

City Council Meeting Minutes
April 27, 2017
Regular Session
7:00 p.m.

The Xenia City Council met in a Regular Session on April 27, 2017, at 7:00 p.m., in the City Council Chambers, City Administration Building, with the following members present: Wesley Smith, Edgar Wallace, Dale Louderback, Sarah Mays, Jeanne Mills, Marsha J. Bayless, and Michael D. Engle.

INVOCATION: Associate Pastor Mike Hancock, Xenia Nazarene Church, gave the invocation after which all joined in the Pledge of Allegiance.

APPROVAL OF MINUTES: Motion by Councilman Louderback, seconded by Councilman Wallace, to approve the April 13, 2017, Special/Executive Session minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Louderback, Mays, Bayless, and Engle

Abstain: Smith and Mills

Nays: None motion carried.

Motion by Mayor Bayless, seconded by Councilwoman Mays, to approve the April 13, 2017, Regular Session minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Louderback, Mays, Bayless, and Engle

Abstain: Smith and Mills

Nays: None motion carried.

SPECIAL PRESENTATIONS:

Xenia Community Schools Superintendent Denny Morrison ~ School Levy. Mr. Morrison thanked Council for the opportunity to speak about the school levy. It is wonderful to have so many representatives from the Xenia community present at the meeting; they all want what is best for the children in this community. It is his fourth year as Superintendent for Xenia Community Schools and feels he has the best job in the City of Xenia. He is proud to be the Superintendent. He noted Ms. Pam Callahan, President of Board of Education, was also present. He then provided the following information:

School Update

- Enrollment remains steady after a decade of decline of 100 students per year, and they are currently 212 students above state projections.
- Financially, the school district is in very good shape and is being run like a business to ensure there is more than a 60-day carryover balance.
- They are adding additional programs to make sure that every child has something to be excited about during their school day, and they want to come to school to learn.
- They have added 2,700 Chromebooks over the last two years, and they now have enough for every student in the district.
- Elective STEM classes are now available to every child in grades 6 – 12.
- A Robotics class is now offered to students in grades 4 and 5.

- Xenia has great kids, and he is proud that the kids are practicing old fashioned values at school and in this community.
- They have several programs that help the community including Pennies for Patients, fundraisers to benefit the Leukemia and Lymphoma Society, Baskets for Battle for cancer patients, blood drives, and they recognize veterans every chance they can.
- They have a five-star preschool that once had 85 students and is now approaching 300 students. He noted 95% of brain development occurs before the age of five, and Xenia's preschoolers are learning now—it is not a babysitting service.
- A total of 74 students are currently enrolled in the Virtual Academy program, which helps students get their high school diploma who have experienced difficulties—for whatever reason—transitioning from middle school to high school.
- The four-year graduation rate for the last three years has exceeded the State average by 3%, and their five-year graduation rate has beat the State average by more than 5%.
- Last year's graduates were offered \$4.5 million in college scholarships, and this year's graduates will probably surpass that figure.
- They are reinvesting 73.4% of their revenues back into their classrooms, which leads Greene County's average.

School Levy on the May 2nd ballot -- 4.2 mill bond issue

- Passage of the issue will provide funding for a new combined middle and high school building to replace the outdated buildings of Warner Middle School and Xenia High School.
- Passage will allow them to take advantage of more than \$28.5 million from the State through the Ohio School Facilities Commission (OSFC).
- Repairing the existing buildings would be very costly, and OSFC's recommendation is to replace them. The State assessment concluded that the necessary renovations for the middle school and high school are more than two-thirds the cost of constructing a new up-to-date building.
- The middle school and high school would be combined into one single building with middle school students located in a separate wing from high school students. Combining the building would be the most efficient and cost-effective way to run the school because they would share one mechanical plant, one kitchen, one auditorium, etc. This concept would provide more opportunities for the students and is being implemented more and more across the State of Ohio.
- The site for the new facility would be at St. Rt. 42 and US 35.
- The cost would be \$12.26 per month (\$147 annually) for each \$100,000 of property value.
- If approved, construction would be completed by the 2020-2021 school year.
- The new building would follow the ICC 500 and FEMA P-361 guidelines for constructing a tornado-resistant structure, which will include a shelter capable of housing the student population and staff. It will also include structural enhancement to help support the building.
- The new building will be 332,879 sq. ft. compared to the existing buildings' 293,067 sq. ft., which is an increase of 13.6% in square footage.
- A State agency is responsible for doing the assessment—not the school system; however, staff sent a report on all the improvements that have been made to the two buildings since the State's last assessment. The State responded by saying the high school and middle school renovate-to-replace ratio is approximately 70% for the two buildings. Per the OSFC's Chief Legal Counsel, they have a policy that allows school districts to replace existing school buildings if the renovate-to-replace ratio exceeds 66%. As a result, the high school and middle school are eligible for replacement.
- He said the State Report Card is used to measure how well a school is doing, but it is a flawed system. He read statements from Greeneview and Cedarville Superintendents regarding the poor quality of the State Report Card's testing standards and the addition of more testing. The statements were published in the Wednesday, September 21, 2016, edition of the Xenia Daily Gazette. He considers both schools to be excellent school districts, but Cedarville received an "F"

and two “Cs” on the State Report Card, while Greeneview received three “Ds” and one “F.” He feels the low grades are due to the continuous changes in the testing process. Xenia’s test scores are consistent with what is being seen across the State. Staff has done an excellent job educating students; unfortunately, the test results do not reflect the true education that is taking place in the school district. The State Report Card should not be used as the only measure of success.

- A Georgetown Research Study found that improving a school’s physical environment can raise test scores by as much as 11%. Xenia has an opportunity to provide the learning environment needed to support 21st century skills with enough space for students to work individually and collaboratively on real-life application tasks.
- Operating expenses are included in the levy; they will not seek an operating levy to support this new project.
- The State’s \$28.5 million offer expires in August. The money will be given to another school district if the levy does not pass.
- The Board of Education has met with a realtor who is working with developers to build 46-50 single-family homes on the high school property after the new school is built, which complies with the property’s zoning designation.
- He urged people to vote their conscience, but he wants them to have accurate and factual information before casting their votes. The recent flyer going around has several incorrect statements that may influence people to vote another way; it did not have the correct millage rate among other false information.
- Election Day is May 2nd, and early voting is already underway.

Superintendent Morrison offered to answer any questions.

Councilman Louderback said it is all very confusing to the general public. He said Mr. Morrison’s flyer states that a new school was needed due to disrepair. He asked how many millions of dollars have been put into Warner Middle School and XHS since 2009.

Superintendent Morrison said they have completed the following:

- \$1.3 million in energy conservation improvements at XHS
- \$940,000 in roofing repairs and improvements at XHS
- \$32,000 in exterior wall masonry repairs at XHS
- \$54,000 in energy conservation improvements at Warner
- \$548,000 in roofing repairs and improvements at Warner
- \$105,000 in paving improvements at Warner

Councilman Louderback said some people may dispute some of those facts. He is a strong believer in the First Amendment, and if people read the Xenia newspaper, they will hear nothing but positive comments with no opposing views on the school board [levy]. He noted he recently cancelled his subscription to the Xenia Gazette after 50 years. He asked about Xenia’s test scores from the State. Superintendent Morrison said he did not have them in front of him, but they were primarily “Ds” and “Fs.” Councilman Louderback said Xenia schools are near the bottom in test scores for the State of Ohio. Superintendent Morrison said that is an accurate statement. Councilman Louderback said new schools do not make good students; further, test scores have gone down since the new elementary schools were built. Superintendent Morrison said Councilman Louderback raised some good points; however, he disagreed with some of his statements. He felt that Councilman Louderback was looking at one flawed measuring stick in regard to the State Report Card because everyone across the State of Ohio agrees the State system is flawed. He was not happy with Xenia’s scores, but at the same time, they are making changes with their curriculum, working with professional developers so the teachers

learn the best methods for students to learn, and adding programs to correct issues. Rome wasn't built in a day, but they are going in the right direction. The test scores coming out this June will show that the average student in Xenia has made more than one year's growth in one-year school time. Councilman Louderback said he has nothing against anyone; he just wants everyone to know that Xenia is at the bottom of the State of Ohio test scores and both sides of the story need to be heard.

