

**XENIA CITY COUNCIL
MEETING MINUTES
JANUARY 13, 2022
6:00 P.M.**

Mr. Joe Kennedy, representing Faith Community United Methodist Church and Xenia Rotary, provided the Invocation.

A. PLEDGE OF ALLEGIANCE: All present stood and recited the Pledge of Allegiance led by President Wesley Smith.

B. CALL TO ORDER: President Smith called the Regular Meeting to order at 6:01 p.m.

C. 1. ROLL CALL: Vice President Levi Dean, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Will Urschel, and President Wesley Smith were present. Mayor Sarah Mays was absent.

Motion by President Smith, seconded by Councilman Brannum, to excuse Mayor Mays from the meeting due to a personal matter. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

2. REORGANIZATION: President Smith said Mayor Mays would typically handle the reorganization. In her absence, he turned the gavel over to City Clerk Michelle Johnson for the reorganization to select the Council President and Vice President for 2022. Ms. Johnson entertained nominations for Council President for 2022.

Motion by Councilman Scrivens, seconded by Councilwoman Dean, to nominate Councilman Wesley Smith to serve as the Council President for 2022. She entertained additional nominations. Hearing no further nominations, she closed the nominations and asked for the Roll Call. The Roll on this was the following:

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

Nays: None motion carried.

Ms. Johnson entertained nominations for Council Vice President for 2022.

Motion by President Smith, seconded by Councilman Scrivens, to nominate Councilman Will Urschel to serve as the Council Vice President for 2022. She entertained additional nominations. Hearing no further nominations, she closed the nominations and asked for the Roll Call. The Roll on this was the following:

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

Nays: None motion carried.

Ms. Johnson turned the gavel back to President Smith and asked if Council wished to take a brief recess for Councilman Dean and Vice President Urschel to change their seats accordingly. President Smith said yes; Council took a brief recess and reconvened a few moments later.

D. APPROVAL OF MINUTES: Motion by Councilman Scrivens, seconded by Councilman Brannum, to approve the December 29, 2021, minutes of the Regular Meeting as written. President Smith entertained comments or questions. Councilman Scrivens identified text on page 3 that he felt needed to be reworded. Ms. Johnson noted his comments. Councilman Brannum noted a correction on page 2 of the minutes, indicating that he voted “nay” (and did not abstain) on the motion to approve Ordinance 2021-24. Ms. Johnson noted that the minutes had been corrected. The Roll on this was the following:

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

E. SPECIAL PRESENTATION(S): President Smith invited Ms. Tracy Sibbing, Vice President, Community Impact, United Way of the Greater Dayton Area, to the podium to speak about their Strong Families Homelessness Prevention Initiative. Ms. Sibbing congratulated President Smith and Vice President Urschel on their positions for 2022 and thanked Council for the opportunity to speak about the Strong Families initiative that they launched in Greene County. As stated, she was the Vice President of Community Impact and had been there for about 11 years. Over the last few years, they did a strategic plan and thought about the investments they are making in the area. They determined they needed to narrow their focus and think about how to have more of an impact on improving outcomes for people who live in the communities they serve. They landed on the Strong Families initiative, which was a two generation, whole family approach to accomplish three goals: housing stability, increasing income, and academic outcomes. The initiative was launched in July 2021 and was being implemented via a collective impact strategy, which brings all agencies, organizations, and systems in the County—every available resource—to the table so they can all work together and remove any barriers for a successful outcome. The initiative includes comprehensive case management where each family sets its own success plan and goals. She noted that it may take some families longer to achieve their goals depending on where they are when they start (i.e., homelessness vs. a recent loss of job). They serve families from 0% to 250% of the federal poverty guideline. ALICE = Asset Limited, Income Constrained, and Employed, aka the “working poor,” was a new way of defining and understanding the struggles of households that earn above the poverty level but not enough to afford a bare-bones household budget. The initiative also provides “wrap-around” support and a transition plan to help those coming out of homeless shelters to usher them back into society and into employment. She said they are applying for funding and would love for the City of Xenia to support this initiative. She then entertained any questions they may have.

