

**XENIA CITY COUNCIL  
REGULAR SESSION MEETING MINUTES  
JUNE 13, 2019  
7:00 P.M.**

**1. CALL TO ORDER:** President Engle called the June 13, 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:** Mayor Sarah Mays led those present in the Pledge of Allegiance.

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

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

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

Nays: None motion carried.

**5. APPROVAL OF MINUTES:** Motion by Councilman Smith, seconded by Vice President Wallace, to approve the May 23, 2019, Regular Session meeting minutes as written. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

**6. SPECIAL PRESENTATION(S):** None.

**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, thanked Mr. Huff for the prayer noting his support of the Republican party and the community including giving the Gettysburg Address. At the last Council meeting, he brought up some property maintenance issues, and he was happy to see that some have been addressed. He said the City needs to be proactive in reaching out to businesses regarding property maintenance because some businesses do a great job and are located next to businesses who do not do a great job, such as Dollar Tree. They need to demand more from businesses to ensure things get done the right way. He noted some national chain locations in other communities are maintained better there than in Xenia, such as Greene Memorial Hospital when Soin and Kettering look great. He said he made a public records request months ago for the last three appointed officials' evaluations, which has not been fulfilled. He would like to see the goals and expectations for the City's appointed officials and see how they are being evaluated with 3F Coaching's training. He would still like to receive this information; therefore, he is making a request to the Council President for last three appointed officials' evaluations.

## 8. OLD BUSINESS:

A. President Engle presented **RESOLUTION 2019-N APPOINTING MEMBERS TO THE CITY OF XENIA CHARTER REVIEW COMMISSION**, originally introduced by Councilman Louderback, and it was read for a second time.

Motion by Councilman Louderback, seconded by Mayor Mays, to approve Resolution 2019-N as read. No discussion followed. The Roll on this was the following:

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

Nays: None motion carried.

## 9. PUBLIC HEARING(S):

A. President Engle presented **ORDINANCE 2019-13 VACATING A SECTION OF JUNE DRIVE, IN THE PROGRESS CENTER SECTION ONE PLAT, BETWEEN S. PROGRESS DRIVE AND THE LAYNE NUMBER FOUR PART C PLAT, WITHIN THE CORPORATE LIMITS 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 Smith, to adopt Ordinance 2019-13 as read.

President Engle opened the public hearing at 7:10 p.m. and invited those speaking in favor of the vacation of a section of June Drive to come forward to speak.

Jerry Sharkey, Beaver Creek A B Real Estate LLC, said he is the commercial real estate broker working on behalf of the property owner of the two parcels of land that the right-of-way dissects. He said once the right-of-way is vacated, their intention is to provide an easement and combine the two parcels into one, which will provide a few more options for further development and generally make the properties more valuable.

President Engle then invited those speaking against the vacation of a section of June Drive to come forward to speak. No one came forward to speak. He then invited those speaking neither for nor against the vacation of a section of June Drive to come forward to speak. No one came forward to speak.

President Engle closed the public hearing at 7:12 p.m. and invited Council comments.

Vice President Wallace said he would like to hear from the City Planner. Mr. Forschner said Mr. Sharkey did a good job of summarizing the request. The owner of 65 S. Progress Drive—a 3,700 sq. ft. commercial building—recently purchased a vacant lot to the north that abuts the intersection of Progress Drive and W. Main Street with the intent to expand parking and future tenant options for their building. The right-of-way in question sits between the vacant parcel and the building. The City did not have any plans for the right-of-way and did not plan to extend June Drive, which is why staff acquiesces to this request. This action is in the best interest of the property owner and the City of Xenia, and staff recommends approval.

Hearing no further discussion, President Engle entertained a Roll Call on the motion.

