

**XENIA CITY COUNCIL
SPECIAL SESSION MEETING MINUTES
APRIL 26, 2018
5:15 P.M.**

1. CALL TO ORDER: President Michael Engle called the April 26, 2018, Special Session to order at 5:26 p.m. in the City Council Chambers, City Administration Building.

2. ROLL CALL: Vice President Edgar Wallace, Councilman Thomas Scrivens, Councilman Wesley Smith, Councilman Levi Dean, Mayor Sarah Mays, and President Michael Engle were present. Councilman Dale Louderback was absent.

3. DISCUSSION:

Update on Post-Closure Landfill Activities. Mr. Merriman thanked everyone for their presence as staff wished to keep Council abreast of everything that had happened and ongoing challenges. They met with the Ohio EPA (OEPA) on Monday of the current week, and City Engineer Chris Berger would provide the most current information along with some background information.

Mr. Berger said the City’s closed landfill accepted general municipal (residential, commercial, and agricultural) solid waste while it was in operation from 1950 to 1990 as follows:

- Area A (Towler Rd)..... 1950-1961
- Area B (Behind Service Center) 1963
- Area C (Behind Service Center) 1976
- Area D (North of C & D Landfill) 1963-1975
- Area E (West of Service Center) 1972-1975
- Area F (North of 588 Dayton Ave)..... 1976-1985
- Area G (West of Westside Park)..... 1976-1990

Mr. Berger shared the following graphic that demonstrated the location of the monitoring probes:



In regard to post-closure monitoring, Mr. Berger said the following was required:

- Gas Monitoring (< 5% Methane Limit)
- Groundwater Monitoring
 - Monitoring Required for 30 years once deemed “Non-Hazardous” by OEPA

Mr. Berger noted the landfill had not been deemed “non-hazardous” yet; therefore, the 30-year period has not even started yet. President Engle asked the definition of “non-hazardous.” Mr. Berger said prohibited methane gas, etc., cannot leave the site and affect adjacent property. Mr. Merriman said given the OEPA’s lack of a specific definition, it was unlimited and indefinite.

Mr. Berger said even though they stopped accepting waste in 1990, the post-closure activities began in 1994 and continue today as follows:

- Monthly Monitoring Reports submitted to OEPA
 - “Exceedances” of allowable limits on any probe requires weekly readings until compliance limits are satisfied.
- Handful of the same probes exceeding allowable methane gas emissions in Areas A and F, which required weekly (vs. monthly) readings.
- Flint, Michigan Public Water Crisis/Ohio Political Implications, 2015-2016
- OEPA Director declared Xenia methane emissions at select probes in Areas A and F to be an urgent matter due to their proximity of occupied structures (February 2016).
- City of Xenia Maintenance Personnel excavated a trench with Passive Venting along the Landfill boundary in Area F in spring 2016 where methane emissions are at their peak.
 - Success achieved! Methane emissions lowered and were in compliance.
- Due to the success achieved with trenching in Area F, they applied for a Rule 13 from OEPA to do the same in Area A adjacent to Sanitation Barn in December 2016.
 - Comments received and application re-submitted in February 2017.
 - No correspondence received from OEPA on re-submitted application.
- OEPA Director issued Findings & Orders (F&Os) for Methane Gas Emissions that exceed allowable limits in Areas A & F on May 17, 2017.

Mr. Merriman said they need Rule 13 to make any changes. Staff recognized potential fixes, but they cannot do anything without OEPA’s acquiescence.

Mr. Berger shared what happened since the Findings and Orders were issued on May 17, 2017:

- City of Xenia hired an attorney who specialized in environmental matters in June 2017 to negotiate (final) F&Os with OEPA.
- City of Xenia purchased home at 588 Dayton Avenue to “eliminate problem” of occupied structure(s) within 1000’ of probes with methane levels exceeding allowable limits.
 - Methane levels exceeding allowable emission levels for occupied structures within 1000’ feet required an Active Gas Extraction System (very, very costly).
- Additional trenching completed at Area F boundary once City of Xenia acquired 588 Dayton Avenue as methane level(s) adjacent to structure still not in compliance.
- The final F&O negotiations continued into 2018.
- City Maintenance Personnel excavated a trench in Area A with Passive Vents adjacent to the Sanitation Barn on Towler Road in February 2018.
 - To date, early monitoring shows no violations of allowable methane emissions.