City Manager Brent Merriman said income secure, two-parent homes have more successful outcomes from an education standpoint, as it relates to health care and service demands, etc. The more stable the home = the better the outcomes. He appreciated that United Way was pursuing this initiative and looking at getting at core concerns that are without question major concerns in this community. He encouraged Council to look very seriously at this initiative.

Vice President Urschel asked Ms. Sibbing to share the names of some of their community partners. Ms. Sibbing said they do not need to find resources when those resources already exist; therefore, they are partnering with at least 21 organizations and agencies who they meet with once a month. They talk about referrals, the barriers that exist, what resources need to be addressed, what partners

can serve the particular issues, etc. They also look at best practices, what was working and what was not working, data sources, etc. They all work together and look at everything—which sometimes required changes—for successful outcomes. Some of the partners include Help Me Grow, Greene County Education Service Center, area agencies that serve the homeless population, Greene County Public Health, Job and Family Services, Family and Children First, and many more. Vice President Urschel asked how many families they can work with. Ms. Sibbing said they can currently take on 50 families at a time. As families achieve their goals and become successful, they can bring other families on board. Right now, they have one case manager; if they eventually get another case manager, they could work with 100 families at a time. She said they are very committed to this work and this initiative.

President Smith thanked her for the presentation and said Council would consider her request for funding.

F. AUDIENCE COMMENTS: President Smith explained the procedures for Audience Comments and invited those who wished to speak to come forward. No one came forward to speak.

G. OLD BUSINESS:

1. President Smith presented **ORDINANCE 2021-27 PROVIDING FOR THE SPECIAL ELECTION ON AMENDMENTS TO ARTICLES V, VIII AND X OF THE CHARTER OF THE CITY OF XENIA, OHIO, SAID ELECTION TO BE HELD ON THE SAME DATE AND TIMES AS THE MAY 3, 2022, PRIMARY ELECTION**, introduced by Mayor Mays on 12/29/2021, and it was read for a second time.

Motion by President Smith, seconded by Councilman Scrivens, to adopt Ordinance 2021-27 as presented. President Smith entertained comments or questions. Vice President Urschel thanked the Charter Review Commission, Law Director Donnette Fisher, and staff who participated in the review process that took over a year. He said there was a lot of content and the possibility of three separate ballot issues. This first ballot issue would provide Council the ability to operate more effectively, it would provide more flexibility in the management of the Council organization, and it would allow more flexibility in hiring. These recommendations were developed by the Charter Review Commission and presented to and endorsed by City Council. He looked forward to presenting them to the electorate. The Roll on this was the following:

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

2. President Smith presented **RESOLUTION 2021-FFF REQUESTING THE ADVANCE PAYMENT OF 2021 TAX SETTLEMENTS FROM THE GREENE COUNTY AUDITOR**, introduced by [then] Councilman Urschel on 12/29/2021, and it was read for a second time.

Motion by Vice President Urschel, seconded by Councilman Dean, to pass Resolution 2021-FFF as presented. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

H. PUBLIC HEARING(S): None.

I. NEW BUSINESS:

1. RESOLUTION 2022-A AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR A BROWNFIELD REMEDIATION GRANT FOR THE REMEDIATION OF THE PROPERTY LOCATED AT 249 SYCAMORE STREET, AND DECLARING AN EMERGENCY. Mr. Merriman said the Ohio General Assembly, through the 2021 state budget bill, created a new grant program known as the Brownfield Remediation Program. This grant program was designed to provide financial assistance to jurisdictions for the acquisition and remediation of brownfield sites throughout Ohio. City staff identified the property at 249 Sycamore Street (often referred to as the Collier Property) as the most ready and viable project. After years of evaluation, the City had a good understanding of the site contamination issues and the necessary remediation steps. They are also aware of criminal activity and other social concerns at this site. The acquisition and remediation of the site would improve the redevelopment prospects for the former Eavey Grocery Warehouse and promote the reduction of vandalism and criminal activity at Xenia Station and in that general vicinity. The agenda report described staff's prior due diligence efforts to identify substantive chemicals of concern in an effort to understand the needs of the site. They previously sought a means of accountability for the prior contamination, but they were unsuccessful in finding a realistic and viable means of enforcing the latter. Given no market rationale for private rehabilitation of the site and given the social and public safety value of remediation and reuse, staff believes the successful award of funding through this Brownfield Remediation program could provide resources to help accomplish the clean-up and promote positive public repurposing of the site. Staff recommends Council approval of this emergency Resolution this evening to authorize the application for the grant funding under the terms detailed in the agenda report, which was reviewed with the Budget & Finance Committee earlier this evening. He noted there was a possibility for an out-of-pocket match expense, but it could also be fully funded through the grant. The reason for the emergency was due to the tight timeline as well as the "first come, first served" basis.

