

**XENIA CITY COUNCIL  
REGULAR MEETING  
JULY 28, 2022  
6:00 P.M.**

Rev. William Schwochow, First Evangelical Lutheran Church, provided the Invocation.

(1) **PLEDGE OF ALLEGIANCE:** All present stood and recited the Pledge of Allegiance led by Councilwoman Rebekah Dean.

(2) **CALL TO ORDER:** President Smith called the Regular Meeting to order at 6:04 p.m.

(3) **ROLL CALL:** Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Levi Dean, Mayor Sarah Mays, and President Wesley Smith were present. Vice President Will Urschel was absent. President Smith said Vice President Urschel notified him of his absence from this meeting several weeks ago.

Motion by President Smith, seconded by Mayor Mays, to excuse Vice President Urschel from the meeting. He entertained comments or questions. None were presented. The Roll on this was the following:

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

Nays: None                      motion carried.

(4) **APPROVAL OF MINUTES:** Motion by Councilwoman Dean, seconded by Councilman Brannum, to approve the July 14, 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: Scrivens, R. Dean, Brannum, L. Dean, Smith

Abstain: Mays

Nays: None                      motion carried.

(5) **SPECIAL PRESENTATION(S):** President Smith welcomed Xenia Municipal Court Judge David McNamee to the meeting and asked for his comments. Judge McNamee thanked Council for the opportunity to speak with them. He was from Xenia and had a great deal of pride for this community. It was an honor to be appointed to the bench and hoped to serve for the long foreseeable future. During his short time with Xenia, he had learned that this was a top notch operation, and he was very impressed. He planned to take Xenia Municipal Court into a different direction with regard to issues before the Court. He observed Municipal Court Judge Campbell in Fairfield, Ohio, who started a mental health docket as well as an OVI docket and has had great success. He would like to do the same for XMC in an effort to reduce recidivism and provide opportunities to educate defendants. He said the Probation Division was outstanding, and there were resources available to defendants. He recognized that homelessness was a problem in this community, but they cannot cure homelessness unless they cured the things that led to homelessness, including mental health and addiction. The Supreme Court had authorized specialized dockets for mental health and OVI, and if the defendants qualified, they could receive help with transportation, coordination of benefits, housing, etc. He was not naïve and knew that they would not achieve 100% success, but he felt the specialized dockets would lead to better

results including a better and stronger community. He was not asking for anything at this time, as he would apply for grants first. He then entertained any questions they may have.

Mayor Mays thanked Judge McNamee for attending the meeting and speaking with Council and for being a great partner; she was thrilled with his efforts so far and his plans for the future. President Smith agreed; he noted that in the past, the Xenia Municipal Court mostly interacted with the Law Department, and Ms. Fisher would convey any concerns. He appreciated the job he was doing and his effort to “hit the ground running.” He said homelessness was the top complaint that he received, and typically, mental health and homelessness go together 99% of the time. Councilman Scrivens welcomed Judge McNamee to XMC; it was good to have him on board.

**(6) AUDIENCE COMMENTS:** President Smith explained the procedures for Audience Comments and invited those who wished to speak to come forward. Nobody came forward to speak.

**(7) OLD BUSINESS:**

A. President Smith presented **ORDINANCE 2022-21 AMENDING TITLE EIGHT, TITLED “BOARDS, COMMISSIONS, AND COMMITTEES,” OF PART TWO – CITY GOVERNMENT OF THE XENIA CITY CODE**, introduced by Councilman Scrivens on July 14, 2022.

President Smith called for a motion to adopt Ordinance 2022-21.

Motion by Councilman Scrivens, seconded by Mayor Mays, to adopt Ordinance 2022-21 as presented.

President Smith opened the public hearing at 6:13 p.m. and asked those in favor of amending Title Eight of the Xenia City Code to come forward to speak. Hearing none, he asked those who were against amending Title Eight of the Xenia City Code to come forward to speak. Hearing none, he closed the public hearing at 6:14 p.m. and entertained Council comments or questions.