Mayor Bayless asked Superintendent Morrison to talk a little about the value of sharing space for this century's education. Superintendent Morrison said there is an economic value because there will only be one set of kitchen equipment, one mechanical system, one auditorium, etc. The building will be 13.6% larger, which means the classroom sizes will allow students to interact on projects and college prep classes better. Additionally, middle school students could take high school classes to help them advance more quickly. They will be able to share specialized teachers (i.e., Spanish, German, French, etc.) who can teach middle school students and high school students in the same building. The benefits are endless.

Councilwoman Mills said she must recuse herself from the vote because she is employed by Xenia Community Schools.

Vice President Smith thanked Superintendent Morrison for attending the meeting. He moved from Huber Heights to Xenia in 1998 because of the Xenia Community School system; shortly thereafter, he moved his business to the area. He wanted his daughter to grow up in a school where they felt she would be treated fairly, and she was. His daughter graduated in 2012, achieved a 33 on her ACT, was a graduate of distinction, and graduated with Honors at Miami University. She is flourishing in New York City, and he is very proud of her. He thanked the community schools for helping with her success. He has heard teachers express their frustration in the State testing system. He noted disadvantaged children are included in the testing system even though they are unable to take the test accurately, which pulls the school average down. Superintendent Morrison said he did not want to make any excuses because the schools are not where he wants them to be; however, Vice President Smith is correct. An average of 15.5% of their students have special needs, but the State only excuses 1% maximum. Vice President Smith said he understands the frustration with that system. He appreciates Superintendent Morrison attending the meeting and the job he is doing with the schools.

Councilwoman Mays thanked Superintendent Morrison for his presentation, which was very informative. She appreciated hearing the facts.

Councilman Wallace said he appreciates Superintendent Morrison speaking about the XHS graduation rates. There is something to be said about the \$4.5 million in scholarships offered to last year's students. These numbers also say something about the student's academic achievements at XHS. He asked Superintendent Morrison to speak on the graduation rate for the last four years. Superintendent Morrison said he only has the information for the last three years. The goal for all students is that they show one year of academic growth or more each year. He was not pleased with where they are at on the report card, but Xenia Community Schools' graduation rate tops the State average and 75% of students are going on to college. Therefore, the parents, staff, and kids must be doing something right. The graduation rate was 86.9% for 2013-2014, 84.8% for 2014-2015, and 84.2% for 2015-2016. He noted the State average for those years was 82%. He did not want to speculate, but this year's graduating class was phenomenal.

President Engle said he moved to Xenia 28 years ago and was told the schools were not good. They chose to move to Xenia anyway and have raised three children through the Xenia Community School

system. His two grown sons are respectful young men and graduates of XHS. They are also gainfully employed and have chosen to remain in Xenia because it is an outstanding community with good schools. His daughter was a Graduate of Distinction from XHS last year and is attending college on a full-ride scholarship, which he is exceptionally pleased about. She is a product of her environment, and a big part of a person's environment is the school system, teachers, and community. He maintains that \$4.5 million worth in scholarships would not be nearly that high if the schools were as bad as what was portrayed to him 28 years ago. He has seen steady improvement, and he salutes Superintendent Morrison for the difficult work that has been done. He supports him 100%. His wife's family comes from an educational background who agree the testing system is an abomination. In his opinion, and in many other people's opinion, the testing does not teach nor test to the skills that students need in order to be successful in life. Superintendent Morrison said Xenia is the best kept secret in the Miami Valley, and Council and staff are doing a phenomenal job with the City in terms of bringing jobs and families here. He is so blessed to have the opportunity to work with so many wonderful people and kids. He recently met with over 300 seniors and did not have a single issue. He encouraged the seniors to consider returning to the Xenia community after they pursue higher education or military service because it has a small town atmosphere with large city opportunities. He works with a Board of Education that is extremely kid-oriented and a teaching staff that is unbelievable. Everyone is working together for the kids.

President Engle said as Councilwoman Mills recused herself from the vote because she is an employee for the schools, his wife is also a staff member of Xenia Community Schools; however, after consulting with the Law Director, he intends to vote on the proposed resolution of support.

Councilman Louderback said he has supported Xenia schools all his life. He and his three siblings all graduated from Xenia Community Schools and have done quite well. His wife and her four sisters also graduated from Xenia Community Schools and have done quite well. He even gives an annual scholarship, which most people do not know about. Some teachers want to say he hates children, which is a very narrow minded statement. He did not support the levy for two reasons: taxes and the belief that new schools do not make good students. He noted 65.28% of the real estate taxes already go to the schools. He asked about the percentage of students that participate in the school lunch program. Superintendent Morrison said three schools have 100% of the students on the program, and the other schools are somewhere between 50% - 55% of students on the program. Councilman Louderback said there is a lot of poverty in Xenia, and \$12 per month might mean the difference in someone paying a DP&L bill or feeding their kids. Most of them have been blessed and can afford the tax, but he is up to his eyeballs in taxes. Xenia has one of the highest income taxes in the State of Ohio at 2.25%; the only one higher is Oakwood at 2.5%. He is not a "tax and spender" and there is no requirement to take the State's money; other schools have not taken the State's money. Therefore, the schools do not have to accept help from the government because they can do it on their own. Again, he will be voting "no" on the resolution. In the spirit of fairness, he asked the Council President to put someone on the agenda to speak against the school levy, which was denied. In this country, everyone has a fair opportunity to hear both sides, but he was denied in the same way that the Xenia newspaper only reports one side.

President Engle said in response to Councilman Louderback's statement, at their meeting two weeks ago Councilman Louderback alluded to a request for a group to speak against the levy. He read the following e-mail exchange on the issue dated April 17, 2017:

City Clerk: Councilman Louderback called this morning to add Norm Auckerman to the agenda as a Special Presentation. He said you already approved it. Please confirm. Thank you.

President Engle: Michelle: This is different than what I recall discussing at the Council meeting last week. I indicated that I was prepared to approve a request from a formal organization/PAC to present an opposition-view of the School Levy. Also, I indicated that the “group” needed to send a formal request to you as the City Clerk for the presentation. It does not appear that this requirement was satisfied. From your note, it appears that this is not an organized group requesting a presentation, but an individual representing himself/his views. As such, I’m not approving a formal presentation. However, as in the case at any Council meeting, this gentleman is welcome to speak during the audience comment’s portion of the meeting about a topic of his choice.

The email went back to all that was included on the original emailed copy directed to Michelle Johnson, City Clerk, but copied to Councilman Louderback, the Finance Director, and the City Manager. Councilman Louderback responded on Tuesday, April 18th at 10:23 p.m. “and justice for all.”

Superintendent Morrison said the 65.2% [real estate tax] is common across the State of Ohio. Also, there are 614 school districts in the State of Ohio, and over 330 have taken advantage of OSFC program to build new buildings. He understands Councilman Louderback is against taxes. He is also against taxes, but he feels having 60% of the new school paid for is a whole lot better than the taxpayers paying 100% of the cost in the future.

