

**XENIA CITY COUNCIL
MEETING MINUTES
APRIL 23, 2020
6:00 P.M.**

1. CALL TO ORDER: President Smith called the April 23, 2020, Regular Meeting to order at 6:05 p.m. The meeting was held via videoconferencing¹ and live streamed on the City's government channel (via Spectrum/Ch 5 or ATT U-Verse/Ch 99) and YouTube channel (eXplore Xenia).

2. INVOCATION: Vice President Wallace provided the Invocation.

3. PLEDGE OF ALLEGIANCE: Vice President Wallace led those present in the Pledge of Allegiance.

4. ROLL CALL: Vice President Edgar Wallace, Councilman Thomas Scrivens, Councilwoman Rebekah Dean, Councilman Cody Brannum, Councilman Levi Dean, Mayor Sarah Mays, and President Wesley Smith were present.

5. APPROVAL OF MINUTES: Motion by Mayor Mays, seconded by Vice President Wallace, to approve the minutes from the April 9, 2020, Regular Meeting as written. Brief discussion followed. Councilman Brannum said he asked the City Clerk to make a minor editorial change to remove the Greene County Commissioners from the statement he made about funding for Bridges of Hope on page 8. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

6. SPECIAL PRESENTATION(S): None.

7. AUDIENCE COMMENTS: President Smith said the meeting was closed to the public and per the agenda, the public was given the opportunity to present comments or questions via email before 3 p.m. today. President Smith said two emails were received as follows:

- Forest Wilson, 193 California Street, who was in support of the one-time grant to Bridges of Hope.
- Matt Johnson, 563 Jodee Drive, who had questions about the meter replacement project and was seeking an update on the new playground equipment at Shawnee Park. He also stated that he was not in favor of one-time grant to Bridges of Hope.

President Smith said the request for a one-time grant for Bridges of Hope has been withdrawn by the applicant, and City Manager Brent Merriman and Finance Director Ryan Duke would address the other questions during their respective reports.

8. OLD BUSINESS: None.

9. PUBLIC HEARING(S): None.

¹ Due to the COVID-19 pandemic and social-distancing/group gathering restrictions, the City Council met via videoconference per HB 197 signed by Ohio Governor Mike DeWine on 03/27/2020.

10. NEW BUSINESS:

A. ORDINANCE 2020-09 AMENDING ORDINANCE 2020-08 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. Finance Director Ryan Duke said City Council is being requested to approve a supplemental appropriation for two purposes. The first is to appropriate dollars from the Greene County Revenue Sharing Grant. The funds will be put into the general operating portion of the Council budget, and the funds can be allocated to projects or initiatives at Council's direction. The second purpose is to appropriate funds to facilitate the award of a contract for the meter reading replacement project, which is included on this meeting agenda. Initially, staff planned a more gradual approach whereby the meters would be replaced over a five-year period. However, as staff reviewed the RFP responses, it became apparent that it would be more cost effective, more practical, and more beneficial to operations if all meters were upgraded at once. He explained that the new transmitters would not be compatible with the majority of the old meters, which use a pulse signal, and if the old meters were used, they would also have to replace the registers. After evaluating the costs to replace both the transmitter and the register for each meter, it is more cost effective to replace the entire meter all at once. He noted the appropriation includes transfers from the water and sewer operating funds to the water and sewer capital funds, which is a bookkeeping issue and not an additional expenditure.

President Smith entertained passage of Ordinance 2020-09 as presented.

Motion by Councilman Scrivens, seconded by Vice President Wallace, to adopt Ordinance 2020-09 as presented. Discussion followed. Councilman Scrivens inquired about the Greene County Revenue Sharing Grant. Mr. Duke said Greene County awarded municipalities throughout Greene County with grant dollars, and last year's grant was used to extend fiber from the lift station by OVCH and into the Business Park. This is the second year of the program and per this appropriation ordinance, this year's grant in the amount of \$40,000 would be appropriated in the Council budget. At Council's discretion, the dollars can be transferred to other budget lines depending on how it will be used. President Smith asked if the money could be rolled over into the next fiscal year if it is not used in 2020. Mr. Merriman said the Greene County Commissioners want the dollars used this fiscal year; further, the Commissioners request a report on how the grant dollars are used. While there is no restriction on how the City can use the grant dollars, the County has stated that they would like the dollars to be used on projects that have a compounding economic value in the community. Staff is currently looking at creative ways to use this year's grant dollars, and with the current shutdown due to COVID-19, they would like to find a way to provide economic assistance to some local businesses. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

