

**XENIA CITY COUNCIL  
MEETING MINUTES  
OCTOBER 14, 2021**

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**SPECIAL MEETING**

**1. CALL TO ORDER:** Vice President Levi Dean called the Special Meeting to order at 5:05 p.m.

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

**3. EXECUTIVE SESSION:** Vice President Dean entertained a motion to go into Executive Session.

Motion by Councilman Scrivens, seconded by Councilman Brannum, to go into Executive Session to discuss Collective Bargaining Negotiations per XCO §206.04(a)(4) and ORC §121.22(G)(4) and the Purchase or Sale of Property per XCO §206.04(a)(2) and ORC §121.22(G)(2). No discussion followed. The Roll on this was the following:

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

Nays: None                      motion carried.

The Council convened in Executive Session with the same members present.

**4. RECONVENE:** At 5:54 p.m., the Council reconvened the Special Meeting. Vice President Dean entertained a motion to adjourn to prepare for the Regular Meeting immediately following.

**5. ADJOURNMENT:** Motion by Councilman Brannum, seconded by Councilman Scrivens, to adjourn the Special Meeting at 5:55 p.m. to prepare for the Regular Meeting immediately following. No discussion followed. The Roll on this was the following:

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

Nays: None                      motion carried.

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**REGULAR MEETING  
6:00 P.M.**

Pastor William Schwochow, First Evangelical Lutheran Church, provided the Invocation before the Call to Order.

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

**B. CALL TO ORDER:** Vice President Dean called the Regular Meeting to order at 6:04 p.m.

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

Motion by Mayor Mays, seconded by Councilman Brannum, to excuse President Smith from the meeting due to a family obligation. No discussion followed. The Roll on this was the following:

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

**D. APPROVAL OF MINUTES:** Motion by Councilman Scrivens, seconded by Councilman Urschel, to approve the September 23, 2021, minutes of the Regular Meeting as written. No discussion followed. The Roll on this was the following:

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

**E. SPECIAL PRESENTATION(S):** Vice President Dean welcomed Greene County Commissioner Tom Koogler to speak about the proposed jail levy. Commissioner Koogler thanked Council for the opportunity to talk about the proposed Greene County Jail Levy, which he felt was one of the most important things that has occurred in Greene County in many years. If there was a weak link in the system, it was the current jail. He toured the jail when he was first elected in 2012, and he certainly did not want to do that again. A new jail was needed, and the temporary 0.25% increase in sales tax on the November 2<sup>nd</sup> ballot this year would replace the current 52-year-old Greene County Jail downtown, while also making major upgrades to justice services. The current Greene County sales tax was 6.75%, and if the levy was approved, it would go up to 7%. He noted many surrounding communities already have a 7% or higher sales tax. For every hundred dollars of taxable purchases, it would only cost an extra 25 cents. Further, 40% of the sales tax revenue comes from those who do not live in Greene County. When the request to increase the sales tax did not pass the first time it appeared on the ballot, they were looking at a jail with 500 beds. They listened to the voters and reduced the scope to hold 384 inmates. The project was estimated to cost about \$50 million, and the increased tax would expire when the bond for the new facility was paid for. He asked for City Council's support of the levy. He distributed fact sheets on the levy and asked that they share the information. He then invited Major Kirk Jeller, Greene County Jail Administrator, to say a few words.

Major Jeller said as Commissioner Koogler stated, he did not wish to take another tour of the jail due to its current condition. Unfortunately, he had 101 employees who work there 24/7/365. He said the levy must pass for the new jail because the needs assessment done in 2018 indicated that the Greene County Jail needed to be abandoned. The facility was outdated and did not meet the minimum jail standards for housing in the State of Ohio. A new facility was also needed to allow space for classroom space for programming needs to address mental health needs—it did not help to just send someone with mental health needs to jail. They need to build a conduit that will allow professional services to help those in need. He asked for everyone's support of the levy—Ballot Issue 1—for all of his employees. He further noted that the Greene County Sheriff operates out of a building that was built in 1929 and was a former car dealership, which was not a secure facility.

He then introduced Greene County Prosecuting Attorney David Hayes and noted Greene County Commissioner Dick Gould was also present in the audience.