Ms. Callahan said the buildings will need to be replaced or repaired at some point; it is just a matter of whether the State chips in to do it now or the taxpayers will have to put forth all the money later. Councilman Louderback said that is only if the taxpayer votes “yes.” Ms. Callahan said it will be done either way, or cuts will have to be made. Councilman Louderback said the taxpayers have a voice. Ms. Callahan agreed. The schools are operating in a good place financially, but they will have to eventually make significant repairs or build a new building because they will no longer be able to operate out of the existing buildings.

Superintendent Morrison thanked Council for the opportunity to make a presentation. (Applause followed.)

President Engle presented a RESOLUTION OF SUPPORT FOR THE 4.2¹ MILL BOND MEASURE REQUESTED BY XENIA COMMUNITY SCHOOLS FOR CONSTRUCTION OF NEW HIGH SCHOOL AND JUNIOR HIGH SCHOOL FACILITIES, AND DECLARING IT TO BE AN EMERGENCY, which he read in its entirety.

Motion by President Engle, seconded by Councilman Wallace, that the rules requiring the reading of a resolution at two consecutive meetings be dispensed with and this resolution be placed at once upon its passage. Discussion followed.

Mr. Duke noted the resolution shows a 4.1 mill bond measure, but the actual millage is 4.2. President Engle asked that the correction be made.

Councilman Wallace reported that the EDAB unanimously endorsed the resolution.

¹ Amount corrected; originally published as 4.1 Mills.

Councilman Louderback said four members of Council have a financial interest in the Xenia Community Schools. He appreciated that Councilwoman Mills recused herself from the vote.

President Engle said he discussed his particular situation with the Law Director, who did not believe there was an issue with his participation at this time. His wife is employed by an elementary school in Xenia, and the high school and middle school did not have an impact on her whatsoever.

Vice President Smith said he has probably photographed every child in Greene County. He cannot help that his business is successful; however, his interest was not with the school system. He sells the photographs to the parents and not the school system; therefore, the Resolution in question is in regard to buildings and would not directly affect him financially.

Mr. Stokely noted Council is not the deciding body for the purposes of the levy, they are only presenting a resolution of support; therefore, it is not a violation of the Ohio Ethics Law to have a discussion and vote on the matter.

The Roll on this was the following:

Ayes: Smith, Wallace, Mays, Bayless, and Engle
Nays: Louderback motion carried.

Motion by President Engle, seconded by Councilman Wallace, that Resolution Number 17-K be now passed. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Mays, Bayless, and Engle
Nays: Louderback motion carried

Councilwoman Mills recused herself from the vote.

Presentation of Plaques for 2017 Heritage Trees. Councilwoman Mills said she is pleased to present the certificates. Karl Ransome and Nelson King, Xenia Tree Committee members, assisted with the presentation. Mr. Ransome, Chair of the Xenia Tree Committee, provided a brief background of the Tree Committee and the Heritage Tree Program, which was launched in 2012. Councilwoman Mills and Mr. Ransome then presented plaques and certificates for the 2017 Heritage Trees to Michael Zehner, 378 Cincinnati Avenue and Dr. Richard Fox, Jr., 1182 N. Detroit Street. She noted the plaques will be mounted in front of the trees. (Applause followed.)

Councilwoman Mills said there are people who have made plants and trees a part of their life and livelihood, and the City of Xenia is blessed to have the Tree Committee and all its members' knowledge to enrich the community. She wanted to take the opportunity to remember a valuable member of the community. Audrae C. Broyles passed away on April 15, 2017 at 94 years young. She was appointed to the City's Board of Recreation, Arts, and Cultural Events on September 9, 2010. She was not a spring chicken, but she still had something to give to the community and she gave a lot. She served on BRACA's Tree Committee since its inception in 2011 and served as Chair in 2011. Since her appointment to BRACA and the Tree Committee, she continued to serve in that capacity for almost seven years. She volunteered at many BRACA activities including Music in the Park, Movies in the Park, annual Easter Egg Hunt, and Hometown

Peter Battaglia, LJB Engineers, 2500 Newmark Drive, Miamisburg, said he was speaking on behalf of all the property owners. He noted this change was not actually initiated by the property owners. It came about when Mr. Forschner was reviewing the code. The early master plan was very intense in terms of housing and other things, but that plan was not executed as expected. The zoning changes will help the City clarify and make easier decisions on zoning issues; therefore, the owners are in favor of the modification.

President Engle invited those wishing to speak against the modification to come forward to speak. No one came forward to speak. He invited those wishing to speak neither for nor against the modification to come forward to speak.

John Saraga, 279 N. King Street, said he was honored to serve the citizens of Xenia from 1998 to 2005. For much of that time, he was the Chair of the XPZC. As such, he was involved in bringing Legacy Ministries to the City of Xenia. He wanted to bring attention to the possible apartment complex planned at the site, which he feels may harm the original intent of the PUD. He realized the matter is not about the apartments, but rather the adjustments to the PUD, but he wanted to provide background of the property for future reference. He was especially grateful to AIA; they have been a wonderful asset and have brought many great things to the area. He is very proud to have been a part of that process. He worked to get support for Legacy Ministries in 1999 and to support the historical aspect of the property, which was honored. He was asked by friends to speak tonight regarding concerns of the possible negative impact on the surrounding community by future development. It appears there is an initiative to build a 100-person apartment complex on the NCR portion of the property, which he fears would overload the infrastructure, trample the memorial gardens, and damage the integrity and vision of those who created the campus. Saving the one-acre portion of the memorial gardens is what is most important to his friends, which is beautifully maintained by volunteers in honor of those from the past. He supported the AIA fieldhouse project. They have proven to be good stewards of the land, and he trusts their judgement. He urged Council to not make a vote that would alter the original vision for the PUD. He is still proud to affiliate his name with what has happened to the property but feels the apartment building would cause problems. He was not against apartments in general; he was concerned about the effect on the roads and historical aspects on the property. He hopes the new owners will honor the promises and commitments made back in 1999.

President Engle closed the public hearing at 8:20 p.m. and entertained an introduction.

Mayor Bayless introduced an ORDINANCE APPROVING A MAJOR CHANGE TO A PUD CONCEPT PLAN FOR AN EXISTING 158.382-ACRE PLANNED UNIT DEVELOPMENT ENCOMPASSING PARCELS OR PORTIONS OF PARCELS FORMERLY KNOWN AS THE OHIO VETERAN'S CHILDREN'S HOME (OVCH) BY INCREASING THE PUD TO A TOTAL OF 249.837 ACRES AND MODIFYING THE PUD STANDARDS, and it was read for the first time.

Councilman Wallace asked if Mr. Forschner could provide information regarding the proposed apartment building. Mr. Duke confirmed. President Engle clarified this was just an introduction of the ordinance and will return to Council for a vote; it does not pass at this time.

AUDIENCE COMMENTS: President Engle explained the procedures for audience comments and invited anyone who wished to speak to come forward.

Scott Halasz, Xenia Gazette, 1836 West Park Square, said the Gazette was accused of not presenting both sides of the story. Councilman Louderback asked if Mr. Halasz could provide his home address. Mr. Halasz said he is representing the Xenia Gazette; therefore, he is providing his business address. President Engle said Council allows other people who represent their businesses to provide their business address such as the YMCA, etc. This case is no different. Mr. Halasz said he wanted to clarify that the Gazette allegedly did not present both sides of the bond issue; however, they print all Letters to the Editor that they receive. They received one letter against the bond issue, which was printed. He received two phone calls last week from two different gentlemen who said they were against the issue. He talked with them for some time and suggested they write a letter to the editor or perhaps write a guest column; however, as of today, they have not received any letters. The Gazette held back five other letters that were written because they did not fit on the page set aside for Letters to the Editor. The deadline for these letters was Wednesday, and the paper committed to not print any letters after that deadline to allow for rebuttals. The paper withheld five letters in favor of the bond issue in order to be fair and allow for possible rebuttals, but they have not received any rebuttals in regard to any letters they have published. He does not delete any emails and would be happy to show all his emails received since he started in 2014.