Councilman Scrivens thanked Mayor Mays, chair of the Legislative Review & Government Affairs Committee, and Law Director Donnette Fisher. He believed the proposed language was good, and he was all for it. He noted the language would establish the CRA Housing Council per State Law. President Smith added that the Board for Recreation, Arts, and Cultural Activities would be renamed the Xenia Recreation and Events Commission (X-REC).

Hearing nothing further, President Smith asked for the Roll Call.

The Roll on this was the following:

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

Nays: None                      motion carried.

B. President Smith presented **ORDINANCE 2022-22 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF WITHIN STREET LIGHTING DISTRICT #1 (STERLING GREEN**

**CROSSING SUBDIVISION) FOR THE YEARS 2023-2027**, introduced by Vice President Urschel on July 14, 2022.

President Smith called for a motion to adopt Ordinance 2022-22.

Motion by Councilman Brannum, seconded by Councilwoman Dean, to adopt Ordinance 2022-22 as presented.

President Smith opened the public hearing at 6:16 p.m. and asked those in favor of levying assessments for Street Lighting District #1 to come forward to speak. Hearing none, he asked those who were against levying assessments for Street Lighting District #1 to come forward to speak. Hearing none, he closed the public hearing at 6:16 p.m. and entertained Council comments or questions. Councilman Scrivens noted the owners of each lot would pay \$31.14 per year. Hearing nothing further, President Smith asked for the Roll Call.

The Roll on this was the following:

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

Nays: None motion carried.

C. President Smith presented **ORDINANCE 2022-23 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF WITHIN STREET LIGHTING DISTRICT #2 (GREENE WAY SUBDIVISION, SECTION 2, NKA SECTION 3 REPLAT) FOR THE YEARS 2023-2027**, introduced by Councilman Dean on July 14, 2022.

President Smith called for a motion to adopt Ordinance 2022-23.

Motion by Councilman Dean, seconded by Mayor Mays, to adopt Ordinance 2022-23 as presented.

President Smith opened the public hearing at 6:18 p.m. and asked those in favor of levying assessments for Street Lighting District #2 to come forward to speak. Hearing none, he asked those who were against levying assessments for Street Lighting District #2 to come forward to speak. Hearing none, he closed the public hearing at 6:18 p.m. and entertained Council comments or questions. Councilman Scrivens said the owners of each lot would pay \$62.69 per year. Hearing nothing further, President Smith asked for the Roll Call.

The Roll on this was the following:

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

Nays: None motion carried.

D. President Smith presented **ORDINANCE 2022-24 PROVIDING FOR THE SPECIAL ELECTION ON AMENDMENTS TO ARTICLES VI, VII, AND XVI OF THE CHARTER OF THE CITY OF XENIA, OHIO, SAID ELECTION TO BE HELD ON THE SAME DATE AND TIMES AS THE NOVEMBER 8, 2022, GENERAL ELECTION**, introduced by Councilman Scrivens on July 14, 2022.

President Smith called for a motion to adopt Ordinance 2022-24.

Motion by Councilman Scrivens, seconded by Mayor Mays, to adopt Ordinance 2022-24 as presented.

President Smith opened the public hearing at 6:19 p.m. and asked those in favor of placing proposed Charter amendments to Articles VI, VII, and XVI on the November 8<sup>th</sup> ballot to come forward to speak. Hearing none, he asked those who were against placing proposed Charter amendments to Articles VI, VII, and XVI on the November 8<sup>th</sup> ballot to come forward to speak. Hearing none, he closed the public hearing at 6:20 p.m. He acknowledged Charter Review Commission member Nancy McPeak in the audience. He then entertained Council comments or questions. Hearing none, he asked Law Director Donnette Fisher if she wished to make any comments. Ms. Fisher said this Ordinance 2022-24 and the following Ordinance 2022-25 were the last of the proposed amendments to the Xenia City Charter. Hearing nothing further, President Smith asked for the Roll Call.