Mr. Hayes said a robust debate was currently taking place in this country about the criminal justice system and changes that may be needed. Unfortunately, a jail was a necessity, and some people simply need to be locked up. As stated, the current Greene County facilities are inadequate. He shared that he supports the levy and encouraged everyone to also support it. He then introduced Chief Deputy Scott Anger.

Chief Deputy Anger said he worked for the City of Xenia for 30 years, and during his career, he started out as a Police Officer, then he became a Police Sergeant, and then a Police Captain. During that time, there was a lot of frustration with regard to manpower at the jail. In 1989, a federal judge issued a descent decree to reduce overcrowding. The building was built in 1969 and was 52 years old. The building was not adequate with only 31 maximum security beds. Greene County needs a building similar to the one in Fairfield County or Warren County that would include a system inside the jail that includes administrative offices, etc., all in one building to cut down on transports and improve safety issues. The Greene County Commissioners and Greene County Sheriff believe a new facility would serve the community for the next 50 years. He has served on the Mental Health and Recovery Board for the last 11 years and attends regular meetings. The Greene County Sheriff and the jail employees have to take care of crises, and they are taking care of more crises than ever before. Sometimes, jail was the first place people go when in crisis, and they need a good facility to bring those people in and be the conduit to help them before they are released. He said the Mental Health and Recovery Board was excited about the project and the opportunity to provide programming inside the new jail. The levy was not a property tax or an income tax. It was a .25% sales tax increase that would not be applied to grocery, prescription medication, or fuel purchases. He said this levy was as critical as it gets. He thanked the Council for their time and consideration.

**F. AUDIENCE COMMENTS:** Vice President Dean explained the procedures for Audience Comments and invited those who wished to speak to come forward. No one came forward to speak.

**G. OLD BUSINESS:**

1. Vice President Dean presented **RESOLUTION 2021-LL PROVIDING FOR ASSESSMENTS TO BE LEVIED AND AUTHORIZING THE FINANCE DIRECTOR TO CERTIFY THOSE ASSESSMENTS TO THE GREENE COUNTY AUDITOR**, introduced by Councilman Urschel on 09/23/2021, and it was read for the second time.

Motion by Councilman Urschel, seconded by Councilwoman Dean, to pass Resolution 2021-LL as presented. Vice President Dean entertained comments or questions. Councilman Urschel said these levies are the result of code enforcement violations that the City had to remedy, and this was how the City would recover those costs. The Roll on this was the following:

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

Nays: None motion carried.

**H. PUBLIC HEARING(S):** None.

**I. NEW BUSINESS:**

**1. RESOLUTION 2021-MM AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL FUNDING THROUGH MVRPC FOR THE BELLBROOK AVENUE (FROM ALLISON AVE. TO W. SECOND ST.) RESURFACING PROJECT AND THE E. MARKET STREET (FROM N. DETROIT ST. TO N. COLUMBUS ST.) RESURFACING PROJECT, AND DECLARING AN EMERGENCY.** City Manager Brent Merriman said the City of Xenia was recently notified that the Miami Valley Regional Planning Commission (MVRPC) was soliciting local jurisdictions to submit applications for funding through its Transportation Improvement Program (TIP). For this round of applications, the Engineering Division would like to apply for funding to resurface Bellbrook Avenue from Allison Avenue to W. Second Street and E. Market Street from N. Detroit Street to N. Columbus Street. If awarded the funding for Bellbrook Avenue, the proposed project along with the OPWC project on the westernmost section of Bellbrook Avenue undertaken earlier this year, Bellbrook Avenue will be fully rehabilitated in its entirety. Engineering staff would also recommend applying for funds to repave E. Market Street between N. Detroit Street and N. Columbus Street, which sees heavy daily traffic, and if awarded funding, the project would address the poor condition of the roadway along with much-needed drainage improvements. Staff would also seek sidewalk and curb enhancement/restoration as a separate project. He noted employees and patrons of many County offices in the area along with the City's Justice Center and the Xenia Library who would benefit from these projects. He said the federal funding can only be used on qualifying roadways and thoroughfares and not neighborhood streets. If awarded, the monies would be available in 2023. The estimated total project cost to resurface Bellbrook Avenue from Allison Avenue to W. Second Street was \$366,547. Staff would submit a grant funding request of \$196,849 to MVRPC, which would make the local match \$169,698 (Fund 228) for this project. The estimated total project cost to resurface E. Market Street from N. Detroit Street to N. Columbus Street was \$636,638. Staff would submit a grant funding request of \$406,741 to MVRPC, which would make the local match \$229,897 (Fund 361). He noted that there are some limitations for these "new" grant dollars under an existing program, and projects with higher matching funds are more competitive. There was a tight timeline; therefore, he respectfully requested emergency passage of Resolution 2021-MM.

