

Motion by Councilman Louderback, seconded by Vice President Wallace, to adopt Ordinance 2019-19 as read. No discussion followed. The Roll on this was the following:

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

B. President Engle presented **RESOLUTION 2019-CC ADOPTION OF THE CITY OF XENIA'S AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN**, originally introduced by Councilman Dean, and it was read for a second time.

Motion by President Engle, seconded by Vice President Wallace, to adopt Resolution 2019-CC as read. Brief discussion followed. Vice President Wallace inquired again about the lack of ADA access at the post office. Mr. Merriman said staff will evaluate the situation again, but noted it is a federal building. It is likely that nothing can be done due to where the utilities are located. Vice President Wallace said if anything can be done, they should consider it. Councilman Urschel said if a federal organization is located in the City, he asked if that organization must abide by local codes and laws. Mr. Merriman said those organizations should be abiding by local law; however, the City has no direct authority over state and federal government. If there is a dispute, the state and federal organizations usually prevail. The Roll on this was the following:

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

C. President Engle presented **RESOLUTION 2019-DD AUTHORIZING THE CITY MANAGER TO EXECUTE A USE AGREEMENT WITH MKP DETROIT GROUP, LLC, FOR THE USE OF CITY-OWNED BIKE TRAIL PROPERTY LOCATED ADJACENT TO 1443 N. DETROIT STREET AND TERMINATING THE EXISTING LEASE AGREEMENT WITH MKP RESTAURANT GROUP, LLC**, originally introduced by Councilman Louderback, and it was read for a second time.

Motion by Councilman Louderback, seconded by Vice President Wallace, to adopt Resolution 2019-DD as read. Brief discussion followed. Councilman Louderback said Nick's Restaurant has really turned their business around in the last 3-4 years. People come from all over the Miami Valley to patronize the restaurant, and the business is very important to Xenia. Vice President Wallace concurred. The Roll on this was the following:

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

D. President Engle presented **RESOLUTION 2019-EE PROVIDING FOR ASSESSMENTS TO BE LEVIED AND AUTHORIZING THE FINANCE DIRECTOR TO CERTIFY THOSE ASSESSMENTS TO THE GREENE COUNTY AUDITOR**, originally introduced by Councilman Urschel, and it was read for a second time.

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

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

E. President Engle presented **RESOLUTION 2019-FF ACCEPTING THE AMOUNTS AND RATES AS CERTIFIED BY THE GREENE COUNTY BUDGET COMMISSION FOR 2020, AUTHORIZING THE NECESSARY TAX LEVIES, AND CERTIFYING THE TAX LEVIES TO THE GREENE COUNTY AUDITOR**, originally introduced by Mayor Mays, and it was read for a second time.

Motion by Mayor Mays, seconded by Vice President Wallace, to adopt Resolution 2019-FF as read. Brief discussion followed. Referencing a previous conversation he had with Finance Director Ryan Duke regarding millage, Councilman Urschel asked if this Resolution was for 2020 assessments. Mr. Duke said yes. Councilman Urschel recalled that one tax levy would be finishing up in 2020. Mr. Duke concurred; a small portion (.6 mills) of the Pension and Street Fund goes into the City's General Obligation Fund. Councilman Urschel asked if that was inside millage. Mr. Duke said yes; once that debt issue is satisfied, the proceeds would go back into the General Fund. The Roll on this was the following:

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

9. PUBLIC HEARING(S): None.

10. NEW BUSINESS:

A. RESOLUTION 2019-GG AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FEDERAL FUNDING THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR THE BELLBROOK AVENUE, MAUMEE DRIVE TO PEACEPIPE TRAIL, RESURFACING PROJECT, AND DECLARING AN EMERGENCY. City Manager Brent Merriman said staff was recently notified that the Miami Valley Regional Planning Commission (MVRPC) is soliciting local jurisdictions to submit applications for funding through its Transportation Improvement Program (TIP). The funds available are MVRPC regionally-controlled federal funds, including Surface Transportation Program (STP) funds, Congestion Mitigation and Air Quality Program (CMAQ) funds, and Transportation Alternative Program (TA) funds, which each have specific purposes and eligibility requirements. For this round of applications, the Engineering Division recommends application for STP funds to resurface Bellbrook Avenue from Maumee Drive to Peacepipe Trail, which would be a continuation of the similar resurfacing project completed on Bellbrook Avenue from Colorado Drive to Maumee Drive in 2017. The estimated total project cost to resurface Bellbrook Avenue from Maumee Drive to Peacepipe Trail is \$427,334 for Project Year 2021. Staff will submit a funding request of \$294,861 to MVRPC, which would make the local match \$132,473 (Fund 361) for this project. As the deadline for applications is Wednesday, October 9, 2019, emergency passage is requested.

President Engle entertained a motion to pass Resolution 2019-GG as an emergency as presented.