Bill Miller, 158 W. Second Street, said he actually came to ask a question about his alley, but this topic is more important so he will save that for another day and talk about his kids. He has five kids in the public school system. He said people have to invest in their future and in their community if they want good jobs, employees, and a good school system. A good employee will not work in the City if their children cannot grow up in a good school system. People should invest in the future, invest in the bond issue, and invest in new schools. The schools are old and in need of repair. The schools were new when Councilman Louderback attended. Councilman Louderback said no they were not, and he did not have air conditioning when he went to school. Mr. Miller said new schools will help the housing market and housing values. It is a temporary tax to leverage money. Councilman Louderback said it is a 37-year tax. President Engle said Council should not debate during audience comments. Mr. Miller said his son graduated last year and received a large college scholarship, his daughter is currently attending XHS, and his younger son is attending the middle school. The buildings were not built to last forever. This is the time and best way to leverage the money to fix the issues.

Carol Usher, 800 Ten Boom Lane, Legacy Village, said there is a section of an ordinance that states that land is designated for hotels, drive thru restaurants, offices, and retail sales and services. She was not sure that fits the idea of keeping the campus standards under the PUD modification. It seems very strange that those businesses would be a part of the ordinance. It is great that some of the land will remain as open space, but they are concerned about preserving the history of the site. She noted the residents did not receive notice of the hearings because they are not considered homeowners due to the unique nature of their living situation. She was glad to hear that Council is not casting a final vote this evening. She asked about the process to object to that one section of the modification. President Engle suggested Ms. Usher contact the City's appointed officials for additional information.

Mike Louderback, 3366 Wyoming Drive, said the voters voted the [school] issue down in the past, and the vote is up to the voters; each person gets to vote as they choose. He recently read in the paper that the City of Riverside posted the total cost of their inquiry against their councilmen.

He asked about the cost for Xenia's inquiry and asked for the information to be published in the Xenia Daily Gazette.

Diana Steen, 377 N. King Street, said she appreciated the comments from Superintendent Morrison. She contacted the Chief Legal Counsel at the Commission in Columbus for clarity, which was pursuant to a letter that was sent by a law firm in Cleveland telling a former principal [Norm Auckerman] that he was banned from school property because he had a difference of opinion. She felt as though there needs to be clarity. There is no more highly charged political activity than the interactions between schools and communities. There is a right way and a wrong way, and the wrong way is to attempt persuasion. She saw photos attached to the 2007 school assessment report and asked for new photos. She had the opportunity to speak to the person who had conducted the assessment who is now working with Yellow Springs. It is not true to state that the money is available "now or never." The OSFC does not dictate; they are a service entity. They support communities who can support school improvements—not necessarily new construction. She would support the levy if she could afford it; therefore, she will be voting "no."

Norman Auckerman said the grades for Xenia's elementary schools are four "Fs" and one "D." Those scores are worse than before they built new elementary schools, which shows that "new buildings do not teach." Xenia Community Schools' GPA rank is 584 out of 608 schools in Ohio. No county seat school with a population between 15,000 – 30,000 is behind Xenia. He said the high school building was built to last 150 years. It was built to add 16 new classrooms above the shop room as well as to add a third floor to accommodate a student population up to 4,000. He spoke with a professor at Texas Tech and a construction company in Dayton, and the brochure published about the levy states that the new school will be built to FEMA P-361 and ICC 500 standards, which would cost \$400 per square foot. The new elementary school buildings were not built to be tornado safe, but the old buildings were built to be #1 tornado safe buildings. He believes the figures presented to the OSFC were recomputed so that the schools would meet a status of need, and prior to the 2007 assessment, the high school construction information was changed by somebody at the Board office to indicate that "the bricks hold up the building." The bond issue should have never gotten off the ground because the papers and numbers sent to the State of Ohio were fraudulent.

President Engle asked Mr. Auckerman to conclude his statements. Mr. Stokely asked if he should set a timer to help move the meeting along due to audience comments significantly exceeding the time limit imposed by Council Chair. President Engle agreed and asked to set the timer at 3½ - 4 minutes. Councilman Louderback said he would sit there all night to allow everyone to speak. President Engle said the Council President sets the time limit for audience comments.

Due to continual outbursts from the audience, President Engle suspended the meeting for a five-minute break. Upon conclusion of the break, President Engle reminded the audience and all present that any further outbursts from the audience or speakers will result in a suspension of the remaining speakers' time, suspension of audience comments, and a clearing of the Council Chambers for the remainder of the meeting.

Holly Bledsoe-Bennett, 2536 Ridge Road, said information is free. She works in the information business and feels everyone should take it upon themselves to be informed. They can listen to others, but gathering information for yourself is more important. Everyone has a right to vote

“yes” or “no” on an issue, which she respects; however, she feels sometimes people take it a little too far. In the beginning phase of this issue, both XHS and Warner buildings were open to the public, and she was one of four who actually toured the facilities; none of whom are present. She was shocked at what she saw in the school buildings and became a full supporter immediately. She has a seven-year-old daughter who attends Tecumseh, which is a beautiful [new] building; she has received a fantastic education, gets to use a computer, is doing fantastic on tests, and has a great teacher. She thinks money [from the OSFC] is being offered to help with the cost of the new building until August, but people should verify that information for themselves. If the money is not utilized, then the taxpayers will have to come up with 100% of the funding, and not just 40%. She attended XCS in the 1990s and they couldn't pass a levy at that time, and Xenia schools went down to the state minimum accreditation. She had to take classes at local colleges because the classes she needed were not offered at XHS back then. After graduating from OSU, she has a fantastic career and family, which she chooses to raise in Xenia. Her husband is a business owner, and they both heavily support the school system. They both will be voting “yes.” She hopes everyone else will vote the same. She does not want her daughter to face a situation similar to what she faced in high school.

Christian Steen, 377 N. King Street, said the March 27, 2017, Ohio Auditor's Report, page 3, shows the Xenia School District is showing a need for new money in the foreseeable future, which means expenditures will exceed revenues. That means if the levy passes, the school district will come back to taxpayers again for more money after 2018. The signs around town are known as a Political Action Committee (PAC), which is supposed to be separate from the organization. However, one of the contributors is RBC Capital (Royal Bank of Canada), who is also the underwriter. RBC gave \$1,000 to the PAC but will be making \$3-\$7 million. The financial contributors to the PAC do not include one Xenia address except Reddy Electric because the others (architects, lawyers, and other interested parties) see this levy measure as a way to get rich on the backs of the Xenia taxpayers.

Julie Reed, 2268 Capestrano Drive, said she came to the meeting to hear both sides, and feels everyone has a right to their own opinion. However, she disagreed with Mr. Halasz because the Xenia Gazette is very prejudice. She cannot believe that all the letters submitted against the school levy were too long to publish. She has had a personal conversation with Mr. Halasz and feels he supports the majority of Council members. There was a lot of turmoil with the Caupp/Louderback situation in 2015, and she wrote a letter to Mr. Halasz regarding the issue. Mr. Halasz called her and said the letter was too long. If some of the letters against the levy were too long, then he should have called those authors, told them their letters were too long, and asked them to cut them down. She noted her letter in regard to Caupp and Louderback was never published.