The Roll on this was the following:

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

**E. President Smith presented ORDINANCE 2022-25 PROVIDING FOR THE SPECIAL ELECTION ON AMENDMENTS TO ARTICLES I, II AND III OF THE CHARTER OF THE CITY OF XENIA, OHIO, SAID ELECTION TO BE HELD ON THE SAME DATE AND TIMES AS THE NOVEMBER 8, 2022, GENERAL ELECTION,** introduced by Councilman Dean on July 14, 2022.

President Smith called for a motion to adopt Ordinance 2022-25.

Motion by Councilman Dean, seconded by Councilman Scrivens, to adopt Ordinance 2022-25 as presented.

President Smith opened the public hearing at 6:21 p.m. and asked those in favor of or those against placing proposed Charter amendments to Articles I, II, and III on the November 8<sup>th</sup> ballot to come forward to speak. Hearing none, he closed the public hearing at 6:21 p.m. and entertained Council comments or questions. Hearing none, he asked for the Roll Call.

The Roll on this was the following:

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

**(8) NEW BUSINESS:**

**A. ORDINANCE 2022-26 AMENDING SECTION 1062.10, TITLED “HUNTING AND FISHING,” OF THE XENIA CITY CODE.** Ms. Fisher said per recent discussions with the Xenia Police Division, they are experiencing issues with individuals fishing with nets in Shawnee Park. While the City encouraged fishing with rod and reel, fishing with nets after the

pond was stocked was not permissible and while so posted in the Park, the relevant section of the Xenia City Code did not specifically address the use of nets. Therefore, it was staff's recommendation that Council amend Section 1062.10 to specifically prohibit the use of fish nets in the City's parks. They eventually wanted to do a comprehensive update to the Chapter, but they felt that this needed to be addressed ASAP. The updated language also gave the City Manager the ability to prohibit fishing for any reason, i.e., a drought situation, a toxic algae bloom, etc. Mr. Merriman said netting had been an ongoing issue, and Police Division personnel had observed people netting the smaller fish more frequently this year, which they believed people were using as bait.

President Smith entertained comments or questions.

Councilman Scrivens said as an avid fisherman, he never used a net. He felt this was a good piece of legislation. President Smith asked if people were permitted to eat the fish that they catch. Mr. Merriman said fishing in City parks was "catch and release," and the fish were not intended for consumption.

Hearing nothing further, President Smith called for an introduction of Ordinance 2022-26 as presented.

Councilman Scrivens introduced ORDINANCE 2022-26 AMENDING SECTION 1062.10, TITLED "HUNTING AND FISHING," OF THE XENIA CITY CODE.

**B. RESOLUTION 2022-QQ AUTHORIZING THE EXECUTION OF A USE AGREEMENT WITH BIRD RIDES, INC., FOR THE RENTAL AND USE OF LOW-SPEED MICROMOBILITY DEVICES IN THE CITY OF XENIA.** Mr. Merriman said Bird Rides, Inc., "(Bird)" provided low-speed micromobility devices (electric scooters) for short-term rental in cities throughout the world, and they wished to partner with the City of Xenia, via a Use Agreement, to allow them to operate on Xenia's roadways and bike paths. The company entered into a similar agreement with the City of Springfield in 2021. Bird was attracted to Xenia due to its bike paths, which were an ideal operating environment for e-scooters, and its general interest in expansion. The Use Agreement would allow Bird to deploy a fleet of e-scooters throughout Xenia and assign a fleet manager to maintain them. The scooters' locations and usage would be tracked online. Users would access a scooter via a smartphone app that locates the nearest scooter and scans a QR code to activate it. As the user rides the scooter, usage would be billed to the user's online account. When a journey was complete, the user would leave the scooter at the destination, allowing other users to similarly access it. The Use Agreement obligated Bird to comply with operational standards to ensure safety and minimize negative impacts, including the following:

- User age restriction (18 years or older);
- Compliance with Xenia Codified Ordinances Chapter 444;
- Provision of contact information to report scooter issues or relocation requests;
- Ability for the City to restrict hours of operation;
- Safety education regarding riding and parking; and
- Willingness to share data.