B. ORDINANCE 2020-10 AMENDING CHAPTER 881., TITLED "MUNICIPAL INCOME TAX," AND REPEALING CHAPTER 288. OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, OHIO, AND DECLARING AN EMERGENCY. Mr. Duke said as shared with City Council several months ago, City staff is routinely evaluating processes, policies, and procedures to ensure effective and efficient service delivery and the good stewardship

of public funds. Recently, staff began to review the Income Tax Division and the services they deliver. Tonight, he respectfully recommends approval of moving income tax collection services to the Regional Income Tax Agency (RITA), which is a regional council of governments that provides collection services to local governments throughout the State. This agenda item is the first phase of accomplishing that task and includes amending the local tax ordinance per RITA's recommendations. He commended Law Director Donnette Fisher on the tremendous amount of work that she put into rewriting the tax code and incorporating all of RITA's recommendations, which included making Xenia's tax code compliant with state regulations. He also commended City Clerk Michelle Johnson on her comprehensive review of those changes.

Mr. Duke said RITA is not a new concept and has considered using RITA in the past but elected not to do so for a few reasons including a lack of local customer service presence, a lack of local control, minimal cost savings, and a lack of confidence in compliance efforts. Since the City's last evaluation of RITA's services, much has changed and circumstances have shifted. He explained that the State passed legislation trying to bring uniformity to municipal income tax across the State. When that occurred, some of the control City leaders feared losing if making a switch to RITA was taken by the State, and municipalities now have far less flexibility in how they administer their income tax. As they evaluated the use of RITA this time, a unique circumstance arose. He said RITA wanted to have a local office in this region, and when they visited Xenia, they loved the community and this facility. Part of this proposal includes working out an arrangement with RITA by which it would operate an office out of the City Administration Building. RITA employees would provide service out of the Accounts Receivable Office much like City employees do today. City taxpayers could still visit the City Administration Building and be assisted by tax professionals including the free preparation of their tax returns. Customers could still pay their tax bill in person or drop it in the box outside of the City Administration Building for processing just like they do today.

Regarding costs, he said there are several things to consider:

- The cost to contract with RITA has decreased as new members are gained and the proportionate share to each member becomes less.
- RITA intends to lease office space in the City Administration Building, which results in revenue coming back to the City.
- The City's current income tax software was purchased in 2005 and is out of date and inadequate. As staff considered possible tax software replacements, they found that the options were scarce. The attempts at centralization of tax collections at the State have concerned many software vendors including Software Solutions who supported the City's current software. Few vendors are willing to sink time and money into the development of a product that may be rendered useless if the State continues its attempts at consolidation or centralization. The few companies who have continued to invest in tax collection software for municipalities did so at a cost that seemed quite unreasonable, and the City will save another \$130,000 dollars by avoiding the need to replace software.

Advantages to using RITA:

- Perhaps the biggest advantage is their access to federal data. The City, because of its size, cannot get information about an individual's federal filing. RITA, because of its size, can get access to this information. This means that they know how much earned income the individual had during the year and whether or not the tax is worth pursuing.
- RITA has enhanced electronic filing options. RITA has relationships with various tax preparation software companies, which means that individuals and businesses could file their returns

electronically, much like they do their State and Federal returns. Their online platforms are an upgrade to current City service offerings across the board.

- RITA is solely focused on municipal income tax, and they employ CPAs and attorneys whose expertise and experience are specific to municipal income tax. Their network of tax professionals allows them to address some of the more complex and difficult issues more effectively.

Mr. Duke said another consideration in the transition to RITA included the impact to City Income Tax employees. He did not want this to impact employees in a negative way, and he shared the following considerations:

- A long time tax employee retired in January of this year, reducing the Income Tax staff down to three employees. The retired employee's position has been left vacant while these options are explored, and he believed this was a good time to make the move.
- RITA has committed to give a strong preference to current City Income Tax Division employees as they hire staff for their Xenia office, and he believes all three employees would be offered employment with RITA.
- RITA is a Public Employees Retirement System (PERS) employer, so their retirement would not be impacted.
- RITA's benefits package is very similar to the City's benefits.