Vice President Dean entertained a motion to pass Resolution 2021-MM as presented.

Motion by Councilwoman Dean, seconded by Councilman Urschel, to pass Resolution 2021-MM. Vice President Dean entertained comments or questions. Councilman Brannum asked about paving Bellbrook Avenue from Industrial Boulevard down to Second Street. City Engineer Chris Berger said that portion of Bellbrook Avenue will be repaved with funds applied for and granted in 2020. Further, OPWC funds applied for in July 2021 would repave Bellbrook Avenue from Colorado Drive west to the corporation limit. Councilman Scrivens asked if the entire width of the roadway from curb to curb would be repaved or if just the drive lanes would be repaved. Mr. Merriman said this project repaves the entire width of roadway, and the concrete work (sidewalks and curbs) would be done separately. The Roll on this was the following:

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

Nays: None                      motion carried.

**2. RESOLUTION 2021-NN AUTHORIZING THE PURCHASE OF TWO (2) ONE-TON PICKUP TRUCKS FROM KEY CHRYSLER AT A NEW NOT-TO-EXCEED PURCHASE PRICE OF \$69,650, AND DECLARING AN EMERGENCY.** Mr. Merriman said on April 22, 2021, City Council authorized the purchase of two (2) 2021 One-Ton Pickup Trucks from Key Chrysler, at a cost of \$29,961 each, resulting in a total (purchase) price of \$59,922. Unfortunately, the 2021 Dodge RAM 3500 trucks are still unavailable and Key Chrysler cannot obtain them. Staff was advised by Key Chrysler that any trucks that become available would now be model year 2022. Obviously, the worldwide pandemic played a key role in the lack of inventory that many automobile dealerships have faced over the last eighteen (18) months. Thus, because Key Chrysler cannot secure 2021 pickup trucks at the original agreed-upon price of \$29,961 each, it was necessary for City Council to authorize an increase of \$9,728 to establish a new not-to-exceed amount of \$69,650. As a good-faith measure to the City, Key Chrysler was only asking for a cost increase of one (1) of the two (2) trucks and will honor the original price for the other. Because of the need to secure these trucks as soon as they become available in 2022, the Public Service Department respectfully requested adoption of the attached emergency legislation. As an aside, staff was notified this week that the Police Division's cruiser fleet replacements would not be available this year. Because new cruisers are used by Police Captains during the first year, they can be outfitted as marked vehicles. They are considering a different approach for the new Captains' vehicles. He expected up to 18-month delays with any and all vehicle replacements.

Vice President Dean made the motion to pass Resolution 2021-NN as presented.

Motion by Vice President Dean, seconded by Mayor Mays, to pass Resolution 2021-NN. Vice President Dean entertained comments or questions. Mayor Mays thanked Key Chrysler for always being a great community partner. The Roll on this was the following:

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

Nays: None                      motion carried.

**3. Introduction of Resolution 2021-OO Authorizing the Sale of the City-Owned Property at 667 E. Cincinnati Avenue.** Mr. Merriman said staff recently met with the Property Management Committee and with Council in Executive Session earlier this evening regarding the sale of the property located at 667 E. Cincinnati Avenue (formerly the site of Hooven & Allison) to consider two offers to purchase the property. He explained that in 2011, the City of Xenia purchased the site to allow for the remediation of environmental conditions at the site. The City obtained a Clean Ohio Revitalization Fund grant for \$1.9 million, eventually remediated the site and demolished the buildings, and in December 2015 recorded an Environmental Covenant on the property that describes the use limitations to industrial and certain commercial uses, i.e., no residential, no parks, no schools, etc. The property had been for sale since that time. Over the past few months, the City discussed the possible sale of the property to Memory Puzzles, LLC, for a corrugated cardboard manufacturing operation that would create 12 to 15 jobs over the next few years, with additional expansion possible. The purchase agreement calls for \$50,000 at closing, with an additional \$10,000 per year with zero percent interest over the next five (5) years for a total purchase price of \$100,000. The loan agreement would detail the additional \$10,000 per year payments over the next five (5) years. The City would also waive water and wastewater tap fees to allow those utilities to be extended into the property, which was basically a reconnection of those services and not new infrastructure. With the Property Management Committee's feedback

and recommendation, staff felt they have reached the best final sales agreement that benefits both the City and this community and provides a great opportunity for a new business in Xenia.