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

**B.** President Engle presented **RESOLUTION 2019-O AUTHORIZING SUBMISSION OF APPLICATIONS TO THE STATE OF OHIO FOR CDBG FUNDS FOR THE 2019 TARGET OF OPPORTUNITY GRANT, AND DECLARING AN EMERGENCY**, and asked the City Manager for his staff report. Mr. Merriman said this resolution would authorize the City's application to the State of Ohio for Target of Opportunity Grant funding through the Ohio Development Services Agency, which falls under the CDBG program; therefore, the application process must include a public hearing to consider community input. The Target of Opportunity Grant program awards up to \$200,000 to an eligible community for unique projects that reduce slum and blight and do not otherwise fall under existing grant program guidelines. The City's proposed application would seek resources to help fund the development of a community plaza in the southeast corner of the former Kmart lot in the Xenia Towne Square. Redevelopment of the site has been hindered by the presence of soil gases from prior commercial operations at or near the location, and staff has been working in conjunction with OEPA to determine that an open-air plaza would mitigate any lingering concerns with the site. The outdoor plaza would focus on two themes as they seek to reduce the blighting conditions around the site and reactivate the space. The first is a recognition of service men and women from Xenia represented through a memorial in the central portion of the site, and second is a focus on expanding recreational amenities in the downtown through the inclusion of a water feature, green space for congregating, and landscaping and lighting features that can be used seasonally as a downtown attraction. The water feature would be somewhat similar to the splash pad at Xenia Station, though much smaller in scope and scale. The design of the veterans memorial component has been provided free of charge through a partnership with Mr. Zach Benson, an art professor at Cedarville University, who along with his family business, have donated their time to help develop a beautiful concept to recognize the long history of Xenias in service to our country. The plaza concept has also been developed in conjunction with Brandicorp, the selected developer for the redevelopment of the former Kmart site. The plaza should serve as an excellent promotional feature to help secure commercial tenants with retail services that attach well to the recreational nature of the plaza. The total budget for the plaza project is preliminarily estimated at \$529,000, which is an intentional conservatively high number—the likely budget will be much lower. The Target of Opportunity grant would fund \$200,000 of this expense; the balance of funding would come from additional limited use CDBG program income funds and from the Special Miscellaneous Use fund (233 fund), which are not tax dollars but rather lease payment proceeds from the downtown that are historically targeted for projects and maintenance services for the historic commercial core. If awarded, the grant funding, overall design, and implementation could begin as early as late summer or early fall this year. In discussions with various downtown stakeholders and DSA leadership about the project concept, there has been universal support for idea. He respectfully requested that the public hearing be conducted and Resolution 2019-O be adopted as an emergency in order to fast track the application approval to DSA for the July round of grant funding.

Motion by Mayor Mays, seconded by Vice President Wallace, to adopt Resolution 2019-O as read.

President Engle opened the public hearing at 7:18 p.m. and invited those speaking in favor of the CDBG funds to come forward to speak. No one came forward to speak. He then invited those speaking against the CDBG funds to come forward to speak. No one came forward to speak. He

then invited those speaking neither for nor against the CDBG funds to come forward to speak. No one came forward to speak.

President Engle closed the public hearing at 7:19 p.m. and invited Council comments. Hearing no further discussion, he congratulated staff on working through the rather lengthy process of getting the site ready for development. He thinks this project will be a nice focal point for the downtown area. He entertained a Roll Call on the motion.

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

## **10. NEW BUSINESS:**

**A. Introduction of Ordinance 2019-14 Levying Assessments for the Improvement of City Streets and Public Ways by the Lighting Thereof within Lighting District #3 for the Years 2020-2022.** Mr. Merriman said Ordinance 2019-14 is the last action Council must take to implement street lighting assessments within Street Lighting District #3 for the years 2020-2022 as requested by the developer and pursuant to the City's Land Use Code. The developer (M One Development, LLC) of the Sterling Green Crossing Subdivision, Section 3, has received a cost to install nine street lights, along with the monthly electricity fee, per the City's contract with Miami Valley Lighting. The developer is responsible for the installation costs of the street lights, and the City will be responsible for paying the monthly electricity costs of those lights after installation. Council passed the required Resolution of Necessity to establish Street Lighting District #3 on March 28, 2019. Council also adopted the required Ordinance to Proceed with street lighting in this District on May 9, 2019. This ordinance is the third and final step in the street lighting assessment process, and once it becomes effective, a streetlight assessment will be included on the individual lot owners' property tax duplicates 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 forty-six lots within Street Lighting District #3 would pay an annual fee of \$23.41.