President Smith entertained comments or questions. Councilman Scrivens said he had seen these scooters in operation in various cities, and he was very impressed. He hoped the scooters went

over well in Xenia. President Smith asked if only scooters would be available at this time. Mr. Merriman said yes. If they are successful, he anticipated other companies that offered different devices would be interested in coming to Xenia. Councilman Brannum asked the term of this agreement. Ms. Fisher said the agreement was through December 31, 2022, with renewable one-year terms. Councilman Scrivens asked if the City would earn any revenue. Mr. Merriman said no; there was no cost nor revenue with this agreement; however, there may be an underlying benefit of having the scooters in terms of more visitors to Xenia, more people spending money at local shops and restaurants, etc.

Hearing nothing further, President Smith called for a motion to pass Resolution 2022-QQ as presented.

Motion by Mayor Mays, seconded by Councilman Dean, to pass Resolution 2022-QQ as presented. The Roll on this was the following:

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

**C. RESOLUTION 2022-RR AUTHORIZING THE EXECUTION OF AN INFRASTRUCTURE DEVELOPMENT AGREEMENT WITH ATHLETES IN ACTION FOR THE CITY OF XENIA/ATHLETES IN ACTION WATER MAIN EXTENSION PROJECT.** Mr. Merriman said the Greene County Board of Commissioners, through their American Rescue Plan Act (ARPA) funds, had made available a \$1 million grant to the City of Xenia specifically for the extension of a water line to serve the John Wooden Family Fieldhouse on the campus of Athletes in Action, as well as provide for improved service to the Greene Regional Business Park (GRBP). The project was anticipated to have a positive economic impact on the City, as the Fieldhouse would bring thousands of new visitors to the City, and improved water service may help to attract new businesses to the GRBP. Under the agreement, AIA would procure engineering services and would be reimbursed under the grant. The City would be responsible for bidding and contract administration. As the water line to be installed was both within and outside of AIA property boundaries, the grant would be apportioned according to actual linear feet of water line installed.

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

Motion by Councilwoman Dean, seconded by Mayor Mays, to pass Resolution 2022-RR as presented. The Roll on this was the following:

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

**D. RESOLUTION 2022-SS AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY STE(A)M ACADEMY – XENIA FOR A GREENE COUNTY COMMUNITY INVESTMENT GRANT.** Mr. Merriman said the Greene County Board of Commissioners, through the Greene County Development Department, established a grant program known as the Community Investment Grant. This grant

program was designed to provide financial assistance to jurisdictions for the development of sites and infrastructure designed to attract and sustain businesses. City staff requested applications from the community and received five applications. After review, staff identified the Community STE(A)M Academy building, located at 135 E. Church Street, as the most ready and viable project. This redevelopment project would activate the former Xenia YMCA building that had been vacant since the new REACH Center opened in 2019. Current plans called for the building to become the initial location for a tuition-free community school focusing on science, technology, engineering, arts, and math. On March 10, 2022, City Council authorized staff to submit a grant to the Greene County Development Department for a Community Investment Grant on behalf of Community STE(A)M Academy, and on May 26, 2022, the Greene County Board of County Commissioners approved the \$100,000 grant to the City for the project. The MOU outlined the terms and conditions necessary for the Community STE(A)M Academy to receive those grant funds from the City.