Mr. Duke respectfully requested approval of the Ordinance for the amended Income Tax Code in Chapter 881 to bring it in line with the recommended language from RITA. Ms. Fisher said while it seems as if the changes to Chapter 881 are significant, she explained that many of the changes included simply moving items from the existing rules and regulations to the actual ordinance. RITA uses a single "model" income tax ordinance for all the municipalities it represents for income tax collection services. The City's current Income Tax Code did not match RITA's and for the sake of clarity and ease for both City taxpayers and RITA, certain amendments to the City's Income Tax Code were required. Therefore, she modified the current Code to bring it in line with RITA's and reviewed the code to ensure that it is up to date and in compliance with State regulations. She also modified the code to authorize the proposed agreement with RITA. These amendments do not make any changes to the City's Income Tax or the regulations regarding our municipal income tax, as these items are all dictated under ORC Chapter 718. These amendments simply reorganize certain portions of the City's existing Income Tax Code and move provisions that were in the City's Income Tax Rules and Regulations into the actual Income Tax Code.

President Smith expressed the importance of passage of this ordinance as an emergency relative to the timeline of events to transition over to RITA services. He then entertained passage of Ordinance 2020-10 as presented.

Motion by Vice President Wallace, seconded by Councilman Dean, to adopt Ordinance 2020-10 as presented. Discussion followed.

Vice President Wallace inquired about the filing deadline for the City of Xenia. Mr. Duke said the City does not have the ability to set its tax filing deadline; rather, they follow the State's deadline. Therefore, when Governor DeWine extended the State filing deadline, it automatically extended the City's deadline. For the 2019 tax year, the deadline for filing is now July 15, 2020. Vice President Wallace inquired about RITA's access to federal tax information and if a tax payer could file a local tax return but not a federal tax return. Mr. Duke said if that occurs, RITA would not have the ability to compare the local return with a federal return. He noted that RITA would be

accessing the federal return information if a local tax payer fails to file a local return and would be looking to see if it is worth the City's time to pursue collection of that tax depending on their tax liability.

Councilman Brannum asked if the agreement with RITA included a guarantee that the City's Income Tax employees would be hired or if that was just a verbal agreement. Further, he asked about the expected timeframe for RITA to lease space in the City Administration Building. Mr. Duke said the draft lease agreement is for a five-year period with an option for an additional five years. Regarding City employees, they do not have anything in writing. He noted he has to be careful in how they address some things because they are bargaining unit employees who are covered by a union contract. RITA is looking to expand their employee base in this area and has stated that they see a benefit in hiring the existing Income Tax employees. He is confident that City employees are qualified for those positions and would be granted that opportunity. If Council approves the Resolution to authorize entering into an agreement with RITA, he would notify the union and the union has 30 days to propose some alternatives for consideration. He did not anticipate any viable alternatives, if any at all, because the employees seem to be happy about making the transition.

Councilman Scrivens also commended Ms. Fisher on her efforts to bring these changes to Chapter 881 forward and Ms. Johnson for her review. He supports the cost-saving measure to switch over to RITA for income tax services.

The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

C. RESOLUTION 2020-G AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE REGIONAL INCOME TAX AGENCY (RITA) TO PARTICIPATE IN THE REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF ADMINISTRATION AND COLLECTION OF MUNICIPAL INCOME TAX IN THE CITY OF XENIA, OHIO, AND DECLARING AN EMERGENCY. Mr. Duke said this Resolution pertains to the previous agenda item and is being requested as an emergency to authorize the City Manager to execute the agreement with RITA. In order to maintain the timeline established with RITA for implementation, the item should be approved as soon as possible. Staff requests Council's approval and support in a new endeavor. He anticipated \$60,000 in annual savings in addition to avoiding the expense of \$130,000 to replace the software as well as enhanced service to taxpayers with regard to the use of tax prep software and electronic filing as noted in the previous item.

President Smith entertained passage of Resolution 2020-G as presented.

Motion by Mayor Mays, seconded by Councilman Scrivens, to adopt Resolution 2020-G as presented. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

D. RESOLUTION 2020-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 2020 STREET PROGRAM, AND DECLARING AN EMERGENCY. City Manager Brent Merriman said the City of Xenia partners with the Greene County Engineer's Office each year to complete its annual street program. Given the success in obtaining better economies of scale from paving contractors than in previous years' street programs, it makes sense to continue this fruitful relationship. This Resolution will authorize the execution of the standard agreement with the Greene County Engineer for the 2020 bidding and awarding process and also authorizes the actual award of a contract for the 2020 paving program to the John R. Jurgensen Company, who was determined to be the lowest and best bidder by the Greene County Engineer. The Greene County Engineer recently received bids from two (2) qualified paving contractors to complete street resurfacing for several jurisdictions in Greene County. The City of Xenia's portion is \$831,750.30. Because the Greene County Engineer's Office will need the City of Xenia to sign all documents to proceed forward with its portion of the overall bid/award/pre-construction meeting process for the County Street Paving Program, City staff requests that the attached Resolution be adopted on an emergency basis. He noted approval of this Resolution and the contract does not commit the City to actual projects; he expected to present that information at the May 14th Council meeting.