President Engle entertained introduction of Ordinance 2019-14 as presented.

Vice President Wallace presented ORDINANCE 2019-14 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF WITHIN LIGHTING DISTRICT #3 FOR THE YEARS 2020-2022, and it was read for the first time.

**B. Introduction of Resolution 2019-P Accepting Dedication of a Conservation Easement on the property located at 809 Luther Drive from Traditions of Xenia.** Mr. Merriman respectfully recommended introduction and eventual approval of Resolution 2019-P to accept a dedication from Traditions of Xenia of a Conservation Easement on the property located at 809 Luther Drive. National Church Residences, principle owner and developer of Traditions at Xenia, has submitted a conservation easement to the City to fulfill the open space dedication requirements of the Land Development Code Chapter 1230 in connection with its new 51-unit Legacy Village apartment building. The easement will protect an area containing an existing memorial garden at the intersection of Luther Drive and Wycliffe Drive. The applicant is dedicating private open space, which must be protected via a conservation easement per LDC Section 1230.07. Such an easement prohibits development other than the uses permitted in the

code for passive or active recreational amenities, community gardens, picnic areas and associated shelters. The existing memorial garden is a permitted use, and the easement will remain private property, meaning the private property owner will be responsible for maintenance. By accepting and recording this conservation easement, the City is carrying out the requirements of LDC Section 1230.07. The City is not assuming any obligations or costs other than enforcement of the easement. Staff believes that the existing memorial garden area not only satisfies the requirements of the code but also provides an attractive amenity for apartment residents.

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

Councilman Louderback presented RESOLUTION 2019-P ACCEPTING DEDICATION OF A CONSERVATION EASEMENT ON THE PROPERTY LOCATED AT 809 LUTHER DRIVE FROM TRADITIONS OF XENIA, and it was read for the first time.

**C. Introduction of Resolution 2019-Q Accepting Dedication of a Sign Easement on Lot 1 of Xenia Industrial and Commerce Park Section II from GDP Investments, LLC.**

Mr. Merriman said Resolution 2019-Q is a measure that, if approved, would authorize execution of an easement dedication with GDP Investments for access to property associated with the Xenia Industrial Park sign located on Lot 1 of Xenia Industrial and Commerce Park Section II. The City has listened to concerns from the business owners within the industrial park as well as others who have expressed concern about the dated appearance of the signage and lack of maintenance with the hardscape around it. Upon further investigation, staff learned that the original easement identifies the Xenia Industrial Park Property Owners Association as the entity responsible for maintenance of the sign; however, the Xenia Industrial Park Property Owners Association no longer exists and hasn't for many years. By default, the property owner, GDP Investments, is responsible for maintaining the sign. Upon making contact with GDP, staff learned that they have tended to the area around the sign in compliance with the City's Property Maintenance Code, but GDP does not have a specific interest in the sign itself and is willing to grant the City an easement over the sign area to allow the City to repurpose the existing sign as a more general gateway feature. Funding from the 233 fund is included in this year's budget to update the sign, landscaping, and hardscape for a more aesthetically pleasing gateway feature. Staff respectfully recommends introduction of the resolution to initiate acceptance of the easement and ultimately the addition of the new gateway signage.



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

Councilman Louderback presented RESOLUTION 2019-Q ACCEPTING DEDICATION OF A SIGN EASEMENT ON LOT 1 OF XENIA INDUSTRIAL AND COMMERCE PARK SECTION II FROM GDP INVESTMENTS, LLC, and it was read for the first time.