There were no comments or questions.

Councilwoman Dean presented RESOLUTION 2021-OO AUTHORIZING THE SALE OF THE CITY-OWNED PROPERTY AT 667 E. CINCINNATI AVENUE TO, AND APPROVING A LOAN AGREEMENT WITH, MEMORY PUZZLES, LLC, and it was read for the first time.

**4. Introduction of Resolution 2021-PP Adopting a Five-Year (2022-2026) Capital Improvement Plan (CIP) for the City of Xenia, Ohio.** Mr. Merriman said as part of the last City Council meeting on September 23, 2021, the 2022-2026 CIP was delivered to Council and staff provided a brief overview of it. Pursuant to Section 9.12 of the Xenia City Charter, the Xenia City Council must adopt an annual five-year Capital Improvement Plan (CIP) on or before the first day of November each year. The City Charter also requires a public hearing be held before adoption of the five-year CIP. In a work session earlier this year, staff discussed with Council recommended budget priorities, which included discussion on capital projects, along with unprecedented challenges and unique circumstances. He noted the unpredictability of the environment and last-minute grant and partnership opportunities have forced them to take a more creative approach to setting priorities and capital project planning. That said, Council approved the priorities, which were incorporated into the 2022 tax budget. Since that time, staff reviewed the CIP and made adjustments where necessary. As always, it was important to note that the five-year CIP was only a plan. Approval of the CIP did not allocate any funding, authorize any specific project, or obligate Council to implement any portion of the CIP. The funding and approval of specific projects and purchases are addressed in the annual budget process or as needed by appropriation ordinances brought before Council. The CIP was a published snapshot in time and would be updated throughout the year based on ongoing project discussions and funding. The 2022-2026 CIP provides a policy road map for financial planning and decision making on key infrastructure, system, and fleet needs as well as informing needs related to rate setting for public utilities. He noted the public hearing would be held at the next meeting on October 28<sup>th</sup> upon the second reading of the Resolution.

Vice President Dean entertained introduction of Resolution 2021-PP as presented.

Councilman Urschel presented RESOLUTION 2021-PP ADOPTING A FIVE-YEAR (2022-2026) CAPITAL IMPROVEMENT PLAN FOR THE CITY OF XENIA, OHIO, and it was read for the first time.

**5. Administrative Motion Appointing Mary Haller to the Vacant Seat on the Planning and Zoning Commission.** Councilman Brannum said there was one vacancy on the Planning and Zoning Commission, which was advertised on the City's social media outlets, website, and government channel. One individual expressed interest in filling the vacancy. He respectfully recommends the appointment of Ms. Mary Haller to fill the vacant term expiring on December 31, 2022. As a past Board of Zoning Appeals member and, more recently, a past part-time City employee, a background check was not conducted. He then asked Ms. Haller, who was present in the audience, if she wished to speak.

Ms. Haller said she was glad to come back and serve the City of Xenia and be involved again. She thanked Council for their consideration of her appointment.

Vice President Dean entertained a motion.

Motion by Councilman Brannum, seconded by Mayor Mays, to appoint Ms. Mary Haller to the vacant seat on the Planning and Zoning Commission with a term expiration date of December 31, 2022. Vice President Dean entertained questions or comments. Councilman Scrivens said he was glad to have her back and staying involved. The Roll on this was the following:

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

Nays: None motion carried.

**6. Administrative Motion Approving the Schedule of Bills in the amount of \$494,998.89.** Finance Director Ryan Duke respectfully requested the payment of bills in the amount of \$494,998.89.

Vice President Dean entertained a motion.

Motion by Mayor Mays, seconded by Councilman Brannum, to approve the schedule of bills in the amount of \$494,998.89. Vice President Dean entertained questions or comments. None followed. The Roll on this was the following:

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

Nays: None motion carried.

## **J. APPOINTED OFFICIALS REPORTS**

Vice President Dean asked Law Director Donnette Fisher for her comments. Ms. Fisher did not have anything further to share. Vice President Dean entertained questions for Ms. Fisher. Councilman Scrivens asked the status of the [CSU] annexation. Ms. Fisher said the City cannot annex property that it did not own. The property owner has to file the petition with Greene County, and she had not seen anything to date.