Mr. Merriman said the multiple attempts to finalize the F&Os was very frustrating. Staff had a problem with the requirement to install an active gas extraction system, which would have been

very expensive and did not guarantee a fix. Further, this would have impacted surrounding property owners. Therefore, staff felt that order was unacceptable. Councilman Scrivens asked if the gas could be burned off. Mr. Merriman said that would have been part of the gas extraction equipment. Mr. Berger said it would have cost upwards of \$1.5 million.

Councilman Scrivens asked how they know how far down to trench. Mr. Berger said they trench to where they think the trash begins. Mr. Merriman said the landfill dates back to the 1950s, and there are virtually no records to show boundaries, depth, etc. Mr. Berger said OEPA did not have the information either; therefore, they are using the property boundary as the landfill boundary.

Mr. Berger said he and Law Director Donnette Fisher met with OEPA staff on April 23, 2018, to hopefully finalize the final F&Os as new legal representatives from OEPA Central Office join the process. He shared the following:

- OEPA officials announced they re-prioritized the matters affiliated with the entire landfill, not solely Areas A and F.
 - OEPA believed that several “clusters” of monitoring probes did not give an accurate assessment of the actual methane levels.
 - OEPA suggested several removals/consolidations of existing probes.
 - City of Xenia requested removals/consolidations of existing probes at least two (2) years prior.
 - OEPA affirmed the F&Os issued on May 17, 2017, are on the sideline, at least for now.
- Time, money and effort for work completed over the last two (2) years in Areas A & F all for naught?
- Similar requirements/changes forthcoming for groundwater monitoring?

Mr. Merriman said he and staff have spent countless hours and the City has spent tens of thousands of dollars over the last two years trying to address the Findings and Orders only to have OEPA put them aside. He then shared concerns from the City’s attorney about the meeting. President Engle expressed his disdain with the OEPA’s degree of incompetence. Councilman Scrivens agreed.

Mr. Merriman said acquisition of 588 Dayton Xenia Road was the right thing to do regardless because that property should have never been developed that close to the landfill. Further, acquisition of the property allowed them to extend the landfill boundary. He noted the conversation on groundwater could go in multiple directions. It was important for Council to understand the scope and gravity of the situation—there are dozens of homes within 1,000 feet of Areas A and F. There was absolutely no evidence of any migration in that direction, but with OEPA’s inconsistency, they need to remain cognizant.

Mayor Mays asked if they are asking for more trouble if they push back. Mr. Merriman said it was not a good situation either way.

Councilman Smith asked how long OEPA planned to “table” the Findings and Orders. Mr. Berger said they did not know. On Monday, they spent an hour and a half talking about the cluster areas and where they would put each probe, but OEPA would not commit to anything.

Mr. Merriman said this started with a phone call on a Friday evening 18 months ago, and now they are virtually back to square one. Council communicated their frustration with the OEPA’s handling of this matter and directed staff to aggressively pursue resolution to include reaching out to State officials.

Council Budget Priorities. Assistant City Manager Jared Holloway continued his presentation from the April 12, 2018, Special Session regarding the proposed Budget Priorities.

Turning challenges into opportunity

- Xenia Towne Square (XTS)
- Collier Property
- Eavey Building
- Carnegie Library
- Hooven & Allison (H&A)
- Downtown YMCA Building
- Downtown Xenia Adult Recreation and Services Center Building

Staff has worked with Council on most of the above “challenges” and engaged various opportunities. Overall, the City’s priority should be that all these community assets be privately owned or managed to a point that they are utilized and providing an economic or community benefit. They want to see growth, jobs, and development, and although each of these have their unique challenges, overall the above-mentioned properties have the ability to bring significant growth and improvement to their neighborhoods and the city as a whole.

