

**XENIA CITY COUNCIL  
MEETING MINUTES  
MAY 28, 2020  
6:00 P.M.**

**1. CALL TO ORDER:** President Smith called the May 28, 2020, Regular Meeting to order at 6:00 p.m. in the City Council Chambers, City Administration Building. Due to COVID-19 and group gathering restrictions, the meeting was closed to the public and live streamed on the City's government channel (Spectrum/Ch 5 or ATT U-Verse/Ch 99) and YouTube channel (eXplore Xenia).

**2. INVOCATION:** Councilman Scrivens provided the Invocation.

**3. PLEDGE OF ALLEGIANCE:** Mayor Mays led those present in the Pledge of Allegiance.

**4. ROLL CALL:** Vice President Edgar Wallace<sup>1</sup>, 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 Councilman Brannum, to approve the minutes from the May 14, 2020, Regular Meeting as written. No discussion followed. 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. No correspondence was received.

**8. OLD BUSINESS:**

**A.** President Smith presented **ORDINANCE 2020-13 ENACTING SECTION 260.04, TITLED "HOLIDAYS," OF THE CITY'S ADMINISTRATION CODE AS CONTAINED IN PART TWO OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA, OHIO**, originally introduced by Vice President Wallace, and it was read for a second time.

Motion by Vice President Wallace, seconded by Councilman Scrivens, to approve Ordinance 2020-13 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.

**B.** President Smith presented **ORDINANCE 2020-14 ACCEPTING THE DEDICATION OF A 0.0063-ACRE TRACT OF PUBLIC STREET RIGHT-OF-WAY ON STELTON ROAD**, originally introduced by Councilman Dean, and it was read for a second time.

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<sup>1</sup> Joined via Zoom videoconferencing.

Motion by Councilman Dean, seconded by Councilman Scrivens, to approve Ordinance 2020-14 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.

C. President Smith presented **RESOLUTION 2020-K AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT SIERRA TRAIL (BEVERLY HILLS PARK) TO JUDITH A. LEWIS & SHIRLEY J. STEPP; DAVID R. & CHERYL S. MAXSON; BOBBIE J. & DONNA J. MURPHY; JACK L. POE; THOMAS M. & RIKKI A. EAVERS; AND ROBERT C. & REBECCA A. SHELEK**, originally introduced by Mayor Mays, and it was read for a second time.

Motion by Mayor Mays, seconded by Councilman Dean, to approve Resolution 2020-K 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. President Smith presented **RESOLUTION 2020-L AUTHORIZING SUBMISSION OF APPLICATIONS AND THE ACCEPTANCE OF FUNDS FOR THE PY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROGRAM AND CDBG FY 2020 CRITICAL INFRASTRUCTURE GRANT FOR THE CDBG E. MARKET STREET PROJECT**, originally introduced by Vice President Wallace, and it was read for a second time.

Motion by Vice President Wallace, seconded by Councilman Scrivens, to approve Resolution 2020-L 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.

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

**10. NEW BUSINESS:**

A. **RESOLUTION 2020-M AUTHORIZING THE CITY MANAGER TO EXECUTE THE LPA AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS WITH ODOT FOR THE RESURFACING OF BELLBROOK AVENUE (FROM MAUMEE DRIVE TO PEACEPIPE TRAIL), AND DECLARING AN EMERGENCY.** City Manager Brent Merriman said in October 2019, the City of Xenia applied for and was awarded Surface Transportation Program (STP) Resurfacing funds through MVRPC to rehabilitate Bellbrook Avenue from Maumee Drive to Peacepipe Trail in 2021. The City's engineering estimate for this project is \$427,334. The STP grant specifies a 69% (Federal)/31% (Local) split for funding this project, which results in the City of Xenia being responsible for a local share match of \$132,473. The City of Xenia will be overseeing the construction of these improvements. Officials at ODOT have requested that City Council authorize the City Manager to execute a standard LPA Agreement

and return it as soon as possible in order to maintain the intended project schedule. Consequently, the City's engineering staff requests that the Resolution be adopted on an emergency basis.

