090821	LIGHTS-W 2ND ST TOWER	\$62.98	664-6602-55305
	2021-03-16	BEC/090958	LIGHTS-W 2ND ST TOWER	\$1,100.52	664-6602-55305
			Total for Vendor	\$1,250.47	
COLUMBUS EQUIPMENT CO					
	2021-03-24	774276	HYDRAULIC FILTER	\$37.27	709-1446-54505
			Total for Vendor	\$37.27	
D AND D PROPERTY MAINTENANCE					
	2021-03-18	081314	REM DEBRIS-609 NEVADA	\$100.00	101-1553-53290
	2021-03-22	081316	REM DEBRIS-285 E THIRD ST	\$175.00	101-1553-53290
	2021-03-22	081315	REM REFRIGERATOR-895 EMMET	\$100.00	101-1553-53290
	2021-03-15	081312	REM DEBRIS-384 E MARKET	\$350.00	101-1553-53290
	2021-03-16	081313	REM DEBRIS-880 E RICHARD	\$600.00	101-1553-53290
	2021-03-25	081317	REM DEBRIS-664 SMITH	\$350.00	101-1553-53290
	2021-03-25	081318	REM DEBRIS-955 E MARKET	\$270.00	101-1553-53290
			Total for Vendor	\$1,945.00	
D & S AUTO PARTS INC					
	2021-03-15	87610	ALTERNATOR/CORE V1220	\$302.82	709-1446-54505
	2021-03-16	87695	CORE RETURN	-\$18.00	709-1446-54505
	2021-03-16	87688	BATTERY/CORE V1800	\$150.73	709-1446-54505
	2021-03-23	88270	2 LAMPS	\$12.00	709-1446-54505
	2021-03-23	88228	2 BELT IDLERS	\$54.38	709-1446-54505
	2021-03-24	88380	FILTERS/ALARM/CLEANERS	\$139.98	709-1446-54505
	2021-03-16	87683	CORE RETURN	-\$77.00	709-1446-54505
			Total for Vendor	\$564.91	
DANCO LETTERING					
	2021-03-19	71302	DARE VEHICLE WRAP	\$1,200.00	251-1224-54299
	2021-03-23	71307	DARE VEHICLE GRAPHICS REMOVAL	\$220.00	251-1221-53290
	2021-03-19	71302	DARE VEHICLE WRAP	\$2,100.00	251-1221-53290

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
			Total for Vendor	\$3,520.00	
A E DAVID COMPANY					
	2021-03-24	224985	PARADE GLOVES/MOURNING BANDS	\$626.03	270-1225-54201
	2021-03-12	222911	HAT/SHIRT BADGES #100	\$225.00	270-1221-54201
	2021-03-24	223405-04	SHIRT/BELTS-ROBINSON	\$116.70	270-1221-54201
	2021-03-12	223931-01	ZED JACKET/SHIRTS-FOUT	\$238.55	270-1221-54201
	2021-03-05	223412	SHIRT BADGE #102	\$109.50	270-1221-54201
	2021-03-12	223874	PANTS-ETCHISON	\$194.85	270-1221-54201
	2021-03-09	223412-01	HAT BADGE #102	\$115.50	270-1221-54201
	2021-03-05	223413	SHIRT BADGE #103	\$109.50	270-1221-54201
	2021-03-12	223405-03	ZED/VIZGUARD JACKETS-ROBINSON	\$287.40	270-1221-54201
	2021-03-09	223413-01	HAT BADGE #103	\$115.50	270-1221-54201
	2021-03-24	223931-02	VIZGUARD JACKET/SHIRT-FOUT	\$218.35	270-1221-54201
			Total for Vendor	\$2,356.88	
DAYTON RELIABLE AIR FILTER					
	2021-03-22	556353	REPLACE FILTERS	\$341.60	101-1018-53290
	2021-03-22	556354	REPLACE FILTERS	\$290.40	101-1009-53290
			Total for Vendor	\$632.00	
DAYTON STENCIL WORKS COMPANY					
	2021-03-15	249512	2 NAMEPLATES-BRACA	\$47.26	101-1001-54299