**D. Administrative Motion Approving the Final Plat and Authorizing the City Manager to Execute a Subdivider's Agreement for Sterling Green Crossing Phase IV.** Mr. Merriman said Developer M One Development LLC, aided by Ryan Homes, is proposing a 40-lot fourth and final phase for the Sterling Green Crossing Subdivision. An administrative motion authorizing approval of a final plat and execution of subdivider's agreement is the necessary next step to

facilitate this. Phases I, II and III of the subdivision were approved by Council between 2016 and 2018 leading to this final phase. Public improvements in these sections are nearly complete, with the exception of the final layer of asphalt, some sidewalk sections, and any outstanding utility fixes identified by the City's Engineering Division. Phase IV will extend Kingman Drive, Glen Kegley Drive, and New Mexico Drive. The extended Kingman Drive will connect with both Glen Kegley and New Mexico Drive. Staff has reviewed the Sterling Green Crossing Phase IV final plat and construction drawings and found them to be consistent with the Land Development Code and preliminary plat for the subdivision, with the exception of minor changes noted in the recommendation from the Planning and Zoning Commission as noted in the agenda report. Because the developer will not complete all of the required public improvements prior to recording the plat, it is necessary to enter into a Subdivider's Agreement backed by a performance bond to guarantee completion of the public improvements, a change in policy made a few years ago to ensure infrastructure is completed satisfactorily. Staff respectfully recommends that Council authorize approval of the final plat and execution of the subdivider's agreement.

President Engle entertained a motion.

Motion by Councilman Smith, seconded by Vice President Wallace, to approve the Final Plat for Sterling Green Crossing Phase IV, subject to the conditions set forth by the Planning and Zoning Commission and authorize the City Manager to execute a Subdivider's Agreement, backed by a performance bond, for the public improvements in Sterling Green Crossing Phase IV. Brief discussion followed. Councilman Louderback said he was glad to see that a performance bond is required because it holds the developer accountable. Mr. Merriman agreed. The Roll on this was the following:

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

**E. Administrative Motion Authorizing the City Manager to Execute an Addendum to the Central State University Fire/EMS Contract for a One-Year Extension.** Mr. Merriman respectfully recommended approval of an administrative motion to authorize execution of an addendum to the Central State University Fire/EMS contract for a one-year extension of services. The City has provided emergency medical and firefighting services to CSU since 2012. The City and University have subsequently executed extensions of the contract for the continuation of services. As the agreement has been beneficial to both CSU and the City of Xenia and as its current term is set to expire at the end of June 2019, he recommended another one-year extension via an addendum to the current contract rather than execution of a new contract to expedite the process. The contract continues the current conditions and maintains the annual payment to the City of \$156,000 plus EMS billing revenue for provision of the services.

President Engle entertained a motion.

Motion by Vice President Wallace, seconded by Mayor Mays, to authorize the City Manager to execute an addendum to the Central State University Fire/EMS Contract for a one-year extension of services. Discussion followed.

Councilman Louderback asked if staff had a ballpark figure on the EMS billing revenue. Mr. Duke asked for a moment to look up that information. Mr. Merriman said historically, the revenue is lower because the call volume has been lower than anticipated. While the EMS billing is lower

than originally anticipated, they have also provided far fewer services than anticipated. Mr. Duke said in 2018, it was \$2,700, in 2017 it was \$7,800, and it has fluctuated from year to year based on the call volume, but the fee of \$156,000 stays consistent regardless of the number of calls. Mr. Merriman added they are currently discussing with Central State a way to provide additional training services to their residential life staff, which will provide a better level of care for students who have critical needs and also help the City avoid some of the unnecessary responses for “false” fire alarms, etc.

Vice President Wallace said if the annexation of CSU becomes a reality, he asked if this contract would be null and void because Fire/EMS would then be a service automatically provided. Mr. Merriman said the current annexation conversation is relative to only the bike trail. If annexed, the subsequent second phase would include CSU and would nullify this contract because Ohio municipalities are required to provide fire response services.