Carrie Buzzelli, 378 Hill Street, said she is voting “no” on the levy. She has lived in Xenia for 21 years, and she does not want to pay a school tax until she is 96 years old. This is a 37-year tax for homeowners. There is no support from the City and her street has not been repaved for the last 22 years. She will not support the school until she sees some support from the City.

Todd McManus, 25 Renaissance Woods Court, said he respects everyone's opinion. He is for the kids and will be voting “yes.” He went on www.zillow.com and found that the average home in Xenia was worth approximately \$95,000 in 2013, which is the year the new elementary schools were built. Currently, the average home in Xenia is worth \$109,000, which is a 15% increase in

four years. He is not saying the schools have everything to do with the 15% increase, but they definitely contributed to that increase. Therefore, if an owner were paying \$12 a month [school levy tax] for four years, that equates to \$580, which is a great investment into the schools and property values. He has two kids in seventh grade and fourth grade, and he is all for the schools because of the educational opportunities. If people do not want to look at it in terms of investing in the kids, then they should look at it in terms of an investment that will give them a return on their property values.

Carolyn Hodson, 1699 Gayhart Street, asked if the land for the new building has already been purchased, or if it would be included in the levy. She asked what would happen to the land if the levy did not pass. She wonders if that property owner was able to get a fair deal when the school purchases the property. President Engle suggested Ms. Hudson speak with Superintendent Morrison or the school board for that information since it is not a City issue.

Ryan LaFlamme, 1714 W. Galbraith Road, Cincinnati, said he did not live in the community, but he was proud to represent the Xenia Community Schools Board of Education. He addressed the allegation that was previously stated about the school district being responsible for fraudulent reports of the assessment being submitted to the State of Ohio. The school district is not responsible for generating the reports—the State generates those reports. The assessments change from time to time because there are reassessments over time, and there are changes in market conditions, changes in building conditions, etc., that require a reassessment of those tools. The Board of Education does not generate these assessments and to say otherwise is false.

Thomas Buzzelli, 378 Hill Street, said he will be voting “no” against the levy. He was not raised in Xenia, but it is not the building that makes the education, it is the teachers and the parents. Changing the attitude of the teachers and parents and getting support from the community will improve the education—not the building.

Matthew Bennett, 2536 Ridge Road, co-owner of Anderson-Williamson Insurance Agency, said he is there to talk about one thing: children. Children matter today, next week, and into the future. You cannot have a base on a house without a great foundation; this community does not have a great foundation. It is just a building, but that building houses these students, and the building itself is deteriorating. The money needed to rebuild the building is astronomical. The education part will continue and the children will receive the same education year after year. However, would parents like to have a facility that will protect the children, that is not leaking or in need of repair, or locks that are not secure? He worries every day about the safety of the children in unsecured school buildings—unlike the new elementary school buildings. The children are not as safe as everyone might think. The levy can help make it better for a long period of time. Yes, they all hate taxes, but at the end of the day, it is not about what they have to pay, but rather what they should pay. They should pay to have a great education for their children. He was taught to give his child the best opportunity, and this is the best opportunity for his child; not only from a brick and mortar standpoint but also for a long-term safety standpoint.

Thomas Scrivens, 725 Lexington Avenue, said the Public Service Director selected a number of streets for repair; unfortunately, Colorado Drive, W. Second Street, E. Second Street, E. Third Street, Ottawa Drive, and a number of other streets were not selected. He does not know how many miles of streets are in the City, but every mile cannot be repaired this year or even next year. He attended Xenia Community Schools and had to walk down US 42 to and from school.

He asked if the City could install a shoulder on the side of the road if they are not able to install a sidewalk to allow pedestrians to walk safely along that route. There are safety concerns with mothers pushing strollers and other people walking along the busy road. He noticed some of the downtown curbs have been painted yellow, which helps the City look better, and noted residents have a vested interest in the appearance of the City. Each resident has to make his/her own choice to either support or oppose the school levy, but he will support the levy because the school system gave him an education.

Billie Carrico, 606 Sutton Drive, said she is a relator, and she does not use Zillow.com because it is not accurate. She suggested a more accurate site would be Realtor.com. Councilman Louderback mentioned that Xenia has a lot of poverty, and she agreed. There are a lot of people trying to be successful and purchase property, which will result in paying additional taxes on each property they purchase to help care for all the poverty-stricken people in Xenia. This means people will be hit with additional property taxes for every property they purchase to help make Xenia a better place and bring it out of poverty. Everyone needs to think about the poverty issues and how to work together as a community.

David Miles, 2746 Jenny Marie Drive, said it is a privilege to address the Mayor and Council. It has been said in the Bible that without a vision, the people perish. He has been a resident of the city for five years, he came from Minnesota, and he is originally from North Dakota. His parents chose to stay in North Dakota primarily because of education. Every person that has spoken this evening has risen with comprehension because they are a part of the 1% of the globe that is allowed to go to school and get an education. Xenia is an incredible City and has so much potential, which is evident by the robust conversation that has taken place this evening. He is preparing to move and one of the first things his wife and he did was check the local schools. Social psychology says when a person walks into a room, they make 11 judgements in seven seconds. He noticed several men in the room have chosen to wear a tie, which signals to him that appearance matters. Prestigious schools have an intellectual and professional trade and capital of their community that are people who make up the community. As a business person and a parent, he wants to know if a community can give his four children the education they need in the world they are living in. If the community cannot achieve that, he will look for another place to live. He heard the schools were building new buildings when he first moved to Xenia and was happy to help pay for them. He has met people in the school system working to make Xenia a better place, and he encouraged them to continue in that pursuit. It is important to pass this resolution, and he will be voting "yes" on the school levy.

Eric Soltis, 1970 Daffodil Drive, said he is the treasurer for the school district and addressed some of the remarks made this evening. Each year the district is audited on many criteria by an auditor from the State. He is a part of the five-year forecast, which is a document/tool to help the Board of Education make decisions in terms of finances; it is a snapshot in time. Immediately after the five-year forecast is approved, it is almost as equally out of date because things change instantly. It is their job and duty to continuously stay on top of things. One thing that was not mentioned tonight is that the district had no findings, and he takes great pride in that from a personal and professional standpoint. It is essential for the taxpayers of the school district to operate as efficiently and effectively as they have. The district earned the Auditor of State's Award for fiscal year 2015, and they are awaiting potential notice for earning the Auditor of State's Award with Distinction, which is the highest award a school district can receive for a financial audit. Specific remarks were made about the Levy Committee's [PAC] support, and

RBC was mentioned as a contributor to that respective fund. The assumption was made that the district has already made an agreement with RBC, which is not the case; no decisions have been made with an underwriter. Additionally, RBC is among the top five to ten underwriters in the State of Ohio. Just because they have the name of Royal Bank of Canada did not mean they do not have a prominent position as an underwriter in the State of Ohio. He is proud of the work that is being done at the school district level, and he understands the impact of this issue on the Xenia community. He hopes and urges voters to strongly consider supporting the levy.

