

was important because the revenue was used for core critical services including fire, police, parks, and road maintenance. He noted the projected revenue was \$450,000, which was extremely important since the City's budget margins continue to be very tight. The City will coordinate an effort to provide public education materials once the issue number is known, but the City cannot advocate for passage of the renewal levy. A promotional community campaign would have to be conducted separately. The Roll on this was the following:

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

9. PUBLIC HEARING(S): None.

10. NEW BUSINESS:

A. Emergency Ordinance 2019-01 Amending Ordinance 2018-28, Authorizing the Sale of the Property Located at 220 E. Church Street. City Manager Brent Merriman said staff is recommending City Council approve an emergency Ordinance authorizing the sale of a City-owned property at 220 E. Church Street. The property was acquired by the City years ago through tax foreclosure and has sat vacant. Last year Council authorized staff to move forward with marketing of this and various other City properties with the intent of returning the properties to private ownership and productive use. The City had previously negotiated a sale of 220 E. Church Street and was authorized to sell it, but the sale fell through prior to execution of the contract. This request will reauthorize sale of the property to a local partnership that plans to rehab the house and sell it as a single-family home. The purchasing entity, Xenia Real Estate Group, is ready to immediately close on the property to begin clean out and restoration before any additional water damage may occur. It is for this reason that emergency passage is requested.

President Engle entertained passage of Ordinance 2019-01 as an emergency.

Motion by Vice President Wallace, seconded by Councilman Dean, to adopt ORDINANCE 2019-01 AMENDING ORDINANCE 2018-18, AUTHORIZING THE SALE OF THE PROPERTY LOCATED AT 220 E. CHURCH STREET, AND DECLARING AN EMERGENCY. Brief discussion followed. Mayor Mays said the purchasers are friends of hers, and she will recuse herself from the vote. President Engle reminded all that five affirmative votes are required for emergency passage. Councilman Urschel said he also knows the purchasers, but he has not had any communication with them on this matter. However, he knows they will do a great job on the rehabilitation of the home. The Roll on this was the following:

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

B. Introduction of Ordinance 2019-02 Amending Section 1224.01(e)(7) of the City of Xenia Land Development Code. Councilman Dean said as discussed at the January 10, 2019, Council meeting, he and Councilman Louderback asked Council to consider an amendment to the City's Land Development Code to change the setbacks for detached garages and carports. This change would reduce the setbacks required from all lot lines from the currently-required ten feet (10') to three feet (3') as it was in 2016. This serves as a written presentation of the Ordinance as required by the City Charter.

President Engle entertained introduction of the Ordinance as presented.

Councilman Dean presented ORDINANCE 2019-02 AMENDING SECTION 1224.01(e)(7) OF THE CITY OF XENIA LAND DEVELOPMENT CODE, and it was read for the first time.

Vice President Wallace asked if the City Planner had provided a statement as to why the setback was changed in 2016. Mr. Merriman asked if he was seeking a memorandum with some rationale as to why it was changed. Vice President Wallace said yes. Mr. Merriman said he had a lengthy discussion with Mr. Forschner about this matter, and a memo documenting some facts could be provided. President Engle said he would also like to know what led to the change in 2016. Vice President Wallace said he realized there are some exceptions to any rule, and he would like more information about those circumstances. President Engle said as Mayor Mays has noted in the past, BZA reviews specific criteria when considering a variance request, which should be included in the information provided by the City Planner.

C. Introduction of Resolution 2019-B Authorizing the Purchase of Three (3) Marked SUVs for Annual Police Vehicle Replacements through the State DAS Cooperative Purchasing Program; Authorizing the Purchase of an Unmarked Vehicle from Key Chrysler at an amount below State Bid; and Authorizing the Sale of City-Owned Vehicles.

