# COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS
# REGULAR COUNCIL MEETING
# AGENDA

**In Council Chambers @5:00 P.M.** **Monday, April 6, 2026**

Anyone can observe the meeting live via cable Channel 5, (Community Access Yellow Springs) or on YouTube. ZOOM participation will be offered only for virtual meetings. Please contact the Council Clerk at 937-767-9126 or clerk@yellowsprings.gov for any questions regarding the Council meeting.

**CALL TO ORDER**

**ROLL CALL**

**EXECUTIVE SESSION (5:00)**

Under Ohio Revised Code Section 121.22 (G)(1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and Ohio Revised Code Section 121.22(G)(2) to consider the purchase of property for public purposes.

**MOTION TO ENTER REGULAR SESSION (6pm)**

**ANNOUNCEMENTS**

**CONSENT AGENDA**

1. Minutes of March 16, 2026 Regular Meeting

**REVIEW OF AGENDA**

**I. PETITIONS/COMMUNICATIONS**

The Clerk will receive and file:

Gavin DeVore Leonard re: Final Antioch Grant Support Letter
Marcia Wallgren re: Vernay Property

**II. CITIZEN CONCERNS (6:10)**

**III. PUBLIC HEARINGS/LEGISLATION (6:20)**

**Reading of Resolution 2026-16** Approving a One Year Extension to The Windsor Group, LLC for the Final Development Plan for a Proposed PUD for 275 East North College Street

**Reading of Resolution 2026-17** Approving a One Year Extension to The Windsor Group, LLC for the Final Development Plan for a Proposed PUD for 150 East South College Street

**Reading of Resolution 2026-18** Authorizing the Village Manager to Enter into an Agreement for the Sale of Village Owned Renewable Energy Credits and the Purchase of Green E-Certified Recs

**IV. SPECIAL REPORTS**

**V. MANAGER'S REPORT (6:30)**

**VI. OLD BUSINESS**

**VII. NEW BUSINESS (6:35)**

Discussion of the following topics to determine:
1. What information is needed from staff to engage in discussion
2. General timelines for discussion, engagement and decision making:
   - **Status of Residential Sidewalks**
   - **Economic Development**
   - **Parking Expansion Proposals**
     (DeVore Leonard: 30 min.)

**Strategic Plan Scope of Services** (DeVore Leonard: 10 min.)

**X. FUTURE AGENDA ITEMS* (7:15)**

April 9: Retreat: 9-3:30

April 20: Announcements: RPCC Director
**Reading of Resolution 2026-XX** Approving a One-Time Grant to the Yellow Springs Senior Center
Board and Commission Goals
Economic Development Discussion
**First Reading of Ordinance 2026-06** Amending Chapter 252.06 “Personnel Policy Manual” of the Codified Ordinances of the Village of Yellow Springs, Ohio
**Well Ordinance-?**

May 4: 5pm: Executive Session
**Second Reading and Public Hearing of Ordinance 2026-06** Amending Chapter 252.06 “Personnel Policy Manual” of the Codified Ordinances of the Village of Yellow Springs, Ohio
**Reading of Resolution 2026-XX** Authorizing the Village Manager to Enter into an Agreement with XXX for 2026 Utility Line Clearance (Section 4) of the Village
Residential Sidewalk Discussion
Parking Expansion Discussion

May 18: 5pm Work Session: Information Session with Craig Kleinhenz of AMP re: Power Contracts and PJM Capacity Charges
6pm Regular Session

*Future Agenda items are noted for planning purposes only and are subject to change.

**EXECUTIVE SESSION**

**ADJOURNMENT**

The next regular meeting of the Council for the Village of Yellow Springs will be held at 6:00 p.m. on **Monday, April 20, 2026**.

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. Any person requiring a disability accommodation should contact the Village, Clerk of Council’s Office at 767-9126 or via e-mail at clerk@yso.com for more information.

**Council for the Village of Yellow Springs**
**Regular Session Minutes**

**In Council Chambers @ 5 P.M.** **Monday, March 16, 2026**

**CALL TO ORDER**

President of Council Gavin DeVore Leonard called the meeting to order at 5:02 pm.

**ROLL CALL**

Present were Council President Gavin DeVore Leonard, Council Vice President Angie Hsu and Council members Carmen Brown, Senay Semere and Stephanie Pearce. Solicitor Amy Blankenship, AVM/Project Lead Elyse Giardullo, Finance Director Michelle Robinson and Police Chief Burge were also present. The Village Manager was not present.

**EXECUTIVE SESSION**

At 5:02, Pearce MOVED TO ENTER EXECUTIVE SESSION under Ohio Revised Code Section 121.22 (G)(1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. Semere SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Present in the session were Solicitor Blankenship, FD Robinson, Police Chief Burge and Assistant VM Giardullo.