President Smith entertained comments or questions. Councilman Scrivens said the STEAM Academy was supposed to open this year and asked what happened. Mr. Merriman agreed they were supposed to open this fall; however, they were forced to delay opening for one academic school year due to supply issues including computer equipment. He understood that they would open next school year (2023/2024) and was anticipating expanding the number of grades they would be offering next year. Mayor Mays said she was in regular communication with Mr. Ervin, and he was very determined to open and was very frustrated with the delays. She confirmed the project would be moving forward. President Smith thought the initial request for the grant was in the amount of \$200,000, but it was reduced by half. Mr. Merriman said Greene County had the ability to apply discretion, and he did not know their rationale. However, he appreciated any amount offered. Councilman Scrivens said other entities made application also, but this project was deemed the best. Mr. Merriman agreed, noting this project was ready for implementation; whereas, the other projects were more conceptual in nature. Further, some requests were for smaller amounts and could be accommodated with other funding resources.

Hearing nothing further, President Smith called for a motion to pass Resolution 2022-SS as presented.

Motion by Councilman Brannum, seconded by Councilwoman Dean, to pass Resolution 2022-SS as presented. The Roll on this was the following:

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

**E. RESOLUTION 2022-TT ESTABLISHING A SPECIAL REVENUE FUND FOR THE PURPOSE OF RECEIVING ONEOHIO SETTLEMENT FUNDS TO BE USED ONLY FOR THE APPROVED PURPOSES SET FORTH IN THE ONEOHIO MOU.** Finance Director Ryan Duke said the City was in receipt of the first payment in the amount of \$10,964.88 from the OneOhio Opioid Settlement dollars. Per Auditor of State (AOS) Bulletin 2022-003, a special fund should be created to account for OneOhio Fund; therefore, staff recommended that a special fund be created to track both receipt of OneOhio settlement funds and the expenditures of OneOhio Opioid Settlement dollars. The City would receive annual settlement

payments over the next eighteen years, and he and Mr. Merriman believe there are acceptable uses for these funds to decrease the supply of available opioids in this community.

President Smith entertained comments or questions. Councilman Scrivens asked if the City would receive payments for the next 18 years. Mr. Duke said yes, the City would receive payments over the next 18 years for an anticipated total of approximately \$197,000. President Smith asked if the payment amount was a fixed number. Mr. Duke said he was not certain; the amount received was less than the amount stated on the documentation received from the State of Ohio. He was uncertain what recalculation occurred that resulted in a lower annual payment. Councilman Scrivens asked who would be administering the funds. Mr. Merriman said the Public Safety Director would administer the funds once they are appropriated. They have not thoroughly vetted all the options, but they are looking to implement a K-9 program. Ms. Fisher said under the terms of the OneOhio MOU, they can only use the funds to prevent drug abuse in this community. Councilman Scrivens thanked Ms. Fisher for handling all the paperwork so the City could receive these funds. Hearing nothing further, President Smith called for a motion to pass Resolution 2022-TT as presented.

Motion by Mayor Mays, seconded by Councilwoman Dean, to pass Resolution 2022-TT as presented. The Roll on this was the following:

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

**F. Procedural Motion Approving the Schedule of Bills in the amount of \$966,624.41.**

Mr. Duke noted the Schedule of Bills included a large payment (\$406,923.15) for the Bellbrook Avenue paving project and a large payment (\$140,459.82) for the E. Second Street Concrete Work project. He noted the Bellbrook Avenue project was funded in part by \$300,000 in grant funds, and the E. Second Street project was funded by Community Development Block Grant funding. He then respectfully requested the payment of bills in the amount of \$966,624.41.