			Total for Vendor	\$47.26	
DETROIT TIRE SALES					
	2021-03-19	650113075	FLAT REPAIR V1204	\$22.95	709-1446-53740
	2021-03-23	650113206	FLAT REPAIR V1916	\$50.00	709-1446-53740
	2021-03-22	650113120	FLAT REPAIR V1104	\$22.95	709-1446-53740
			Total for Vendor	\$95.90	
DISPLAY SALES					
	2021-03-15	INV-027917	10 5X8 FLAGS	\$498.00	221-1441-54299
			Total for Vendor	\$498.00	
EJ PRESCOTT INC					
	2021-03-18	5827700	REPAIR CLAMPS	\$3,262.44	611-1338-54299
			Total for Vendor	\$3,262.44	
FERGUSON WATERWORKS #527					
	2021-03-18	691370	COUPLINGS/BENDS/CURB STOPS	\$4,338.90	611-1338-54299
			Total for Vendor	\$4,338.90	
FIRE APPARATUS SERVICE & REP					
	2021-03-26	27542	LUBE/OIL/FILTER E-31	\$1,018.48	270-1225-53740
	2021-03-12	27508	INST NEW COVER SEAL L-31	\$809.87	270-1225-53740
	2021-03-26	27544	REPL FUEL NECK/CAP E-31	\$1,182.25	270-1225-53740
	2021-03-26	27550	LUBE/OIL/FILTER E-32	\$1,054.55	270-1225-53740
	2021-03-26	27543	SECURE HEAT SHIELD E-31	\$561.55	270-1225-53740
			Total for Vendor	\$4,626.70	
GARRIGANS					
	2021-03-12	1029346-0	WASTE CONTAINER/LABEL HOLDERS	\$242.68	270-1222-54299
	2021-03-25	1029617-0	POSTIT NOTES/WIPES/MARKERS	\$57.98	101-1006-54299
			Total for Vendor	\$300.66	
GERMAIN AUTOMOTIVE PARTNERSHIP					
	2021-03-23	110906F	TENSIONER V1207	\$68.21	709-1446-54505
	2021-03-15	110587F	HOSE	\$29.36	709-1446-54505
	2021-03-16	110653F	HOSE V1416	\$37.62	709-1446-54505
	2021-03-15	CM110587F	HOSE RETURN	-\$29.36	709-1446-54505
	2021-03-16	110654F	KEY V1423	\$2.54	709-1446-54505
	2021-03-18	566341	REPL EGR VALVE V1423	\$148.40	709-1446-53740
			Total for Vendor	\$256.77	
GOOD VALLEY WATER					
	2021-02-28	21506	WATER X2/RENTAL	\$25.90	101-1003-54299
			Total for Vendor	\$25.90	
GRAINGER INC					
	2021-03-17	9839219541	STEEL STAMPS/NUMBER SET	\$133.70	709-1446-54505
	2021-03-25	9848141496	LABELS/CARDED NUMBERS/LETTERS	\$123.64	611-1337-54299

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
			Total for Vendor	\$257.34	
HACH COMPANY	2021-03-11	12364204	AGAR PLATES/REACT PHOSPHORUS	\$3,072.72	612-1331-54299
			Total for Vendor	\$3,072.72	
HANDYMAN ACE HARDWARE	2021-03-22	113489	CHAIN OIL	\$31.18	221-1441-54299
	2021-03-23	113505	FASTENERS	\$2.48	612-1331-54299
	2021-03-22	113490	7 KEYS	\$15.33	101-1442-54299
	2021-03-22	113478	BUSHINGS V1233	\$7.38	709-1446-54505
			Total for Vendor	\$56.37	
HEIL BROTHERS LAWN & GARDEN EQUIP	2021-03-18	68917	THROTTLE TRIGGER V1919	\$3.19	709-1446-54505
			Total for Vendor	\$3.19	
INSIGHT PUBLIC SECTOR	2021-02-22	1100812282	WORKSTATION/ADAPTOR/PWR STRIP	\$1,002.26	250-1226-54299
			Total for Vendor	\$1,002.26	