Heather Henry, 1400 Hickman Road, said she came to the meeting with one of her children to hear what everyone had to say regarding the levy. She respects everyone's opinion, and it takes a lot of courage to speak publically. She used to be a student at Xenia Community Schools and moved back to the area in 2013. She was thankful to see the new elementary schools that one of her children attends; the other two attend Warner. She has bright children, and a value cannot be placed on children's futures. They deserve the best. She understands the extra expense is intimidating and unwanted. She lives in poverty and struggles everyday, but if she has the opportunity to support the children of the community who are the future, she would definitely find a way to pay for the levy. When these children are grown, they will be the ones working in this community, and voters need to consider how they will feel when they hear that so many people are against giving them better opportunities. She wondered if anyone had sat down with the students and asked them what they want for their future; if they want new technology, safe buildings, a positive environment, etc. She gets it—buildings are buildings, and it is all about perspective. People teach their children to be humble and appreciate what they have; however, they deserve to have the best that can be provided. She feels people need to set aside the almighty dollar aspect because that is setting a limit to their future; she cannot stress that enough. These children matter, and they need to see the support and encouragement from their community. She asked voters to think about the long term and not just what is printed on paper; look at the children and talk to them about what they want.

Dr. Robert Dillaplain, 1293 Gultice Road, said he has probably delivered 50% of the voting public. He did not think the object of the discussion is whether or not to reward Superintendent Morrison for good grades; rather, they need to ask if Xenia High School and Warner Middle School are good enough to last another "X" number of years. That is the decision every voter has to make. These buildings were built in the early 1970s when students used slide rulers and their internet equivalent was a card catalog in a musty library room. If the issue passes, the five-year projection will show that the school district will not require any additional operating funds for the next ten years as long as the State of Ohio continues with its present funding. This is a very different situation than the neighboring Jamestown school district, which sought additional funding within six months of their new building. Voters need to consider that when the elementary schools were built, the City collected 2.25% income tax off of non-xenia construction workers, which figured out to approximately \$400,000 and would fix more than a few potholes. The district has looked at the possibility of the issue failing and have modeled the five-year forecast accordingly. If additional money is budgeted (aside from the permanent improvement levy) to put into renovations, repairing defects, and bringing the buildings up to standard, the district will be in negative spending within three years and they will be below the red line in five years. Therefore, it is up to the people to decide which direction it will go. If the district goes below the red line, they will have to start making accommodations to pay their expenses. He noted 80% of their expenses are pay and benefits. One can figure it out.

REPORTS OF COMMITTEES:

Board for Recreation, Arts & Cultural Activities: Councilwoman Mills said BRACA met on April 4th and discussed the following events:

- **Bloom with Xenia...Adopt-A-Spot/Volunteer Day** ~ The event will be held on Saturday, May 6th. Contact Nelson King at (937) 266-0868 or nubertx@yahoo.com for more information.
- **Fishing Derby** ~ The event will be held on Saturday, June 3rd from 9 a.m. to noon at Shawnee Park. Registration begins at 8:30 a.m. and fishing starts at 9 a.m. The event is free for youth ages 4 – 15 years.
- **Arbor Day Educational Day Events** ~ Donated trees will be planted at events on Friday, April 28th, at 10 a.m. at Shawnee Park, and Tuesday, May 9th at 1:45 p.m. at Arrowood School.
- **Annual Easter Egg Hunt** ~ Councilwoman Mills asked Councilwoman Mays to provide a report on this event. Councilwoman Mays said the event was great. The weather cooperated and 300-400 children participated. Many students, churches, and other volunteers helped make the event a success, which is supported by the Xenia Area Association of Churches and Ministries. She thanked Pastor Will Urschel from Emmanuel Baptist Church for making a presentation to the children at the event and those Council members who volunteered and/or donated baskets. The XPD and XFD were present and very helpful. She thanked the IAFF Union for donating baskets. Strong Tower Media (93.7 and 100.7 FM) provided a DJ for the event. Councilwoman Mills said she was unable to attend the event because she was visiting her son out-of-state.
- **Community Garden Plots** ~ The plots will be available starting May 1st and can be rented by calling the Public Service Center at (937) 376-7265.
- **Hometown Christmas** ~ The event will be held on Saturday, November 25, 2017.

Councilwoman Mills said BRACA will miss Ms. Broyles and all her help with the Board and Tree Committee. She was an example of what everyone should strive to be and was always involved in her community and was always trying to make a difference.

Planning & Zoning Commission: Vice President Smith said XPZC met on Thursday, April 6th on a request for major modification to a 158.382-acre Planned Unit Development (PUD) consisting of properties owned by Athletes in Action, Legacy Christian Academy, and National Church Residences, which was endorsed to City Council and the subject of tonight's Public Hearing.

Mayors & Managers: Mayor Bayless said she and Mr. Merriman attended the meeting on April 12th in Kettering and received information about the concerns for lead pipes in the community. Greene County submitted eight maps to the Ohio EPA and received a return verification form that showed no lead service lines are present. The County's map identifies areas that have extremely low to zero risk areas for lead. The end result of the testing was no known lead services, which is unlike other area communities. Oakwood showed a risk due to having older homes in their community. There is no danger of lead pipes in Greene County.

Miami Valley Regional Planning Commission: Councilman Louderback said the April meeting was cancelled. The next meeting is set for May 4th.

ITEMS FROM CITY COUNCIL AND MAYOR:

Reappointments to Board of Zoning Appeals. Mayor Bayless said Mr. Joshua Long was originally appointed to BZA on April 14, 2016. Mr. David Harrison was originally appointed to BZA on December 11, 2014. Both their terms expired on April 11, 2017. Both

gentlemen had expressed a desire to be reappointed; unfortunately, Mr. Long had a change of heart and withdrew his request to be reappointed due to the ongoing demands of his job. She thanked Mr. Long for his time, service, and wisdom while serving on the Board. Mr. Harrison wishes to be reappointed to a full four-year term.

Motion by Mayor Bayless, seconded by Vice President Smith, to reappoint Mr. David Harrison to the Board of Zoning Appeals for a four-year term expiring on April 11, 2021. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Mayor Bayless said there is a vacancy on the Board of Zoning Appeals, and anyone interested can submit an email or letter of interest to City Clerk Michelle Johnson for consideration.

One (1) reappointment and one (1) new appointment to the Economic Development Advisory Board. Councilman Wallace said Ms. Theresa Felder was originally appointed to the Economic Development Advisory Board on February 11, 2016. Her term expired on April 25, 2017. Ms. Felder has expressed an interest in being reappointed to a full four-year term. Mr. Joe Kennedy's term expired on April 25, 2017; however, he did not wish to be reappointed, which created a vacancy. Ms. Diane Dixon expressed an interest in being appointed to fill the vacant term that expires on April 25, 2021. Therefore, he respectfully recommended that Ms. Theresa Felder be reappointed and Ms. Diane Dixon be appointed to the Economic Development Advisory Board for four-year terms expiring on April 25, 2021.

Motion by Councilman Wallace, seconded by Councilwoman Mays, to reappoint Ms. Theresa Felder to the Economic Development Advisory Board for a four-year term expiring on April 25, 2021. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Motion by Councilman Wallace, seconded by Mayor Bayless, to appoint Ms. Diane Dixon to the Economic Development Advisory Board for a four-year term expiring on April 25, 2021. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

REPORTS OF CITY OFFICES:

City Manager's Office:

Emergency Resolution adopting final legislation and authorizing an agreement with the Director of Transportation of the State of Ohio to execute all necessary documents for construction of pedestrian, bicycle, and vehicular safety improvements to Detroit Street and W. Main Street (aka Downtown Safety Project). Mr. Duke said for some time, City Council and City staff have discussed the downtown safety improvement project, which will enhance the downtown experience for bicyclists and pedestrians and improve safety for those who traverse downtown Xenia via a variety of transportation methods. The process is moving

along and construction is scheduled to begin on August 1st. ODOT plans to advertise and sell this project to prospective bidders on May 25, 2017, and requires executed documents from the City no later than May 8th. This timeframe did not allow for the standard two readings of a resolution. For that reason and to avoid delaying the project, staff respectfully requests Council pass the resolution as an emergency to adopt the final legislation and authorize the City Manager and Finance Director to enter into an agreement with the Director of Transportation of the State of Ohio and execute all necessary documents for pedestrian, bicycle and vehicular safety improvements to Detroit Street and W. Main Street. Staff also requests that the Finance Director be authorized to sign the fiscal officer's certificate.