President Smith entertained questions or comments. Vice President Urschel asked Mr. Merriman to provide a brief history of the buildings on the site. Mr. Merriman said the buildings date back to when the site was used as a coal gasification plant (converting coal into natural gas), and those original activities created the environmental concerns. There were also automotive-related, petroleum-related, and transformer/electrical contaminants. The projection for this remediation would not be a full clean up in terms of soil removal and complete remediation to allow unfettered reuse of the property. The ultimate goal would be clean up to the point of capping and containing those contaminants, which would result in some limitations in how the property could be used. This was the most cost-effective way to address the issues. There was not a private sector solution because the cost to remediate exceeds the usable value of the land. Vice President Urschel asked what currently resided on the property and the current concerns. Mr. Merriman said there are several dilapidated buildings, one building was knocked down after an act of arson and was a pile of rubble, and three private residential structures are adjacent to this property, which they need to discuss as part of the long-term strategy. Vice President Urschel asked if the remediation would include removal of the existing buildings and rubble. Mr. Merriman said there was an option for

acquisition of the site, which was contingent upon grant funding to deal with the remediation. However, the grant was limited to acquisition and remediation activities with the intent to remove the existing buildings. He asked Development Director Steve Brodsky if he had anything additional to share. Mr. Brodsky said there are a few underground storage tanks that would have to be removed as well or capped/sealed.

Councilman Brannum asked if there was an agreed-upon purchase price. He did not want the City to acquire another useless property. Mr. Merriman agreed. Law Director Donnette Fisher said the purchase price was \$1.00. Mr. Merriman said the intent with regard to the scope of the project and intended immediate reuse was to create a parking lot to serve Xenia Station and perhaps the Eavey Building. Given some of the covenants on the property, they would be limited in how the property could be reused (cannot be used for a school, a park, etc.).

Vice President Urschel said this property was right off the bike path from the Eavey Building to Xenia Station. He and his crew were down there doing some clean up during the summer and fall, and the fence was broken down in multiple spots. There was a lot of bad activity at the site, which was right in the center of town. It was a blight that needed to be removed, and they need to take advantage of this great opportunity to seek these grant funds.

Hearing no further comments or questions, President Smith entertained passage of Resolution 2022-A as presented.

Motion by Councilman Dean, seconded by Vice President Urschel, to pass Resolution 2022-A as presented. President Smith agreed this was a great opportunity to deal with this eyesore, which was very close to a beautiful amenity (Xenia Station), and it was not helping the Eavey Building either. He supported this effort. Councilman Scrivens asked if the City had spoken with the adjacent [residential] property owners. Mr. Merriman said yes, noting they are not all owner-occupied. That extended conversation should be part of the broader strategy. Vice President Urschel said the citizens group that supports Xenia Station (FOXS = Friends of Xenia Station) have said that this property was one of the biggest complaints from those using the trails and Xenia Station. The Roll on this was the following:

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

Nays: None motion carried.

2. RESOLUTION 2022-B APPROVING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH AFSCME OHIO, COUNCIL 8 AND LOCAL 101, XENIA CHAPTER (PUBLIC SERVICE UNIT), AND DECLARING AN EMERGENCY.