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

Motion by Councilwoman Dean, seconded by Mayor Mays, to approve the schedule of bills in the amount of \$966,624.41. No comments followed. The Roll on this was the following:

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

**(9) APPOINTED OFFICIALS REPORTS**

President Smith asked Ms. Fisher for her comments. Ms. Fisher said the second batch of Charter amendments would appear on the August 2<sup>nd</sup> ballot. She encouraged everyone to get out and vote, and if they had any questions on the ballot issue, they could call City staff. She reported that the Legislative Review & Government Affairs Committee had a good meeting today. They have started their review of Title 6: Administrative Code with the intent to present it to City Council in manageable chunks. The effective date for all updates would be January 1, 2023. The Public Safety Chapter would be presented first, followed by either the City Manager's or Finance Department's



Chapter. President Smith thanked the LR&GA Committee members, who had been in meetings since 4 p.m. today.

President Smith asked Mr. Duke for his comments. Mr. Duke had nothing further to share.

President Smith asked Mr. Merriman for his comments. Mr. Merriman had nothing further to share.

**(10) COUNCIL COMMENTS & REPORTS:**

Councilwoman Dean had nothing further to share.

Councilman Scrivens expressed his deepest condolences to the family, friends, and colleagues of Clark County Deputy Matthew Yates. He said police officers were their friends and neighbors who made oaths to serve and protect, and they have to support them 100% of the time. He acknowledged the death of Curtis Williams; he extended his sympathies. He would be attending his services the next day.

Councilman Brannum said the Board of Zoning Appeals did not meet in July due to lack of agenda items. His thoughts and prayers were with the Clark County Sheriff's Office; he thanked the members of the Xenia Police Division who responded to that call.

Councilman Dean had nothing further to share.

Mayor Mays echoed her colleagues' condolences and sympathy for Deputy Yates and thanks for Xenia Police Division's response to the incident. She also expressed her condolences to the family of Mark and Karen Cummings, who were recently in a horrible accident. They were involved with Xenia Nazarene Church (Karen worked there for 30+ years), the FISH Food Pantry, Bridges of Hope, the Clothing Closet, etc.; they really had a heart for this community. Services were scheduled for tomorrow and Saturday. She congratulated Xenia Police Captain Steve Lane on his retirement; he served this community well during his 29 years of service. On August 14<sup>th</sup>, there would be a community-wide worship service at Shawnee Park at 10:30 a.m. to include music. Over 15 churches would be participating, and an outside Pastor would be providing the service.

President Smith said the Planning and Zoning Commission was set to meet on August 4<sup>th</sup>. He also extended his sympathies to the Yates family.

**(11) WORK SESSION:** President Smith said Council would take a short recess before beginning the Work Session, which would not be televised. Council recessed from 6:55 to 7:05 p.m. Vice President Urschel joined the Work Session via Zoom. Mr. Merriman covered the following topics during the Work Session:

**A. Updates on Various Projects:** Mr. Merriman provided brief updates on the following projects:

- Bids for trash and recycling collection services are due tomorrow as Rumpke's contract was due to expire on December 31, 2022. They anticipated receiving bids from both Rumpke and Waste Management.
- Lexington Park improvements are underway with removal of a portion of the parking lot and installed curbing, and fencing will be installed next month. He believed the projects would be well under what

Council authorized for the improvements. Therefore, he would like to repurpose about \$20,000 of the funds to purchase Christmas decorations and lights for the downtown area. Vice President Urschel said the improvements done at Lexington Park were geared toward reducing the bad behavior at the park, but not necessarily to enhance usage of the park. Unfortunately, they were not awarded the Lowe's grant, and he would still like to get the basketball courts resurfaced. Mr. Merriman said it was up to Council. He agreed the basketball courts were in bad shape, and staff would endorse that improvement. He would get updated numbers to resurface the courts, replace the backboards, etc. Vice President Urschel asked if the parking lot would be striped. Mr. Merriman said yes. Vice President Urschel asked if a gate would be installed in addition to the fencing. Mr. Merriman said yes; the gate has been ordered; however, he was uncertain when it would be installed.