Mr. Merriman provided some additional updates: He was working to set up a meeting with Brandicorp regarding the XTS property. He received an email about the Collier property, which was a positive sign. The owners of the Eavey building are looking to host a farmers market this summer. Several entities have toured the YMCA/XARSC facilities. They are actively having strategic conversations on all the above-listed sites.

Vice President Wallace asked about H&A. Mr. Merriman said the litigation was scheduled to move forward. The property was listed with a real estate firm, and they would continue to market it. Councilman Scrivens inquired about restrictive covenants. Mr. Merriman said they cannot locate anything related to a school, residential, recreational purposes on the property.

Continue special event programming and support

- First Fridays
- Sonnycalb Memorial Fireworks
- Community Festival
- Neighborhood Night Out
- ORRRC Marathon
- Hometown Christmas

Mr. Holloway said staff would like Council’s opinion to continue supporting special event programming. These events not only promote community oneness but also allow City officials to interact and engage the broader community. Councilman Smith suggested combining the fireworks festival with the community festival as one big event, which would make the festival more successful. Mr. Merriman said the events are organized by two different groups. The Xenia Area Chamber of Commerce planned the Community Festival and Xenia Rotary planned the Sonnycalb Memorial Fireworks because Rotary was the primary contributor. He did not believe there would be any pushback from City staff to combine the events. They want to see a well-attended Community Festival. Councilman Smith said Xenia’s Community Festival competes with many other area festivals that are held the third weekend in September. Mr. Merriman said last year they talked to festival committee board members and asked if they would be willing to take the festival

in a different direction (timing, theme, etc.) if the City served as a bigger player in the event. They expressed an openness to the concept. However, City staff has not had time to pursue that. Councilman Smith said this year's event is already set; however, maybe they could explore that for 2019. Mr. Merriman said the City contributed financial and material support with all the events. If Council's direction was to cut spending, they need to start with discretionary spending like this—not firefighters and police officers. The City contributed quite a few resources for Hometown Christmas in 2017, and it was a success, but they need to know if Council wishes to continue that support.

Mayor Mays said some events, such as NNO, were key to keeping the lines of communication open. Mr. Merriman said NNO was the cheapest event to support because they have good sponsors. Mayor Mays said she used to be a naysayer of Hometown Christmas until she saw the success of this past year's event. Mr. Holloway noted that some 2017 expenses for Hometown Christmas were one-time expenses, such as the Santa house, wreaths and banners for the light poles, etc., which would be used year after year.

Mayor Mays asked what type of support the City provided for the marathon. Councilman Smith said he did not even realize the City supported the event until he participated. Mr. Merriman said the marathon was not a City event or City-sponsored event, but police and fire personnel support the event. Mayor Mays said she did not even know about the event, and it needed to be advertised better. Mr. Merriman said there was significant material benefit of the event to the City. There are an estimated 3,000 to 4,000 participants and support people for this sanctioned event. They need to bridge the gap with the planners from a logistics standpoint as well as to make it more of an economic development opportunity. Mayor Mays suggested they encourage local businesses and restaurants to welcome the runners. Mr. Merriman said this event results in a large captive audience, and they could do an after-race event, invite food trucks, etc. Currently, the event requires very little direct cash outlay. Mayor Mays felt the City could do more to support the marathon. Councilman Smith noted the YMCA was closing, and the marathon would need to find a new location for pre- and post-race gatherings. Mr. Merriman said with Council's directive, staff can work to create more economic development opportunities associated with the race.

