

**XENIA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
APRIL 11, 2019
7:00 P.M.**

1. CALL TO ORDER: President Michael Engle called the April 11, 2019, Regular Session to order at 7:00 p.m. in the City Council Chambers, City Administration Building.

2. INVOCATION: Charlie Huff provided the Invocation.

3. PLEDGE OF ALLEGIANCE: Councilman Urschel led those present in the Pledge of Allegiance.

4. ROLL CALL: Vice President Edgar Wallace, Councilman Will Urschel, Councilman Dale Louderback, Councilman Wesley Smith, Councilman Levi Dean, Mayor Sarah Mays, and President Michael Engle were all present.

5. APPROVAL OF MINUTES: Motion by Councilman Louderback, seconded by Councilman Smith, to approve the March 28, 2019, Regular Session meeting minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Louderback, Smith, Dean, Mays, Engle

Abstain: Wallace, Urschel

Nays: None motion carried.

Motion by Mayor Mays, seconded by Councilman Louderback, to approve the April 1, 2019, Special Session meeting minutes as written. No discussion followed. The Roll on this was the following:

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

Abstain: Wallace

Nays: None motion carried.

6. SPECIAL PRESENTATION(S):

Proclamation ~ Eagle Scout Jacob Fox. Mayor Mays invited Eagle Scout Jacob Fox to the front of the Council Chambers for the presentation. She then read into the record the Proclamation, which highlighted his Eagle Scout project that included completely refurbishing his high school band trailer by soliciting both volunteers and monetary donations and investing over 400 man hours into the project. It was noted that only 4 percent of those involved in Boy Scouts achieve the rank of Eagle Scout. (Applause followed.)

Jacob Fox thanked Mayor Mays and City Council for the opportunity to be present at the meeting and receive the proclamation. Councilman Urschel said he was also an Eagle Scout and recognized the difficult process to achieve this accomplishment. He said the experience would serve him throughout his life and advised that Jacob should remember this difficult task, his success, and know that he can achieve other hard things in his future.

Hamvention ~ Jack Gerbs, General Chairman, and Ron Cramer, Dayton Amateur Radio President. President Engle invited the gentlemen to the podium.

Jack Gerbs, Hamvention General Chairman, congratulated Jacob on his accomplishment noting he was also an Eagle Scout. He was present to talk about Hamvention, which used to be held at Dayton's Hara Arena. When it was announced that the venue would close, they looked at five locations for the event and ended up here in Xenia due to its hospitality. He appreciated that all the community organizations welcomed and wanted them here. He shared the history of Ham radio, which is very important for communication, especially in times of natural disasters when repeaters and 9-1-1 systems are down. He said Hamvention is ran by volunteers and is a wonderful hobby. They mentor the next generation in an effort to get them involved and obtain skills for a lifetime. His mentor was so impactful on his life, and it was his time to give back, which is why he volunteered to be the current chair. In 2017, the first event was held in Xenia after a lot of work from a lot of people. Over 30,000 attendees are expected again this year including individuals from all over the USA and other countries. Hamvention works hard to be good citizens while they are here for the event, and they want the event to be a win for all involved, including the City of Xenia. He said the weekend entry fee is \$22 in advance and \$27 at the door; however, this year, the doors will be open to the public on Sunday. He thanked the City of Xenia and the entire community for their continued hospitality.

Councilman Louderback said he was glad they are in Xenia, and he wants them to stay. He noted he was hoping to hear two announcements this evening. Mr. Gerbs said they want to stay in Xenia, and they are working on a five-year agreement. Councilman Louderback said 30,000 visitors means a lot to the Xenia economy, and local restaurant owners should hand out coupons to attendees. He asked how many food vendors are at the event. Mr. Cramer said there were about 25 food vendors the first year, and they are up to about 30 now. Councilman Louderback said not everybody eats at the food tent—some patronize local restaurants and businesses. Mr. Gerbs agreed.

Councilman Urschel asked if those attending could obtain a license at the event. Mr. Gerbs said yes, which was not difficult to achieve, and he explained the three levels of tests. Councilman Urschel said his sister got her license last year, and she continues to tease him about it, especially since he spent 34 years as a technologist in the Air Force. He was amazed at the breadth of people involved in ham radio.