- He has begun to engage staff on the upcoming update to the comprehensive plan, known as NeXtPlan. They will develop a timeline of events, which would be a significant project that would commence this fall. Council would be invited to participate in the process. They intend to look at land use and development, utility and infrastructure issues, public safety, parks/recreation/arts/culture, etc. The project would include a lot of community input and would likely extend into 2023. Vice President Urschel asked if the Economic Development Committee and its stakeholders would be part of that process. Mr. Merriman said yes.
- The former Fulmer building will be demolished, and the Fire Division personnel have been able to do some training in the building. Greene County had a total of about eight properties (commercial and residential) throughout the County to demolish, and they will bid it as one contract. Greene County received grant funding from the State of Ohio, and the County would provide that service to local jurisdictions. Development Director Steve Brodsky said there may be a need for some expenditure of funds. Mayor Mays asked if there was a possibility for grant funds to demolish the remaining space whenever the existing tenants are relocated. Mr. Merriman said it was unlikely, but he would ask that question.
- He explained a problem with regard to the Brownfield Revitalization Grant for the Collier property; specifically, the property owner entered into an agreement with two other individuals. Therefore, they are now in jeopardy of losing the \$624,000 in grant funding. Staff was working diligently to get this project back on track. Discussion followed regarding probable actions and outcomes if they lose the grant funding. President Smith asked staff to make this a top priority.
- While concrete work was already underway, the remaining E. Second Street neighborhood revitalization project was being pushed back to spring 2023 because staff cannot get the materials for the water and sewer line improvements. The good news was the roadway would remain intact through the winter months. Once they are ready to get the improvements started, they would engage the community and let them know about the planned improvements.
- The FBI Joint Training Facility project was pushed back to their 2024 fiscal budget. He had a meeting scheduled on August 11<sup>th</sup> with the FBI's Midwest Regional Office leadership to discuss sharing costs with regard to earthworks.
- The Land Development Code did not comprehensively address solar projects, especially larger solar facilities, and there are two major solar projects planned for this area. They needed to address screening, location, etc. One of the projects would be located on the east side of town and partially in Xenia Township. The other project was recently presented to him for consideration, which would be built on top of the City's closed landfill. No digging would be involved as the panels would be installed with weighted ballasts. The proposal included a 30-year lease and would provide an opportunity to turn a City liability into some revenue as well as the ability to utilize the solar array electricity for the Public Service Center. Brief discussion ensued regarding the need to possibly use West Side Park as part of the project because they cannot use the portion of the landfill that was located in the flood plain.

**B. Dispatch Contracting and PSISN Support Needs:** A meeting was set to look at an alternative fee structure based on calls for service. He noted Greene County Administrator

Brandon Huddleson supported the “everyone pays their share” philosophy; however, it was suggested that they consider a phased approach because it may be a substantive increase—or brand new expense because some were currently not paying anything—for some jurisdictions. That said, they had been getting “something for nothing” for a very long time. The PSISN master agreement was set to expire in May 2023, but they may want to roll everything into one contract. He noted it would take a while to negotiate with the PSISN Board and each governing body to figure out how to merge everything together.

**C. Outline of Reorganization Planning and Timeline:** As Ms. Fisher stated during the Council meeting, the LR&GA Committee has begun their review of Title Six: Administrative Code; said changes would have an effective date of January 1, 2023. This timeline would give them ample time to establish workflows, financials, etc., as well as begin the process of evaluating Building Inspection Services. He suggested they solicit RFPs and explore this option. After a brief discussion, Council endorsed this option. Mr. Merriman said if a viable option was presented, they would need to give a 60-day notice to Greene County, and they would need to hire a full-time employee to oversee the contract and manage the workflow. They would also need to determine the transition process with regard to pending and current projects.

**D. Update on Plans and Funding Needs for Various General Capital Projects:** Mr. Merriman said he was waiting on revised estimates for several street projects as well as the Xenia Towne Square project. He noted there was about \$700,000 in unfunded liability for grant projects that are already in the queue due to the increase in materials, inflation, etc.