At 5:58, Brown MOVED and Hsu SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOITON PASSED 5-0 ON A VOICE VOTE.

**MOTION TO ENTER REGULAR SESSION**

At 6:05 Brown MOVED and Hsu SECONDED a MOTION TO ENTER REGULAR SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

**SWEARINGS-IN**

DeVore Leonard swore in Brian Gibson (new) and Johanna Schultz-Herman (returning) to Environmental Commission.

**ANNOUNCEMENTS**

**CONSENT AGENDA**

1. Minutes of March 2, 2026 Regular Meeting
2. Credit Card Statement for February

Hsu MOVED and Brown SECONDED a MOTION TO APPROVE ALL CONSENT AGENDA ITEMS. The MOTION PASSED 5-0 ON A VOICE VOTE.

**REVIEW OF AGENDA**

There were no changes made.

**PETITIONS/COMMUNICATIONS**

The Clerk will receive and file:

Dorothee Bouquet re: MLS Traffic Concerns
Gavin DeVore Leonard re: Draft Grant Support Letter for Council Consideration
Bethany Gray re: Request for Earth Day Funding
Mayor’s Clerk re: Mayor’s Monthly Report (2)

Mao Ju re: Police Complaint

Hsu reviewed communications.

**PUBLIC HEARINGS/LEGISLATION**

Semere MOVED and Hsu SECONDED a MOTION TO WAIVE FULL READING OF THE EMERGENCY LEGISLATION. THE MOTION PASSED 5-0 ON A VOICE VOTE.

**Emergency Reading of Ordinance 2026-05** Approving a Second First Quarter Supplemental Appropriation and Declaring an Emergency. Hsu MOVED and Brown SECONDED a MOTION TO APPROVE.

Robinson explained the need for the Supplemental, noting that the Village has received a Miller Foundation grant to cover lifeguard salaries for 2026 and also received an insurance payment to cover water damage to the Bryan Center. Those additions were added to the proper accounts to enable expenditure.

DeVore Leonard OPENED A PUBLIC HEARING. There being no comment, DeVore Leonard CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2026-12** Approving Village Goals for 2026-2027. Brown MOVED and Hsu SECONDED a MOTION TO APPROVE.

DeVore Leonard noted that the goals document is the result of ongoing work, noting that it is expected to change as efforts continue.

DeVore Leonard CALLED THE VOTE, and theMOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2026-13** Establishing a Tax-Exempt Certificate and Reimbursement Policy. Brown MOVED and Hsu SECONDED a MOTION TO APPROVE.

Robinson explained that as a tax-exempt public entity, the Village is permitted to make purchases without paying sales tax when those purchases are made directly by the Village for a valid governmental purpose.

She noted that the Ohio Auditor of State has recommended that public offices adopt a written policy governing the use of their tax-exempt certificate and reimbursement, hence the policy presented to Council for approval.

DeVore Leonard CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2026-14** Approving 2026 Expenditures for Earth Day Activities as Appropriated in the Village of Yellow Springs 2026 Budget. Hsu MOVED and Semere SECONDED a MOTION TO APPROVE.

DeVore Leonard noted that Council addressed the matter at their previous meeting and had requested the legislation now before them.

There being no questions, DeVore Leonard CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Reading of Resolution 2026-15** Naming Bruce Eakins as Municipal Representative to the Greene County 911 Review Committee. Hsu MOVED and Brown SECONDED a MOTION TO APPROVE.

Blankenship explained that a municipal representative to the 911Review Committee is a statutory requirement, and because the previous representative was not re-elected to his Council, the open seat again needs to be filled.

Giardullo noted that Burns attends the Review Committee meetings and could certainly speak to why Jamestown has provided the candidate were he present to do so.

DeVore Leonard CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**CITIZEN CONCERNS**

Mao Ju stated a request that PD file a Missing Child report in February was not followed up on. She has filed a complaint and stated that she has not yet received a response to the complaint.

Sasha Newgate reminded all of an event at Trail Town Brewery taking place tomorrow.

**SPECIAL REPORTS**

**Fourth Quarter Financials.** Robinson presented the fourth quarter financials, providing a year-to-year and three-year comparison. Brown MOVED and Semere SECONDED a MOTION TO APPROVE. The MOTION PASSED 5-0 ON A VOICE VOTE.

**MANAGER'S REPORT**

Giardullo provided information regarding the recent—an ongoing—wind event and power outage update, which required many person-hours over the course of three days and involved myriad tree-and tree-limb removals and many power outages. She noted that despite the sustained high winds and wayward tree parts that no poles came down: a testament to the aggressive pole-replacement program in place the last several years.