President Smith entertained passage of Resolution 2020-H as presented.

Motion by Vice President Wallace, seconded by Councilman Brannum, to adopt Resolution 2020-H as presented. Discussion followed. President Smith said as Mr. Merriman stated, the determination on which streets to improve would be determined in May. Mr. Merriman said given the unique circumstances due to COVID-19, staff is keeping a close eye on the overall revenue situation. He explained that income tax revenue, State gas tax revenue, and hotel/motel tax revenue have all been negatively affected, which are all resources used to pay for street improvements. They are taking a very conservative approach to ensure they are operating within their expected means. Vice President Wallace asked if it was too soon to determine the level of impact, especially with regard to the gas tax since nobody is driving anywhere right now due to the stay at home order. Mr. Merriman said the financial projections are a bit of a guess. Obviously the shutdown is affecting the amount of driving people are doing to go to work, go to recreational activities, etc. He believes there will be a significant hit, but they don't know for how long. The sooner the economy can begin to re-engage as Governor DeWine opens things back up, the impact would be minimized. Mayor Mays said she participated in a conference call last week, and Lt. Governor Husted said the initial estimate was that driving was down by 40 percent in the State of Ohio.

The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

E. Introduction of Ordinance 2020-11 Determining to Proceed with the Improvement of City Streets and Public Ways by the Lighting Thereof Within Street Lighting District #4 for the Years 2021-2022. Mr. Merriman said with the adoption of the new Zoning Code by City Council in 2016, a new requirement was established where a developer of a subdivision that is interested in including street lights within its subdivision must agree to a street light assessment

for the benefitting lots within the subdivision. Accordingly, the developer (BSM Greene Way, LLC) for the Greene Way Subdivision, Section 2 Replat, has received a cost to install two street lights, along with the monthly electricity fee per the City's contract with Miami Valley Lighting (MVL). The developer is responsible for the initial cost to install the lights, but the City of Xenia is responsible for paying the monthly electricity costs as it has been doing for many years on its other street lights. Council adopted the required Resolution of Necessity to establish Street Lighting District No. 4 on March 12, 2020. This is the second step in the street lighting assessment process, and after the third and final step, a streetlight assessment will be included on the individual lot owners' property tax duplicate from the Greene County Auditor. Based upon the City's current contract with MVL, and including the administrative fees associated with the continued assessment of each lot on a yearly basis, the owner of each of the two lots within the Section 2 Replat of the Greene Way Subdivision would pay an annual fee of \$238.80. This street lighting assessment will be included on the individual lot owner's property taxes. Staff is recommending a two-year period on the assessments, as the assessments for Street Lighting Districts 1, 2, and 3 will also expire in 2022 to allow renewal of all the street lighting assessments for all four Districts at the same time.

President Smith entertained introduction of Ordinance 2020-11 as presented.

Councilman Dean presented ORDINANCE 2020-11 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF WITHIN STREET LIGHTING DISTRICT #4 FOR THE YEARS 2021-2022, and it was read for the first time.

F. Administrative Motion Authorizing the City Manager to Execute a Memorandum of Understanding with the Greene County Career Center for the Services of a School Resource Officer. Mr. Merriman said in conjunction with the construction of a new Greene County Career Center (GCCC) facility in Xenia, City Staff has been in discussion the GCCC Superintendent and staff about a cost-sharing contract for the salary and benefits of a School Resource Officer (SRO). In August 2018, the Ohio Legislature passed HB318, which standardized the definition and training requirement for Ohio SROs and required that all school systems enter into a Memorandum of Understanding (MOU) with the law enforcement agency providing that officer. The MOU included with the agenda report provides for the goals, roles, expectations, and responsibilities of the SRO, the GCCC, and the City of Xenia Police Division. While the MOU calls for an equal sharing of the cost* of an SRO between the City and the GCCC (*includes the Officer's base top salary, fringes/benefits, and a few hours of overtime), he has recently reached out to GCCC Superintendent Dave Deskins to discuss some alterations to the revenue sharing split noting the financial stress the City will be facing due to the shutdown. Mr. Deskins has agreed to cover 100% of the cost for the first year, 60% of the cost for the second year, and then the City would shift and take over the majority of the expenses for the third year to bring it back into a 50/50 balance. This particular MOU is for a one-year period from August 1, 2020, to July 31, 2021, and if the School desires to retain an SRO, a new MOU will have to be executed for the succeeding school year(s).