- Detroit Street from Church Street to the north corporation limit was originally estimated at \$1 million; the revised estimate was \$1.25 million. An additional \$430,000 was needed for the resurfacing of US 42 from the 35 interchange up to Industrial. An additional \$37,000 was needed for the Market Street project. The City was responsible for project cost overruns; therefore, they would have to use ARPA dollars or other regular resources from Funds 221, 228, 229, etc.
- Change orders are being sought for vehicles that were already authorized for purchase.
- There were not a lot of streets queued for cracksealing and/or microsurfacing this year because they cannot find contractors to do it. Vice President Urschel asked if they could check with Xenia Township and/or Greene County to piggyback one of their contracts. Mr. Merriman said he would check into that.
- They need to come back to Council to discuss the longer-term funding of streets in conjunction with the ERU methodology for stormwater management.
- He sought a direction with regard to the Justice Center Security Annex project based on the Supreme Court’s security assessment completed under Judge Lewis. The initial project was estimated at \$300,000, which he was certain would cost more now. The Court agreed to utilize the Court Capital Fund for half of the project, and he suggested using ARPA dollars for the other half. However, they would need to figure out the ongoing, never-ending cost of manning the annex. President Smith shared an alternate approach of investing in a security vestibule that would not require the presence of an employee unless the scanner determined the presence of a firearm or weapon.<sup>1</sup> Mr. Merriman said he would check into that option, but they would need to consider ingress/egress for the building, maintenance costs, staff that would still be needed to monitor the annex, etc.

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<sup>1</sup> Entrance control by using a reinforced vestibule, sally port, man trap or other type of double entry door system, provides an additional level of security for access control to your important buildings.

**E. Discussion on Public Safety Staffing and Facility Projects:** Mr. Merriman said the Police Division believed they needed to explore the option of adding a K-9 to the police force using the OneOhio funds. Further, they expected the DARE officer to submit her resignation very soon to pursue another career opportunity; therefore, they would need to properly train another officer for that role. He reported on a recent meeting with Fire Division administration and Finance Department staff to look at Fire Division overtime expenses and evaluate causality. Staff turnover and Covid directly resulted in at least half of the overtime costs. The remaining costs were consistent with typical overtime numbers. For 2022, overtime was higher during the first quarter of the year, but they are now at full staffing, and overtime numbers were down during the second quarter. Salt bids have been received between \$70 and \$80 per ton, which was more than double the cost per ton just four years ago. Finally, they discussed the Fire Station 32 project. Mr. Merriman noted the dire conditions at existing Station 32, the fact that they cannot house female firefighters at that station, and the station's location in the City. The original estimate was \$4.5 million; now, the estimate was \$8 million. He would like to get the project down to about \$5 to \$5.5 million, which may include not finishing out the entire structure but would allow room for them to grow. Council agreed that Mr. Merriman should proceed with looking at financing options and starting the process of seeking professional services.

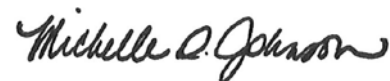
Motion by Mayor Mays, seconded by President Smith, to go into Executive Session at 8:53 p.m. to discuss the Purchase or Sale of Property per ORC §121.22(G). No discussion followed. The Roll on this was the following:


Ayes: Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith<sup>2</sup>  
Nays: None                      motion carried.

The Council convened in Executive Session with the same members present. At 9:35 p.m., they reconvened in Regular Session.

**(12) ADJOURNMENT:** Motion by Councilwoman Dean, seconded by Mayor Mays, to adjourn the Regular Meeting at 9:36 p.m. No discussion followed. The Roll on this was the following:

Ayes: Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith<sup>2</sup>  
Nays: None                      motion carried.

  
Michelle D. Johnson  
City Clerk

  
Wesley E. Smith, President  
Xenia City Council

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<sup>2</sup> Vice President Urschel did not vote because he was participating in the meeting via Zoom.