Vice President Dean asked Mr. Duke for his comments. Mr. Duke did not have anything further to share. Vice President Dean entertained questions for Mr. Duke. Councilman Urschel said there had been some discussion at public forums that the City may be under State financial watch, and he asked Mr. Duke to provide a brief overview on what that means. Mr. Duke said the City was in fairly good stead financially. He said the State of Ohio has about 20 different financial health indicators that they use for evaluation, and then they use three different levels including good (green), cautious (yellow), or problematic (red). The City only had one “caution” indicator due to a decrease in income tax for 2020, which was not surprising due to the pandemic. He noted this report was probably the cleanest the City had ever received from the Ohio Auditor of State. The City’s Key Operating Fund balance was healthy and was the largest they have seen in the last five years—possibly the largest in history. The reserve requirement had also been exceeded in anticipation of some predicted deficits in the coming years (2025, 2026). As they see where income tax revenues go, they would have to decide what operational changes may be necessary. Generally, the City’s finances are in a healthy condition. He reported the State has criteria for communities

that are in fiscal distress (caution, watch, or emergency) and the City of Xenia has never been designated as being in fiscal distress in any category. The history of Ohio municipalities that have fallen into any of those categories can be found on the State Auditor's website. He said like many municipalities, the City of Xenia had its challenges in different funds and in different areas, but overall, the City's financial position was solid. Councilman Urschel said he understands the City had received the first installment of two American Rescue Plan Act (ARPA) funds. Mr. Duke agreed; the City received \$1.4 million and would receive another \$1.4 million in 2022. In the financial projections, half would go toward operating costs and half would go toward capital improvements. Staff would continue to have conversations with Council to talk more specifically about how those dollars would be used over the four-year period. Mr. Merriman added that they have discussed the subject with the Council's Budget and Finance Committee as well, and the consensus was they did not need to rush to spend the funds this year. They have ample time to determine the best way to expend those funds. He said \$2.8 million was a lot of money, but the public had to be realistic—in the current inflationary environment, \$2.8 million would not fix all the roads, the storm sewer system, meet all the needs in the parks, etc. The City's needs are far beyond what \$2.8 million could fix, but it was certainly a good seed money source. Councilman Urschel did not believe they could directly spend those funds on roads and streets. Mr. Duke said that was correct; they can spend money in four categories—revenue replacement, water, sewer, and broadband. The City has seen a significant reduction in revenue, and he could certainly demonstrate those calculations. Councilman Urschel asked if Council could approve the use of that grant funding—or a portion thereof—to go toward revenue replacement. Mr. Duke said yes. Staff would be bringing forward a Resolution for Council consideration on how to use the ARPA funds to include revenue replacement and which governmental expenditures would be covered. For example, one of the recommendations may reduce the amount of the transfer needed from the General Fund to the Police and Fire Fund, and then they would have to determine how to use those General Fund dollars that are not transferred. Councilman Urschel said if Council was going to authorize direct funding of capital funds, it would have to go into the water, sewer, and/or broadband. Mr. Duke said that was correct. Mr. Merriman clarified it was classified as water, sanitary sewer, storm sewer, or broadband.

Vice President Dean asked Mr. Merriman for his comments. Mr. Merriman said the HEADS<sup>1</sup> Up Initiative was launched recently to address homelessness in the community. The team consisted of Police and Public Service staff who go to all known locations where homeless individuals hang out and engage with them on a one-on-one basis. The first thing they do was try to provide direct assistance (Bridges of Hope or other services) and provide resources and help. He acknowledged that most homeless individuals suffer with mental health and/or substance abuse issues. He said the City of Xenia has adopted a zero tolerance policy in terms of substance abuse and criminal activity, and if the homeless in this community did not wish to participate in helping themselves, then they are not welcome here. They will not tolerate squatting, loitering, littering, and/or criminal activity. When homeless individuals have possessions on site, staff would ask them to remove them, or if nobody was present, they would post a notice to give the homeless individuals an opportunity to remove them before Public Service staff goes back out to remove them. He was also bringing TCN and Bridges of Hope onboard to help assess individuals from a clinical standpoint. Staff had been out every morning over the past three weeks, and they have found that there are only about 12 individuals who are consistently out there. Some are from Xenia and some are not, but they try to