Councilman Smith shared that he worked for McDonalds in the 1980s near Hara Arena, and the impact and business from Hamvention was phenomenal. He appreciates them, and this event was wonderful for this community.

Councilman Louderback asked when the event would be held. Mr. Gerbs said May 17-19, 2019. President Engle thanked Hamvention for relocating the event in Xenia. (Applause followed.)

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

John Caupp, 936 Orville Way, congratulated Jacob Fox on his Eagle Scout award. America needs more young men like him to carry on the tradition. In City Council's Special Session minutes from April 1, 2019, there was a discussion about the difficulty of finding someone to fill a Parks Maintenance position, which is paid at a rate of \$16.93 per hour. Unfortunately, the City's solution was to throw more money at it. He suggested they rethink how they test for the position and separate the Laborer from the Maintenance Worker or make a management decision and put the

Laborers on a rotation so they only work one weekend a month. Per his post on Facebook, people are interested in the position. He received six private messages from those interested, and he doesn't work for the City. Those interested were not complaining about the pay, the hours, the benefits, plus rating in the winter, etc. The problem is that people do not know about the position. He asked what the Human Resources Director was doing to promote job opportunities. Council will also be voting tonight on pay grade increases for all non-union employees. City revenues are down, and the City's tax base is not growing. The Finance Director wants to compare Xenia to other communities, but they have more tax revenue coming in, they are meeting their infrastructure needs, they are paving their roads, and Xenia is not. Xenia cannot be compared to other communities that do not have tax revenue issues. In the afore-mentioned minutes, President Engle stated "numbers don't lie." That is correct. The CPI is 1.9% but City wages are growing faster than that. They need 5% tax growth to hit the reserve requirement by the end of the year, and right now, it doesn't look like that will happen. If Resolution 2019-G is approved, the wage ranges would be increased for the next three years. He felt the City's non-union wages are extremely competitive. He said Wright State University was having major financial problems and their non-union employees made concessions with three-year pay freezes, paying more in health insurance, and HSA contributions reduced, but Xenia has not done any of that. When he was on Council in 2009, there as a pay freeze. Instead of increasing non-union wages, he suggested a pay freeze for 2019, 2020, and 2021 or until the City can meet the citizens' infrastructure needs.

Matt Johnson, 563 Jodee Drive, said the revenue base for Xenia is poor. There was no new revenue coming in and no new housing developments (other than Ryan Homes). Builders are not coming to Xenia asking to put infrastructure in for new housing starts. In November, citizens voted down the street levy. Since then, he has not heard anything about what the City was going to do now. He understands Second Street will be paved this year, but that's all. However, they want to throw more money at non-union pay grades that employees can earn with merit increases. He knows there are seven bargaining units (unions) that more or less control the City's budget. He is a union worker and understands that process. However, Resolution 2019-G gives a total of 6.75% increases over the next three years. He asked if Council has asked union and non-union employees to make concessions (pay freezes, etc.) so they can pave the roads. He suggested Council consider doing away with the civil service process. People want to know what is happening with road maintenance. There are potholes the size of craters, and cold patch will not work. He appreciates Council and the work they do, but he hopes they did not pass the non-union wage increases.

8. OLD BUSINESS:

A. President Engle presented **RESOLUTION 2019-G AMENDING APPENDIX 2 OF THE EMPLOYEES BENEFITS MANUAL (NON-UNION WAGE RANGES) OF THE CITY OF XENIA, OHIO, FOR THE YEARS 2019, 2020, AND 2021**, originally introduced by Councilman Smith, and it was read for a second time.

Motion by Councilman Smith, seconded by President Engle, to approve Resolution 2019-G as read. Discussion followed.

Councilman Urschel said if approved, he asked if it would raise the minimum, mid-point, and maximum wage ranges. Mr. Duke said yes. Councilman Urschel said he understands the context of increasing the top but asked if the minimum was a negotiable number or if employees have to be hired at the minimum number. Mr. Merriman said historically appointed official and department

The Roll on the original motion to approve Resolution 2019-G as amended was the following:

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

Nays: Dean motion carried.