Giardullo highlighted portions of the report, in part stating that due to increased electric capacity charges, which are set by auction, the average household electric bill has increased by $9 since June 2025.

De Vore Leonard commented that it is important to note that the capacity charges are not in Village control. He added that the Village will continue to try to address citizens' questions regarding increases to water bills.

**OLD BUSINESS**

**Citizen Concerns to Move Before Legislation Starting April 6.** DeVore Leonard reminded all of this upcoming change to the agenda.

**Memo re: Request for Increased Signage and Traffic Mitigation at MLS.** Giardullo highlighted the provided memo, stating that as soon as information and recommendations are received from Choice One, that information will be brought back to Council.

Pearce commented that the construction work at Mills Lawn will still be underway when recommendations are received, expressing concern that the student drop off/pick up configuration might change in the interim.

Giardullo commented that Burns has been in communication with Superintendent Holden, and will continue this communication.

Hsu added that Pearce's roles as both Active Transportation Committee representative and School Liaison will serve as an advantage in this instance.

**NEW BUSINESS**

**Update of Annual Calendar.** DeVore Leonard read through the draft calendar, noting that it is subject to change, but provides a good sense of regular items of business.

**Draft Housing Retreat Agenda.** Hsu read through the draft agenda. She stressed that the goal of the meeting is to prioritize, to gain a common understanding of what has been done previously, and to define what type of housing Council wishes to support.

Hsu noted that six topics have come up repeatedly in connection with housing over the years. She has identified these in the agenda, and one aspect of the retreat will focus on ranking those topics as a way of setting priorities.

Brown commented that she sees a need for more than 5 minutes per person for the section dedicated to "Background on Village Housing".

**Draft Support Letter for Antioch Grant Application.** DeVore Leonard explained that he had been asked to present a draft support letter to Council in hope of obtaining a letter of support for a Legislative Capital Grant Antioch College is applying for from the State of Ohio.

There was general agreement among all Council members that DeVore Leonard has their go-ahead to proceed with the letter on behalf of Council as a whole.

The final version will appear in Council's April 6th packet.

**BOARD AND COMMISSION REPORTS**

DeVore Leonard reported on Finance Committee, noting that the group is addressing financial conservatism in budgeting, working to find the "sweet spot" between good fiscal stewardship and good use of funds.

Semere reported on a recent MVRPC meeting, noting that two areas in the Village have been identified as risk areas under MVRPC's Safe Streets Action Plan. He will keep an eye on the situation for potential grant opportunities based on this identification.

Semere reported that YSDC held both its annual and monthly meetings recently, and that he had met with Executive Director Abel to discuss economic development.

Pearce reported having attended a School Board meeting to introduce herself as the Council liaison to the School Board.

Brown reported that Environmental Commission is exploring conservation development in other municipalities and plans to focus more narrowly on options within the village following Council's Housing Retreat. She announced that information on community garden plots is available online with more to come.

**FUTURE AGENDA ITEMS**

| | |
|---|---|
| April 6: | 5pm Executive Session |
| | Discussion re: Sidewalks/Parking/Economic Development |
| | Strategic Plan Scope of Services |
| April 9: | Retreat: 9-3:30 |
| April 20: | Work Session @5pm |
| April 20: | Solicitor Evaluation Timeline |
| | **First Reading of Ordinance 2026-XX** Amending Chapter 252.06 "Personnel Policy Manual" of the Codified Ordinances of the Village of Yellow Springs, Ohio |
| | **First Reading of Ordinance 2026-XX** Amending Chapter 252.03 "Computation of Composite Rate of Compensation" of the Codified Ordinances of the Village of Yellow Springs, Ohio |
| | Board and Commission Goals |
| May 4: | 5pm Executive Sesson (Solicitor Evaluation) |

**Second Reading and Public Hearing of Ordinance 2026-XX** Amending Chapter 252.06 "Personnel Policy Manual" of the Codified Ordinances of the Village of Yellow Springs, Ohio
**Second Reading and Public Hearing of Ordinance 2026-XX** Amending Chapter 252.03 "Computation of Composite Rate of Compensation" of the Codified Ordinances of the Village of Yellow Springs, Ohio

May 18: 5pm Work Session: Information Session with Craig Kleinhenz of AMP re: Power Contracts and PJM Capacity Charges

May 18: 6pm Regular Session

**ADJOURNMENT**

At 7:12pm Brown MOVED and Hsu SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Signed:_________________________

Gavin DeVore Leonard, Council President

Attest: _______________________________

Judy Kintner, Council Clerk

**VILLAGE OF YELLOW SPRINGS, OHIO RESOLUTION 2026-16**

**APPROVING A ONE YEAR EXTENSION TO THE WINDSOR GROUP, LLC FOR THE PRELIMINARY DEVELOPMENT PLAN FOR A PROPOSED PUD FOR 275 EAST NORTH COLLEGE STREET**

