

**XENIA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
MARCH 28, 2019
7:00 P.M.**

- 1. CALL TO ORDER:** President Michael Engle called the March 28, 2019, Regular Session to order at 7:00 p.m. in the City Council Chambers, City Administration Building.
- 2. INVOCATION or MOMENT OF SILENCE:** Those present observed a moment of silence.
- 3. PLEDGE OF ALLEGIANCE:** Mayor Mays led those present in the Pledge of Allegiance in Councilman Urschel's absence.
- 4. ROLL CALL:** Councilman Dale Louderback, Councilman Wesley Smith, Councilman Levi Dean, Mayor Sarah Mays, and President Michael Engle were all present. Vice President Edgar Wallace and Councilman Will Urschel were absent.

Motion by Mayor Mays, seconded by Councilman Louderback, to excuse Vice President Wallace and Councilman Urschel from the meeting. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

- 5. APPROVAL OF MINUTES:** Motion by Councilman Smith, seconded by Mayor Mays, to approve the March 14, 2019, Regular Session meeting minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

6. SPECIAL PRESENTATION(S):

Greene CATS – Ken Collier, Executive Director, and Woody Stroud, Transit Chair. President Engle invited Ken Collier with Greene CATS to the podium for his presentation. Mr. Collier thanked Councilman Louderback for the invitation. He noted Mr. Stroud was at the Cincinnati Reds Opening Day and was unable to attend the Council meeting. He then spoke about the services provided by Greene CATS including how and where people can use the bus routes, stops, and flex routes as follows:

- The defined flex routes with scheduled time points start at \$1.50 per one-way ride with free and unlimited transfers between busses that transport riders to locations in Xenia, Yellow Springs, Fairborn, Beavercreek, CSU, and the Dayton RTA.
- Scheduled rides start at \$3.00 per one-way ride at any Greene County location with limited service to Montgomery County.

Councilman Louderback commended Mr. Collier on the Greene CATS service and asked if Greene CATS could be used for people to use daily to get to and from work. Mr. Collier said it is possible; he explained they currently have 45 busses that run about 20 routes daily. Mr. Merriman asked if they expect additional funding from State transportation bills. Mr. Collier said yes, but he did not

know how much. Mayor Mays said she recently did a ride along with Shannon Webster, and she appreciated the travel/ride training that they provide to riders who may not know how to use the system, which can be intimidating. Mr. Collier agreed Greene CATS will help riders learn how to get to their destinations even if that includes providing them information to another transportation provider. President Engle thanked Mr. Collier for his presentation.

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

Angela Wilson, P.O. Box 0656, Wilberforce, said she was speaking on behalf of the youth organization Diamonds and Pearls, which she helped to establish back in 1999 in Xenia for a diverse group of local youth who may be experiencing special/educational needs, low income, lack of parental support, etc. This volunteer-based organization mentors the youth through the vehicle of dance but they also have counselors, tutors, etc., who support the children. She requested that the City begin to offer their Community Funding Grant again to help support their organization. They have received the grant in the past, which really helped their organization and allowed them to continue to offer the program free of charge to area youth. With Diamonds and Pearls' recent partnership with Community Action Partnership (CAP), they approved a discounted rental rate for space, but since the CAP's leadership changed, they are now being charged double the rent. They need additional funding to continue to operate and continue to serve the youth of this community. Councilman Louderback asked if the City still offers the Community Funding Grant program. Mr. Merriman said there is no funding currently budgeted as those funds are now used for First Fridays and other downtown events; however, reinstatement of the Community Funding Program could be presented to the Council Budget Committee. Councilman Louderback said Diamonds and Pearls provides a great service to this community.

John Caupp, 936 Orville Way, spoke on Council's recent changes to the Property Maintenance Code, and the quicker they get things mowed, the better. He commented on the issue with CVS' grass last year and suggested the City contact CVS management so they did not have to mow their grass again this year. He believed Vice President Wallace should have abstained from the vote on the Ordinance to amend the Property Maintenance Code because his church owns 56 acres, and they have been cited for not mowing their grass. He then spoke on Resolution 2019-G regarding Non-Union Wages for 2019, 2020, and 2021 on today's agenda and stated he did not support it. He said the city is broke and tax revenues are down. He felt that some administrative positions were being paid too much as compared to similar private sector jobs. He suggested the Council President hold a public special session and discuss ways to cut expenses and provide services more efficiently. He was concerned that his street is in poor condition, and he lives in a newer neighborhood with homes still being built. He recommended Council consider freezing wages for a few years and/or look at cuts to HSA contributions or other benefits. He suggested no longer putting the year's HSA contributions in employees' accounts in January. Rather, he suggested prorating it and adding it to bi-weekly paychecks, so if employees quit at the end of January, they don't walk away with up to \$3,500. He implored Council to be good stewards of the City's dollars, cut expenses, and deliver services more efficiently.