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

Motion by Mayor Mays, seconded by Vice President Wallace, to adopt Resolution 2020-M as presented. Brief discussion followed. Councilman Scrivens asked about the acronym LPA. Mr. Merriman said it stood for Local Public Agency. The Roll on this was the following:

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

Nays: None                      motion carried.

**B. Introduction of Resolution 2020-N Amending Resolution 2019-N to Extend the Due Date of the Charter Review Commission's Report to City Council.** Law Director Donnette Fisher said on June 13, 2019, this Council passed Resolution 2019-N, which established and appointed the Charter Review Commission, as required by Section 8.05 of the City's Charter. The membership of the Commission has been once amended, by Resolution 2020-B, passed on February 27, 2020. In Resolution 2019-N, Council also designated a July 1, 2020, deadline by which the Commission is to file its report on any recommendations it makes regarding any amendments, additions, revisions or alterations to the City's Charter for presentation to the voters. While the Commission is three quarters done with its review, due to the coronavirus pandemic, a July 1<sup>st</sup> due date for the Commission's final report is unrealistic at this time as the Commission has not been able to meet for several months. Due to the unpredictability of the pandemic and what protocols will have to be followed through the summer and into the fall, presentation to the voters in November 2020 seems unlikely. Further, several "town hall" meetings are needed to meet with the City's citizens to explain any changes recommended to the Charter before such changes are presented to the voters for their consideration. Thus, it appears at this time that the November 2021 election is a more realistic goal. She respectfully requested introduction and eventual passage of Resolution 2020-N to push back the due date for the Charter Review Commission's report to Council from July 1, 2020, to April 30, 2021.

President Smith entertained introduction of Resolution 2020-N as presented.

Councilman Scrivens presented RESOLUTION 2020-N AMENDING RESOLUTION 2019-N TO EXTEND THE DUE DATE OF THE CHARTER REVIEW COMMISSION'S REPORT TO CITY COUNCIL, and it was read for the first time.

**C. Administrative Motion Authorizing the City Manager to Accept an Ohio 911 Local Subgrant for the Xenia/Greene Central Communications Center.** Mr. Merriman said the Xenia/Greene Central Communications Center has been approved to receive federal funding through the State of Ohio totaling \$170,922.74 from the Next Generation 911 Grant Program. The NG911 Grant Program provides grant resources for the implementation of 911 services and Enhanced-911 services; specifically for Xenia, the ability to migrate to an IP-enabled emergency network. Eligible expenditures for the grant include capital equipment, installation, and training among other line items. As the subrecipient, the City must provide no less than 40% local matching funds toward the total eligible estimated project cost. Staff had already planned for this platform migration having budgeted \$350,000 for this fiscal year, so the federal funding allows them to retain local dollars for other 911-system expenses as the City's local share will be just over

\$165,000. He respectfully requested authorization to accept the Ohio 911 Local Subgrant for the Xenia/Greene Central Communications Center.

President Smith entertained a motion.

Motion by Councilman Scrivens, seconded by Vice President Wallace, to authorize the City Manager to accept the Ohio 911 Local Subgrant for the Xenia Greene Central Communications Center. Brief discussion followed. Vice President Wallace expressed his compliments to staff for always seeking grant dollars, noting that every dollar helps. President Smith concurred. The Roll on this was the following:

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

Nays: None motion carried.

**D. Administrative Motion Approving the Schedule of Bills in the amount of \$714,000.06.**  
Mr. Duke respectfully requested the payment of bills in the amount of \$714,000.06.

President Smith entertained a motion.

Motion by Mayor Mays, seconded by President Smith, to approve the schedule of bills in the amount of \$714,000.06. 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:

- City administrative offices will return to normal scheduling on Monday, June 1, and will be open from 8 a.m. to 5 p.m., Monday – Friday. Social distancing will continue to be practiced.
- Also on June 1, Public Service Workers will commence bulk pickup and the splash pad will open from 8 a.m. to 8 p.m. Unfortunately, due to the Governor’s orders, dry playgrounds cannot reopen just yet. Park bathrooms at Shawnee Park and Xenia Station will be cleaned twice per day, which with only one dedicated parks employee, that will be difficult to do.
- Fireworks planning for July 3<sup>rd</sup> is underway; he anticipated making a formal announcement very soon.
- Senior parade will be held on Friday, May 29<sup>th</sup>, at 6 p.m. Graduates will travel in their cars from the high school, down Detroit Street to W. Main Street, and the parade will disperse at Church Street. He encouraged family members to line the streets to support the graduates. He anticipated the parade would take 30-45 minutes and residents should expect traffic delays during that time.