The Roll on this was the following:

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

**F. Administrative Motion Awarding the Bid and Authorizing the City Manager to Execute a Contract with Worldwide Industries Corporation for the Springhill and Patton Street Water Towers Painting Project.** Mr. Merriman said included in this year’s budget and as part of the Five-Year CIP are resources to complete maintenance work and repainting of two of the City’s water tower appurtenances. On May 14, the Public Service Department received five qualified bids to paint the 1.0 MG Springhill Tower and the 0.5 MG and 0.27 MG Patton Street Water Towers. One other bid was deemed non-responsive as it exceeded by ten percent the Engineer’s Estimate of \$1,225,000. After reviewing the bids for each tower, the Public Service staff, in accordance with the City’s contracted project manager, is recommending that Council award a contract to the lowest and best bidder, Worldwide Industries Corporation. While this firm has not previously done any work for the City of Xenia, it is a nationwide contractor with an extensive resume of similar projects covering eighteen states over the last eight years, and they have vetted the company and checked their references. Public Service staff feels confident moving forward with this contractor and recommends award of the bid for the Springhill & Patton Street Water Towers Painting Project and execution of a contract with Worldwide Industries Corporation for a contract total cost not-to-exceed \$1,016,020. He showed a picture of what would be painted on the Springhill tower. The smaller Patton Street standpipes would be painted white.



President Engle entertained a motion.

Motion by Vice President Wallace, seconded by Councilman Louderback, to award the bid for the Springhill and Patton Street Water Towers Painting Project and authorize the City Manager to execute a contract with Worldwide Industries Corporation, as the lowest and best bidder, at a total cost not-to-exceed \$1,016,020. No discussion followed. The Roll on this was the following:

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

**G. Administrative Motion Authorizing the City Manager to Execute Addendum No. 1 to the Use Agreement between the City of Xenia and Casey's Marketing Company.**

Mr. Merriman said as Council is aware, Casey's, a convenience store/gas station retailer, has plans to construct a new store on the site of the former Wickline's store at 1615 N. Detroit Street. City Council previously authorized a Use Agreement allowing Casey's to construct a driveway across the City-owned Little Miami Scenic Trail property along N. Detroit Street. Now that Casey's is finalizing plans for construction, it has been notified by DP&L that it must obtain electrical service from a pole within the N. Detroit Street right-of-way, which will require construction of an underground electrical service line across the bike path parcel. Casey's proposes to construct the line within the area that Council has already approved for the proposed driveway in the existing Use Agreement. Because the existing Use Agreement only allows the area to be used for vehicular access, the Agreement will have to be amended to allow construction of the electrical service line. Any amendment to the agreement, which must be accomplished through an addendum, requires City Council approval by administrative motion, which is respectfully requested this evening.

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Vice President Wallace, to authorize the City Manager to execute Addendum No. 1 to the Use Agreement between the City of Xenia and Casey's Marketing Company to allow Casey's to move forward with construction of its new Xenia location. Brief discussion followed. Councilman Louderback said he gets asked frequently about when construction was expected to start. Mr. Merriman deferred to the City Planner. Mr. Forschner said Casey's was in the process of finalizing the required permits with Greene County when this issue with DP&L surfaced. As soon as this addendum is approved, they can proceed with permit approvals. He expected construction to start this summer. Councilman Louderback said Casey's will be a great addition to the City. Mr. Merriman agreed. The Roll on this was the following:

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

Nays: None motion carried.

**H. Administrative Motion Changing the Time for the Regular Meetings of the City Council to 6:00 p.m. for the Months of July, August, and September 2019.**

Law Director Donnette Fisher said as discussed at Council's May 23<sup>rd</sup> meeting, approval of this administrative motion will change the starting time of Council's regular meetings from 7:00 p.m. to 6:00 p.m. for the next three months. This change in starting time is authorized by Section 220.01 of the City's Codified Ordinances, which states that the regular meetings of Council shall be held at 7:00 p.m. *or at such other time as determined by the City Council*. This change will only apply for the months of July, August, and September. In September, Council can then assess whether it wishes to keep the 6:00 p.m. starting time or return to the 7:00 p.m. starting time for regular meetings. Further, if at any time during the next three months Council wishes to move the start time back to 7:00 p.m., they can do so with another administrative motion.