9. PUBLIC HEARING(S): None.

10. NEW BUSINESS:

A. ORDINANCE 2019-07 ENACTING CHAPTER 269, TITLED “GENERAL PROVISIONS,” OF THE CITY’S BOARDS, COMMISSIONS, AND COMMITTEES CODE, AND DECLARING AN EMERGENCY. City Manager Brent Merriman said staff recommends that City Council take action to address a legislative deficiency that creates an impediment to the functioning of several of the City’s boards and commissions. Three of the standing lay boards—Planning and Zoning Commission, Board of Zoning Appeals, and Civil Service Commission—were created specifically through the City’s Charter, which sets forth that each of these bodies be constituted by five Xenia residents. Further, the Charter requires that for any action of these bodies, whether to approve or disapprove a measure before it, “a majority of the total membership” is required. As a result, for any action requested, three of the five members of these bodies must vote in accord to arrive at a decision, either approving an action or disapproving it. Any tally short of three members voting one way or another renders the body incapable of completing its Charter responsibilities. They have historically and recently experienced situations in which members abstained on a decision leaving only three members to vote on a measure. In other cases, board or commission vacancies have created a problem, especially if the body has additional intermittent absences among otherwise active members. The core problem is that due to the Charter-required vote threshold, anything short of three concurring votes prevents the body from taking any definitive action. Such circumstances do a tremendous disservice to residents who are presenting the bodies with action items expecting a definitive outcome. The legislation is intended to address this problematic circumstance. If approved as written, Ordinance 2019-07 would automatically refer to City Council for final action any matter before these boards and commissions that, for whatever reason, a definitive vote outcome cannot be reached. To be clear, this change does not supersede the board and commissions responsibilities; rather, it provides for a definitive outcome measure when the board or commission cannot otherwise give a final answer to an applicant. The ordinance enacts Chapter 269, within which the law director has also recommended inclusion of some additional housekeeping items intended to address other structural deficiencies not delineated in the City Charter, including the following:

- 269.02: Reminds all Board and Commission members they are required to take an oath of office;
- 269.03: The Council would authorize the Chairs of the Boards and Commissions to set their meeting dates and times if not otherwise instructed by council; and
- 269.04: States that in the absence of rules of order prescribed by City Council, the Boards and Commissions are to follow Robert’s Rules of Order.

Additionally, this legislation prohibits elected officials and City employees from serving on a Board or Commission, unless otherwise authorized (such as a Councilmember serving as Chair of a Commission). The City Charter and ordinances are silent on this matter, but they feel it makes the most sense to prohibit City employees and officials from serving on City Boards and Commissions at this time as allowing such service could create an even greater issue with

abstentions beyond what currently exists. Staff recommends this issue as a topic for a future Charter review discussion. Emergency approval is recommended as they have recently encountered concerns regarding this inaction issue and by expediting this stop-gap measure, they are ensuring any citizens seeking board and commission action can get a speedy, definitive resolution to their issues. If Council wishes to introduce, that would be satisfactory.

President Engle entertained a motion to pass Ordinance 2019-07 as an emergency.

Motion by Councilman Louderback, seconded by Councilman Dean, to adopt Ordinance 2019-07 as presented. Brief discussion followed. Vice President Wallace asked if the Chair could vote to break a tie. Mr. Merriman yes; however, he noted there are other situations where there are not enough members to render a decision. The Roll on this was the following:

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

Nays: None motion carried.