President Smith entertained a motion.

Motion by Mayor Mays, seconded by Councilman Scrivens, to authorize the City Manager to execute a Memorandum of Understanding with the Greene County Career Center for School Resource Officer Services for a one-year period from August 1, 2020, to July 31, 2021. Discussion

followed. Councilman Scrivens asked for clarification on the percentage split for the third year and if it would be 50/50. Mr. Merriman said the City's split for the third year would probably be around 80%; they would eventually get to 50/50 for succeeding years. He felt the financial impact of COVID-19 would be over a two-year period, so it would really help to defer those expenses. President Smith commended staff; he thinks everyone was extremely excited to see the Career Center open in Xenia, noting the majority of those students are Xenia students. He feels the Career Center will be a tremendous boon to the City of Xenia. Mayor Mays thanked Mr. Merriman and Mr. Deskins for having that conversation and working out those details. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

G. Administrative Motion Authorizing the City Manager to Execute a Contract for the Renewal of Property and Liability Insurance through Montgomery Insurance and the Public Entities Pool of Ohio, for One Year, Effective May 1, 2020. Mr. Merriman said the City of Xenia must annually take action to ensure that the City has proper and adequate coverage for property and liability insurance. Previously, staff recommended—and City Council approved—contracting with the Public Entities Pool (PEP) of Ohio, with local brokerage services provided by Montgomery Insurance and Investments for the City's property and liability insurance coverage. Through the course of the past year, the City has experienced acceptable service from the arrangement with PEP. Service representatives from PEP and Montgomery Insurance have worked with staff to review assets, services and potential areas of liability, and many updates and tweaks have been made this year to protect the City's interests. These have been updated and will be included in the final renewal contract. The renewal contract for Property and Liability Insurance contract will only be signed by the City Manager after review and approval as to form by the Law Director. Given the service the City has received and the continuation of the guaranteed rates, staff recommends City Council authorize the City Manager to execute a renewal contract for property and liability insurance with PEP through Montgomery Insurance. The contract amount for property and liability insurance coverage for the 2020 – 2021 period is \$225,468, which is below the estimated amount of \$270,000.

President Smith entertained a motion.

Motion by Vice President Wallace, seconded by Councilman Dean, to authorize the City Manager to execute a contract for the renewal of the City's property and liability insurance through Montgomery Insurance and the Public Entities Pool of Ohio, for one (1) year, effective May 1, 2020, in the amount of \$225,468.00. Brief discussion followed. Councilman Scrivens said he appreciated the quote coming in under \$45,000 below the estimate. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

H. Administrative Motion Authorizing the City Manager to Execute a Contract with Neptune Equipment Company for a New Meter Reading System and the Replacement of Water Meters Citywide. Mr. Duke said in June 2007, City Council approved the City's first

automated meter reading system and replaced a large portion of its meters and retrofitted some of its newer meters enabling them to communicate with the new system. Prior to the automated system, meter reading staff would go from house to house to manually read each meter on a quarterly basis. The transition to the automated system allowed City staff to obtain readings each month by driving the City streets equipped with a laptop that would read meters via radio signal. Now, some 13 years later, many of the batteries in the transmitting devices are dying, and a large portion of the meters themselves are slowing or beginning to fail altogether. In addition to aging meters, the City's software platform is antiquated, which only runs on versions of Windows that are no longer supported. Badger Meter, the current service provider, notified the City that at the end of the summer, they will no longer support the software itself. The City has delayed the transition for several years but cannot push back an upgrade any longer. On January 28, 2020, staff advertised a request for proposals for an upgrade of the meter reading system and the replacement of City meters. Six respondents submitted proposals on February 18th. Staff evaluated the various solutions and the applicable pricing models and selected two vendors whom they believed to have provided the best proposals. The two staff-selected vendors were invited in for demonstrations and a Q&A where staff could become more familiar with the proposed services. After the meetings, staff was unanimous in its preference of Neptune Equipment Company, also known as NECO, and recommends that Council authorize the City Manager to enter into a contract with Neptune Equipment Company for a total not to exceed \$4,076,070.70 to replace every residential and commercial meter in the City of Xenia. Meters that are 1" or larger will be replaced with ultrasonic meters, which read more accurately and everything from a very slow leak to very heavy usage would be detected.