Thomas Scrivens, 725 Lexington Avenue, complimented the Council on the REACH Center, and commended Development Director Steve Brodsky on doing his job well. He has been asked about when more jobs are coming to Xenia as well as the status of Xenia Towne Square. He also raised

concerns about the food desert in downtown and wished there was a downtown grocery option. With spring and the rainy season upon them, he urged the City to keep the catch basins clean and curbs in good repair to avoid pooling water, which infiltrates and degrades streets. He recommended that Council also have compassion on Diamonds and Pearls and see if they can find some dollars for such a commendable organization.

8. OLD BUSINESS:

A. President Engle presented RESOLUTION 2019-E ESTABLISHING STREET LIGHTING DISTRICT #3 WITHIN THE STERLING GREEN CROSSING SUBDIVISION AND DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS WITHIN STREET LIGHTING DISTRICT #3 BY THE LIGHTING THEREOF FOR THE YEARS 2020 - 2022, originally introduced by Vice President Wallace, and it was read for a second time.

Motion by President Engle, seconded by Councilman Louderback, to approve Resolution 2019-E as read. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

B. President Engle presented RESOLUTION 2019-F AUTHORIZING THE CITY MANAGER TO USE NEGOTIATIONS OR INFORMAL COMPETITION FOR THE SALE OF THE CITY-OWNED PROPERTY AT 677 E. CINCINNATI AVENUE AND ANY FIXTURES THEREON, originally introduced by Councilman Louderback, and it was read for a second time.

Motion by Councilman Louderback, seconded by Mayor Mays, to approve Resolution 2019-F as read. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

9. PUBLIC HEARING(S):

Community Development Block Grant (CDBG) Small Cities Program for 2019. City Manager Brent Merriman said as part of a two-year funding cycle, the City of Xenia is eligible for project funding through the Community Development Block Grant program. This is a long-standing federal funding resource made available through the Ohio Development Services agency. As both state and federal agencies are involved, the City is required to meet all applicable standards and requirements as established at both governance levels to maintain eligibility. Among the requirements, they must conduct two public hearings, one general in nature and one project specific in the interest of soliciting public input. This is the first public hearing. The City has \$150,000 available to it in direct allocation funding for the 2019 funding cycle, which can be used for a broad variety of planning, community improvement, and housing related activities. The activities must be primarily designed to benefit low- to moderate-income persons, aid in the prevention of slum and blight, or meet an urgent need within the community. Other competitive grant funding opportunities are also available for application including the Community Housing Improvement Program for which the City has historically partnered with Greene County to pursue and intend to do so again, the Neighborhood Revitalization Grant, Critical Infrastructure Grant

Program, and the Target of Opportunity Funds. For this round of funding, staff respectfully recommends that the entire CDBG allocation funding allotment be utilized specifically to rehabilitate or replace concrete and curbing in conjunction with the W. Second Street rehabilitation project.

President Engle opened the public hearing at 7:36 p.m. and invited those in favor of the CDBG Small Cities Program for 2019 to come forward to speak. No one came forward to speak. He then invited those opposed to the CDBG Small Cities Program for 2019 to come forward to speak. No one came forward to speak. He then asked for those speaking neither for nor against the CDBG Small Cities Program for 2019 to come forward to speak.

Thomas Scrivens, 725 Lexington Avenue, said the CDBG program has helped fund lighting improvements in the City's East End, which has resulted in reduced crime. He supported the past endeavors of the program and thanked City Council for their plans to use these funds on streets this year.

President Engle closed the public hearing at 7:38 p.m. and entertained comments or questions from Council. Hearing none, he said no action was requested this evening, and as stated, a second public hearing would take place later in the year.