B. ORDINANCE 2019-08 AMENDING SECTION 298.01(a) OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN THE CODIFIED ORDINANCES OF THE CITY OF XENIA, OHIO, AND DECLARING AN EMERGENCY. Mr. Merriman said staff respectfully recommends approval of an emergency ordinance to address operational concerns at two of the City's premier park locations. The City has for many years accommodated reservations for spaces in city parks, specifically the Pavilion at Shawnee Park and the open-air Shelter at Xenia Station. Historically, these reservations have been made for both City and non-City residents at various rates. Presently, these are the only spaces for which reservations are taken; all other shelters are first-come, first-served at no cost to users. With the staffing reductions made in 2010, one of the two parks positions along with ten other administrative positions were eliminated to cut costs and were never reinstated. As a result, and since then, they have been operating with only one full-time parks worker to provide maintenance at the City's 13 parks. Some mowing and landscaping assistance is provided through summer help, but core maintenance is provided by one employee working a modified schedule to ensure some degree of parks maintenance coverage at peak usage and on weekends. The majority of that effort is focused on Shawnee Park and Xenia Station due to their high degree of utilization and the limited staff capacity. With the recent opening for the parks laborer position that they have been unable to fill, staff has been forced to evaluate their approach to parks maintenance, and among other things, the policies on reservations and space usage. Due to staffing limitations for the maintenance of our City parks, specifically the reservation and cleanup of the City facilities prior to and following their scheduled use (typically on weekends), staff recommends adjusting the reservation hours as detailed in the agenda report to allow for morning rental sessions and afternoon rentals session with a standard break in between to allow for proper clean-up. A combined day-long rental would still be available as well; however, under the new policy, staff will not be available after 4 p.m. to provide assistance or immediate clean-up. He believed this step would significantly reduce overtime expenses without too much impact on the reservation service and would also accommodate a slight fee increase intended to help offset the added cost for the additional services necessary for the reservation convenience. If approved as an emergency, staff would reinstitute the reservation service immediately under this new system.

President Engle entertained a motion to pass Ordinance 2019-08 as an emergency.

Motion by Vice President Wallace, seconded by Councilman Smith, to adopt Ordinance 2019-08 as presented. Brief discussion followed. Councilman Louderback asked if the reservations are for residents only. Mr. Merriman said reservations can be made by both residents and non-residents, but non-residents have to pay a higher rate. The Roll on this was the following:

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

C. RESOLUTION 2019-H AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE GREENE COUNTY ENGINEER’S OFFICE AND THE JOHN R. JURGENSEN COMPANY TO COMPLETE THE CITY’S 2019 STREET PROGRAM, AND DECLARING AN EMERGENCY. Mr. Merriman said staff respectfully recommends emergency passage of this Resolution to allow them to move forward with plans for the 2019 Street Rehabilitation Program, which is in addition to the Second Street project. The City of Xenia partners with other municipalities through the Greene County Engineer’s Office each year to complete its annual street program as their combined buying power provides an economy of scale value that improves bid results. This Resolution will authorize the execution of the standard agreement with the County Engineer for the 2019 bidding and awarding process and also authorizes the actual award of a contract for the 2019 paving to John R. Jurgensen Company, who was determined to be the lowest and best bidder by the County Engineer. He noted the County Engineer received bids from two (2) qualified paving contractors to complete street resurfacing for participating jurisdictions in Greene County. The bid tabulation received from the Greene County Engineer’s Office was included in the agenda report, and the City’s portion totaling \$310,427.61 is noted on page 3. This year’s program includes the curb-to-curb reconstruction of Montana Drive and a portion of the driveway throughout the Ford Road WWTP along with sporadic concrete repairs. As is typically the case, the Greene County Engineer’s Office will need all documents executed immediately to proceed forward with the overall bid/award prior to the pre-construction meeting.

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

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

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

D. Introduction of Resolution 2019-I Providing for Assessments to be Levied and Authorizing the Finance Director to Certify Those Assessments to the Greene County Auditor. Finance Director Ryan Duke said each year staff requests that Council authorize the assessment of various unpaid fees that typically include mowing tall grass and weeds, utility bills, etc. The County Auditor will allow the City to assess up to three (3) times a year with this being the first assessment in 2019. The assessment amounts are as follows:

- Weeds..... \$46,779.27
- Trees/Shrubs \$1,614.02
- Trash Cleanup..... \$5,235.00
- Utilities..... \$76,574.70

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

Vice President Wallace presented RESOLUTION 2019-I PROVIDING FOR ASSESSMENTS TO BE LEVIED AND AUTHORIZING THE FINANCE DIRECTOR TO CERTIFY THOSE ASSESSMENTS TO THE GREENE COUNTY AUDITOR, and it was read for the first time.

E. Administrative Motion Reappointing Two Members of the Board of Zoning Appeals. Mayor Mays said the current BZA Vice Chair Ms. Tara Macduff's term and recently appointed Mr. Rick Hilliard's term on the Board of Zoning Appeals are both due to expire on April 11, 2019. Both members have expressed their desire to be reappointed to four-year terms.