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<sup>1</sup> Homelessness Engagement, Assistance, and Deterrence Solutions

work with those who are not from here to get them back to wherever they are from. Some continue to linger but some have moved on, and some transient folks have quickly moved through the area. They are trying to work with residential and business property owners by providing them with staff's contact information so they can call and the HEADS Up team can respond as needed. The reality, as previously stated in the Special Presentation, was there was no jail space for those cited with minor misdemeanors and that adjudicative process was not practical. However, the City of Xenia still needed to meet their care needs and hold them [the homeless] accountable where appropriate. He would continue to provide Council with updates as they advance the cause. He thanked Mayor Mays and Councilwoman Dean for participating with other community stakeholders in the vignettes regarding the Xenia Towne Square redevelopment project during which they discussed the physical environment and the look and feel of the new development. They are working through the draft plan, including the economic plan. The market study and psycho demographics study have been completed. He anticipated bringing everything back to Council in November to determine the next substantive steps. Finally, he reminded everyone of upcoming events including the "*Harvest on Main*" event on Saturday, October 16<sup>th</sup>, from 2-7 p.m. The event was a fall-themed, family event that included a craft show of over 40 vendors, a pie eating contest, costume contests, many food trucks, many kids activities, etc. He was pleased with how the local businesses have partnered with the City on this event including Glazed, FLOUR Bakery, and Route 68 Vintage Toys. He encouraged everyone to attend the event and support local businesses. Mayor Mays said the costume contest at Route 68 Vintage Toys includes a \$200 first place cash prize for adults and a \$50 first place cash prize for children under age 12.

Councilman Urschel wished to ask a few questions about the Five-Year CIP, which was a great document to help them understand specific projects and how funds would be allocated for those projects. He said the City's "real" strategic plan was the X-Plan, and he asked Mr. Merriman to provide a brief synopsis on the update to that plan. Mr. Merriman said he intends to come back to Council, hopefully next month, to discuss strategic priorities for 2022. The X-Plan, the City's comprehensive plan, was an award-winning plan that served as a set of priorities based on community feedback that Council adopted about eight years ago. X-Plan was very implementation and action oriented, and he was thrilled to say that many goals and objections have been accomplished, which was why it needed to be updated. He asked City Planner Brian Forschner, who led the initial initiative, to develop some recommendations on the process and timeline for the update, which he had done. He anticipated beginning that discussion with Council in the first quarter of 2022 when they typically discuss strategic priorities. Following that, a community outreach process would be launched to include discussions with community stakeholders. Councilman Urschel felt it was important for the CIP and the X-Plan to reference one another. He noted there are three enterprise funds, and the water and sewer funds see the most influx of revenue. However, the plan states that "those funds must be strictly utilized for their own respective business enterprises." There has been public discussion about using water and sewer funds for street projects and asked Mr. Merriman to address those comments. Mr. Merriman said enterprise funds are service related funds (water, sanitary sewer, storm sewer, etc.) that are funded through user fees. Those funds are required to be used principally for the service that it supports. For example, proceeds from water fees paid on utility bills must be used for some type of water service activity—whether operating or capital. They could only use those funds for roadway repairs if those repairs are related to water infrastructure repair. For example, this year, Council authorized two street projects that were related to water main breaks (Race Street and Colorado Drive), and water funds were used for restoration of the roadway because

they dug the road up to fix the water main break. At other times, they anticipate a need, such as on Country Club Drive, and they can plan street projects in conjunction with water main improvements and use water funds. That said, he was proud that the water and sewer funds are very healthy, Council has made great policy decisions, and there have not been rate increases for a number of years. Even with the estimated \$8 million combined balance in those funds, it would not be enough to fix the \$40 million need to fix all of Xenia's roadways. He applauded Engineering staff for bringing in millions and millions of dollars in state and federal grants for street improvements—they have made great progress over the last five to seven years. However, even with upwards of \$3 million in street improvements each year, they still may be losing ground in terms of overall street conditions. It was very difficult to balance priorities such as public safety, park systems, and economic development projects with street improvements while trying to do their best with service delivery and capital reinvestment for a high quality of living in this community. He noted to get \$1 million in new income tax revenue, they would need 1,000 new jobs with an average salary of \$50,000 each.