Motion by Vice President Wallace, seconded by Mayor Mays, to adopt Resolution 2019-GG as presented. Brief discussion followed. Councilman Urschel asked if the City of Xenia has a "seat at the table" at MVRPC. Mr. Merriman said yes; Councilman Louderback is Council's representative and attends monthly meetings. Further, City Engineer Chris Berger and Assistant

City Engineer Dominic Miller regularly participate in meetings. Councilman Urschel noted that MVRPC absorbs a lot of funds and determines how to distribute those funds. Mr. Merriman said MVRPC is very good about equitably distributing funds around the region, and they are very responsive in helping to address safety issues. Councilman Louderback agreed; further, if a project is approved for funding, the City should accept it because if they turn grant dollars down, he feared the City would go to the bottom of the list and funding wouldn't be offered up for the next project. Councilman Urschel thanked Councilman Louderback for attending the monthly meetings on the City Council's behalf. Councilman Louderback noted there is good representation from elected officials from all over the Miami Valley. The Roll on this was the following:

Ayes: Wallace, Urschel, Louderback, Smith, Mays, Engle

Nays: None motion carried.

B. Administrative Motion Authorizing the City Manager to Execute a Contract with SmartBill, Ltd., for the Printing and Mailing of Monthly Utility Bills and Disconnect/Delinquent Notices and the Provision of Online Services. Finance Director Ryan Duke said a third party has been used to print and mail monthly utility bills, and the current contract with SmartBill expires at the end of 2019. Therefore, staff issued a Request for Proposals, and eight proposals were received. The current vendor, SmartBill, Ltd., submitted a Proposal totaling \$214,596.05, which seems as if the bid was \$624.99 higher than the lowest-priced proposal from QuestMark. However, QuestMark's proposal also priced utility billing inserts at \$.005 per insert, and there would be no additional charge for utility billing inserts from SmartBill. Staff also considered there would be additional costs to modify the Utility Billing Division's software programming to change to a new vendor, in addition to a great deal of administrative time to facilitate such a change. He noted the majority of the expense was postage, and SmartBill has a much lower bulk mailing rate than the other vendors, which is lower than what the City could acquire for a bulk mailing permit. Considering the similar costs and SmartBill's exceptional service over the last contract period, staff recommends Council authorize the City Manager to execute a contract with SmartBill for another three-year period.

President Engle entertained a motion.

Motion by Vice President Wallace, seconded by Councilman Urschel, to authorize the City Manager to execute a contract with SmartBill, Ltd., for the printing and mailing of monthly utility bills and disconnect/delinquent notices and the provision of online billing services, for a three-year term upon the terms and at the prices submitted in SmartBill's Proposal. Discussion followed.

Vice President Wallace asked if the amount was for the three-year period. Mr. Duke said yes; the overall cost of the three-year contract was very similar, but when staff considered other variables, SmartBill was the clear choice.

Councilman Urschel said most organizations that send monthly bills are working very hard to incentivize customers to sign up for paperless billing by providing a one-time discount, etc., to save money on postage to mail the hard copy bills. He asked if staff had considered that option. Mr. Duke said SmartBill already provides that option, and if customers opt in for paperless billing, then a hard copy bill is not mailed to them, which results in a savings for the City. There has been some success in that effort, but a good number of residents still prefer being mailed a hard copy bill. If they wish to further incentivize customers, an act of Council may be needed (legislation or

administrative motion). For example, the fee schedule would need to be amended to provide a discount on the rate. Councilman Urschel said he realized they would never get 100% participation, but they could certainly save a lot of money that could be used for street improvements. Mr. Duke said if a savings was realized in this circumstance, the money saved would provide for a reduction in the water and sewer utility rate because the charge is from the Utility Fund. Councilman Urschel said for the cost savings alone, they should consider incentives for the paperless option. Councilman Louderback said he understands the concern, but many people still don't have a smart phone or even a computer. Mr. Merriman said a natural migration over to paperless billing will occur in the coming years as generational shifts occur.

The Roll on this was the following:

Ayes: Wallace, Urschel, Louderback, Smith, Mays, Engle

Nays: None motion carried.

C. Administrative Motion Approving the Schedule of Bills in the amount of \$632, 127.72.
Mr. Duke requested the payment of bills in the amount of \$632,127.72.

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Councilman Smith, to approve the schedule of bills in the amount of \$632,127.72. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Urschel, Louderback, Smith, Mays, Engle

Nays: None motion carried.

11. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

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

Mr. Merriman said contractors are back to finish final concrete work and the final layer of asphalt on Second Street. He noted Montana Drive was repaved today, and other neighborhood streets will be completed by mid-October. He reported that City offices would be closed on Columbus Day, Monday, October 14th; however, staff will be working that day for training and professional development. At Councilman Urschel's request, a special session has been scheduled for October 10th with representatives from the Police Division/ACE Task Force regarding their efforts to combat local drug issues. Councilman Louderback asked about the work being done on some driveway aprons along Second Street and if that work was at the homeowners' expense or if that was part of the project. Mr. Merriman said the Second Street project was accomplished with three different grants including CDBG dollars. Portions of that roadway are in eligible census tracts; therefore, curbing replacements are eligible projects under CDBG state guidelines. Staff felt that concrete apron replacement in the eligible census tracts was a good application of the funds designated for concrete work.

Mr. Duke reminded those who filed a 2018 federal tax extension that the deadline is October 15th, which also requires a filing with the City of Xenia's Income Tax Department by that deadline.

Ms. Fisher was not present.