INT'L ACADEMIES OF EMERG DISPATCH	2021-02-26	SIN276328	EMD RECERTIFICATION X 2	\$110.00	270-1222-53183
			Total for Vendor	\$110.00	
JOHNSON CONTROLS FIRE PROTECTION LP	2021-03-17	87606200	REPLACE BATTERIES	\$1,110.00	101-1018-53290
			Total for Vendor	\$1,110.00	
JOHNSON MIRMIRAN & THOMPSON INC	2021-03-15	7-170974	INSPECT TOWER PAINTING	\$5,503.92	664-6602-53290
			Total for Vendor	\$5,503.92	
JOHNSON'S TOWING LLC	2021-03-10	14892	TOWING-2014 DODGE CHARGER	\$129.00	270-1221-53290
			Total for Vendor	\$129.00	
KENDALL ELECTRIC INC	2020-12-10	S109797776.00	FUSE	\$153.00	612-1331-54299
	2021-02-28	S110075546.00	SVC CHG	\$5.12	612-1331-54299
	2020-12-10	S109797776.00	FUSE	\$164.51	612-1336-54299
			Total for Vendor	\$322.63	
KOENIG EQUIPMENT INC	2021-03-17	P72606	OIL V1599	\$14.15	709-1446-54505
	2021-03-22	P72779	BLADES V1599	\$172.13	709-1446-54505
	2021-03-09	P72256	SPINDLE RETURN	-\$168.24	709-1446-54505
	2021-03-13	P72453	SWITCH V1919	\$54.42	709-1446-54505
			Total for Vendor	\$72.46	
LAWSON PRODUCTS INC	2021-03-05	9308272751	RETAINING RINGS	\$2.95	709-1446-54505
			Total for Vendor	\$2.95	
LOWE'S COMPANIES INC	2021-03-09	01220	FURRING STRIPS/STUDS/PLYWOOD	\$513.78	270-1225-54299
	2021-03-09	01346	GALVANIZED STEEL TRACKS	\$70.88	270-1225-54299
	2021-03-09	16943	STUDS RETURN	-\$79.20	270-1225-54299
	2021-03-18	12924	TURF BUILDER	\$62.69	612-1331-54299
	2021-03-24	11205	SANDING DISCS	\$18.99	101-1442-54299
	2021-03-25	11369	SANDING DISCS	\$18.99	101-1442-54299
	2021-03-24	09501	LYSOL/BROOM/CHECK VALVE	\$86.63	611-1337-54299
	2021-03-19	53539	40BOXES CARPET TILES	\$1,860.00	709-1447-54299
	2021-03-16	02921	SCREWS/SWIVEL HASP/PADLOCK	\$22.75	709-1447-54299
	2021-03-23	10346	RATCHET/SEALANT/TAPE	\$43.17	612-1336-54299
			Total for Vendor	\$2,618.68	
MKD TECHNICAL SVCS LTD	2021-03-28	21-0328-01-XW	REPL COOLING FANS	\$1,250.00	611-1337-53290
			Total for Vendor	\$1,250.00	
MPH INDUSTRIES INC	2021-03-05	6013829	RADAR REPAIR	\$241.52	270-1221-53740
			Total for Vendor	\$241.52	

<u>Vendor Name</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>
MANSFIELD OIL COMPANY	2021-03-17	426185	7995GAL UNLEADED GASOLINE	\$17,621.94	709-1446-54401
			Total for Vendor	\$17,621.94	
NAPA AUTO PARTS	2021-03-16	367998	STROBES	\$118.00	709-1446-54505
	2021-03-18	268135	GAUGE V1413	\$22.20	709-1446-54505
	2021-03-16	368012	LIGHTS	\$131.74	709-1446-54505
			Total for Vendor	\$271.94	
NATIONAL WATER SERVICES	2021-02-18	10726	REPAIR WELL #3	\$3,537.00	664-6602-53290
	2021-02-18	10725	CLEANING WELLS #3	\$19,710.00	664-6602-53290
	2021-02-18	10726	REPAIR WELL #3	\$12,230.00	664-6602-53290