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Councilman Smith, to reappoint Ms. Tara Macduff and Mr. Rick Hilliard to the Board of Zoning Appeals for four-year terms, expiring on April 11, 2023. Brief discussion followed. Councilman Smith thanked all the City's lay board volunteers for donating their time and for serving the City. Vice President Wallace concurred. The Roll on this was the following:

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

F. Administrative Motion Approving 2019 Heritage Tree Nominations. President Engle said in 2011, the Board for Recreation, Arts, and Cultural Activities' Tree Committee developed the Heritage Tree Program, which was approved by City Council in 2011, to recognize, honor, and foster appreciation of trees on public or private property for their unique history, shape, size, beauty and specie that have cultural, historical, and aesthetic value. Since that time, 33 nominations for Heritage Trees have been approved. Plaques denoting pertinent information have been installed near each tree or grove of trees. For 2019, the Xenia Tree Committee nominated, and on March 5, BRACA endorsed three nominations for 2019 Heritage Trees as follows:



Dawn Redwood
551 Marshall Dr.
Trunk Diameter: 35"
Height: 80'
Canopy Spread: 57'
Approx. Age: 50 yrs



American Sweetgum
386 N. Galloway St.
Trunk Diameter: 36"
Height: 90'
Canopy Spread: 54'
Approx. Age: 144 yrs



American Elm
928 E. Market St.
Trunk Diameter: 51"
Height: 104'
Canopy Spread: 78'
Approx. Age: 204 yrs

He thanked BRACA and the Tree Committee for managing this program and making these nominations.

Motion by President Engle, seconded by Councilman Louderback, to approve the 2019 Heritage Trees as noted above. No discussion followed. The Roll on this was the following:

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

Administration Motion appointing a volunteer to fill a vacancy on the Civil Service Commission. President Engle wished to add another item to the agenda. He received a request

from the City Clerk earlier in the day regarding an appointment to fill a vacancy on the Civil Service Commission, which has been operating with only three (3) members for over a year versus five (5) members per the City Charter. The City Clerk advertised the vacancies on the City's website, government channel, and via other media outlets. Ms. Melody Anderson contacted the City Clerk to express her interest in being appointed to the Commission. Ms. Anderson is the Business Manager at the Miami Valley Juvenile Rehabilitation Center in Xenia and will be a welcome addition to the Commission. Since there is a background check on file with Greene County, a background check was not conducted by the City of Xenia.

Motion by President Engle, seconded by Vice President Wallace, to appoint Ms. Melody Anderson to fill a vacancy on the Civil Service Commission with a term expiration date of December 31, 2023. No discussion followed. The Roll on this was the following:

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

G. Administrative Motion Approving the Schedule of Bills in the amount of \$138,722.25. Mr. Duke requested the payment of bills in an amended amount of \$137,597.25 due to a credit received from a vendor.

President Engle entertained a motion.

Motion by Councilman Louderback, seconded by Mayor Mays, to approve the schedule of bills in the amount of \$137,597.25. No discussion followed. The Roll on this was the following:

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

11. REPORTS OF COMMITTEES:

A. Board for Recreation, Arts, and Cultural Activities: President Engle said BRACA met on April 2, 2019, and discussed the heritage trees, which was already handled this evening. They also discussed the successful completion of the Youth Basketball Program and the upcoming Easter Egg Hunt to take place on April 20 at Shawnee Park. Volunteers and Easter basket donations are still needed. Discussion is still underway for Hometown Christmas. Mayor Mays noted registration starts at 10 a.m. with the egg hunts beginning at 11 a.m. with staggered starts for different age groups and those with special needs. She said the Easter Bunny would be available for pictures and several churches will be providing food and beverages. She encouraged everyone to attend this free event, and she encouraged her fellow Councilmembers to donate an Easter basket. Councilman Urschel said there are a few times the community really comes together each year, and this is one of those community events. It was amazing to see 10,000 eggs collected in a matter of minutes. He encouraged families, and even those who do not have anyone participating, to attend the event and enjoy the fellowship. Mayor Mays said she was excited to share that several bikes are being donated as "grand prizes."