Mr. Merriman began presenting this item. Ms. Johnson interrupted him and said the agenda report had not been distributed to City Council. President Smith said they would come back to it once the paperwork was presented. They moved on to the next agenda item and came back to this one at 6:56 p.m. after the vote on Item 4. under New Business.

Mr. Merriman apologized for that miscommunication and said Council now had the agenda report and its attachments. He said City staff and members of the bargaining unit engaged in negotiations beginning in November 2021. The City negotiating team and the AFSCME Public Service negotiating team engaged in bargaining and reached agreement after three very productive sessions. There were not a lot of changes to the contract, and the changes that were incorporated

are within the mandate that Council provided, particularly from a wage standpoint. Oftentimes, he would request an Executive Session in advance of request for actions on Collective Bargaining Agreements, but he felt there was so little in terms of substantive changes that an Executive Session was unnecessary. He said the agenda report includes a summary of the tentative agreement. The negotiation team, the City Manager and the Finance Director believed the terms and conditions of the proposed tentative agreement were fair and satisfied the interests of the City. The City was notified that the union ratified the agreement. Per the agenda report, Council's rejection of the terms of this agreement as presented would return all parties to the bargaining process and potentially to fact-finding. This unit was not subject to binding arbitration and had the right to strike if an agreement was not reached. Council's approval would close negotiations.

President Smith entertained passage of Resolution 2022-B as presented.

Motion by Councilman Scrivens, seconded by Councilman Dean, to pass Resolution 2022-B as presented. President Smith entertained questions or comments, noting it was customary that they receive Collective Bargaining Agreement agenda items at the meeting. Councilman Brannum asked about overtime pay, which states that Laborers would be contacted first for overtime opportunities. He noted that all Laborers are now Maintenance Workers. Mr. Merriman said the position of Laborer was technically still on the organizational chart, so they elected to keep that language in place. Councilman Scrivens said if they don't contact the Laborers first, he asked who would be contacted. Mr. Merriman said they would contact the Maintenance Workers. The Roll on this was the following:

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

Nays: None motion carried.¹

3. RESOLUTION 2022-C AUTHORIZING THE SALE OF 23.4373 ACRES OF CITY-OWNED PROPERTY LOCATED AT TREMONT ROAD AND NORTH COLUMBUS STREET TO JOHN AND RACHEL HOWARD, REPEALING RESOLUTION 2020-Z, AND DECLARING AN EMERGENCY. Mr. Merriman said the City currently owns 23.4373 acres, located at Tremont Road and N. Columbus Street. This property—known as the Ames property—was obtained by the City through a tax foreclosure in 2017, at a cost of \$3,733.68 in court fees and a \$68 recording fee. Since that time, the City has not spent much money on the site with regard to maintenance because the site was mostly wooded. In June 2018, Council authorized, by Resolution 2018-Q, staff to negotiate the sale of this property. They entertained prior offers, but unfortunately, the sale ultimately fell through. They then had the property listed with a local realtor, who recently entertained offers. After discussion with the Property Management Committee, they recommended moving forward with an offer from John and Rachel Howard to purchase the property for a \$150,000 cash offer. Both staff and the Property Management Committee are satisfied with the proposed offer and the intended use and recommend approval of this resolution, as an emergency, in order to meet the buyers' deadlines for closing on the property.

President Smith entertained questions or comments. Hearing none, he entertained passage of Resolution 2022-C as presented.

¹ Following the Roll Call, the Council proceeded with Administrative Motions 5 and 6 starting on page 8 of these minutes.

4. RESOLUTION 2022-D AUTHORIZING A THEN AND NOW PAYMENT OF \$3,300 TO OHIO ALCOHOL MONITORING FOR SCRAM MONITORING SERVICES FOR THE XENIA MUNICIPAL COURT, AND DECLARING AN EMERGENCY. Finance Director Ryan Duke said the Xenia Municipal Court (XMC) pays a monthly service fee to Ohio Alcohol Monitoring services for programs required for defendants in the Court who have been deemed to be at high risk of drunk or impaired driving. The Court opened a purchase order for the services; however, the purchase order did not have sufficient funds to pay fees for December 2021. The purchase order was closed and a new purchase order to cover these fees was not opened before yearend. Money was available in the current year's budget; therefore, staff was requesting that Council approve a Then and Now payment, as required under ORC 5705.42 to pay the \$3,300 fees for the services rendered in December 2021. The funding source for these fees are Court Fines.