			Total for Vendor	\$35,477.00	
OHIO TACTICAL OFFICERS ASSOCIATION	2021-03-28	21TRNG-0155	BASIC SWAT SCHOOL-C SHELLEY	\$550.00	270-1221-53183
			Total for Vendor	\$550.00	
O'REILLY FIRST CALL	2021-03-17	366451	BATTERY X 2	\$231.32	709-1446-54505
			Total for Vendor	\$231.32	
ORKIN EXTERMINATING CO INC	2021-02-05	208350406	PEST CONTROL	\$180.00	101-1018-53290
	2021-02-05	208349946	PEST CONTROL	\$93.69	101-1009-53290
	2021-02-05	208349928	PEST CONTROL	\$151.83	101-1009-53290
	2021-02-05	208350001	PEST CONTROL	\$92.16	709-1447-53290
			Total for Vendor	\$517.68	
PHILLIPS COMPANIES	2021-03-16	60438	2CY CONCRETE	\$288.16	614-1340-54299
	2021-03-16	60439	2.5CY CONCRETE	\$360.20	614-1340-54299
	2021-03-23	60729	1CY CONCRETE	\$144.08	614-1340-54299
	2021-03-23	60730	1.5CY CONCRETE	\$216.12	614-1340-54299
			Total for Vendor	\$1,008.56	
PHOENIX SAFETY OUTFITTERS	2021-03-26	SI-113821	DRESS SLACKS/SHIRTS/JACKETS	\$4,320.55	270-1225-54201
	2021-03-26	SI-113860	QUICK RELEASE BOOTS-SENER	\$140.00	270-1225-54201
	2021-03-20	SI-113588	TURNOUT COATS/PANTS X 2	\$4,520.00	270-1225-54201
	2021-03-26	SI-113830	JOB SHIRTS	\$143.90	270-1225-54201
	2021-03-16	SI-113479	PANTS-TRIPLETT/COBLENTZ	\$213.26	270-1225-54201
	2021-03-20	SI-113589	HELMETS X 3	\$945.00	270-1225-54201
			Total for Vendor	\$10,282.71	
PRINTING CENTER INC	2020-12-18	47128	BUSINESS CARDS-BARKER	\$50.00	101-1552-53320
			Total for Vendor	\$50.00	
RUSH TRUCK CENTER DAYTON	2021-03-23	3022815898	AIR SHIFT CYLINDER V1238	\$485.00	709-1446-54505
	2021-03-24	3022854181	CLAMP	\$33.90	709-1446-54505
	2021-03-19	3022787905	SWITCH V1406	\$240.00	709-1446-54505
			Total for Vendor	\$758.90	
SCREENPLAY PRINTING	2021-03-23	87604	5000 #10 WNDW ENV-SECURE TINT	\$522.00	101-1006-53320
	2021-03-23	87604	500 SHEETS LETTERHEAD	\$172.00	101-1006-53320
			Total for Vendor	\$694.00	
SHERWIN WILLIAMS COMPANY	2021-03-18	8319-9	PAINT/BRUSHES/THINNER	\$85.51	611-1337-54299
			Total for Vendor	\$85.51	
SIGNS BY TREY	2021-03-10	21-108	FIRE BADGE DECALS	\$265.00	270-1225-53740
			Total for Vendor	\$265.00	
SMART BILL LTD	2021-03-22	49030-S	MAR UTILITY BILL PRINTING	\$840.68	708-1008-53290
	2021-03-22	49030-S	MAR SVC FEE-ONLINE VIEW	\$59.92	710-1008-53290

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	2021-03-22	49030-S	MAR POSTAGE-UTILITY BILLS	\$4,378.06	708-1008-53930
			Total for Vendor	\$5,278.66	
SOUTHEASTERN EQUIPMENT CO INC	2021-03-17	D65503	LOCKING/LATCH PINS V1511	\$264.54	709-1446-54505
			Total for Vendor	\$264.54	
STAPLES BUSINESS ADVANTAGE	2021-03-13	8061598767	COPY PAPER	\$36.92	612-1332-54299
	2021-03-13	8061598767	COPY PAPER	\$36.92	614-1340-54299