B. Traffic Commission: Councilman Dean said the April meeting was cancelled.

C. Planning and Zoning Commission: Councilman Smith said the Planning and Zoning Commission held two recent meetings on March 21, 2019, and April 4, 2019, on the following:

- March 21, 2019: Alternative Equivalent Review to allow a proposed grocery store with an alternative design that does not meet Façade Design and Mass standards in 1228.04(c)(4) or minimum window coverage requirements in Section 1228.04(c)(7) of the Land Development Code for the property located at the northeast corner of W. Main Street and Hospitality Drive, filed by Russ White on behalf of Aldi, which was approved.
- April 4, 2019: Two actions for one property as follows: Conditional Use to allow construction of a 26,586 sq. ft. public building to be used for administrative offices and vehicle/equipment maintenance at 641 Dayton-Xenia Road and Alternative Equivalent Review to allow construction of a 26,586 sq. ft. administrative and maintenance building with exposed metal siding, contrary to the requirements of Section 1228.04(c)(3)D, at 641 Dayton-Xenia Road, filed by Brentwood Builders on behalf of Greene County Parks and Trails, which were approved.

D. Board of Zoning Appeals: Mayor Mays said BZA met on March 25, 2019, on one request as follows:

- Variance to allow an 8' tall solid fence to be approximately 4' from the Vine Street right-of-way instead of the required 50' on a double-frontage lot for the purpose of enclosing and screening an outdoor materials storage area at 138 Dayton Avenue, filed by Joan Hammond from Hammond-Drierite, which was approved.

12. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

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

Mr. Merriman said he appreciated Mr. Caupp's and Mr. Johnson's attendance and comments this evening. He realized they may not all necessarily agree on how problems are solved, but it starts with dialogue. In response to some of their comments about the Park Maintenance employee and how they fill that position, the City used to have four, then two, and now only one Park Maintenance worker in an effort to keep the budget solvent. The position used to be a Maintenance Worker and was changed to a Laborer in an attempt to save some money and give that employee an opportunity for promotion. The City had a really great Parks worker who passed away from cancer. Since that time, they've struggled to fill the position and keep it filled. The biggest issue is the schedule; it is tough to find someone to work every single weekend in the spring, summer, and into the fall. He agreed it is a good wage with good benefits, but many workers value time off and time with family sometimes over pay. Regarding making changes to the position, he noted the positions are classified, civil service positions that per Ohio Law have to be filled through the civil service system, which means they have to either utilize the State's process or the City adopts its own process. Xenia has its own civil service system, which has not been substantively updated since the 1960s. However, due to the City's Charter, they cannot just make changes to the City's civil service system. Upon review with the City's Law Director, they have to go through the charter process and make changes to the language regarding those procedures, which requires voter approval. Regarding making "management decisions," he noted the schedules are outlined in the current union contract, and they cannot unilaterally make any changes without negotiating those changes. However, they can assign individuals to positions, which they have done, because they offered the Park Maintenance position to every person on the eligibility list, and they all declined due to the schedule. He mentioned changing the position back to a Maintenance Worker (with an increase in pay) to provide some measure to entice someone to take the job because they have looked at everything else in trying to get a qualified candidate. He noted a "warm body" is not good enough for this particular position because the employee interacts with the public on a daily basis, works around children and family events, and must be very friendly. In response to what the

City is doing to solicit applications for jobs, he said staff posts employment opportunities in the newspaper, on Facebook, on Twitter, on the website (which includes emails to those who have completed a job interest card), and in other ways per civil service procedures. They are open to other ideas. The bottom line is candidate pools continue to dwindle, and the number of applications received is down due to a labor shortage for most positions including police, fire, maintenance workers, and non-union positions. Regarding the City's financial situation, they are up about 2% in revenue and moving in the right direction and expenditures are down as compared to last year at this time. He disagreed with the statement that other communities are meeting their infrastructure needs, which is evidenced by the fact that a very conservative Governor just convinced a conservative legislature to substantially increase the gas tax. Infrastructure issues are statewide. Regarding Council conversation on the streets and what they are doing since the levy failure, he reported the Council's Budget and Finance Subcommittee has had in depth discussions. He feels Engineering Department staff have done a great job obtaining grants to maximize the City's dollars to get a major project done, which is Second Street, and they are still able to invest over \$300,000 in additional street improvements. He agreed with Mr. Johnson's comment that cold patches are not effective for pot holes, which is why he requested approval at the last Council meeting for a hot box. Once the equipment is received, they will put it to good use. They all recognize the streets are a huge problem and will take some time. If the solution was easy, his and Council's predecessors would have already solved it. He said it was difficult for citizens to fully understand the full nature of some issues, but he and staff are attempting to inform citizens with the second series of the Citizens Academy. They are currently accepting applications, and the academy has been modified a bit based on last year's participant feedback. Six sessions will start in May and cover a myriad of issues including municipal government, finance, economic development, public service and utilities, and safety services, including some hands-on opportunities and tours of City facilities. He said the Second Street project is underway with base repairs being done now. Within the next few days, the leveling course will be done, and the final travel course will be completed later this summer. Finally, he said a number of Public Service Department employees¹ volunteered their time a few weeks ago on a Saturday to go out and pick up trash. He appreciated and thanked them for stepping up and giving back to this community. They work very hard and many times do not get the credit they deserve.

