

**XENIA CITY COUNCIL
MEETING MINUTES
JUNE 9, 2022
5:30 P.M.**

Vice President Urschel provided the Invocation.

A. PLEDGE OF ALLEGIANCE: All present stood and recited the Pledge of Allegiance led by Councilman Levi Dean.

B. CALL TO ORDER: President Smith called the Regular Meeting to order at 5:32 p.m.

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

D. APPROVAL OF MINUTES: Motion by Councilwoman Dean, seconded by Mayor Mays, to approve the May 26, 2022, minutes of the Regular Meeting as written. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

Abstain: L. Dean

Nays: None motion carried.

E. SPECIAL PRESENTATION(S): None.

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

Bryan Ryan, 214 Edison Boulevard, said he emailed the deeds to City Council members and the Assistant City Manager had full-sized copies. The deed dated August 16, 1977, was in the name of E. Nelson and Rachel B. Nelson and included the January 13, 1988, affidavit grant of driveway easement deed. He also had the July 9, 1979, Xenia Board of Education transfer deed to the City of Xenia. On that deed, there was only one paragraph that described the property and four paragraphs that described the easement, which should not have been included. At the last Council meeting, the City Manager stated, “my position would be that what is recorded on his property deed is not necessarily lawful.” He did not feel that a condition could be put on another parcel on some other deed. The minutes stated, “There was a unique historic dynamic where there was a recorded easement for a portion of the property; however, it was included on a separate property deed and not on the deed for the subject property.” He assumed the “subject property” referred to the City’s property at 130 E. Second Street. He explained the history of the current situation, noting there was a tornado in 1974, and there was an alley on the old Central Senior High School. The alley was actually included in the 400’x200’ property—in other words, it was not a property and an alley. Dr. Reeves was a well-respected member of the neighborhood, and somehow he and the school board knew that when they gave the property to the City of Xenia, they would vacate the alley. Hence, the easement. He did not see anything unique or historic about this situation. This was caused by the City of Xenia—not by Dr. Reeves. He would not give up his easement rights, and the City would not be dealing directly with him on this matter. The home was in his father’s trust, and he

would be putting the home in a trust for his own children. He works with his lawyer for any needs for the property. He noted he was using the same surveyor that the City used, but the surveyor was holding off from doing the survey until this situation was resolved.

Hearing no further audience comments, President Smith said there was a need to go into Executive Session.

Motion by President Smith, seconded by Vice President Urschel, to discuss Pending Litigation per XCO §204.04(a) and ORC §121.22(G). No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

At 5:40 p.m., the Council convened in Executive Session in the Conference and Training Room with the same members present. At 6:10 p.m., the Council reconvened in Regular Session with the same members present.

G. OLD BUSINESS:

1. President Smith presented **ORDINANCE 2022-18 VACATING THE ALLEY BETWEEN PART OF LOT 165, PART OF LOT 165 – PARCEL 1, AND PART OF LOT 172 – PARCEL 2 OF THE ORIGINAL PLAT OF THE CITY OF XENIA (WARD A. LEWIS’ SURVEY NO. 2243 VIRGINIA MILITARY DISTRICT)**, introduced by Councilwoman Dean on May 26, 2022.

President Smith called for a motion to adopt Ordinance 2022-18.

Motion by Councilwoman Dean, seconded by Councilman Scrivens, to adopt Ordinance 2022-18 as presented.

President Smith opened the public hearing at 6:11 p.m. and asked those in favor of the vacation of the alley to come forward to speak.

Missy Pollock said she and her husband Shannon are requesting the vacation of the alley in an effort to improve and keep safe their area of the City, noting there had been break ins in their area in the past. They would like to get rid of the alley so they can proceed with plans to beautify and provide security. Mr. Pollock agreed with his wife’s statements.

President Smith asked those who were against the vacation of the alley to come forward to speak. Hearing none, he closed the public hearing at 6:12 p.m. and entertained Council comments or questions. Vice President Urschel said this was a great way to get rid of old alley ways that were leftover from a previous time. The City had no more use for them, and it was good to get them in the hands of property owners who will be taking care of them. Hearing nothing further, President Smith asked for the Roll Call.

The Roll on this was the following:

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

Nays: None motion carried.