WHEREAS, The Windsor Companies, LLC was granted approval for a Preliminary Development Plan for a proposed PUD located at 275 East North College Street on July 7, 2025, that ordinance taking effect on August 6, 2026; and

WHEREAS, Section 1254.05(d) of the Yellow Springs Codified Ordinances requires the Final Development Plan be submitted within 12 months of Village Council's approval of the Preliminary Development Plan; and

WHEREAS, Section 1254.05(d)(2) of the Yellow Springs Codified Ordinances provides that an applicant can request one extension of the time period for submitting the Final Development Plan for an additional 12 months; and

WHEREAS, The Windsor Companies, LLC have submitted, in writing, a request for a 12-month extension for final plan submission; and

WHEREAS, per Village of Yellow Springs Zoning Code Section 1254.05, one extension of the time period for submission of the final development plan may be granted by Village Council for up to an additional 12 months,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS OHIO HEREBY RESOLVES THAT:

Section 1. Council hereby approves a one-time extension of the time period for submission of the Final Development Plan of an additional 12 months.

Section 2. In accordance with approval of a 12-month extension, a complete application for a final plan for the PUD located at 275 East North College Street must be submitted to the Village of Yellow Springs not later than 5pm August 6, 2027.

___________________________________
Gavin DeVore Leonard, President of Council

PASSED:

Attest: ________________________________
Judy Kintner, Council Clerk

**ROLL CALL:**

Gavin DeVore Leonard___ Angie Hsu___ Carmen Brown____

Senay Semere___ Stephanie Pearce___

**VILLAGE OF YELLOW SPRINGS, OHIO RESOLUTION 2026-17**

**APPROVING A ONE YEAR EXTENSION TO THE WINDSOR GROUP, LLC FOR THE FINAL DEVELOPMENT PLAN FOR A PROPOSED PUD FOR 150 EAST SOUTH COLLEGE STREET**

WHEREAS, The Windsor Companies, LLC was granted approval for a Preliminary Development Plan for a proposed PUD located at 150 East South College Street on July 7, 2025, that ordinance taking effect on August 6, 2026; and

WHEREAS, Section 1254.05(d) of the Yellow Springs Codified Ordinances requires the Final Development Plan be submitted within 12 months of Village Council's approval of the Preliminary Development Plan; and

WHEREAS, Section 1254.05(d)(2) of the Yellow Springs Codified Ordinances provides that an applicant can request one extension of the time period for submitting the Final Development Plan for an additional 12 months; and

WHEREAS, The Windsor Companies, LLC have submitted, in writing, a request for a 12-month extension for final plan submission; and

WHEREAS, per Village of Yellow Springs Zoning Code Section 1254.05, one extension of the time period for submission of the final development plan may be granted by Village Council for up to an additional 12 months,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS OHIO HEREBY RESOLVES THAT:

Section 1. Council hereby approves a one-time extension of the time period for submission of the Final Development Plan of an additional 12 months.

Section 2. In accordance with approval of a 12-month extension, a complete application for a final plan for the PUD located at 150 East South College Street must be submitted to the Village of Yellow Springs not later than 5pm August 6, 2027.

_____________________________________
Gavin DeVore Leonard, President of Council

PASSED:

Attest: _________________________________
Judy Kintner, Council Clerk

**ROLL CALL:**

Gavin DeVore Leonard___ Angie Hsu___ Carmen Brown____

Senay Semere___ Stephanie Pearce___

The Village of
YELLOW SPRINGS

MEMORANDUM

TO: Village Council

FROM: Johnnie Burns, Village Manager

DATE: April 3, 2026

RE: Resolution 2026-18 – Sale of Renewable Energy Credits and Purchase of Green-e Certified RECs

Council will consider a resolution authorizing the sale of Village-owned Renewable Energy Credits (RECs) generated in 2023, 2024, and 2025, as well as the purchase of Green-e certified RECs to offset that sale.

The Village currently holds 55,264 RECs. The proposed transaction would authorize their sale at an estimated price of $11.70 per credit, generating approximately $646,792.50 in gross revenue. In accordance with Ordinance 2023-30, proceeds from the sale will be directed to the Village Capital Electric Fund after associated costs.

To maintain the Village's designation as a "green" municipality through American Municipal Power (AMP), the resolution also authorizes the purchase of 98,377 Green-e certified RECs at an estimated cost of $2.05 per credit, for a total estimated expense of $201,673.13. The purchase exceeds the number of RECs being sold, allowing the Village to achieve a 100% renewable portfolio status across 2023, 2024, and 2025.