Councilman Urschel asked about the City's reserve requirements for each of the operating funds. Mr. Duke said the reserve requirement for the operating funds was \$1 million for each one. There was additional criteria related to outstanding debt service in the capital funds where they need to ensure they are maintaining reserves that offset that next year's debt service, et al. He added that it was not in the public's best interest to use water and sewer funds for purposes such as street paving and that was why it was illegal to do so. Council can control rates but cannot unilaterally increase tax revenue, and it was in the public's best interest to ensure that those rates are being used for appropriate purposes.

Mr. Merriman said the draft 2022 final budget would be published by the end of October, and as part of that document, financial management policies and goals are included to ensure transparency and financial security and stability. The budget document was available to the public. He encouraged public inspection; further, he encouraged those with questions to contact him or Mr. Duke. He noted all the City's expenditures are on the State's Ohio Checkbook site as well as on the City's website.

## **K. REPORTS OF BOARDS AND COMMISSIONS:**

**1. Board of Zoning Appeals:** Mayor Mays said the September 27<sup>th</sup> BZA meeting was canceled due to lack of agenda items.

**2. Property Management Committee:** Councilman Scrivens said the Committee met on September 30<sup>th</sup> to discuss the disposition of several City-owned properties, including the former H&A property that was on the agenda this evening. Councilman Urschel said the Committee was also looking at properties with delinquent property taxes noting it would be a challenge to move on a number of those properties, about 400 in the City, because there are many taxing agencies to deal with. However, these properties have created a blight in their respective neighborhoods because they are not being maintained nor are they generating any revenue for anyone. Mr. Merriman agreed discussions have begun with many Greene County agencies, and he believed they all have a desire to correct some of the deficiencies and the backlog of delinquent properties. Greene County agencies and each respective municipality would need to work together on this initiative. Councilman Urschel said from a property tax perspective, 63% goes to the schools, 31% goes to various other County agencies, and the City of Xenia receives only about 6.3%. As they move through the process, the

other entities will need to acknowledge that they may not recover the delinquent taxes due. But if they can get these properties sold, they would see income in the future.

**3. Public Service & Utilities Committee:** Vice President Dean said the Committee met on October 7<sup>th</sup> and discussed an alternative fee structure for storm water funding. They also received updates on the closed municipal landfill and buildout of the City's fiber.

**4. Planning and Zoning Commission:** Councilman Brannum said the Commission also met on October 7<sup>th</sup> to hear a report from staff and a representative of the Dillin Corporation on the redevelopment of Xenia Towne Square. He said preliminary drawing was shared with those present, and PZC would eventually review the final plan and submit a recommendation to City Council.

#### **L. COUNCIL COMMENTS:**

Councilwoman Dean said she was looking forward to seeing everyone at the "Harvest on Main" event on Saturday.

Councilman Brannum did not have anything further to share.

Councilman Scrivens again thanked Ms. Haller for stepping up to serve the City and accepting that civic responsibility. He expressed condolences to the families of Sandra Channels and Shaun Ewege. He was glad that two Greene County Commissioners attended the meeting this evening for the special presentation about the jail levy, which was important to the entire County. He congratulated Mr. Duke on appearing on the front page of the Xenia Daily Gazette regarding the recent award from the Ohio Auditor of State. He reported the City was in excellent financial condition, and people should not believe otherwise. He wished the Xenia High School football team good luck in tonight's game versus West Carrollton. He congratulated Xenia Police Division Detective Doug Sparks on receiving the Division's highest honor, the Casey Elliott Memorial "City's Finest" Award. Finally, he plans to attend Legacy Christian Academy's rededication of their chapel, which was recently redone. He noted the academy was located on the site of the former Ohio Soldiers' and Sailors' Orphans' Home/Ohio Veterans Children's Home, which was a beautiful campus.