10. NEW BUSINESS:

A. Introduction of Resolution 2019-G amending Appendix 2 of the Employees Benefits Manual (Non-Union Wage Ranges) of the City of Xenia, Ohio, for the years 2019, 2020, and 2021. Mr. Merriman said on behalf of the Administrative Steering Committee, which includes the City Manager, Finance Director, Law Director, and the Clerk of the Municipal Court, he respectfully recommend introduction of Resolution 2019-G. If authorized, the Resolution would adjust non-union pay ranges as presented in Appendix 2 of the Employee Benefits Manual. As detailed in the agenda report the Steering Committee met last month and deliberated what would be appropriate regarding non-union pay range adjustments given factors such as the Consumer Price Index, wage increases recently approved by Council among the City's seven bargaining units, and the City's overall financial position. Based on these factors and in the interest of remaining competitive in a very limited labor market, the Steering Committee recommended 2.25% increases in pay ranges for each of the next three years for non-union employees. By comparison, bargaining unit employees are scheduled to receive wage scale increases ranging from 6.75% to 8.25% over the same three-year period. However, in this case, approval of the pay range adjustments does not approve or guarantee any individual increases; pay adjustments are determined based on individual employee assessments on an annual basis. Resolution 2019-G only adjusts the pay ranges for which applicable employees could be eligible.

President Engle entertained introduction of Resolution 2019-G as presented.

Councilman Smith presented RESOLUTION 2019-G AMENDING APPENDIX 2 OF THE EMPLOYEES BENEFITS MANUAL (NON-UNION WAGE RANGES) OF THE CITY OF XENIA, OHIO, FOR THE YEARS 2019, 2020, AND 2021, and it was read for the first time.

B. Administrative Motion authorizing the City Manager to execute an Agreement to purchase a Single-Axle Dump Truck Chassis and Snow Plow Unit through the State of Ohio

Public Service staff came to a consensus that a different approach with different equipment would present a better value and improved end product. Staff is recommending the purchase of a Falcon Hotbox with Trailer to replace the DuraPatcher. A \$60,000 line item was included in the 2019 budget for the DuraPatcher replacement. The price point of the Hotbox comes in at about 30% cheaper than purchase of a replacement DuraPatcher. Beyond this immediate savings, however, the technology provided with the Hotbox allows the use of “hot” asphalt, which presents a more permanent repair option, and to do so through an extended portion of the road maintenance season. These factors should lend to better, lasting repairs with improved cost effectiveness for pothole filling efforts. The Falcon Hotbox is available via the Ohio DAS Cooperative Purchasing Program from the McLean Company at a not-to-exceed cost of \$39,245.00, upon such terms and conditions as are approved by the Law Director.

President Engle entertained a motion.

Motion by Councilman Louderback, seconded by Mayor Mays, to authorize the City Manager to execute an Agreement for the purchase of a Falcon Hotbox with Trailer through the State of Ohio DAS Cooperative Purchasing Program from the McLean Company at a cost not-to-exceed \$39,245 upon such terms and conditions as approved by the Law Director. Brief discussion followed. Councilman Louderback asked when the asphalt plants open for the year. Mr. Merriman stated they typically open in April and stay open through October, weather dependent. Councilman Louderback asked about the product they are currently using to fill potholes. Mr. Merriman said they are using Coldpatch in the DuraPatcher, which fills the holes during the winter months but it is not as stable and does not bind like hot asphalt. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

E. Administrative Motion Approving the Schedule of Bills in the amount of \$817,994.47. Mr. Duke requested the payment of bills in the amount of \$817,994.47. He explained the amount is slightly higher due to the rehabilitation of the W. Second Street Water Tower project, which totaled a little over a half million dollars. Councilman Louderback asked Mr. Duke when he would have information about this year’s Income Tax collections. Mr. Duke said most of the returns should be processed and audited by the end of May.

President Engle entertained a motion.

Motion by Councilman Louderback, seconded by Councilman Smith, to approve the schedule of bills in the amount of \$817,994.47. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

11. REPORTS OF COMMITTEES:

A. Mayors and Managers: Mr. Merriman gave some background on Ohio Municipal Leagues (OML) updates including the transportation bill at the state level. He commended OML for their frequent updates and for their efforts to defend home rule.

B. Miami Valley Regional Planning Commission: Councilman Louderback said the March and April meetings have been cancelled.

12. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

A. City Manager, Finance Director, and Law Director:

Mr. Merriman gave an update on the W. Second Street paving project, which will likely start in April, and includes the roadway, curb to curb, from the downtown area all the way to Progress Drive. As part of the County Engineer's bid, Montana Drive will also be repaved this year. They will keep the public updated on the timeline of the projects and traffic changes. Councilman Louderback noted Montana Drive was a lengthy street and would be a sizable project.