AMP facilitates both the sale and purchase of RECs on the Village's behalf and charges a service fee based on energy volume (measured in megawatt-hours, or MWh). This fee functions similarly to a per-capita model, where larger electric systems incur higher overall costs due to greater energy usage. For this transaction, the AMP service fee is estimated at $0.58 per MWh and is factored into the net revenue calculation.

After accounting for the purchase of replacement RECs and AMP's service fee, the net proceeds from this transaction are estimated at approximately $413,066.25, which will be deposited into the Village Capital Electric Fund.

This approach continues the Village's established practice of leveraging REC market conditions to generate revenue while maintaining its commitment to renewable energy goals.

Additional supporting materials from AMP and our Power Portfolio Advisor are included for Council's review.

**VILLAGE OF YELLOW SPRINGS, OHIO**
**RESOLUTION 2026-18**

**AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR THE SALE OF VILLAGE OWNED RENEWABLE ENERGY CREDITS AND THE PURCHASE OF GREEN E-CERTIFIED RECS**

**WHEREAS,** On June 20, 2023, Council passed Ordinance 2023-30, which established Section 238.06 of the Codified Ordinances entitled “Sale and Reinvestment of Renewable Energy Credits” which establishes a Village policy for the sale and reinvestment of renewable energy credits (RECs); and,

WHEREAS, the Village currently owns 55,264 Renewable Energy Credits (RECs), generated through energy contracts in 2023, 2024 and 2025 as a result of renewable energy production, and seeks to sell all of these RECs as a means of generating revenue for the Electric Fund, and,

WHEREAS, Village Council has requested that Green E-certified RECs be purchased to offset this sale for the purpose of remaining a “green” municipality as defined by American Municipal Power,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS,
OHIO HEREBY RESOLVES THAT:

Section 1. The Village Manager is hereby authorized to request both the sale of Village owned RECs and the purchase of Green E-certified RECs by American Municipal Power.

Section 2. Council authorizes the sale of up to 55,264 Renewable Energy Credits at an estimated amount of $11.70 per credit.

Section 3. Village Council authorizes the purchase of 98,377 Green E-RECs at an estimated cost of $2.05 per credit, the additional 44,113 credits to allow the Village to achieve a 100% renewable portfolio status for 2023, 2024 and 2025.

Section 4. Council authorizes profit realized from this sale, in the approximate amount of $413,066.25 (Projected Revenue minus Green e-RECs and AMP Service fee of 0.58/MWh), to be directed to the Village Electric Fund.

___________________________________
Gavin DeVore Leonard, President of Council

PASSED:

Attest: ________________________________
Judy Kintner, Clerk of Council

ROLL CALL:

Gavin DeVore Leonard___ Angie Hsu___ Carmen Brown____

Senay Semere___ Stephanie Pearce___

| | | | | | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | 2023 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | $/REC | $/REC | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | | | |
| Rounded | YELL SPR | AP WILLOW ISLAND 1 H - 1 | $ 2.35 | $22.05 | 67 | 97 | 78 | 88 | 74 | 44 | 67 | 71 | 36 | 45 | 74 | 101 | 842 | $ | 10,607.30 |
| Rounded | YELL SPR | CANNELTON HYDROELECTRIC PLANT - 1 | $ 2.35 | $ 2.35 | | | | | | | | | | | | | 0 | $ | - |
| Rounded | YELL SPR | SMITHLAND HYDROELECTRIC PLANT - 1 | $ 2.35 | $ 2.35 | 211 | 215 | 107 | 126 | 302 | 284 | 294 | 242 | 141 | 187 | 324 | 353 | 2786 | $ | 6,547.10 |
| Rounded | YELL SPR | DEOK MELDAHL DAM 1 H - 1 | $ 2.35 | $ 2.35 | 569 | 719 | 581 | 876 | 884 | 677 | 868 | 805 | 246 | 410 | 711 | 1006 | 8352 | $ | 19,627.20 |
| Rounded | YELL SPR | EKPC GREENUP 1-3H - 1 | $ 2.35 | $ 2.35 | 234 | 321 | 300 | 469 | 359 | 340 | 229 | 389 | 0 | 192 | 559 | 626 | 4018 | $ | 9,442.30 |
| Rounded | YELL SPR | Brown County Landfill | $ 21.25 | $22.05 | 112 | 120 | 135 | 123 | 139 | 124 | 107 | 115 | 120 | 111 | 129 | 139 | 1474 | $ | 31,998.50 |
| Rounded | YELL SPR | Erie County Landfill | $ 21.25 | $22.05 | 170 | 149 | 190 | 199 | 206 | 62 | 311 | 180 | 204 | 209 | 37 | 0 | 1917 | $ | 41,538.65 |
| | | | | | | | | | | | | | | | | | 19389 Total | | |

| | | | | | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | 2024 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | $/REC | $/REC | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | | | |
| Rounded | YELL SPR | AP WILLOW ISLAND 1 H - 1 | $ 22.05 | $22.25 | 58 | 81 | 80 | 37 | 100 | 51 | 37 | 47 | 28 | 30 | 51 | 95 | 695 | $ | 15,392.55 |
| Rounded | YELL SPR | CANNELTON HYDROELECTRIC PLANT - 1 | $ 2.45 | $ 2.45 | | | | | | | | | | | | | 0 | $ | - |
| Rounded | YELL SPR | SMITHLAND HYDROELECTRIC PLANT - 1 | $ 2.45 | $ 2.45 | 275 | 229 | 193 | 126 | 302 | 284 | 294 | 242 | 141 | 238 | 352 | 353 | 3029 | $ | 7,421.05 |
| Rounded | YELL SPR | DEOK MELDAHL DAM 1 H - 1 | $ 22.05 | $22.25 | 589 | 723 | 613 | 304 | 1027 | 617 | 396 | 423 | 239 | 443 | 592 | 930 | 6896 | $ | 152,784.80 |
| Rounded | YELL SPR | EKPC GREENUP 1-3H - 1 | $ 2.45 | $ 2.45 | 299 | 234 | 185 | 98 | 496 | 460 | 363 | 393 | 281 | 249 | 424 | 521 | 4003 | $ | 9,807.35 |
| Rounded | YELL SPR | Brown County Landfill | $ 22.05 | $22.25 | 141 | 137 | 125 | 132 | 127 | 134 | 101 | 134 | 110 | 138 | 123 | 141 | 1543 | $ | 34,199.35 |
| Rounded | YELL SPR | Erie County Landfill | $ 22.05 | $22.25 | 0 | 132 | 207 | 210 | 113 | 195 | 191 | 174 | 128 | 167 | 160 | 150 | 1827 | $ | 40,518.35 |
| | | | | | | | | | | | | | | | | | 17993 Total | | |

| | | | | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | 2025 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | $/REC | $/REC | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | | | | |
| AP WILLOW ISLAND 1 H - 1 | $ 22.25 | $22.50 | 78 | 60 | 98 | 66 | 75 | 78 | 75 | 33 | 17 | 34 | 64 | 78 | 756 | $ | 16,915.75 | | |
| CANNELTON HYDROELECTRIC PLANT - 1 | $ 2.50 | $ 2.50 | 201 | 13 | 138 | 83 | 120 | 146 | 219 | 113 | 78 | 117 | 187 | 194 | 1609 | $ | 4,022.50 | | |
| SMITHLAND HYDROELECTRIC PLANT - 1 | $ 2.50 | $ 2.50 | 149 | 15 | 60 | 20 | 77 | 89 | 174 | 128 | 76 | 127 | 160 | 201 | 1276 | $ | 3,190.00 | | |
| DEOK MELDAHL DAM 1 H - 1 | $ 22.25 | $22.50 | 964 | 146 | 912 | 539 | 642 | 705 | 529 | 432 | 278 | 339 | 737 | 894 | 7117 | $ | 159,331.75 | | |
| EKPC GREENUP 1-3H - 1 | $ 2.50 | $ 2.50 | 535 | 57 | 460 | 260 | 210 | 170 | 354 | 336 | 248 | 330 | 429 | 427 | 3816 | $ | 9,540.00 | | |
| Brown County Landfill | $ 22.25 | $22.50 | 235 | 218 | 341 | 308 | 322 | 146 | | | | | | | 1570 | $ | 34,969.00 | | |
| Erie County Landfill | $ 22.25 | $22.50 | 94 | 154 | 158 | 132 | 126 | 185 | 147 | 101 | 163 | 165 | 160 | 153 | 1738 | $ | 38,939.00 | | |
| | | | | | | | | | | | | | | | 17882 Total | | | | |

| | | | | |
|---|---|---|---|---|
| 55264 | | $ | 646,792.50 | Revenue |
| 98377.14 | $ 2.05 | $ | 201,673.13 | Expense |
| | | $ | 445,119.37 | |

To: Village Council
From: Gavin DeVore Leonard
Re: Discussion Items in New Business
Date: 04/03/26

We recently agreed to broach several topics in the coming months, including parking, economic development, and sidewalks. At this meeting we will simply be discussing what is needed for each of these topics in order to make decisions. Please come prepared to communicate what, if any, questions you have initially that would help you to make decisions about the following:

1) Parking — at the Short Street meeting in February, multiple changes to parking were brought up for consideration by staff. The relevant slides are included here in the packet. Because parking was not the central question on the table, we did not spend any significant time considering these proposals. Parking was added to our Goals. At this meeting, we will simply raise any questions that we know we'll be looking for answers to in order to make decisions about parking plans for the future. Then, at an upcoming meeting, we'll seek to make decisions and create action plans if needed.