Mr. Merriman said staff is recommending actions needed to maintain the Police Division's fleet replacement program. As discussed during the Five-Year CIP and budget review conversations, staff is proposing replacement of three (3) marked cruisers and one (1) unmarked vehicle for special operations. The three (3) cruisers would be replaced with 2019 Ford Explorer Police Interceptor vehicles purchased through the DAS Cooperative Purchasing Program from Lebanon Ford. As always, they try to keep many purchases as local as possible. So for the fourth unit, staff recommends the purchase of a 2018 Dodge Promaster Cargo Vehicle from Key Chrysler in Xenia under the provisions of ORC 125.04 as Key Chrysler has offered a vehicle under similar terms as the Cooperative Purchasing Program but at a lesser price. The resolution would authorize these purchases as well as authorize him to surplus any vehicles being replaced through approved auction services if they cannot be repurposed internally.

President Engle entertained introduction of Resolution 2019-B as presented.

Councilman Smith presented RESOLUTION 2019-B AUTHORIZING THE PURCHASE OF THREE (3) MARKED SUVs FOR ANNUAL POLICE VEHICLE REPLACEMENTS THROUGH THE STATE DAS COOPERATIVE PURCHASING PROGRAM; AUTHORIZING THE PURCHASE OF AN UNMARKED VEHICLE FROM KEY CHRYSLER AT AN AMOUNT BELOW STATE BID; AND AUTHORIZING THE SALE OF CITY-OWNED VEHICLES, and it was read for the first time.

D. Administrative Motion Authorizing the City Manager to execute an Agreement with Motorola Solutions, Inc., for Maintenance and Systems Upgrades to the City's Public Safety (MARCS) Radio Communications and Radio Console System. Mr. Merriman respectfully requested authorization to execute a four-year maintenance agreement with Motorola Solutions, Inc., in the total amount of \$156,939 for equipment, software, and maintenance services. He said in 2013, Xenia, in partnership with Greene County and other public safety agencies around the county, migrated their safety communications platforms to the Multi-Agency Radio Communications System (MARCS). In doing so, they had to purchase and install radios and

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Councilman Dean, to appoint Mr. Gerard “Jerry” Mongelli to the Traffic Commission, with a term expiration date of October 12, 2022, and to appoint Mr. Richard “Rick” Hilliard to the Board of Zoning Appeals, with a term expiration date of April 11, 2019. Brief discussion followed. Councilman Urschel said he knows both gentlemen very well and feels both will do a great job. The Roll on this was the following:

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

F. Administrative Motion for 2019 Board and Commission Assignments. President Engle said at the second Council meeting each year, the Council President recommends for approval various Board, Commission, and Committee assignments. Other assignments are made by the Council President and do not require Council approval. Therefore, he respectfully requested the appointments in the recommendation below and assign the Mayor and Council Members to various Boards/Commissions/Committees as follows:

Board/Commission/Committee	Council Member(s) Assigned
Budget Review Committee (3)	1 Michael D. Engle 2 Will Urschel 3 Dale Louderback
Greene County Career Center’s Health Science Academy Advisory Board	Will Urschel
Greene County Emergency Preparedness Committee (1)	Michael D. Engle
Miami Valley Regional Planning Commission (2) • Representative • Alternate	Rep: Dale Louderback Alt: Levi Dean
Pretreatment Review Committee (1)	Wesley Smith
Stormwater Advisory Committee (3)	1 Dale Louderback 2 Wesley Smith 3 Will Urschel
Tax Incentive Review Council (1)	Wesley Smith
Wellhead Protection Committee (2)	1 Dale Louderback 2 Will Urschel

President Engle entertained a motion for Board and Commission Chair and Vice Chair assignments.

Motion by President Engle, seconded by Councilman Smith, to appoint the Mayor and Councilmembers to the following Boards and Commissions:

Board/Commission/Committee	Council Member(s) Assigned
Board for Recreation, Arts & Cultural Activities (Chair)	Michael D. Engle
*Board of Zoning Appeals (Chair)	Sarah Mays
Loan Trust Fund Committee • Chairperson • Vice Chairperson	Chair: Dale Louderback Vice Chair: Will Urschel
Planning & Zoning Commission (Chair)	Wesley Smith

Traffic Commission (Chair)	Levi Dean
Economic Development Advisory Board (Chair)	Dr. Edgar Wallace

* Appointed through the term of her/his office.