Vice President Smith presented a RESOLUTION ADOPTING FINAL LEGISLATION AND AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO AND EXECUTE ALL NECESSARY DOCUMENTS FOR PEDESTRIAN, BICYCLE AND VEHICULAR SAFETY IMPROVEMENTS TO DETROIT STREET AND WEST MAIN STREET, AND DECLARING IT TO BE AN EMERGENCY.

Motion by Vice President Smith, seconded by Councilwoman Mills, that the rules requiring the reading of a resolution at two consecutive meetings be dispensed with and this resolution be placed at once upon its passage. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Motion by Vice President Smith, seconded by Councilwoman Mills, that Resolution Number 17-L be now passed. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Motion by Councilwoman Mills, seconded by Mayor Bayless, to authorize the Finance Director to sign the Fiscal Officer's Certificate. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Authorize the City Manager to enter into a contract with the John R. Jurgensen Company to complete the 2017 Street Program at a cost not-to-exceed \$401,092.06. Mr. Duke respectfully requested authorization to enter into a contract with John R Jurgensen Company to complete the 2017 street program at a cost not to exceed \$401,092.06. The program will be completed through the Greene County Engineer's Office as approved by City Council on April 13th. He noted that in addition to the annual street program, the City has budgeted in 2017 local costs for grant funded projects to pave portions of Bellbrook Avenue, S. Progress Drive, and Detroit Street and improve the intersection at Hospitality and Main. Approximately \$995,000 in local dollars has been appropriated for street improvements resulting in a total 2017 investment in streets of more than \$3,000,000.

Motion by Vice President Smith, seconded by Councilwoman Mays, to authorize the City Manager to enter into a contract with the John R. Jurgensen Company to complete the 2017

Street Program at a cost not-to-exceed \$401,092.06. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Award of bid for two (2) service truck body packages. Mr. Duke said on March 23rd Council authorized the purchase of two truck cabs and chassis. Since that time, bids were opened for the purchase of two service body packages. JW Devers was the sole bidder and the bid was within the parameters of the budget; therefore, staff recommends an award of bid to JW Devers & Son, Inc. in an amount not to exceed \$85,720.

Motion by Councilwoman Mays, seconded by Vice President Smith, to award the bid for two service truck body packages to J.W. Devers & Son, Inc., in an amount not to exceed \$85,720.00. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Rejection of Bids for the Glady Run WWTP Aeration Tank Flow Distribution Chamber Project. Mr. Duke said bids were opened for the Glady Run Wastewater Treatment Plant Aeration Tank Distribution project on April 13th. Three bids were received; however, each bid was in excess of the budgeted amount. Staff is requesting that Council reject all bids received on April 13th. Staff has a meeting next week to discuss this infrastructure project moving forward.

Motion by Councilman Wallace, seconded by Councilwoman Mays, to reject all bids opened on April 13, 2017, for the Glady Run WWTP Aeration Tank Flow Distribution Chamber Project. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Award of Bid for Rehabilitation of Sewer Pipelines. Mr. Duke said for several years, Council has set aside dollars as a part of an annual infrastructure program to address aging sewer infrastructure. Slip lining is a cost effective alternative to the total replacement of the sewer lines. Generally in this process, little excavation is required thereby creating less inconvenience to the customer. Insituform Technologies submitted the lowest bid; therefore, staff requests an award of bid for the rehabilitation of sewer pipelines to Insituform Technologies in an amount not to exceed \$225,000.

Motion by Councilwoman Mays, seconded by Councilwoman Mills, to award the bid for Rehabilitation of Sewer Pipelines to *Insituform Technologies, LLC* in an amount not-to-exceed \$225,000.00. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

One (1) Emergency Ordinance and Three (3) Introductions of Ordinances to make changes to the Sanitation Program. Mr. Duke said in 2016, City Council approved fairly

significant changes in sanitation service, which have generally produced positive results in recycling rates and reduced tonnage being taken to the landfill. One piece of the program that has not met the service needs of the community is related to bulk pickup. Currently, Rumpke picks up bulk items one time per month and customers are limited to three items each month. Council requested that staff request a quote from Rumpke to add a second week of bulk pickup and staff made that request. However, in Staff's opinion, the cost for that additional pickup was not justified in that the level of service being provided was still lacking. Staff began to evaluate other options and landed on a different option for Council to consider. Staff would like to provide the service directly by hiring one additional laborer who would enhance the service capacity of the Public Service Department. Bulk collection would be offered multiple times per week at a minimal charge of \$2.00 per item to City residents. This change would also enhance the City's ability to quickly remove refuse left at the curb outside of the program guidelines. A \$10.00 per item fee would be assessed in those occasions where code violations occur. The City would provide details of the program to the public over the next few months prior to implementation. One other issue related to the new program that staff would like to address is related to the replacement of missing trash carts. Staff requests an amendment to the fee schedule adding a fee for cart replacement in circumstances where abuse of the program seems to have occurred.

Motion by Mayor Bayless, seconded by Vice President Smith, to waive the requirement for a public hearing to amend XCO Part Two- Administrative Code, Title Twelve: Fees, Chapter 298: Fee Schedule. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Vice President Smith presented an ORDINANCE AMENDING ORDINANCE 17-03 TO MAKE ADJUSTMENTS IN APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF XENIA, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING IT TO BE AN EMERGENCY.

Motion by Vice President Smith, seconded by Councilman Wallace, that the rules requiring the reading of an ordinance at two consecutive meetings be dispensed with and this ordinance be placed at once upon its passage. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Motion by Vice President Smith, seconded by Councilman Wallace, that Ordinance Number 17-16 be now passed. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle

Nays: None motion carried.

Vice President Smith introduced an ORDINANCE AMENDING PART TEN – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE SIX: OTHER PUBLIC SERVICE, CHAPTER 1060: SANITATION SERVICE OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, and it was read for the first time.

Mayor Bayless introduced an ORDINANCE AMENDING PART TWO – ADMINISTRATION CODE, TITLE TWELVE: FEES, CHAPTER 298: FEE SCHEDULE OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, and it was read for the first time.

Vice President Smith introduced an ORDINANCE AMENDING PART TWO – ADMINISTRATIVE CODE, TITLE SIX: ADMINISTRATION, CHAPTER 260: EMPLOYEES GENERALLY, §260.03 PAY SOURCES OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA TO AMEND PAY SOURCES FOR LABORER, and it was read for the first time.

Motion by President Engle, seconded by Vice President Smith, to authorize the City Manager to add one Laborer position to the authorized personnel listing. Discussion followed.

Councilwoman Mills said she will be voting “no” on the item because there are other needs in the community at this time. She feels the trash system may not have been set up properly. She understands the issues with bulk items as she is currently waiting to set two items out; however, she also feels there are other personnel needs that are equally, if not more, important. Therefore, she cannot vote in favor of adding one more person to the Maintenance Department.

Vice President Smith asked if the new system could be done on a trial basis. President Engle said the item can be approved and then reevaluated in the future. Mr. Duke said correct; staff is always evaluating the most effective way to provide services. Typically, they would not hire an additional employee on a trial basis, and then let them go a couple months later if it doesn’t work out. Obviously, they could leave some positions unfilled as employees leave. The City always has the option to lay people off, which is not their preference.