President Engle said of the six items listed, he felt the two weakest are the Community Festival and Hometown Christmas. Regarding Hometown Christmas, the weather was unpredictable. They could invest a great deal of time, money, and effort into planning a great event, and the weather could ruin everything. Also, while he loved Shawnee Park, the event was relocated out of the downtown area. He wanted the event to be an economic draw and having the event at the park was not doing much for downtown businesses. The Community Festival was withering on the vine. Mr. Merriman said the Community Festival dollar for dollar was the most expensive endeavor. Mr. Duke said the Community Festival parade required a lot of resources. Councilman Smith said the event used to be a three-day event but they cut Sunday off; further, if there was a home football game on that Friday, which is the first day of the festival, the event would be dead. Mr. Merriman considered their comments his marching orders to share with the planners.

Councilman Scrivens asked how they are going to deal with Hamvention. Mr. Merriman said staff was taking a step back from this event. Last year, Xenia was blamed for a lot. He reported that some Xenia businesses took a 15% loss over the weekend. If the Convention and Visitors Bureau continued to be involved, there was the potential for a growing convention business at the

Fairgrounds. Xenia Staff has been engaged in conversation relative to emergency action plans, parking, and traffic flow only. The City of Xenia has no jurisdiction over most of the site—only 20% (part of the race track). If there was a demonstrated benefit last year, it would be a different situation. Vice President Wallace noted that some restaurants bolstered their staff but the crowds never came. Mr. Merriman said the overriding conclusion was that event patrons went to the event and then left and went straight back to their hotel.

Mr. Merriman asked for a specific direction on all or some of these events so the budget could be adjusted accordingly. Councilman Smith asked if Hometown Christmas could be simple and only include the light display and Santa. Mr. Merriman said yes; however, he noted the volunteer working on Hometown Christmas has big plans for this year's event. Mayor Mays noted these budget priorities are for 2019, so they could see how this year's event goes. Mr. Merriman asked about a Christmas parade this year and moving forward. Mayor Mays said she absolutely could not support a parade unless traffic was completely shut down. The way it was handled last year was way too dangerous—traffic, including semi-trucks, continued to move through town with children sitting on the side of the street. She suggested something simple, such as having Santa travel down Whiteman and straight into the park.

Build a Healthier Community

- Continue to encourage access to health care
- Partner with CSU on land grant initiatives
- Partner with Greene County Combined Health District on health initiatives

Mr. Holloway said individual and family health was vital to the longevity and wellbeing of this community. Xenia should be a place that welcomed all health focused partners and encouraged growth in individuals and corporations to live healthy lives. They wished to continue to encourage access to health care both with current organizations, such as Greene Memorial Hospital, as well as future growth opportunities. Regarding partnering with CSU on land grant initiatives, the university brings a wealth of knowledge, resources and possibilities for mutual partnership, which has already started with plans for a community garden at Lexington Park. Regarding partnering with the Greene County Combined Health District on health initiatives in the community, the County Health District has invested in Xenia with their new \$6 million facility to open this spring in Xenia. This will help to educate the public about healthier choices, facilitating healthier lifestyles throughout the community, help prevent outbreaks and the spread of infectious diseases, and ensuring safe food and water in communities.

President Engle asked how the above objectives compare to the overall investment for community events. He assumed the monetary investment would only be a fraction of the overall investment as compared to community events. Mr. Merriman agreed. With regard to the community garden at Lexington Park, the other entities involved are carrying much of the burden. The cost involved was mostly just staff time.

Strategic Budget Items

- Reignite Downtown Partnerships and Update Downtown Plan
- Update the Information Technology Strategic Plan
- Maximize effectiveness of Fleet Management Plan
- Review and Update X-Plan

Mr. Holloway said there was a reigniting of downtown building and business owners who want to be engaged and want to see Xenia come alive, which was great because the government cannot create business—it was not the City’s job. However, City staff wants to assist as needed to promote the formalization and support of this downtown group. An update to the Information Technology Strategic Plan has been underway over the past few years but stalled due to a retirement and transitions in the IT Department. The Fleet Management Plan was implemented and maintained previously but they now need to begin reaping the benefits of the work and maximizing the information they have, such as fuel economy of city vehicles, maintenance costs, or even tracking employees’ differentiated wear and tear on vehicles. The X-Plan was adopted in 2013, and it needs to be reviewed and updated. The overall citywide X-Plan for community and economic development and neighborhood revitalization was utilized and implemented well in the past five years, but as actions are accomplished and time moves on, it was important to have a relevant and engaging plan.