President Smith entertained questions or comments. Hearing none, he entertained passage of Resolution 2022-D as presented.

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

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

Nays: None motion carried.

Before they moved on to the Administrative Motions, President Smith asked Mr. Merriman to present New Business, Item 2., Resolution 2022-B, since the paperwork was distributed.²

5. Administrative Motion Amending the Rules of Council. Law Director Donnette Fisher respectfully requested approval of the following amendments to the Rules of Council (ROC) as noted in the agenda report:

Section 3 – Meetings. These amendments are requested to bring the ROC into harmony with the new Chapter 204 of the Xenia City Code.

- Section 3.01 – *Location*. Amendment to reflect update to City Code.
- Section 3.02 – *Regular Meetings*. Amendment to add rules regarding public notice of the regular meetings of Council to mirror the language in the newly adopted Chapter 204.
- Section 3.03 – *Special Meetings*. Amendment to add rules regarding public notice of the special meetings of Council to mirror the language in the newly adopted Chapter 204.
- Section 3.04 – *Emergency Meetings*. Amendment to add rules regarding public notice of the emergency meetings of Council to mirror the language in the newly adopted Chapter 204.

Section 4 – Procedures for Regular Meetings.

- Section 4.03 – *Order of Business*. Amend this section to eliminate public hearings as a separate agenda item. After review with the City Manager, they agreed that items should only fall under “Old Business” or “New Business” and public hearings are more properly held at the time Council addresses the item under Old or New Business. This amendment was reviewed with the Legislative Review Committee.

Section 7 – Procedures Applicable to All Meetings.

- Section 7.05(J) – *Motion to Amend*. Correct typo in subsection (3).

² See pages 5 and 6 of these minutes.

Section 11 – Standing Committees. These amendments were reviewed with the Legislative Review Committee.

- Section 11.02 – *Appointment*.
 - Amend this section to allow the appointment of one alternate to each of Council’s standing committees.
 - Amend to allow the Council President to make appointments to the standing committees at either the first (added) or second meeting in January each year.
 - Add paragraph stating that the alternate shall not attend Committee meetings unless he or she was attending in lieu of an appointed Committee member. Reasoning: Four members of Council constitute a quorum of Council, so having four members present at a Committee meeting could trigger a requirement to advertise the Committee meeting as a Council meeting.
- Section 11.04 – *Voting*. Add language granting the alternate voting privileges when serving in lieu of one of the appointed Committee members.

President Smith thanked Ms. Fisher for her work on these amendments, noting they had discussed the idea of an alternate for the Standing Committees. He said Council created a lot of committees with the initial approval of the Rules of Council, and the number of meetings the Mayor and Council members have to attend each month has grown from two to three to four or more. An alternate keeps continuity and allows them to continue to have Council representation at the meetings. He felt an alternate was the best solution when they are having a hard time achieving a quorum. He then entertained questions or comments.

Councilman Scrivens asked for the rationale behind removing Public Hearings from Section 4.03. Ms. Fisher said public hearings would still be held; they would just be held when the item appears under Old or New Business.

Hearing no further comments or questions, President Smith entertained a motion.

Motion by Councilman Scrivens, seconded by Councilwoman Dean, to amend the Rules of Council as presented. No comments followed. The Roll on this was the following:

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

6. Administrative Motion Approving the Schedule of Bills in the amount of \$450,320.48.
Mr. Duke respectfully requested the payment of bills in the amount of \$450,320.48.

President Smith entertained questions or comments. Councilman Scrivens inquired about the payment to Fillmore Construction listed on page 3. Mr. Duke said Fillmore Construction was awarded the City’s street program contract for 2021. Mr. Merriman added that the payment listed on the Schedule of Bills was for change orders and reconciliation, noting the City just accepted their work. Hearing nothing further, President Smith entertained a motion.