From a pricing standpoint, a few vendors were cheaper than NECO; however, there were several areas where NECO set itself apart from the others as follows:

- NECO has a local presence and is known to be a reliable company throughout the region. The City of Fairborn, Greene County, and Montgomery County all use NECO meters.
- NECO does not subcontract with a third party for installations. They have their own experienced team who facilitates the change out. They document each install with multiple pictures and use technology to ensure the proper assignment of meters to each customer.
- A thorough auditing process provides for accurate data submission. The data provided to the City will be in electronic format and facilitate an import process eliminating the need for manual input.
- NECO also has the ability to complete the install in a more timely fashion than other vendors, which is important given the potential for issues with an outdated and unsupported system.
- NECO uses radio transmissions back to the City network to read customer meters. The City will own this infrastructure and will not be reliant on another party for network connectivity. The City's current provider proposed using cellular technology for the readings. This cellular technology comes with a monthly fee and several other restrictions. Cellular technology can also become outdated and result in additional cost to meet new standards. (Council may recall a scenario just recently at one of our lift stations where the 3G technology had become obsolete and was in need of replacement).
- The radio systems being used are in no danger of becoming obsolete anytime soon and provide flexibility in how they can be used in conjunction with the City's fiber network.
- The proposed system will provide an enhanced service to utility customers. No longer will a City employee drive throughout the City each month collecting meter readings. The new system will be fixed based, collecting data as often as every 15 minutes if required to do so. Residents can view their usage on an app and even receive notifications via text or email if something is amiss. For

example, currently if there is a leak in the home, the resident may not know until they receive a bill 45 days later. With the new system, a customer could be notified the very day a leak is detected.

- More frequent and timely readings will provide the customer with a wealth of information helping them to better manage their account. This information will also be beneficial to City employees as they seek to assist customers and troubleshoot various issues.

Mr. Duke said the project timeline is very tight because they have to get the meters replaced before the maintenance agreement with the current vendor, Badger Meter, expires.

President Smith entertained a motion.

Motion by Councilman Dean, seconded by Councilman Scrivens, to authorize the City Manager to execute a contract with Neptune Equipment Company to complete this project, at a cost not-to-exceed \$4,076,070.70, upon such terms and conditions as are approved by the Law Director. Discussion followed. Councilman Brannum asked the life expectancy of the new meters, noting the existing meters lasted 13 years. Mr. Duke said the new meter system should last between 15 and 20 years. He said NECO is not phasing out their systems as frequently as some other vendors, and they will continue to maintain and update the software. The transmitters' lifespan depends on the frequency of the readings, such as every 15 minutes versus once per hour or every two hours, etc. President Smith noted that the funds used to purchase these meters are being paid for out of Water Capital Funds and cannot be used to repave streets. Councilman Scrivens said in terms of the lifespan of the system, he asked how 5G cell service comes into play. Mr. Duke said these meters are not being read via cellular technology; therefore, 5G cell service is not a consideration. However, City fiber could be used as part of the system's backbone to transmit data, such as putting a radio receiver on a water tower. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

I. Administrative Motion Appointing Two Members of Council to the Loan Trust Fund Committee. President Smith said Xenia Codified Ordinances Chapter 282, Section 282.01 establishes the Loan Trust Fund Committee, which states the following: *The Committee shall consist of three members, as follows: the Director of Finance, a member of Council recommended by the President of Council and appointed by Council to serve as Chairperson and another member of Council recommended by the President of Council and appointed by Council to serve as Vice Chairperson. The two Council members shall be appointed for one-year terms. The Law Director shall act as legal advisor to the Committee.* Upon the recommendation of the three Appointed Officials, when Board and Commission assignments were made in January 2020, appointments were not made to several boards and commissions in anticipation of consolidating and streamlining their duties and responsibilities with larger standing committees to facilitate a more effective and interactive oversight system. Given the current events, the consolidation has been delayed, and Development Director Steve Brodsky has a need to schedule a Loan Trust meeting as soon as possible to modify the terms of an existing CDBG façade loan. Since Loan Trust will be consolidated with the Economic Development Advisory Board (EDAB), he respectfully recommended his appointment to serve as Chair and Dr. Edgar Wallace to serve as Vice Chair because he serves as the Chair of EDAB. He then entertained a motion.