Councilman Louderback said he will also vote “no” because Rumpke thinks they are the only game in town. He feels the City got out negotiated in the contract with Rumpke. The issue should have been addressed in the original contract.

Councilwoman Mays said she will also be voting “no” because she is not ready for the additional position at this time. Staff had done a phenomenal job of researching the issue, and she was not criticizing their work. She appreciated staff’s time and effort in trying to find a solution to the problem. Councilwoman Mills agreed.

Councilman Wallace said he understands the rationale for the “no” votes; however, residents want the trash picked up. He also wants the trash off the streets, so he will be voting “yes.” He agreed with Councilman Louderback that he is not pleased with Rumpke, and the City should reconsider the contract when it expires. On the other hand, the trash needs to be off the streets even if that means City Staff has to handle it.

President Engle said Council has heard at a number of meetings that residents want the trash off the streets. He will vote “yes” because this is the most cost-effective option available at this time.

The Roll on this was the following:

Ayes: Smith, Wallace, Bayless, and Engle

Nays: Louderback, Mays, and Mills

motion carried.

Authorize the City Manager to enter into a Partnership Agreement with Greene County for a FY 2017 Community Housing Impact & Preservation (CHIP) Program Grant. Mr. Duke said the Ohio Development Services Agency has made available 2017 Community Housing Impact & Preservation grant dollars also known as CHIP, to improve housing opportunities for Xenia residents who qualify. City staff has determined that it would be advantageous to partner with Greene County on this endeavor. The City would be eligible for \$225,000 and the County would act as the lead applicant and implementer of the program. The City and County partnered in a similar fashion on the FY 2014 CHIP grant. Staff requests authorization for the City Manager to enter into a partnership agreement with Greene County to allow the County to apply for the FY 2017 CHIP grant on behalf of the City.

Motion by Councilwoman Mays, seconded by Mayor Bayless, to authorize the City Manager to enter into a Partnership Agreement with Greene County that will subsequently authorize the County to apply for a FY 2017 Community Housing Impact & Preservation (CHIP) Program Grant on behalf of the City and the County. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Items for the City Manager: None.

Finance Director's Office:

Schedule of Bills: Mr. Bazalak presented payment of bills totaling \$327,234.25.

Motion by Councilwoman Mays, seconded by Councilman Wallace, to approve payment of bills totaling \$327,234.25. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Items for the Finance Director: Mr. Bazalak said they have discussed the City's ability to assist residents with their City Income Tax Return. He reported that between March 1st and April 18th, the City Income Tax Office processed 2,925 returns, which did not count assistance with extensions and other returns that were not turned in. Additionally, the City also took in over 2,000 tax payments. He commended his Office Staff for all their hard work through the tax season and the City Manager's Office for their assistance. In addition, the Ohio Municipal League released information on the issue of centralized collection, which may be removed from at least one form of the House Committee. He did not think it was a final deal, but he would keep Council updated on the issue.

President Engle said someone commented at the last meeting that the citizens are very pleased with the new arrangement in which they are able to pay their income taxes and discuss matters in a more private manner. He thanked staff for using the facility to its exact intended purpose.

Law Director's Office:

Introduction of Ordinances and Resolutions: None.

Second Readings of Ordinances and Resolutions: Mr. Stokely presented an ORDINANCE AMENDING SECTION 220.11 - SALARY OF CITY COUNCIL MEMBERS OF CHAPTER 220 OF TITLE FOUR, ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, OHIO, BY ADJUSTING THE SALARY OF MEMBERS OF THE XENIA CITY COUNCIL, and it was read for a second time.

Motion by Councilman Louderback, seconded by Councilman Wallace, that Ordinance Number 17-17 be now passed. No Discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Bayless, and Engle
Nays: Mays and Mills motion carried.

Mr. Stokely presented an ORDINANCE TO WAIVE COMPETITIVE BIDDING TO PURCHASE A REPLACEMENT OF THE DURAPATCH TANK FROM NORTHCOAST PRODUCTS IN THE AMOUNT OF \$28,025.00, and it was read for a second time.

Motion by Councilwoman Mays, seconded by Councilman Wallace, that Ordinance Number 17-18 be now passed. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Mr. Duke respectfully requested that Council approve the next two items as emergencies due to the nature of the service and the desire to ensure the 911 system is as reliable as possible. The sooner this issue is addressed, the less likely the project will interfere with the ongoing remodeling project in that building.

Mr. Stokely presented an ORDINANCE AMENDING ORDINANCE 17-03 TO MAKE ADJUSTMENTS IN APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF XENIA, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017, **AND DECLARING IT TO BE AN EMERGENCY.**

Motion by Councilman Wallace, seconded by Councilwoman Mays, that Ordinance Number 17-19 be now passed as an emergency upon its second reading. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Mr. Stokely presented an ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITHOUT FORMAL COMPETITIVE BIDDING WITH WAIBEL ENERGY SYSTEMS FOR THE PURPOSE OF PURCHASING AND INSTALLING A NEW COOLING SYSTEM FOR THE RADIO ROOM AT THE XENIA JUSTICE CENTER, **AND DECLARING IT TO BE AN EMERGENCY.**

Motion by Mayor Bayless, seconded by Councilwoman Mays, that Ordinance Number 17-20 be now passed as an emergency upon its second reading. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Items for the Law Director: None.

READING OF COMMUNICATIONS AND DISCUSSION: Councilman Louderback and Vice President Smith had nothing further to share.

Councilwoman Mays reminded the public that the Legacy Christian Academy is performing “The Wizard of Oz” this Friday and Saturday at 7 p.m. She congratulated Iona Marcus on her beautiful dance recital on April 22nd titled “Dancing My Way Through.” It was incredible and worshipful—body, mind, and soul.

Councilman Wallace welcomed Mr. Stokely back to the City.

Councilwoman Mills encouraged the public to get involved in the community and visit the City’s website at www.explorexenia.com for a list of events and activities around the community.

Mayor Bayless provided the following updates:

- She attended the area Mayors meeting in Beavercreek with a representative from Governor Kasich’s Office.
- She attended the Annual Easter Egg Hunt at Shawnee Park, which was a lot of fun. She thanked Councilwoman Mays for her hard work on the event.
- She attended the International Flag Ceremony at CSU, which is always exciting. Three more countries are now represented on their campus. It was great to hear the students talk about their own countries.
- She attended the ribbon cutting for Fast Mike’s Oil & Lube and encouraged the public to patronize the business.
- She offered congratulations for this year’s inductees at the Xenia School Foundation Hall of Honor. This year, all inductees were XHS graduates: Douglas Cope, Janet Kindred, John Bowen, Kathleen McCormick, R. Gregory Cross, and William Schumacher.
- She attended the Greene Giving luncheon. She congratulated Marlene Elliot for being involved in the “Pass it on Program” at Westminster Presbyterian Church, which is a program that allows people to receive gently-used household items. It is a very great program.
- She attended last week’s MVRPC annual meeting and dinner.
- She and Councilman Louderback attended the Carnegie Library presentation at the Greene County Library, which was very informative. The event ended in a tour of the old Carnegie Library. The library has been given a historical registration.

President Engle said First Fridays starts on May 5th, and he encouraged the public to attend.

ADJOURNMENT: Motion by Councilman Louderback, seconded by Councilman Wallace, to adjourn the Regular Session at 10:08 p.m. No discussion followed. The Roll on this was the following:

Ayes: Smith, Wallace, Louderback, Mays, Mills, Bayless, and Engle
Nays: None motion carried.

Michelle D. Johnson
City Clerk

Michael D. Engle, President
Xenia City Council