H. NEW BUSINESS:

1. Introduction of Ordinance 2022-19 Amending the Official Zoning Map of the City of Xenia, Ohio, to Rezone the Property at 89 Leaman Street, Totaling 0.43 Acres, More or Less, From I-1 Light Industrial District to R-2 Two-Family Residential District. City Manager Brent Merriman said the property at 89 Leaman Street was a vacant industrial property that contained a primary 5,580 sq. ft., two-story brick building, an 1,800 sq. ft. single-store garage/storage building, and a former grain silo. The buildings were over 100 years old. The property was once a feed, grain and coal sales establishment and was later used as an auto parts store and, most recently, plumbing equipment storage. Following abandonment of the railroads in Xenia, the property's usage gradually declined. The property had now been abandoned for over ten years and was a frequent location of Property Maintenance Code violations and criminal activity. The property was also foreclosed due to tax delinquency in 2021. The applicant, Greg Moore, recently purchased the property with plans to convert the primary building to a single-family residence. The garage/storage building would be used as a garage to store a personal vehicle collection. The silo would remain unused. Residential uses are not permitted by the current I-1 zoning; therefore, staff suggested that the applicant pursue R-2 zoning due to the size of the building and potential to support more than one dwelling unit, as well as the presence of R-2 zoning on adjacent residential parcels. The property's poor vehicle access and visibility, combined with limited parking, limit the property's viability for industrial usage; however, the property's unique historical character and proximity to the Ohio to Erie Trail and Xenia Station make the property attractive for residential uses. The proposed R-2 zoning not only facilitates the applicant's project but can accommodate future growth and interest in this property. The Planning and Zoning Commission conducted the required public hearing on June 2nd and endorsed this rezoning request.

President Smith entertained comments or questions. Councilman Scrivens asked if any buildings on the property would be required to be demolished. Mr. Merriman did not believe so. Vice President Urschel said the land backs up to the bike trail, and there were squatters living right across from the property. It would be good to have a presence at this location along the bike trail; otherwise, they would continue to have problems in that stretch of the bike trail. Mr. Merriman agreed, noting it was very positive that individuals want to invest in these properties and return them to active use. Hearing nothing further, President Smith asked if this could be passed as an emergency to help the property owner. Law Director Donnette Fisher said the ordinance was not presented as an emergency, and the public hearing was already scheduled for the next Council meeting. President Smith called for introduction of Ordinance 2022-19 as presented.

Mayor Mays introduced ORDINANCE 2022-19 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 89 LEAMAN STREET, TOTALING 0.43 ACRES, MORE OR LESS, FROM I-1 LIGHT INDUSTRIAL DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT.

2. Introduction of Ordinance 2022-20 Amending Chapter 212, Titled "Ordinances, Resolutions, and Motions," of the Xenia City Code). Ms. Fisher said on December 29, 2021, Council adopted Ordinance 2021-23, which completely updated Title 4: Legislation of Part Two – City Government of the Xenia City Code. As a part of that update, Council enacted Chapter 212, titled "Ordinances, Resolutions, and Motions." With the adoption of the voter-approved

amendments to the City Charter on May 3, 2022, Chapter 212 needed to be amended to bring it in line with the new Charter provisions in Article V. The amendments proposed to Chapter 212 were reviewed by the Legislative Review & Government Affairs Committee on May 26th, and the Committee recommended that Council make the amendments to Chapter 212 as proposed that included the following:

- Omitting references to administrative motions and instead address procedural motions.
- Changing posting requirements from five public places to three public places.

President Smith entertained comments or questions. Hearing none, he called for introduction of Ordinance 2022-20 as presented.

Mayor Mays introduced ORDINANCE 2022-20 AMENDING CHAPTER 212, TITLED “ORDINANCES, RESOLUTIONS, AND MOTIONS,” OF THE XENIA CITY CODE.

3. RESOLUTION 2022-FF ESTABLISHING A PAY SOURCE POLICY AS REQUIRED BY SECTION 260.05 OF THE XENIA CITY CODE. Ms. Fisher said at the May 26th meeting, Council adopted Ordinance 2022-13, which made certain amendments to Chapter 260 of the Xenia City Code, titled Personnel. The amendments made by Ordinance 2022-13 would take effect on June 26, 2022. The newly adopted Section 260.05 required Council to establish, by resolution, a pay source policy where certain employees have their compensation, including fringe benefits, distributed among the various City funds by percentages per fund. The percentages are based on the percentage of services the employee provides on behalf of that fund. This Pay Source Policy was formerly in Chapter 260 as Section 260.03. This Resolution did not make any changes to the current Policy, including listed employees and percentages; rather, in accordance with the new Section 260.05, the Policy was pulled out of Chapter 260 to be approved by Council, by Resolution. As the amendments to Chapter 260 take effect on June 26, 2022, she respectfully recommended the effective date for this Resolution as June 26, 2022, which was the start of a pay period.