Motion by Councilman Brannum, seconded by Vice President Urschel, to approve the schedule of bills in the amount of \$450,320.48. No discussion followed. The Roll on this was the following:

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

J. APPOINTED OFFICIALS REPORTS

President Smith asked Ms. Fisher for her comments. Ms. Fisher said now that Council has approved the amendments to the Rules of Council, she noted that President Smith can make Standing Committee appointments at this meeting or at their next meeting. Also, Xenia Municipal Court Judge Ron Lewis' last day in the court would be tomorrow, January 14th. He was appointed by Governor DeWine to the Second District Court of Appeals and starts work there on January 20th. The Supreme Court of Ohio has appointed two visiting judges for the next two weeks. She hoped there would be an appointment by the Governor by the end of January, followed by an election for the seat in November to finish Judge Lewis' term. Due to short timeline, the Court did not have time to plan any type of sendoff. She wished Judge Lewis well in his new position. Vice President Urschel asked if the Clerk of Courts position was vacating also. Ms. Fisher said yes; Judge Lewis would be taking Clerk of Courts Steve Pierson with him to the Second District. Current Deputy Clerk Dannette Donatelli has been named Clerk of Courts. She felt that Ms. Donatelli was well qualified to step up into that role. She noted the Clerk of Courts position was appointed by the Judge, and the new Judge could retain Ms. Donatelli in that position or appoint someone new. President Smith asked Ms. Fisher to express Council's thanks to Judge Lewis.

President Smith asked Mr. Duke for his comments. Mr. Duke did not have anything further to share.

President Smith asked Mr. Merriman for his comments. Mr. Merriman shared that they are experiencing a significant Covid outbreak with the Public Service Maintenance Staff. They are maintaining basic operations, including addressing recent water main breaks, and he was hopeful that the winter weather system that was currently projected to go south actually goes well south of Xenia. He then provided a brief update on Xenia Towne Square, noting that he intended to update Council at the retreat scheduled for Saturday, January 15th, which was postponed. He expected final plan deliverables from Dillin LLC this week or next week. He was very pleased with their progress. They plan to meet with the stakeholder group on January 28th and the Planning and Zoning Commission (PZC) on February 3rd; he expected endorsements from both groups. After the PZC meeting, they would work on any final requested/necessary revisions before Dillin's special presentation to Council on February 17th. As Mr. Larry Dillin expressed early on in the process, the work of taking on a unique project like this necessitated an iterative process, and City staff and local stakeholders have been engaged with Dillin throughout the process to include looking at layouts, funding models, and all the things that go into redevelopment. After Dillin's submittal of the final deliverables including specifics aspect from a funding standpoint as well as the physical construction overall strategy, they will transition the conversation into action steps to include identifying a developer of record.

Vice President Urschel asked Mr. Merriman if he had any information on the deceased individual found on the north end of town. Mr. Merriman said the individual was a resident of a nearby apartment complex. No foul play was believed to be involved. As reported in the press release, a student discovered the body on the way to school that morning. He did not believe autopsy results had been received to date. He did not believe there was any public danger due to foul play.

K. REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

1. Property Management Committee: Councilman Scrivens said the Property Management Committee met on January 4th regarding the Ames property that Council considered this evening. He expected that the Chair assignment for this Committee would change in 2022. He thanked Council for allowing him to serve as Chair for the past year.

2. Board for Recreation, Arts, and Cultural Activities: President Smith said the January 4th meeting was canceled due to lack of agenda items. The February meeting would be canceled as well. The next meeting would be March 1st, and they would be planning the Easter Egg Hunt at Shawnee Park on Saturday, April 16th (the day before Easter).

3. Planning and Zoning Commission: Councilman Brannum said the January 6th meeting was canceled due to lack of agenda items.

L. COUNCIL COMMENTS:

Councilwoman Dean had nothing further to share.