2) Economic Development — in our Goals we have agreed to work toward clarity on the Village's role in economic development. The outcome of this Goal is to document our role, communicate it to relevant stakeholders, and align related staff and budget allocations. Some initial relevant materials are here in the packet. At this meeting, everyone should communicate about what information would help you as we work toward stated outcomes. Then, at an upcoming meeting, we'll seek to make decisions and create action plans if needed.

3) Sidewalks — in our Goals we have agreed to take up the question of whether sidewalks should remain the responsibility of the Village or if property owners should in some way be responsible. Some relevant materials are included in the packet. At this meeting, please be ready to share what additional information would inform your decision making on the topic. Then, at an upcoming meeting, we'll seek to make decisions and create action plans if needed.

After going through each topic, we'll get clear on the timeline for each discussion on future agendas so that everyone — Council, staff, and community members and other stakeholders — is clear on when we'll be making decisions. We will also discuss how much time we think these topics will take, so we can plan accordingly.

**VILLAGE OF YELLOW SPRINGS, OHIO**
**ORDINANCE #2011-5**

**AMENDING SECTION 660.05 - DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN, OF CHAPTER 660 - SAFETY, SANITATION AND HEALTH, OF PART SIX- GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO.**

**WHEREAS**, the Village Council of Yellow Springs has determined that public sidewalks are an integral part of the overall transportation system and network of the Village; and

**WHEREAS,** the Village Council desires to promote the Village as a “Walkable Community” and as such feels it is important to have a system of public sidewalks that are in a walkable condition and accessable to all residents; and

**WHEREAS,** the Village Council has discussed the repair of public sidewalks and determined that they want to change the Village’s policy of requiring abutting property owners to keep sidewalks in good condition and instead to treat sidewalks similarly to streets and repair sidewalks as part of the Village’s Capital Improvement Program; and

**WHEREAS,** Section 660.05 of the Codified Ordinances, in part, requires abutting property owners to keep sidewalks in good condition and needs to be amended to reflect the Village Council change in policy.

**NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:**

**Section 1.** Existing Section 660.05 Duty to Keep Sidewalks in Repair and Clean of Chapter 660 of the Codified Ordinances is hereby repealed in its entirety.

**Section 2.** A new Section 660.05 is hereby enacted to read as follows:

660.05 DUTY TO KEEP SIDEWALKS CLEAN AND FREE OF NUISANCES.

(a) No owner or occupant of abutting lands shall fail to remove accumulated snow and ice from sidewalks within 24 hours of the cessation of snow or ice fall, nor fail to keep sidewalks free of any nuisance.
(b) Whoever violates this section is guilty of a minor misdeameanor.

**Section 3.** This ordinance will be approved and in full force at the earliest time permitted by law.

___________________________________
Judith Hempfling, President of Council

Passed: 3-21-2011

Attest: ______________________________

Judy Kintner, Clerk of Council

ROLL CALL:

Judith Hempfling __Y___ Lori Askeland __Y___ Karen Wintrow _N___

John Booth _Absent___ Rick Walkey _Y___

Meeting Minute Excerpts re: Sidewalk Policy

Excerpts below are in reverse order.

You will notice that the readings for the ordinance/s make little sense; this is largely due to the fact that back in those days 1. The solicitor did not attend meetings and was consulted on legislation only occasionally and 2. The Clerk had been in the position less than a year and did not know many things. . . Were these not the case it would have been caught that 1. tabled legislation should be not held over more than one-to-two meetings and 2. tabled legislation never comes back to be un-tabled—with a new ordinance number no less—in a different calendar year.

While the legislative process was messy, the public hearing process and information provided by the Village Manager were both very good.

The legislation itself is quite confusing and seems to contradict itself: some interpretation as to the intent of the legislation is clearly derived from the content of the meeting discussions.

It is also of note that Council members stated several times during the process that they were confident the matter would return to Council for further analysis and consideration, which has not occurred until now.

**3/21/2011:**

**PUBLIC HEARINGS/LEGISLATION**

**Final Reading and Public Hearing of Ordinance 2011-05** Amending Section 660.05 - Duty to Keep Sidewalks in Repair and Clean, of Chapter 660 - Safety, Sanitation and Health, of Part Six- General Offenses Code of the Codified Ordinances of the Village of Yellow Springs, Ohio. Walkey MOVED and Askeland SECONDED a MOTION to APPROVE.