Mr. Duke and Ms. Fisher had nothing further to share.

### **B. Mayor and City Council:**

Councilman Brannum congratulated the graduating seniors; he looks forward to the parade on Friday.

Councilman Dean had nothing further to share

Councilwoman Dean congratulated the graduating seniors; she hopes to attend the parade if her work schedule permits.

Councilman Scrivens said he was glad to see the S. Detroit Street bridge design moving along (per the payment to American Structure Point on the Schedule of Bills). Also per the bills, he asked about the removal of biosolids by Hines Farming and if the biosolids were used as fertilizer. Mr. Merriman said biosolids can be landfilled or used as fertilizer, but if used as fertilizer, it is heavily regulated by Ohio EPA with a lot of restrictions. Hines Farming does sell it as fertilizer, but it alleviates the City of the burden of paying to dispose of it in a landfill, pay tipping fees, etc. Councilman Scrivens said street paving has started back up, and everybody wants their streets done. However, even if the City had the money, they could not pave all 120+ lane miles at the same time. He asked people to please be patient. He knows many Xenia streets need to be improved. He thanked the Xenia Police Division for a job well done, and he encouraged the people of Xenia to hang in there. Xenia should be an ambassador for the rest of the country to show how everyone can live together and get along.

Vice President Wallace congratulated all graduating seniors from all local high schools and those graduating from local colleges and universities. He concurred with Councilman Scrivens noting that what happened in Minneapolis is regrettable. He said people need to pray about the situation, and the destruction is not helping. God bless them all. He asked when the roundabout would officially open. Mr. Merriman said most of the work is complete, but there are a few punch list items left to complete. They are waiting for Greene County Building Inspection to inspect and approve the new traffic lights, which he anticipated would occur within the next few days. Once approved, the roundabout would open within 24 hours thereafter. He noted they are still inside the 90-day construction window. Councilman Scrivens said they are adding the signage and striping now. President Smith said the roundabout is an important artery in this community, and he was ready for it to reopen.

Mayor Mays said she was looking forward to tomorrow's parade to honor and congratulate the Class of 2020. She commented on the upcoming 88<sup>th</sup> Air Base Wing change of command on June 12<sup>th</sup> and thanked outgoing Colonel Thomas Sherman and his wife, Laurie, for their work. She noted they came to Xenia to get to know this community, and their service has been very positive. She appreciates their service and work at WPAFB. She noted she did have a conversation with Xenia Police Chief Randy Person regarding the situation in Minneapolis because as a mother, her heart is broken. She has talked with Mr. Merriman and other XPD officers, and their hearts are broken also. They are grieving and sad, but they are adamant that the XPD has a wonderful relationship with this community. She applauded them for that, noting they welcome questions and will happily share the things they are doing, the training they have received, and the ways they interact with this community. She commended them—they are doing an outstanding job. She then shared Romans 8, verses 26-27.

President Smith congratulated the Class of 2020 in Xenia and surrounding communities. This is an unprecedented time, and it is hard. From a position of leadership, he said leadership positions are hard, and they have to make tough decisions. Chances are half of the people won't agree with those decisions. Regarding the upcoming school year, tough decisions will have to be made, and some people will like those decisions and some will not. He asked about the inadvertent sounding

of tornado sirens earlier in the week. Mr. Merriman said it was basic human error. He was notified within seconds of the activation, and steps are being put in place so that it does not happen again. The error was immediately publicly acknowledged through the City's public relations efforts, and he apologized for the inconvenience. President Smith said the next Council meeting would be on June 11<sup>th</sup>. He hoped all had a wonderful Memorial Day holiday.

**12. ADJOURNMENT:** Motion by Mayor Mays, seconded by Councilwoman Dean, to adjourn the Regular Meeting at 6:35 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