Vice President Wallace asked when the invitations would go out to First Friday vendors. His church is interested and he has not received any information. Mr. Merriman said he has a meeting tomorrow and will ask that question and respond to Council via email. Councilman Smith noted he received something in the mail just a few days ago.

Mr. Duke said they are nearing the income tax filing deadline on Monday, April 15, and he encouraged people to come in sooner rather than later. He said City staff can assist in filing City taxes at no cost.

Ms. Fisher was not present at the meeting.

B. Mayor and City Council:

Mayor Mays shared the following:

- March 29: She attended the Clark State Advisory Board meeting and learned about their general education curriculum. She also attended the swearing in of Greene County Treasurer Kraig Hagler.

¹ Mike Creswell, Adam Jones, Johnny Shingleton, Shawn Crall, DJ Crawford, James Langan, and Dave Morrow

- April 2: Anthony Barwick from the CSU Extension Office invited her and several others to the REACH Center, CSU Xenia, for an extensive information session. They provide a lot of information about many subjects including agriculture and 4-H, diabetes, etc.
- April 4: She was so pleased to have the Antioch Shriner Circus at the Greene County Fairgrounds for the first time, and she had the delightful opportunity to kick off the four-day event.
- April 7: She kicked off the Xenia marathon by singing the National Anthem. There was a great turnout and she loved the fact that participants ran all throughout our city!
- April 10: She enjoyed participating in the Frisch's Big Boy ribbon cutting for their grand reopening. She thanked Frisch's for including City Police and Fire personnel, as well as several city staff, in the festivities.
- April 11: Anna Allison did some amazing work with some children this morning at the Coffee Hub and taught them about art. She invited those interested to visit her website, CopperPaperCo.com. She has some beautiful designs and products, and she is right here in Xenia!

Councilman Louderback said a renewal levy is on the May 7 ballot, which is no new taxes. He asked how much revenue the levy brings in each year. Mr. Duke said the County Auditor's recent estimate was over \$400,000 annually. Mr. Merriman said this levy has been in place since the 1950s and is used for critical core services including police and fire.

Councilman Smith thanked all those watching and in the audience this evening. He commented on all the positive things mentioned this evening including the Eagle Scout proclamation, the City's Maintenance Workers volunteering their time to clean up, the upcoming Easter Egg Hunt and Hamvention event, etc. Xenia has really turned around and is moving in the right direction since he came on Council 10 years ago when there were pay freezes, etc. He said the City Manager and others work very hard including Mayor Mays who attends many events on the City's behalf. He said Facebook posts are not accurate. He suggested those on Facebook spend some time with their families and spend time outside. He looks forward to continuing to move the City forward.