Mr. Duke said they are nearing the income tax filing deadline, and he encouraged people to come in sooner rather than later to have City staff assist in filing City taxes at no cost. Regarding audience comments made about health insurance, he said Council has had ample conversation with staff about employee insurance benefits, which included a special session dedicated specifically to insurance benefits¹. Staff is always working to balance the reduction of expenses while providing employees with competitive benefits packages. A portion of the presentation made to Council included comparisons produced by the State Employment Relations Board (SERB), which showed that Xenia is actually spending far less per employee compared to other municipalities across the state. Specifically, most municipal employees pay only 11-12% of their insurance costs, where many Xenia City employees pay up to 30% of their health insurance share with the lowest at 15%. The Insurance Committee does a great job at looking at all options to reduce costs, and they will continue to keep Council updated as they have always done in the past. President Engle recalled past conversations and commended staff for their efforts. The numbers do not lie. They are blessed to have the employees they have, especially those in Public Safety and Public Service, and with a diminishing labor pool, it is becoming increasingly difficult to attract quality candidates. Therefore, they need to do what they can to keep current employees.

Ms. Fisher gave an update on the Ohio Municipal Attorneys Association (OMAA) ran by Executive Director Gary Hunter. The OMAA is putting together a committee to address statewide issues, and they invited her to participate on the committee. She respectfully requested Council's blessing to accept the invitation and participate on that committee. President Engle encouraged her to do so noting she has done a great job in Xenia.

B. Mayor and City Council:

Mayor Mays shared the following:

- March 17: She attended a celebration of Dr. J. Douglas Walls from the E. Second Street First Church of God and his 51 years of pastoral care for his church.
- March 18: She thanked Dr. Franklin from CSU for inviting her to participate in his speech class. One of his students gave the speech, "Ain't I a Woman" by Sojourner Truth, who did a phenomenal job! She was also impressed with a young man who spoke to her afterwards about how he and students can help homeless folks or people in need in Xenia.

¹ Held on October 25, 2018

- March 20: She participated in the 155th celebration of Col. Charles Young and thanked Dr. Joy Kinard for her passion and dedication to this local hero. It was a beautiful event that honored some very impressive people who are dedicated to seeing Col. Young's story live on.
- March 20: She acknowledged her grandfather who turned 94 on this day.
- March 23: She thanked Mr. Shane Barker from Walmart for coming to the City Building in an effort to reach out and talk about partnerships together with the City, being good neighbors, etc.
- March 23: She attended the swearing in of two Xenia Police Division promotions; congratulations to now Captain Johnson and Sergeant Foubert on their promotions!
- March 26: She attended a presentation at the Russ Research Center. She thanked Mike Dies and Scott Miller for presenting and Greene County Commissioner Koogler for setting it up; it was very informative and she enjoyed learning about the collaborative work happening at that facility.

Councilman Louderback congratulated Xenia High School Senior Mr. Samari Curtis who was named Mr. Ohio Basketball, which is great accomplishment.

Councilman Smith updated everyone on Greene County Parks and Trails' night rides on Saturday evenings and are scheduled to start on April 6. He said most rides originate at Xenia Station and go to Beavercreek, Spring Valley, Cedarville, and Jamestown. Those interested can go to their website to learn more. He also gave an update on the Ohio River Road Runners Club (ORRRC) Marathon in Xenia, which will start at 8 a.m. on Sunday, April 7, at the REACH center on Progress Drive. He said residents should anticipate some traffic issues and asked Mr. Merriman if he had any updates on the event.

Mr. Merriman said with the opening of the REACH Center and the closing of the former YMCA site, the marathon route had to be reconfigured. Staff worked with the ORRRC representatives on the new route—much of which will now be inside the City limits—and how to handle potential traffic complications. He noted he just learned that the Greene County Fairgrounds is also hosting the Shrine Circus from Friday to Sunday, April 5-7. Again, staff will work with them to minimize any impacts on traffic as several thousand patrons are expected. Staff will keep the public notified, including HyperReach notification in certain areas where residents are impacted by the marathon route.

Councilman Smith said he introduced Resolution 2019-G because he supports City employees, and as a business owner, he understands the value of employee retention and continuity for maximum productivity. He did not think a 2.25% increase was out of line.

Councilman Dean had nothing further to share.

President Engle had nothing further to share and entertained a motion to go into Executive Session.

13. EXECUTIVE SESSION: Motion by Councilman Louderback, seconded by Mayor Mays, to go into an Executive Session at 8:14 p.m. to discuss personnel matters to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee per XCO §206.04(a)(1) and ORC §121.22(G)(1). No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle
Nays: None motion carried.