	2021-03-13	8061598767	COPY PAPER	\$36.92	221-1441-54299
	2021-03-13	8061598767	COPY PAPER	\$36.92	611-1338-54299
	2021-03-13	8061598767	COPY PAPER	\$36.92	613-1333-54299
			Total for Vendor	\$184.60	
STOOPS FREIGHTLINER INC	2021-03-19	X305272207.01	DIESEL EXHAUST FLUID	\$205.50	709-1446-54505
			Total for Vendor	\$205.50	
RON SURLS	2021-03-23	21-6	REIMB EPA WTR CLASS 1	\$112.00	611-1337-52110
			Total for Vendor	\$112.00	
T-MOBILE USA INC	2021-03-01	202103111423	6 PROBATION I-PADS/CASES/SVC	\$5,919.66	214-1201-54505
			Total for Vendor	\$5,919.66	
TEMPOQUEST INC	2021-03-22	2021-13921	WSV3 WEATHER-10 LICENSES	\$500.00	270-1225-53290
	2021-03-22	2021-13921	WSV3 WEATHER-10 LICENSES	\$500.00	270-1222-53290
			Total for Vendor	\$1,000.00	
TREASURER STATE OF OHIO	2021-02-25	21RC03439	1ST QTR MARCS RADIO USAGE FEE	\$360.00	270-1222-53792
	2021-02-25	21RC03439	1ST QTR MARCS RADIO USAGE FEE	\$990.00	270-1221-53792
	2021-02-25	21RC03439	1ST QTR MARCS RADIO USAGE FEE	\$660.00	270-1225-53792
			Total for Vendor	\$2,010.00	
TREASURER STATE OF OHIO BOILER SEC	2021-03-15	5018914	BOILER INSPECTION	\$68.25	101-1009-53607
	2021-03-15	5018915	BOILER INSPECTION	\$68.25	101-1009-53607
			Total for Vendor	\$136.50	
TROPHY SPORTS CENTER LLC	2021-03-16	1281	RETIREMENT PLAQUE-BRENNAMAN	\$48.00	101-1005-54299
	2021-03-24	1309	WHITE HELMET TAGS	\$35.00	270-1225-54201
			Total for Vendor	\$83.00	
TRUBLU H2O LLC	2021-03-18	027317	DRINKING/DISTILLED WATER	\$25.60	612-1331-54299
			Total for Vendor	\$25.60	
USA BLUEBOOK 924577	2021-03-23	547173	RAIN GEAR OVERALLS	\$48.95	611-1338-54299
			Total for Vendor	\$48.95	
WALMART COMMUNITY	2021-03-19	09079	LAMINATING SHEETS/CONTAINERS	\$45.66	270-1225-54299
			Total for Vendor	\$45.66	
WARREN FIRE EQUIPMENT INC	2021-03-22	IN1561211	DIAPHRAGMS/RESPIRATOR	\$1,049.81	270-1225-54505
			Total for Vendor	\$1,049.81	
WEST PAYMENT CENTER	2021-03-04	844003863	MAR LIBRARY CHARGES	\$248.79	101-1003-53290
	2021-03-01	843919081	FEB INFO CHARGES	\$610.98	101-1003-53290
			Total for Vendor	\$859.77	
WOOD ENVIRONMENT & INFRASTRUCTURE S	2021-03-11	N26102231	PASSIVE VENT INSTALLATION	\$833.51	666-6905-53290
	2021-03-11	N26102230	RATE/EXTENT MONITORING	\$5,334.11	613-6905-53241
			Total for Vendor	\$6,167.62	
YSI INCORPORATED	2021-03-15	861682	PROBE REPAIR	\$1,177.93	612-1331-53290

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				Total for Vendor	\$1,177.93	
PETTY CASH UTILITY BILLING						
	2021-03-02	PC21-11	PADLOCK-DP & L BOX XT8		\$2.89	234-1550-53290
	2021-03-01	PC21-11	PADLOCK-DP & L BOX XT8		\$14.18	234-1550-53290
				Total for Vendor	\$17.07	
					\$163,061.20	