Motion by Mayor Mays, seconded by Councilman Scrivens, to accept President Smith's recommendations and appoint Wesley Smith to serve as Chair and Edgar Wallace to serve as Vice Chair of the Loan Trust Fund Committee in 2020. Discussion followed. Ms. Fisher said since these are not paid positions, there is no conflict or ethics issue; therefore, President Smith and Vice President Wallace can vote on their own appointments. President Smith asked about the frequency of Loan Trust Fund meetings. Mr. Duke said the committee usually meets about two times per year, depending on the needs and programs. Vice President Wallace asked how soon this committee would be merged with EDAB. Mr. Merriman said the committee restructure effort has been delayed due to the COVID-19 situation, and Council meetings and the number of agenda items has been limited to critical business only. He anticipates reviving the effort sooner than later. Ms. Fisher said joining the Loan Trust Fund Committee with EDAB was part of one big project that includes the Rules of Council and Code section revisions for boards and commissions, which requires a lot of work. She agreed this effort was pushed back due to the current situation, and a study session would be scheduled when they are all able to get back together in one room rather than trying to do it via videoconferencing. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

J. Administrative Motion Appointing an Ex-Officio Member (Student Liaison) to the Board for Recreation, Arts, and Cultural Activities. President Smith said Xenia Codified Ordinances Chapter 278 – Board for Recreation, Arts, and Cultural Activities, Section 278.01, titled “Establishment; Composition; Terms; Chairperson; Meetings,” establishes that City Council may appoint ex-officio, non-voting members to the Board – one of whom may be a student at Xenia High School – to advise the Board for a period of one year. This position has been vacant since the most recent student's term expired in August 2019. All past student representatives have been tremendous assets to BRACA, and it is imperative that they continue to bridge the gap between City government and the youth of this community. The City Clerk's Office received a letter of interest from Mr. Garrison “Gary” Henry. Mr. Henry is currently a Junior at Xenia High School. Per his resume, he is a very busy and engaged student who is already actively volunteering in this community. He was pleased to recommend the appointment of Mr. Henry to serve as an ex-officio member of BRACA for a one-year term. He then entertained a motion.

Motion by Councilman Scrivens, seconded by Vice President Wallace, to appoint Mr. Garrison “Gary” Henry to serve as an ex-officio member of the Board for Recreation, Arts, and Cultural Activities with a term expiration date of April 23, 2021. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Scrivens, R. Dean, Brannum, L. Dean, Mays, Smith

Nays: None motion carried.

President Smith said all appointments to City lay boards are volunteers, who are greatly appreciated. He thanked Mr. Henry for volunteering to serve; he looks forward to working with him on BRACA.

K. Administrative Motion Approving the City's Budget Priorities for 2021. Mr. Merriman said the City Charter requires that, each year, City Council approve budget priorities for the City for the upcoming year's budget cycle. These priorities must be approved, per the Charter, no later

than July 1st. Staff is recommending the approval of these priorities in advance of the deadline in order to utilize them prior to beginning the budget creation process. The Council Budget Committee met on March 12th to discuss Budget Priorities for the 2021 budget process; a list was compiled for presentation to Council. Staff is recommending that City Council approve the Budget Priorities for 2021 as prepared in the Council Budget Committee. A more detailed listing was included in the agenda report; the high-level priorities include the following:

- Develop a Funded Long-Term Strategy for City Infrastructure;
- Position Xenia for Economic Investment;
- Continue to Practice Sound Financial Management;
- Retain Quality Employees, Attract New Talent and Assess Current Position Retention;
- Continue to Provide Quality and Efficient Municipal Services;
- Build a Healthier Community; and
- Seek Strategic Solutions for Ongoing Challenges.

Mr. Merriman said some of the above priorities will be more difficult to achieve due to the impact of COVID-19. President Smith entertained a motion.

Motion by Mayor Mays, seconded by Vice President Wallace, to approve the Budget Priorities for 2021, as prepared by the Council Budget Committee. Brief discussion followed. President Smith said he participated in the Budget Committee meeting on March 12th, which was before the impact of COVID-19 was realized. They have no idea what's ahead with this virus. The Roll on this was the following:

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

L. Administrative Motion Authorizing the City Manager to Execute an Agreement with Simon Kenton Bridges of Hope for a One-Time Emergency Contribution to Provide Shelter to the Homeless During the Public Health Crisis. President Smith said Bridges of Hope Board President, Marlene Labig, withdrew the request for funding on Monday, April 20th.

M. Administrative Motion Approving the Schedule of Bills in the amount of \$291,045.14. Mr. Duke respectfully requested the payment of bills in the amount of \$291,045.14.

President Smith entertained a motion.