Brief discussion followed. Mr. Merriman said he and Law Director Donnette Fisher have discussed combining and codifying the Pretreatment, Stormwater, and Wellhead Protection committees into one Utilities Commission, which is why there is an overlap of the same three Councilmembers. He noted that currently, Pretreatment Review is the only committee that is codified. Further, there is an immediate need to discuss stormwater rates. Vice President Wallace inquired about the Charter Review Committee appointments. Ms. Fisher said two councilmembers could be appointed to the Charter Review Committee with the balance members up to 11 total being members of the public. Vice President Wallace said the Charter Review Commission was on the list last year and included Council appointments. Ms. Fisher said the Charter Review Commission is now part of the City Charter, and Council will have to appoint the membership, including Council appointments. The Roll on this was the following:

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

Nays: None motion carried.

G. Administrative Motion Approving the Schedule of Bills in the amount of \$652,494.66.

Mr. Duke requested the payment of bills in the amount of \$652,494.66.

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Councilman Smith, to approve the schedule of bills in the amount of \$652,494.66. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

11. REPORTS OF COMMITTEES:

A. Mayors and Managers: Mayor Mays said their last meeting was held in Vandalia. It was not a business meeting, but they heard a presentation from Montgomery County Director of Environmental Services Patrick Trumbull about “China Sword and Recycling Contamination.” China is refining their recycling policy with regard to what they will accept, and they used to receive 30% of the USA’s recycling. Therefore, the USA is now exporting less, a lot more plastic is now going back into landfills instead of being recycled, and costs are increasing.

B. Miami Valley Regional Planning Commission: Councilman Louderback was absent, and his report will be rescheduled. Vice President Wallace asked if a motion was needed to excuse him. President Engle asked if anyone had heard from Councilman Louderback asking to be excused. Councilman Dean said he heard from him.

Motion by Councilman Dean, seconded by Vice President Wallace, to excuse Councilman Louderback from the meeting. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

12. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

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

Mr. Merriman shared the following in regard to the City's recent winter weather response:

- Weekend events the past two weeks have cost the city more than \$100,000 in total expenses, which did not include additional service demand the past few days related to three water main breaks and managing sanitary sewer flows, which are greatly elevated due to so much precipitation, melting of snow and ice, and saturated ground. Public Service workers have been doing a great job and are on day 20 of work, including the holiday on Monday.
- Two points on snow removal efforts: 1) he strongly encouraged folks to avoid parking on the street when potentially accumulating snow is in the forecast because plowing around so many cars reduces the effectiveness of their efforts as they cannot plow curb-to-curb and a lot of snow remains on the street surface; 2) he reminded folks that as snow is removed from the street surface, it has to go somewhere; therefore, snow may likely be pushed onto driveway aprons, sidewalk crossings, and near mailboxes, which is unfortunate but unavoidable. He asked residents and business owners to please be patient and understanding when this occurs. He also asked residents and business owners to remove snow from around fire hydrants and keep storm drains clear for everyone's safety.
- Finally, looking ahead, more frozen precipitation is expected in the 10-day forecast, and more concerning, weather forecasts project dangerously low temperatures next week that could cause transportation and utility system issues.

President Engle said he was very impressed by the City's efforts to clear the roadways after both recent weather events, and he appreciated the City Manager's reminders this evening.

Mr. Duke said they are back in tax filing season and W-2s were distributed this week. City staff is available and able to assist filers with their City Income Tax return. The City's website has been updated with 2018 financial data, and he encouraged those interested to revisit that page to learn more. He noted in 2018, the City spent a total of \$3.2 million on streets, which greatly exceeds the \$500,000 yearly goal. He said even with \$1.9 million of that from grant funding, the City's investment of \$1.3 million is not sustainable into the future without additional resources.