Seek Operational Efficiencies and Cost Reduction

- Restart surplus program for property and equipment
- Pursue opportunities of intergovernmental cooperation to reduce costs

Councilman Scrivens asked about the program for surplus equipment. Mr. Holloway said in the past, the City had a process and procedures to surplus unneeded equipment and property, but staff has not had the time to do this efficiently and in a way to maximize the financial gain to the city. So by reengaging and prioritizing this, they hope to run a more lean operation, get rid of unneeded properties and equipment, and get these assets into private hands who can turn them into a profit and grow our economy.

Councilman Scrivens asked if “intergovernmental cooperation” meant City, Township, County, School Board, etc. Mr. Holloway said yes. They wish to pursue opportunities to partner and cooperate, which will only be better for all Greene County residents, and sometimes with significant financial savings.

President Engle said he was a proponent of long-term planning, and they had done an excellent job over the last number of years. Some plans might yield an immediate cash return, such as a surplus program for property and equipment; others are long-term plans. However, he wanted to tell citizens that they have done as much as they can for operational efficiencies.

Mr. Merriman said they would not do plans to just “dream”—each plan will set forth action steps to carry out the plan. They also plan to review the Safety Study, even though it was not listed, because it was important for these costly areas to be as efficient as possible.

Mr. Merriman asked Council if they missed anything. They will be building the tax budget and the final budget based on these priorities. Councilman Smith said they need to make it a goal and put it in writing to partner with the School Board for additional School Resource Officers—at least one at the middle school and possibly a shared one for the elementary schools. Other Council members expressed their concurrence. Councilman Dean said he would like to meet in a joint session with the School Board at least once or twice per year. Mr. Merriman agreed; he talked with the Superintendent about an informal “meet and greet” to get started. Council concurred.

Councilman Dean said he would like to see a survey done in 2019 to determine what citizens want or do not want. Mr. Merriman agreed. He already looked at area institutions who have done them in the past; he noted the surveys have to be conducted in a certain way to accomplish a scientific survey. Mr. Duke said a scientific survey would cost about \$15,000. Mayor Mays inquired about online surveys. Mr. Duke said online surveys are not scientific but they could not control age demographics, location demographics, etc. Mr. Merriman said if they reduce the scope, they may be able to reduce costs and still accomplish scientific results. Councilman Smith asked if IT staff could add a pop up on the City's website to ask those paying their utility bills online if they want to participate in a survey. Mr. Duke said they probably could, but again, it would not be scientifically reliable. Mr. Merriman said from a statistics standpoint, they could not guarantee a good cross section of the Xenia population would take the survey. Mr. Holloway asked if Council wanted to spend money on a survey. Mr. Merriman suggested they come back to Council with some options. That said, he was very committed to scheduling more events and opportunities to get Council and staff in front of residents to engage in face-to-face conversations. Vice President Wallace agreed. Councilman Dean suggested doing a survey at NNO and 'meet and greet' events with City Council, which would be less costly than a formal survey.

Councilman Scrivens said he did not see a priority about utilizing Xenia Station more effectively. They recently invested a significant amount of dollars there with the splash pad and playground, and he felt it needed more exposure. Mr. Merriman agreed. He wished there was a better way to communicate general updates to City Council such as this. He shared that he recently talked with Friends of Xenia Station (FOXS) about funding resources, improvements to the restrooms, etc. Also, a downtown group was interested in using Xenia Station as office space. If Council wished to make Xenia Station a priority, they can work toward that.

4. ADJOURNMENT: Motion by Councilman Scrivens, seconded by Mayor Mays, to adjourn the Special Session at 6:58 p.m. to prepare for the Regular Session immediately following.

Michelle D. Johnson
City Clerk

Michael D. Engle
President, Xenia City Council