Councilman Urschel said the City Council attended the most recent Neighborhood Night Out at Lexington Park and received a lot of great feedback from the community. A group of individuals was ready to step up and help to include having regular, on-going activities. He also talked to people from Cedarville, Central State, Wilberforce, and Athletes in Action who are also ready to help. The neighborhood association would need to coordinate that effort and work with the various organizations. The City would play a key role in supporting that coordination, and if successful, that effort could be replicated for other neighborhood parks. Regarding the homeless persons in Xenia, he has been working with people who patronize Bridges of Hope, and together they volunteer on Wednesdays and Sundays to clean up the downtown area, paint the curbs, clean up the flower beds, spread mulch, etc. He noted they have already picked up over 1,000 bags of trash. This initiative gave them something to do instead of just wandering around, and it also gave them some basic work experience and purpose. They need to show up on time and work hard, and then they get paid, noting this was a privately funded endeavor. He said over 36 people have participated this summer, and of those participants, 12 have obtained permanent housing and 6 have found permanent jobs doing

similar work. He was looking to entertain future projects for them including cleaning out the privately owned retention ponds around the City. Currently, they are very overgrown, which could lead to a significant drainage problem during heavy rains. He welcomed additional volunteers and/or private donations.

Mayor Mays shared the following events from the past three weeks:

- Sept. 24: She attended the Greene County Library breakfast; Karl Colon gave an update. She thanked him for always being such a great help to the community. She was thankful that he was always willing to pitch in when needed. On that same day, Shawnee Elementary had their walk-a-thon, and she went out to congratulate them on raising \$15,000 for their field trips, teacher appreciation items, rewards for kids for good behavior, etc. PTO President, Michelle Maddox, did a great job coordinating that fundraiser.
- Sept. 26: She and Councilman Urschel attended a service at Lighthouse Baptist Church to recognize first responders. The church also provided lunch for them, which they do regularly once per month. They also regularly pray for all first responders. Also on this day, she attended an Eagle Scout ceremony for Jack Leiher. She congratulated him on this achievement noting his project entailed cleaning veterans' headstones at St. Brigid Cemetery. It was so exciting to see these young people achieve that honor and know that they are contributing to this community.
- Sept. 28: She attended Neighborhood Night Out and thanked staff for all they do for these events, especially the Fire Division who put on several demonstrations that evening. Her kids had a great time. It was good to have her fellow Council members in attendance and thanked Councilman Brannum for providing popsicles for all the children who were there. That same evening, the Route 68 Vintage Toy Store and Toy Mall welcomed Butch Patrick who played Eddie Munster, and she and her family had a chance to meet him. The business owners are constantly doing things to bring people into the City who spend their money in this City. They also had their annual toy show at the Fairgrounds on October 3<sup>rd</sup> with over 600 vendors from 19 states utilizing every building. The High School Band Boosters handled the parking to raise money.
- Sept. 30: She participated in a ribbon cutting at Halo, a dog training and boarding place in Xenia Township, which was connected with Family Promise, Greene County (formally IHN). People sometimes avoid homeless shelters if they have no place for their pets, and Halo provides a safe place for those animals while their owners get back on their feet. Also on this day, she was unable to attend the 30-year anniversary event for The Caring Place at Pastor Schwochow's church but thanked Councilman Scrivens for attending. There was also a Mayor's Reception with University President Dr. Alfred Anthony Pinkard at Wilberforce University to provide an opportunity to invite businesses to the campus of Wilberforce and talk about ways to partner together, recruit employees, train quality workforce, and offer internships.
- Oct. 1: She attended Clark State's breakfast where they talked about what was happening with their college and also offered a chance for the community to provide feedback as to what was needed in the workforce, how they can train and credential folks, etc., whether that would be for certifications and/or two-year or four-year degrees.
- Oct. 2: She attended an event at SOS Ministries at the new EMERGE site. Jeremiah and Carolyn Byrd are doing a great job partnering with the recovery community, finding ways to offer options with regard to housing, job skills training, etc. On this same day, Jeremiah Tree held their gala event, which was a great night and a great opportunity to make connections—not only with one another but introduce people to one another so they can make connections. She thanked the Jeremiah Tree for everything they are doing in the community.
- Oct. 3: She presented a proclamation to Middle Run Baptist Church in celebration of their 199th anniversary as a church! She noted Councilman Scrivens and President Smith were in attendance. She congratulated Councilman Scrivens on his church's accomplishment and for being an incredible presence in this community.

Vice President Dean did not have anything further to share. With no further business on the agenda, he entertained a motion to adjourn.

**M. EXECUTIVE SESSION:** None.

**N. WORK SESSION:** None.

**O. ADJOURNMENT:** Motion by Councilwoman Dean, seconded by Councilman Urschel, to adjourn the Regular Meeting at 7:33 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None                      motion carried.

Michelle D. Johnson  
City Clerk

Levi P. Dean  
Vice President, Xenia City Council