

**XENIA CITY COUNCIL
REGULAR SESSION
MEETING MINUTES
JULY 11, 2019
6:00 P.M.**

1. CALL TO ORDER: President Engle called the July 11, 2019, Regular Session to order at 6:00 p.m. in the City Council Chambers, City Administration Building.

2. INVOCATION: Pastor Ron Swiger, Chaplain, Greene Memorial Hospital, provided the Invocation.

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

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

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

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

5. APPROVAL OF MINUTES: Motion by Councilman Louderback, seconded by Councilman Smith, to approve the June 27, 2019, Special Session meeting minutes as written. No discussion followed. The Roll on this was the following:

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

Motion by Mayor Mays, seconded by Vice President Wallace, to approve the June 27, 2019, Regular Session meeting minutes as written. No discussion followed. The Roll on this was the following:

Ayes: Wallace, Louderback, Smith, Mays, Engle
Abstain: Urschel
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. No one came forward to speak.

8. OLD BUSINESS:

A. President Engle presented **RESOLUTION 2019-R ADOPTING THE TAX BUDGET OF THE CITY OF XENIA OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1,**

2020, AUTHORIZING THE FINANCE DIRECTOR TO SUBMIT IT TO THE GREENE COUNTY AUDITOR, originally introduced by Vice President Wallace, and it was read for a second time.

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

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

B. President Engle presented RESOLUTION 2019-T AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH U.S. BANK FOR THE PURPOSE OF FINANCING THE SPRINGHILL AND PATTON STREET WATER TOWERS PAINTING PROJECT, originally introduced by Councilman Dean, and it was read for a second time.

Motion by President Engle, seconded by Vice President Wallace, to adopt Resolution 2019-T as read. No discussion followed. The Roll on this was the following:

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

9. PUBLIC HEARING(S): None.

10. NEW BUSINESS:

A. Administrative Motion Designating the 2018 Greene County Grant Funds for Use in Extending the City's Fiber Network to the Greene Regional Business Park. Finance Director Ryan Duke said on December 13, 2018, the Greene County Commissioners presented a grant to the City of Xenia in the amount of \$40,839.20, and a part of the grant requirement is that the City provide to the County a description of how the grant dollars have been used. The Commissioners were hopeful that the grant would be used to promote economic development. In the City's Capital Plan, several projects are scheduled to expand the City's fiber network. An RFP for services is expected to be released later this summer. Most of the projects are aimed at connecting water and sewer assets such as water towers and lift stations. One such lift station is adjacent to the Greene Regional Business Park. He noted water and sewer enterprise funds cannot be used for this fiber extension. City staff is recommending that fiber be extended from the lift station into the business park. Such an extension will make the Greene Regional Business Park more marketable and will also potentially facilitate the provision of internet services to the Greene County Career Center. Therefore, staff recommends that Council designate the County's Grant, awarded in 2018, to be used to extend the City's fiber network into the Greene Regional Business Park.

President Engle entertained a motion.

Motion by Vice President Wallace, seconded by Mayor Mays, to designate the \$40,839.20 awarded by the 2018 Greene County Grant for the purpose of extending the City's fiber network to the Greene Regional Business Park. Discussion followed.

Councilman Smith asked how much the project would cost. Mr. Duke said he did not have a total on that portion of the project, but the entire project was about \$200,000. He would check with the IT Director on the estimate for this specific fiber run, but he believed it was close to the grant amount. Councilman Smith said he appreciated the County Commissioners' support.

Vice President Wallace assumed there could potentially be some revenue produced by the users of this network once it is completed. Mr. Duke said that was correct; services could be provided to the Career Center—if they chose to use the service—as well as any future businesses that locate in the business park that would generate revenue on the back side. He noted he did not know the exact cost of the project because an RFP will be issued in the next month or so, which will seek a very flexible model to extend fiber in any area of the City. Once those proposals are received, staff will bring back a recommendation to Council and the price per foot would be known. Vice President Wallace asked if the City's objective was to be very competitive with other network providers. Mr. Duke said while they want the City's fiber option to be competitive, part of the objective to extend into the City's Industrial Parks is to make the service available because high speed internet options are not currently available there.

Councilman Louderback asked if how the City spends this money could affect future grants, if any. Mr. Duke said yes, and as stated, they wanted the City to focus on economic development. When Mr. Merriman spoke with the County Commissioners about how the City wished to use the grant, they were thrilled.

The Roll on this was the following:

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

B. Administrative Motion Authorizing the City Manager to Execute a Development Agreement between the City of Xenia and BSM Greene Way, LLC, for Infrastructure Improvements and Development of Real Property between W. Main Street and Greene Way Boulevard. City Manager Brent Merriman said working in concert with City staff, the Greene County Board of County Commissioners issued a Request for Proposals/Sealed Bids in October 2018 for the development of approximately 15.5 acres of County-owned land between W. Main Street and Greene Way Boulevard. After review by both City and County staff, the County has selected BSM Greene Way, LLC, as the developer for this retail site. The company has been negotiating with City staff on the terms of a Development Agreement that sets out responsibilities for infrastructure installation including certain road improvements, utility main extensions, sidewalk improvements, bike path improvements, traffic signal improvements and related facilities, as well as general development requirements. Much of the agreement has been successfully negotiated, though there are a few items pending final engineering approvals. In order to meet time requirements of the County's RFP and to allow construction to begin, staff is requesting City Council to authorize the City Manager to execute a Development Agreement between the City and BSM Greene Way, LLC, upon the terms and conditions approved by the Law Director, Finance Director and City Manager. The draft agreement is still subject to negotiation and final amendments.