Motion by Councilman Scrivens, seconded by Councilman Brannum, to approve the schedule of bills in the amount of \$291,045.14. No discussion followed. The Roll on this was the following:

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

11. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

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

Mr. Merriman shared the following items:

- Regarding audience comments, the Shawnee Park playground equipment installation should be started by the second week in May; pursuant to the construction contract, they have until mid-June

to complete the project subject to weather and other potential delays. The reopening of the park depends on Governor DeWine's and the Health Department's orders regarding use of public playground equipment.

- COVID-19 Update: He was waiting for guidance from Governor DeWine before announcing the City's plan to re-open City facilities and allow staff to fully return to work. A staff meeting is scheduled for Monday to begin discussing the plan. However, he did not expect a swift return to "business as usual." Rather, he expects a methodical, longer-term approach that includes on-going social distancing, the use of personal protective equipment (PPE), etc. He intends to issue another Administrative Directive next week to extend the local emergency declaration, which is tied to emergency funding.
- Special events/community events in April as well as the May First Fridays event were cancelled. There may have to cancel other events in June due to the gathering restriction. June events include First Fridays and the Youth Fishing Derby. He hopes to postpone the Fishing Derby and move it to later in the summer or early fall. Per Governor DeWine and Dr. Acton, large group gatherings will be among the last thing to return. Therefore, he has no choice to postpone or cancel community events that many people love and enjoy. He and staff are already thinking about the upcoming Kevin Sonnycalb Fireworks Festival scheduled for July 3rd. They will have to make a decision within the next few weeks on that event.

Mr. Duke said there are a lot of questions regarding the financial impact of COVID-19 and the shutdown, and he is already seeing the effect with a reduction in income tax collections in April. However, he may not have any idea of the full scale and scope of the impact until the September/October timeframe. There are many revenue sources that will be impacted, and he will report information as it is realized.

Ms. Fisher said stay home, stay safe, and she hoped to see everyone in person by June.

B. Mayor and City Council:

Councilman Brannum thanked Xenia Fire Division Lt. Baurle for his 31 years of service and congratulated him on his retirement. He encouraged everyone to stay safe and practice social distancing. Regarding the parks, people can still enjoy the green space in City parks even if the play equipment is off limits. He said the restrooms at Shawnee Park have been locked to keep everyone safe.

Councilwoman Dean said "stay safe and wash your hands!"

Councilman Scrivens congratulated all Xenia graduates from Xenia High School, Legacy Christian Academy—anyone graduating in 2020. Those graduating will certainly never forget it because it has already been a year to remember! He reported the roundabout project is progressing, and he was excited to see it completed.

Councilman Dean said he was looking forward to seeing everyone in person very soon.

Vice President Wallace encouraged everyone to wash their hands and wear gloves and/or masks when and where appropriate. He has prayed and will continue to pray for all who have lost loved ones and those who are suffering. In addition to high school graduates, he congratulated college graduates from Cedarville, Wilberforce, and Central State noting plans for in-person graduation

ceremonies have not been announced. He wished them well as they enter the next phase of their lives.

Mayor Mays also congratulated Lt. Baurle on his retirement, noting he was her helper when she participated in the Fire Ops 101 training. He is a good man, and she appreciated his service. She reported that she recently recorded some remarks for Central State's virtual graduation, and the president of the class made some excellent remarks noting that nothing can take away from the fact that they graduated and earned their degrees. She extended congratulations to all high school and college graduates. On a personal note, the stay-at-home order and the COVID-19 Pandemic continues to wear on everyone. It is hard—especially for moms. This week has been a particularly difficult week for her and her family, but she encouraged everyone to dig deep, continue to practice kindness, and extend grace. There are food pantries and food giveaways if they need it. Get out and get some fresh air. Be encouraging and smile at one other. Check on your neighbors and keep praying.

President Smith thanked the Greene County Health Department workers, all health care workers, and all teachers, many of whom have children at home and are trying to do it all. He encouraged them to just do their best under these extreme circumstances while the country is in turmoil. Regarding the Bridges of Hope homeless shelter, he encouraged those wishing to help to make a donation on the shelter's website, volunteer some time at the shelter, or sign up to provide a meal. He thanked everyone for their thoughts and prayers during this difficult time.

12. ADJOURNMENT: Motion by Councilman Scrivens, seconded by Vice President Wallace, to adjourn the Regular Meeting at 7:31 p.m. No discussion followed. The Roll on this was the following:

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

Michelle D. Johnson
City Clerk

Wesley E. Smith
President, Xenia City Council