President Smith entertained comments or questions. Vice President Urschel asked if the percentages were controlled by the City or if it was based on guidance from the Ohio Revised Code. Mr. Merriman said the City controlled the percentages, noting they periodically review positions to ensure proper distribution as work assignments changed. Hearing nothing further, President Smith called for a motion to pass Resolution 2022-FF as presented.

Motion by Vice President Urschel, seconded by Councilman Dean, to pass Resolution 2022-FF as presented. No discussion followed. The Roll on this was the following:

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

4. RESOLUTION 2022-GG ESTABLISHING AN ORGANIZATIONAL PLAN, LISTING POSITION TITLES AND NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF XENIA PERSONNEL. Mr. Merriman said on May 3rd, the voters of Xenia approved amendments to the City Charter, including amendments to Article X, Personnel. The new Section 10.06 of the City Charter required the Administrative Steering Committee to recommend to Council an Organizational Plan to set forth all City positions by title, both classified and unclassified, the number of positions for each position title, and the pay grade or pay range for each position title. Council must then approve the recommended Organizational Plan, by Resolution, with or without

amendment (modification). The Administrative Steering Committee met on June 7th and recommended the Organizational Plan attached as Exhibit A of Resolution 2022-GG. The included Organizational Plan was a combination of former 274.05 (unclassified positions) and 274.07 (classified positions) of the City Code and the personnel authorization that was approved as a part of the yearly budget. The Organizational Plan simply set forth all current, compensated City positions, both full-time and part-time, and removed currently vacant positions that were not intended to be filled. No added or additional employee positions were added with the proposed Organizational Plan. City staff, after review by the Legislative Review & Government Affairs Committee, planned to present to Council over the next few months a complete rewrite of Title 6 – Administrative Code of the City Code to set forth a complete reorganization of various City departments and divisions, including Police Majors vs. Police Captains, which was recognized in this Organizational Plan.

President Smith entertained comments or questions. Councilman Scrivens asked Mr. Merriman to explain the difference between the Department of Development’s Development Director position and the Community Development Coordinator position. Mr. Merriman said the Development Director’s primary function was to oversee economic development functions; the Community Development Coordinator’s primary functions included looking at housing issues, abiding by fair housing requirements, coordinating downtown development and revitalization functions, and other functions at the neighborhood level. Vice President Urschel said there had been previous discussion about interns and asked if those positions should be included in the organizational plan. Ms. Fisher said if an intern position was not a compensated position paid by the City of Xenia, then it was not included in the organizational plan. If the intern positions were paid by the City of Xenia, then Council approval was required. Mr. Merriman said he had preliminarily discussed with Council the proposed reorganization, and it was the intent of the Administrative Steering Committee to present an updated Organizational Plan to Council in August based on this reorganization, and the updated Plan would set forth any renamed position titles, recommended additional titles, and deletion of obsolete titles. Ms. Fisher added that if approved, this Resolution would also go into effect on June 26, 2022. Hearing nothing further, President Smith called for a motion to pass Resolution 2022-GG as presented.

Motion by Councilwoman Dean, seconded by Vice President Urschel, to pass Resolution 2022-GG as presented. No discussion followed. The Roll on this was the following:

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

5. RESOLUTION 2022-HH AUTHORIZING THE COUNCIL PRESIDENT TO EXECUTE EMPLOYMENT CONTRACTS, ON BEHALF OF CITY COUNCIL, WITH BRENT MERRIMAN FOR SERVICES AS THE CITY MANAGER, RYAN DUKE FOR SERVICES AS THE FINANCE DIRECTOR, AND DONNETTE FISHER FOR SERVICES AS THE LAW DIRECTOR. President Smith called for a motion to pass Resolution 2022-HH as presented.

Motion by Councilman Scrivens, seconded by Councilwoman Dean, to pass Resolution 2022-HH as presented. Comments followed.

Councilman Dean said since Finance Director Ryan Duke was not present at the meeting, they should consider not approving his contract. (Laughter followed.) President Smith said for the

record, Mr. Duke asked to be excused from the meeting due to a scheduling conflict due to personal matters, which he authorized.