President Engle entertained a motion.

Motion by Councilman Louderback, seconded by Councilman Smith, to approve a change in the starting time for City Council's regular meetings for the next three months to 6:00 p.m. Brief discussion followed. Councilman Smith asked if the motion included the second meeting in June because the agenda report said it would be for the meetings in July, August, and September. Ms. Fisher if Council wishes to include the last meeting in June, the motion can be amended.

Motion by Councilman Smith, seconded by Councilman Louderback, to amend the above motion to include the June 27, 2019, meeting. No discussion followed. The Roll on this was the following:

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

The Roll on the original motion as amended was the following:

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

**I. Administrative Motion Approving the Schedule of Bills in the amount of \$1,251,142.37.** Finance Director Ryan Duke requested the payment of bills in the amount of \$1,251,142.37. He said the total was very large due to a \$461,890.96 payment for W. Second Street paving and a debt service payment for Gladly Run Wastewater Treatment Plant Improvements in the amount of \$362,617.17.

President Engle entertained a motion.

Motion by Councilman Louderback, seconded by Vice President Wallace, to approve the schedule of bills in the amount of \$1,251,142.37. Brief discussion followed. President Engle said he was happy to approve a payment toward the improvement of W. Second Street. The Roll on this was the following:

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

## **11. REPORTS OF COMMITTEES:**

**A. Board of Zoning Appeals:** Mayor Mays said the regular May meeting was cancelled due to lack of agenda items; however, the Board held a Special Session on June 3 for training purposes led by the City Planner and Law Director with all board members present. They reviewed the Board of Zoning Appeals Handbook, Ohio Ethics Law, the criteria used to make their decisions, and the “do’s” and “don’ts” of a quasi-judicial body.

**B. Board for Recreation, Arts, and Cultural Activities:** President Engle said the June meeting was cancelled due to lack of a quorum. He said the July and August meetings would likely be cancelled also. He reported on the Youth Fishing Derby held on Saturday, June 1, and thanked all volunteers. He said about 150 kids participated who each received a free lunch, a door prize, and a t-shirt. There were many sponsors including Farmers Insurance, PuroClean, Walmart, et al. Mr. Merriman said Public Service maintenance staff took up a collection and provided some of the door prizes as well. He thanked them for their generosity. President Engle agreed they have been very generous noting they also made donations for the Easter Egg Hunt.

**C. Traffic Commission:** Councilman Dean said the Traffic Commission met on June 3 and reviewed two items as follows:

- Request to regrade and install speed bumps along an alley (per Joel Betterly, 468 Cottage Grove Avenue). No action was taken on this request.

- Request to evaluate the traffic light at Wilson and N. Detroit (per Councilman Urschel). Further evaluation by Engineering Department staff is needed on this item.

**D. Planning and Zoning Commission:** Councilman Smith said the XPZC met on June 6 to review one item, which was presented to Council this evening:

- Sterling Green Crossing Phase IV Final Plat, which is the final section of the Sterling Green Crossing Subdivision and was unanimously approved with the following conditions:
  - Remove street trees from the construction plans and instead add a note to Sheet 8 that indicates that street trees shall be located on individual private lots, at least one per front yard per lot, and shall be reviewed and approved at the zoning permit stage. This is because, in this particular section, there was not sufficient room in the tree lawn between the sidewalk and curb to install the street trees without causing conflicts with driveway sight distance or utilities.
  - Either complete the public improvements or execute a Subdivider's Agreement, cost estimate, and financial guarantee agreeable to the City prior to plat recording.