President Engle entertained a motion.

Motion by Vice President Wallace, seconded by Councilman Louderback, to authorize the City Manager to execute a Development Agreement with BSM Greene Way, LLC, upon the terms and conditions approved by the Law Director, the Finance Director, and the City Manager. Brief discussion followed. Vice President Wallace inquired about the timeline for the project. Mr. Merriman said they are ready to start immediately, which is why this was presented to Council before the agreement was in its final form. He felt the project start was imminent. Councilman Smith asked if a traffic light would be installed. Mr. Merriman said yes; infrastructure improvements will be determined and required per the agreement. He recognized there are some existing traffic conditions that are presently not ideal and will require future improvements for future development, such as lit intersections, road widening, etc. The Roll on this was the following:

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

C. Administrative Motion Approving the Schedule of Bills in the amount of \$180,799.07.
Mr. Duke requested the payment of bills in the amount of \$180,799.07.

President Engle entertained a motion.

Motion by Mayor Mays, seconded by Councilman Louderback, to approve the schedule of bills in the amount of \$180,799.07. No discussion followed. The Roll on this was the following:

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

11. APPOINTED OFFICIALS REPORTS AND COUNCIL COMMENTS:

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

Mr. Merriman thanked the Sonnycalb family, Xenia Rotary, and all other sponsors and vendors who made the July First Fridays and Fireworks Festival the best yet. He offered special thanks to Police, Fire, and Public Service staff for keeping the event safe and very well executed. He appreciated all of their efforts. Kudos to administrative staff also including CMO Secretary Karly French, Public Service Supervisor Keith Koch, Mr. Duke, Development Director Steve Brodsky, Assistant Finance Director Jason Lake. It was a very warm day and many staff—who are not getting paid to stick around—worked very late until after midnight and helped clean up the park. He thanked them for their efforts. He looks forward to another festival next year, which will again be held on the first Friday in July. He reminded the public that the City is hosting its first food truck rally on Saturday, July 13, from 10 a.m. to 4 p.m. About eight food trucks will line the south side of Main Street. He encouraged everyone to take advantage of new food choices and local shopping. Finally, next Saturday, July 20, is the first annual “Xenia Lives” music festival.

Mr. Duke had nothing further to share. Councilman Louderback said Council receives a financial report every month from the Finance Director, and the June report showed that income tax collections are up, which was very positive. President Engle congratulated Mr. Duke and his staff on a successful audit this year. Mr. Duke thanked them for their comments.

Ms. Fisher said she would be absent at the next Council meeting on July 25; she has been asked to speak at the Ohio Municipal Attorney's Association's Law Institute on Thursday and Friday. Vice President Wallace said City Prosecutor Ron Lewis resigned as a Board Member of The Community Network effective December 31, 2019, because he will become the Municipal Court Judge on January 1, 2020. He asked if she has determined what to do about Mr. Lewis' Prosecutor position. Ms. Fisher said she is in discussions with Greene County and the City of Bellbrook to work something out among the three entities. She will keep Council advised accordingly. Vice President Wallace asked to be kept abreast of the status of this subject and asked that Mr. Lewis be included as well. Ms. Fisher said she has discussed the issue with Mr. Lewis and received his feedback.

B. Mayor and City Council:

Mayor Mays thanked the Sonnycalb family and all the sponsors for the incredible show on July 5. She and her family and friends really enjoyed the show. She also thanked all City staff for their efforts, especially Police personnel who helped with special guests. She said the Xenia Kids Community Week at Shawnee Park is next week, July 15-19, from 10 a.m. to noon. It is a free event for kids ages 4 through sixth grade with games, crafts, lunch, bible study, songs, etc. Registration can be done in advance at XeniaKidsCommunity.churchcenter.com.

Councilman Louderback had nothing further to share.

Councilman Urschel said he was amazed at the crowd at the Fireworks festival. Kudos to Public Safety personnel and all who got that many people in and out of the City with no issues. He said a lot of people are coming from other communities, and Xenia's fireworks could rival any place across the nation. First Fridays also had a great turnout. Public Service staff did a great job getting everything organized; it went very smoothly. Everyone had a great time. He noted that he had a booth there, and there were quite a few people from out of town. He reported the Bridges of Hope drop-in shelter was now open as of July 8, and they hope to never have to shut it down again. The grant money came through and they are in the process of getting the contract set up for the sprinkler system. The facility is a much needed complement to the other existing shelters in the City. With Bridges of Hope, Interfaith Hospitality Network, Community Housing Partnership, and a few others, the City has very comprehensive emergency housing. He said the Xenia Area Association of Churches and Ministries met with Mr. Merriman and his staff last week. He thanked Mr. Merriman for hosting the meeting, which was a good opportunity for the faith-based community to interact with City leadership. While there was some great discussion at the meeting, there is not a good coordination of services among social services, government/regional services, and faith-based services. All are working very hard, but they desperately need an Ombudsman to coordinate those services. He will do what he can to bridge that gap. At the meeting, they also talked about the need to coordinate emergency and social service, which Council will discuss in Special Session following the meeting. Finally, he said he was very concerned with the prevalence and readily-available drugs in this community. He did not intend to disparage Police personnel because he realized how difficult it is to get a conviction without a transaction taking place. However, people seem to know where to get their drugs, and dealers boldly and actively break laws and endanger people. They go after people who don't mow their lawns, but this problem is at a level so much higher than that. The City cannot address this issue alone—there must be coordination with Municipal Court and Greene County, noting Xenia has only one active detective