Councilman Scrivens said all three appointed officials for whom they are approve contracts make everything happen every single day. They are the nerve centers of this City's government. They do everything that Council tasks them to do, and they do it in a very efficient and effective way. He was proud that he could vote for each of their new contracts.

Vice President Urschel said he spent 33 years serving in the United States Air Force at the senior leadership level where they selected high powered teams to work hard issues, and they put a lot of trust in those individuals. All three of the City's appointed officials have matched anyone on those teams. They are very responsive, they know their jobs, they know what was going on, and they are always prepared. They always gave 150% all the time. He concurred with Councilman Scrivens—it was an honor to work with them. It was rare to have such quality leadership and cohesiveness in an organization. It was a pleasure to support the Resolution for their contracts.

President Smith said during his 13 years of service on City Council, it was his first time negotiating contacts with the appointed officials. It was a very easy decision with regard to retaining each of them. They are a pleasure to work with. On behalf of Council, he thanked them for their willingness to partner with the City for five more years.

The Roll on this was the following:

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

Nays: None motion carried.

6. RESOLUTION 2022-II APPRECIATION OF POLICE CHIEF DONALD “RANDY” PERSON UPON HIS RETIREMENT FROM PUBLIC SERVICE AND RESOLUTION 2022-JJ APPROVING THE COMMEMORATIVE NAME OF THE FORD ROAD TRAINING CENTER AS THE “DONALD R. PERSON LAW ENFORCEMENT TACTICAL TRAINING COMPLEX”. Mr. Merriman said these Resolutions seek to honor Chief of Police, Donald R. (Randy) Person, who was set to retire from his current role on June 10, 2022, after having spent the past 19 years as chief. The agenda report was delivered to Council this evening with the intent that if passed, they would be formally presented at the open house on Monday. Resolution 2022-II details the Chief's many accomplishments and seeks to formally thank and recognize him as he transitions to his new phase in life. Similarly, Resolution 2022-JJ seeks to honor Chief Person and his accomplishments and contributions by applying recently amended City code that authorizes the Council to approve commemorative naming for City assets. In this case, staff respectfully recommended that Council approve the resolution to formally designate the Ford Road PD training facility as the “Donald R. Person Law Enforcement Tactical Training Complex.” Chief Person was instrumental in coordinating the planning, funding, and construction of this facility. The training center plays a critical role in preparing regional law enforcement personnel to provide safe, effective, and professional policing service. The Chief's contributions leading to the development of this facility will have a generational legacy over the useful life of the center, and staff believed this commemorative naming was a fitting tribute.

President Smith entertained comments or questions. Hearing none, he called for a motion to pass Resolution 2022-II as presented.

Motion by Mayor Mays, seconded by Councilman Brannum, to pass Resolution 2022-II as presented. Brief comment followed. Councilman Scrivens shared a memory of when he first met Chief Person. He said a friend moved in right next door to him in the wintertime, and between trips to unload, Chief Person shoveled the two-car driveway for them because that's the kind of person he is. He spent all of his career serving Xenia and was leaving a legacy of fine law enforcement personnel and following a legacy of fine Police Division leadership. He had much respect for him and wished him all the best. The Roll on this was the following:

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

President Smith called for a motion to pass Resolution 2022-JJ as presented.

Motion by Councilman Scrivens, seconded by Councilman Dean, to pass Resolution 2022-JJ as presented. Brief comment followed. Councilman Scrivens said it was an honor to support the naming of the "shooting gallery" to memorialize Chief Person's service to the City of Xenia. The Roll on this was the following:

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

7. Procedural Motion Approving the Schedule of Bills in the amount of \$448,312.05. Assistant Finance Director Jason Lake did not have anything specific to note on the Schedule of Bills and respectfully requested the payment of bills in the amount of \$448,312.05.

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

Motion by Councilwoman Dean, seconded by Councilman Brannum, to approve the schedule of bills in the amount of \$448,312.05. No comments followed. The Roll on this was the following:

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

I. APPOINTED OFFICIALS REPORTS

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

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

President Smith asked Ms. Fisher for her comments. Ms. Fisher said she distributed to City Council an advanced copy of the proposed amendments to the Rules of Council, which would be scheduled to appear on the June 23rd agenda. She also commented on the court case in Xenia Municipal Court between the State of Ohio Auditor's Office vs. the Bellbrook School Superintendent. His defense attorney filed a motion that her appointment of the State Auditor's Office attorneys as special prosecutors in that case was inappropriate based on Charter language. She said that was incorrect. The City Charter requires that Council approve the employment (hiring) of outside counsel for legal matters for the municipality, i.e., civil matters, bond counsel, tax attorneys, employment law

attorneys, etc. It would not apply in the case of special prosecutors for a case that was not a City case. The allegation that the appointment of the special prosecutors was incorrect.

J. REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

1. Legislative Review & Government Affairs Committee (LR&GA): Mayor Mays said the LR&GA Committee met prior to the last Council meeting on May 26th. They reviewed proposed amendments to the Rules of Council, the proposed rewrite of Title 8, “Boards and Commissions” of the Administrative Code, and they discussed the proposed reorganization of City Departments, which would be presented to Council in the near future. They also reviewed the proposed amendments to Chapter 212, which appeared on this evening’s agenda.

2. Planning and Zoning Commission (PZC): President Smith said he was absent from the meeting and thanked Councilman Brannum for sitting in for him. He deferred the report to him. Councilman Brannum said PZC met on June 2nd on the following cases:

- Case PZC2022-12: Conditional Use request to allow a 300' long, 8' tall barbed wire fence adjacent to bike path right-of-way, for the property located at 283 S. Detroit Street, filed by Bellbrook Fence Company, which was approved.
- Case PZC2022-13: Conditional Use request to construct a 4,240 sq. ft. addition on the front of the Greene County office complex at 551 Ledbetter Road, filed by Jordan Sauer, K4 Architecture, which was approved.
- Case PZC2022-14: Request to rezone 89 Leaman Street from I-1 Light Industrial District to R-2 Two-Family Residential District to support a planned renovation and conversion of a vacant industrial building to a single-family residential dwelling, while also supporting the future conversion of the building to a two-unit dwelling if desired, filed by Greg Moore, which was endorsed to City Council and appeared on this evening’s agenda.
- They also held a roundtable discussion regarding proposed amendments to the Land Development Code.

3. Board for Recreation, Arts, and Cultural Activities (BRACA): Mayor Mays said the June meeting was canceled due to lack of agenda items. However, she reported that the free Youth Fishing Derby was held on Saturday, June 4th, at Shawnee Park. The event was a huge success with almost 100 kids participating, and they could not have asked for a more beautiful day for the event. All participants received a free t-shirt designed by City Clerk Michelle Johnson, a free lunch, and a free door prize thanks to the following sponsors: Farmers Insurance/Chris Newport Agency, Farmers Insurance/Rodney Hines Agency, Todd Patterson and his family and all his friends from the Thousand Trails campground, Mark at Speed Zone Carry Out (Lower Bellbrook), PuroClean Emergency Services, Collier Heating & Air, Glen Harner/Maple Groves Farm, Just Ink Tees, Greater Dayton Construction Group, DJ Mike Austin, Flat Bottom Bowfishing, Xenia Walmart/Manager Shane Barker, Huber Heights Sewer and Drain, and everyone who volunteered including City staff members Keith Koch and Jason and Jake from Public Service, and BRACA members Ethan Reynolds, Nelson King, and Tom McCarthy. She said Xenia Fire Division personnel came out and spent some time at the park and visited with the children. She noted Todd Patterson has run the event for many, many years and would be handing the event over to XPD Sergeant Jeff Osburn, who was also present to learn the ropes. The event made her very proud of this community. She thanked everyone for all their hard work.

K. COUNCIL COMMENTS: President Smith noted that the walking/bus tour would follow if they wished to keep their comments brief.

Councilwoman Dean had nothing further to share.

Councilman Scrivens had nothing further to share.

Councilman Brannum had nothing further to share.

Councilman Dean had nothing further to share.

Vice President Urschel said Xenia High School students came to support the City and volunteered at the Easter Egg Hunt event in April. At that time, they expressed that they were working on fundraising for their senior picnic. He made a donation on City Council’s behalf, and he read their thank you note as follows: “On behalf of the Xenia High School Student Council, we wanted to personally thank the Xenia City Council for your donation. Because of your generosity, we were able to hold the senior picnic for all of our seniors free of charge. Thank you again for helping our celebration for our seniors and for it to be a success. Sincerely, the Xenia High School Student Council Executive Board.” He said it was good to be able to support them this year.