## **12. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:**

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

Mr. Merriman provided Council with a document from Palmer Energy Company regarding natural gas aggregation in an effort to determine the value of pursuing such a program, which has already been voter approved. He said Assistant City Manager Jared Holloway met with Palmer Energy who solicited quotes from 10 suppliers for 12- to 24-month periods. Four suppliers provided quotes, with Volunteer being the lowest, which would provide an estimated average household savings of \$45 per year or \$235,000 community wide. He asked if Council felt there was enough justification to instruct staff to move forward noting the large administrative burden to do so. Further, the numbers are not final; due to the volatility of this commodity market, Palmer would have to issue another RFP to obtain updated numbers before proceeding. The closer they get to winter months, he expected the commodity prices to rise; therefore, if Council wants to move forward, they need to do so very soon. After a brief conversation, President Engle instructed staff to bring back a firm and final quote for their consideration.

Councilman Louderback asked Mr. Merriman to describe how the City of Xenia has been helping the City of Beavercreek following the Memorial Day tornadoes. Mr. Merriman said the City of Xenia has provided several levels of response. The first was for Police and Fire personnel to provide aerial drone footage over the hardest hit areas in Beavercreek, and Xenia Fire Division personnel are members of Ohio Task Force One who conducted search and rescue in Beavercreek and Trotwood. Also, City Maintenance Staff took a dump truck and heavy equipment to Beavercreek and provided storm debris collection and removal. He noted an email he received from a Beavercreek resident acknowledging the City of Xenia's help and expressing their appreciation, which he would forward to Council. He said if the area is declared an emergency, the expenses could be reimbursed by FEMA. Regardless, they were happy to help their neighbors. Councilman Louderback said they need to be a good neighbor—Xenia knows what a tornado can do and lost 33 people in 1974, which was devastating. It was fortunate that only one life was lost due to the Memorial Day tornadoes. Mayor Mays said the Xenia church community has been reaching out and working with the Beavercreek Nazarene Church (now called Be Hope Church), which is another way Xenia has stepped in to help their neighbors. Vice President Wallace said the African American Ministerial Alliance had a prayer meeting for the victims of the tornadoes.

They will hold another prayer meeting and will encourage people to volunteer and help those affected.

Mr. Duke had nothing further to share.

Ms. Fisher said as Council has now appointed the Charter Review Committee, the City Clerk will work to set up their first meeting at which time she will provide committee members with a copy of the current Charter, review the process, and they can set their own meeting schedule at that time. She noted that Councilman Louderback facilitated a meeting that she also attended last week with Mt. Vernon residents. As a follow up, she and Police Captain Gary Johnson have a follow up meeting with the manager of The Meadows next week. Councilman Louderback said the Mt. Vernon residents were very grateful, and he appreciated everyone who attended the meeting. Mr. Merriman said he has had a preliminary conversation with the City Planner about property maintenance/nuisance abatement issues for some of the adjacent properties.

**B. Mayor and City Council:**

President Engle then entertained a motion to go into an Executive Session.

Motion by Mayor Mays, seconded by Vice President Wallace, to go into an Executive Session at 8:09 p.m. to discuss the Purchase or Sale of Property per XCO §206.04(a)(2) and ORC §121.22(G)(2); confidential information related to Economic Development Projects per XCO §206.04(a)(7) and ORC §121.22(G)(8); and personnel matters to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee per XCO §206.04(a)(1) and ORC §121.22(G)(1). No discussion followed. The Roll on this was the following:

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

The Council convened in the Executive Conference Room with the same members present. Councilman Louderback left the Executive Session at 9 p.m.

**13. ADJOURNMENT:** At 9:30 p.m., the Council reconvened in Regular Session with the following members present: Vice President Edgar Wallace, Councilman Wesley Smith, Councilman Levi Dean, Mayor Sarah Mays, and President Michael Engle. President Engle entertained a motion to adjourn.

Motion by Vice President Wallace, seconded by Councilman Smith, to adjourn the meeting at 9:30 p.m. No discussion followed. The Roll on this was the following:

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

Michelle D. Johnson  
City Clerk

Michael D. Engle  
President, Xenia City Council