Councilman Urschel said he has been on Council for only three months, and he takes the road issue very seriously. He has been looking at everything, including studying technical reports on asphalt, base courses, surfaces, stormwater drainage and removal, what other cities—and other nations—are doing, etc. He even spent some time on Facebook, but he has stopped doing that because solutions are not being given on Facebook—he has only seen a lot of complaining. He has learned a lot after spending some time with the City Engineer, the City Manager, and the Finance Director. Basically, the City is in a hole with regard to streets, and it has taken about 40 years to get there. Potholes are a much bigger problem than just whether to fix it with cold or hot patches. Potholes indicate substantial degradation of the base of that road. The solution to the street issue will not be solved in a few years. It took decades to get here, and it will take decades to fix. His biggest concern is laying out a strategy and a plan that Council can with confidence present to the community that is actually achievable. He realizes all communities have problems, but they need to do better. They can start with dealing with stormwater removal because water affects streets, and it will be a substantial cost. When driving down Second Street, he said all the work that has been done to date represents where the base of the road was destroyed. The contractor has removed and replaced the 6" base. In the future, they need to be proactive in maintaining new or newer roads by developing a structured strategy. He did not believe they could tax their way out of this problem, and they need to take a hard look at services they are providing and study how they provide those services. Further, they cannot wait for the State of Ohio to bail them out either. He appreciated being part of the Council's Budget and Finance Subcommittee. He admitted he was ignorant to many issues, but he did not plan to remain ignorant. He appreciates the amount of time

staff has spent with him to educate him on these matters. Streets are not the City Manager's, Finance Director's, or City Engineer's problem—they are Council's problem—and they will have some tough decisions to make in the near future. On a more personal note, he was very happy to serve on Council and serve this City; however, he would not be on Facebook. For whatever reason, there seems to be fair game to disparage anybody in the City environment, which he did not understand. He spent 34 years giving his life to the United States Air Force and decades of spending 200+ days a year away from his family, people still felt compelled to take shots at him on Facebook simply because he ran for City Council. He did not understand it, and he was done with it. He works really hard for the City and its citizens, but he was staying off of social media. Many people are allowing by their actions social media to be extremely negative in this City. He said his personal cell phone and address are on the City's website, and he invited anyone to contact him if they wish to have a constructive conversation. The disparaging comments on Facebook are rude, and they are not helping the City move forward. He has literally done rocket science before, and fixing the streets was not rocket science. As noted, he was WPAFB's Technical Director for Material Command overseeing all the weapons systems in the Air Force, and he was also a pastor. He shared some exciting news. Xenia has 80 churches and the pastors of those churches are coming together to serve this community. The week after Easter, they will get out into the community and look for ways to serve this community. He was very excited to be a servant to the City, both as a Councilmember and a pastor.

Councilman Dean had nothing further to share.

Vice President Wallace asked Mr. Duke what the 11-cent gas tax would do for Xenia. Mr. Duke said ODOT has released some estimates for each community, and Xenia should receive about \$537,000 in 2020, \$550,000 in 2021, etc. Mr. Merriman said he and Mr. Duke will discuss with Council's Budget and Finance Subcommittee, and ultimately Council as a whole, how to use that revenue. Councilman Louderback asked about the 1% increase in local government funding. Mr. Duke concurred there was a slight increase, but it was not substantial. Councilman Louderback said in total the City has lost over \$600,000 in local government funds annually. Mr. Duke agreed and noted other cuts were made including the elimination of estate taxes, etc. Mr. Merriman said he was thankful there were no additional cuts. Vice President Wallace said with the gas tax revenue, the City should be able to invest over \$1 million per year, in addition to grants, in street improvements. Mr. Merriman agreed; unfortunately, they need two to three times that amount per year to begin catching up.

President Engle said Xenia High School's spring play is "Footloose," with the first show this evening. Other shows will be Friday and Saturday. He reported that Councilman Smith, Mr. Merriman, and he met with several members of the Xenia School Board and the Superintendent to discuss ways to partner and cooperate with one another. There was some very positive discussion, and they planned additional meetings. He echoed Councilmen Smith's and Urschel's comments. He has deep respect for the City's appointed officials and employees. They are very dedicated in tackling problems in the most cost-effective way possible for Xenia's citizens. He was in awe of their positivity despite the magnitude of problems they face every day and the voices of negativity. He also stays off of social media platforms for the same reasons Councilman Urschel described. Persistent negativity never solves anything and is a poisonous attitude. He offered his sincere condolences to former Councilman/Vice President Joshua Long and his family, who lost his father a few years ago and his mother this week.

13. ADJOURNMENT: Motion by Councilman Louderback, seconded by Vice President Wallace, to adjourn the Regular Session at 9:04 p.m. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

Michelle D. Johnson
City Clerk

Michael D. Engle
President, Xenia City Council