Councilman Scrivens said he attended the STEM School's open house at the former YMCA building, which was very interesting. That morning, he attended a celebration of Colonel Young's life at Central State University, which was hosted by the National Park Service. He noted he met a three-star General and a Lieutenant Colonel. He extended condolences to the families of Dick Strous, Donna Howard, and Arch Grieve, Sr. He thanked XMC Judge Lewis for his service and wished him luck at his new job. He announced the MLK Jr. Service, put on by the Xenia Area Association of Churches and Ministries and the African American Ministerial Alliance, will be held on Monday at Zion Baptist Church, noting the keynote speaker was Vice President Urschel.

Councilman Brannum did not have anything further to share, except to say hello to his son Luke, who was watching the meeting from home.

Councilman Dean had nothing further to share.

Vice President Urschel reported that he had been attending Xenia Township Trustee meetings, and they reorganized at their most recent meeting. There were no specific collaborative items on the agenda. He along with Councilman Scrivens have also been attending Greene County Commission meetings. At a recent meeting, they passed a Resolution in support of naming a portion of U.S. 35 in memory of the late Greene County Sheriff Gene Fischer. He asked if Xenia could consider supporting that endeavor. Mr. Merriman said yes, noting the stretch of highway to be named was between U.S. 42 and U.S. 68. The item was added to the Council planning calendar for their next meeting. Vice President Urschel said he had also been attending Xenia Community Schools Board meetings, and with the new members on board, they reorganized at their first meeting of the year. He noted that new member Mr. George Leightenheimer was assigned as the School representative on BRACA and Mr. Joshua Day, who was voted as the Board President, was assigned as the School representative on the Economic Development Advisory Board (EDAB). He expressed concerns about some flags that were on display, noting he had learned a lot about the difference between vulgarity, obscenity, profanity, and threatening speech thanks to his lengthy conversations with Ms. Fisher. Ms. Fisher noted that obscenity has to do with sexually explicit materials; the language

on the flags that Vice President Urschel was speaking of was considered profanity, which was protected First Amendment speech according to a long tradition of U.S. Supreme Court cases. Vice President Urschel said he had received many phone calls from those who are also concerned with the flags. He said next Monday's MLK Jr. Service at 7 p.m. at Zion Baptist Church would be a wonderful celebration, noting there are many reasons to celebrate Dr. King. He noted that Dr. King spoke in his sermons about hating the injustices but the need to redeem the person who oppressed them. He was impressed by Dr. King's moral courage to make that statement, noting he may personally be too small of a man to have given that sermon message, but he was definitely inspired by it.

President Smith asked if the Property Management Committee was holding a meeting on Tuesday, January 18th. Councilman Scrivens and Mr. Merriman said yes. President Smith said the existing Property Management Committee members would remain in place until he makes the 2022 appointments at the next Council meeting. Finally, "Who Dey!"

Mr. Duke reminded everyone that City Offices would be closed on Monday in observance of Martin Luther King Jr. Day.

M. EXECUTIVE SESSION: President Smith noted that Council would be going into an Executive Session and would not be returning to the Regular Meeting to conduct any additional business except to adjourn the meeting.

Motion by President Smith, seconded by Councilman Scrivens, to go into Executive Session at 7:32 p.m. to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official (Appointed Officials Contracts) per XCO §206.04(a)(1) and ORC §121.22(G)(1). No discussion followed. The Roll on this was the following:

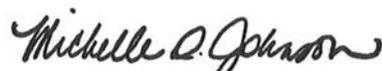
Ayes: Urschel, Scrivens, R. Dean, Brannum, L. Dean, Smith
Nays: None motion carried.

The Council convened in Executive Session with the same members present. At 8:02 p.m., the Council reconvened the Regular Meeting.

N. WORK SESSION: None.

O. ADJOURNMENT: Motion by Councilwoman Dean, seconded by Councilman Brannum, to adjourn the Regular Meeting at 8:03 p.m. No discussion followed. The Roll on this was the following:

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


Michelle D. Johnson
City Clerk


Wesley Smith
President, Xenia City Council