Councilman Dean asked if the City could postpone utility bill payments for those affected by the government shutdown. Mr. Duke said he would assume that Council would need to pass an ordinance or take some sort of action to accomplish that. From an administrative standpoint, he did not know how easy it would be to accomplish that. He said he would look into it and ask if anyone has inquired about it. He noted the utility bill may accumulate to a large amount that would eventually need to be paid. President Engle said the shutdown does not affect any Department of Defense employees, which make up the vast majority of federal employees in this area. If they wished to pursue this, those affected would have to provide a means of verification to the Finance Director other than just proving DoD employment. He added that President Trump and Congress passed legislation that all employees will eventually be compensated for the entire time they are furloughed. Mr. Duke said the utility billing process is governed by rules and regulations, and if Council wishes to make a motion to allow postponement in payment of utility bills for furloughed federal employees until the shutdown has ended, he could figure out a way to make that work but a verification process would be needed. Councilman Smith asked if they could address this on a one-on-one basis. Mr. Merriman said the appointed officials could look into drafting something and attach the time limit to the government shutdown. He felt that some degree of formality would

be beneficial. Mr. Duke noted the next bill would be due before Council's next meeting. Further, those affected by the government shutdown who are unable to pay would not be immediately impacted and services will not be shut off immediately.

Councilman Urschel said he understands the sympathy, but in reality, there may only be about ten people in the City of Xenia who are affected by the government shutdown. President Engle asked if any requests had been received. Mr. Duke said he had not heard of any requests. Mayor Mays asked if people could let the City know if they are affected. Mr. Duke said yes; residents can call Utility Billing to do that. Mr. Merriman noted the City Manager has some discretion to remove residents from the shutoff list. Vice President Wallace asked the City Manager to be compassionate when a waiver is requested.

Councilman Dean asked if a long-term solution could be explored for future shutdowns. Mr. Merriman said certainly.

Ms. Fisher had nothing further to share.

B. Mayor and City Council:

Mayor Mays said it has been a quiet few weeks. However, she appreciated the Public Service Department's efforts with snow removal. She thanked Vice President Wallace for the Martin Luther King Jr. service, noting he put a lot of effort into it.

Councilman Smith said he also appreciated the City's Public Service workers' efforts in keeping the City's streets clear of snow and ice. He agreed with Mr. Merriman's reminder about moving cars off the streets to allow for curb-to-curb snow removal. He acknowledged (former) Councilman Scrivens in the audience. He encouraged residents to check on their elderly neighbors often during these cold months. He said the YMCA activity is phenomenal, and the Senior Center is packed. He was very proud to have the REACH center in this community, and he was looking forward to outdoor activities there as well.

Councilman Urschel extended his thanks to all City directors and their staff who met with him on Friday, January 11. It was very enlightening and he appreciated all their time. In his review of the City's Five-Year CIP, it was obvious that a lot of thought was put into a broader direction for the City to ensure the City remains vibrant into the future. However, as a new Council member, it was not clear to him how Council meets with the Appointed Officials to have specific discussions on more strategic topics. He said most organizations have a regular rhythm to meet on more strategic issues vs. tactical issues. He recommended that Council have more regular special sessions with the Appointed Officials to make sure they are all on the same page. President Engle asked Mr. Merriman to speak on what has been done in the past. Mr. Merriman said he has suggested more informal and relaxed meetings to talk about broader policy issues, big picture goals and objectives, etc. He felt that a retreat/visioning session would be appropriate as they begin to look at updating X-Plan. He suggested an outside facilitator run such a session as soon as the first quarter of 2019.

Councilman Urschel commended Mr. Cody Brannum for coming to Council to speak to them. He has been doing a lot of research and has spent a lot of time looking at the City's Land Development Code, which is important as it determines the law for all 28,000 residents, and he did not take any