Mayor Mays said on June 1st, she hosted a group of Girl Scouts at the City Administration Building, noting they also visited the Greene County Courthouse, in an effort to learn about their local government. She thanked City staff for supporting that visit, particularly Mr. Merriman and his secretary, Karly French. She attended a Miami Valley Regional Planning Commission (MVRPC) meeting this week, and she also attended the Legislative Breakfast at the Greene County Career Center. She thanked the OSU Extension Office, who recently hosted a cooking class for kids at their three-day camp. Her children participated, and it was a blast. She appreciated the Extension Office’s support of this community.

At 6:48 p.m., President Smith terminated the televised portion of the meeting noting the Work Session would follow, which was an off-site walking/bus tour.

L. EXECUTIVE SESSION: None.

M. WORK SESSION: The Council took a brief recess before leaving the building at 7 p.m. for the offsite walking/bus tour with the same members present. Councilmembers and staff visited the following sites:



E. Market Street: The group visited sites that demonstrated housing, code enforcement, and neighborhood challenges and also some success stories. Mr. Merriman discussed existing challenges in the system including enforcement and the adjudication function via Xenia Municipal Court. City Planner Brian Forschner highlighted current and ongoing issues with properties as a result of a property owner who purchased properties but never did anything with them and refused to sell them. There had been a number of violations over the years, and the property owner did just enough to comply. He was uncertain how long it had been since the property at 384 E. Market Street was occupied; however, current issues included peeling paint, missing soffits, overgrown weeds, etc. The property had been in poor condition for a number of years but never bad enough to order demolition. Therefore, the only recourse was the court system. He shared that last year, he took one case to court, and in the year since charges were filed, nothing had been remedied—no fines, no compliance, etc.—and the violations continued to exist. He was hopeful they could make some changes with the new XMC Judge (David McNamee) and get the adjudication process to work. The City could pay somebody to mow the grass and/or demolish the house, but they are dependent upon the court system for everything else. Mr. Merriman agreed. He said staff talked with Judge McNamee about code enforcement issues, who he believed was open to the concept of looking at an alternative (environmental) docket for these cases. Mr. Merriman and Mr. Forschner said they did not wish to take people to court. Staff always talked to people first in an attempt to get compliance, but it was a very time consuming process. Just down the street, the group observed a success story (see photos below) at 464 E. Market Street, which was currently listed for sale at \$234,900 and believed to be under contract. Mr. Forschner said just nine years ago, the property was a communal dumping site.



E. Second Street: Mr. Merriman discussed a pilot targeted strategy for comprehensive neighborhood revitalization that he looked to launch this fall to include infrastructure, zoning and property maintenance issues, law enforcement issues, etc. They intended to be very present and proactive to address a range of issues and wished to start at a point of strength to include roadway resurfacing, curbs and sidewalks, and water and sewer line replacements. The block they visited (shown in the picture below) was a good place to start. When the pilot project is launched, he would like staff and Councilmembers to visit the neighborhood, shake people’s hands and share the vision for their neighborhood. He and City Engineer Chris Berger then shared an issue with

regard to the existing sewer laterals. Mr. Berger said they would be issuing an RFP later this year to look at them.



E. Third Street: The group made a brief, unscheduled stop at the City’s cemetery. They were shown the condition of the existing gravestones and the new area of the cemetery for the City’s indigent burials.

June Drive: Mr. Merriman discussed practical lessons in storm sewer system deficiencies and pavement maintenance options for this area, noting the unique factors that exist at the intersection of Circle Drive and June Drive and at the bend in the road on June Drive where the French drain¹ (dry well) was located. Vice President Urschel said situations like the one on June Drive existed all over town. Mr. Berger agreed. Mr. Merriman noted that an increase in funding for stormwater maintenance needed to be considered. Mr. Berger discussed the difference between microsurfacing, mill and fill, cracksealing, etc. June Drive was microsurfaced in September 2009, which served as a maintenance effort. He said microsurfacing was a way to temporarily improve the drive surface of a street and buy some time, but it should not be considered a long-term improvement. Mr. Merriman said in the future, they need to make the best decision for rehabbing a street to get the best value in terms of longevity. Unfortunately, many streets are so far gone that microsurfacing and/or cracksealing would not be helpful.



N. ADJOURNMENT: Motion by Mayor Mays, seconded by Councilman Dean, to adjourn the Regular Meeting at 8:30 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

Handwritten signature of Michelle D. Johnson in black ink.

Michelle D. Johnson
City Clerk

Handwritten signature of Wesley E. Smith in black ink.

Wesley E. Smith, President
Xenia City Council

¹ A French drain is a trench filled with gravel or rock, or both, containing a perforated pipe that redirects surface water and groundwater away from an area.