Because the issue had been introduced on two prior occasions, Hempfling summarized that this ordinance would treat sidewalks as a part of the transportation system, thus the responsibility of the Village to repair. Responsibility to maintain as clear of debris would remain with abutting property owners.

Hempfling stated her support for the ordinance, noting that Staff support the issue as a more efficient way to keep sidewalks in repair. There is $30,000 in the budget for this for 2011, Hempfling noted.

Hempfling opened the Public Hearing. There was no comment from citizens.

Wintrow stated her opposition to the ordinance as currently written. Conceptually, she stated, “I support the idea of sidewalks as a form of public transportation.” Wintrow continued by stating her concern for the cost associated with such an endeavor, characterizing it as a “huge undertaking” and noting that she could only support the ordinance if there were an identified dedicated source of funding for sidewalk repair.

Walkey commented that the issue would likely be revisited yearly, and that the funding issue would be taken up as a part of the budget process, and that he is, "all in favor of it."

Askeland admitted to struggling with the issue, given budgetary concerns, and proposed statewide cuts in local government funding. It is likely, she observed, that we will take this matter up again next year. Askeland stated that she does support the ordinance.

Wintrow cautioned that for Council to take something that is clearly the responsibility of the property owner and legislate it to the purview of local government is a significant shift. To return the responsibility in the event of budgetary shortfall will be very difficult, she noted.

Hempfling pointed out that the Village has received complaints from seniors for many years regarding the difficulty of sidewalk travel in Yellow Springs. She further noted that sidewalks have been an issue before Council since the time she joined Council. Yes, she said, it will cost more, but the improvement will be beneficial.

Citizen Judy Leighty suggested that Council approve only the repairs along Xenia Avenue if there was any hesitancy to pass legislation on the matter.

Hempfling CALLED THE VOTE. The MOTION PASSED 3-1 on a ROLL CALL VOTE, with Wintrow dissenting.

**11-1-2010**

**Second Reading and Public Hearing of Ordinance #2010-18** Amending Sidewalk Policy. Booth MOVED and Walkey SECONDED a MOTION to APPROVE.

Cundiff reviewed the policy, noting that the new policy was a result of a Council discussion held in October, after which council directed him to write up legislation amending the current policy which holds property owners responsible for the cost of repair or replacement of abutting sidewalks. The new policy would relieve property owners of the responsibility for repair or replacement of damaged sidewalks.

Wintrow asked about the extent of property owners' responsibility under the revised legislation.

Cundiff clarified that this ordinance only applies to sidewalks in need of repair or replacement, while the need for keeping the sidewalks clear and free of hazards continues to be the responsibility of the abutting property owner.

Citizen Joan Edwards asked about snow and ice removal, wondering whether the Village would now take responsibility for clearing those sidewalks which are on the Safe Routes to School, and whether Villagers were responsible for both sections of a corner lot.

Cundiff was not aware of any plans for Village maintenance of SRTS sidewalks. He also stated that to the best of his knowledge, property owners are responsible for the sidewalk to the front of their property.

Villager Barbara Mann spoke regarding the difficulty of walking on village sidewalks during the Winter months. She opined that it was inconsistent to claim to treat sidewalks like streets only during the warm months. Mann stated her preference that the Village clear the sidewalks and charge taxes to cover these costs.

Wintrow asked Cundiff for the policy of other municipalities.

Booth stated that the Village might be held liable for the safety of the sidewalks if it removed snow and ice.

Hempfling stated that her own research indicates that the issue of lawsuit is not generally a problem. She further suggested the possibility of tabling the issue in order to gather more information.

David Scott spoke to the issue of snow removal in the downtown area, and where to put the removed snow.

Hempfling noted that Council will discuss the snow removal issue in December.

Wintrow supported the suggestion to table the issue pending more information regarding liability.

Jerry Sutton registered his opposition to the ordinance. He offered the notion that if the Village is responsible for sidewalk repair and replacement, it is not too much of a leap to suggest that the Village then be responsible for building new sidewalks. He stated that this Ordinance will cause the majority of Villagers—most of whom do not abut sidewalks-- to be responsible for the upkeep of all sidewalks.

Villager Dan Carrigan clarified that the SRTS plan has nothing to do with clearing or maintaining of sidewalks—it is merely a suggested route for schoolchildren. Carrigan then pointed out that only 35% of the streets have sidewalks. He noted that the Ordinance addresses only sidewalk repair and replacement, and has nothing to do with sidewalk construction. Carrigan further stated that state and federal roads funds cannot be used for sidewalk repair, and urged caution in this regard.

Wintrow noted that some of the state and federal funding guidelines may be changing in the future because of the State adoption of a Complete Streets policy.

Wintrow stated her feeling that the repeal of an ordinance was happening without enough information. She asked that Council take more time to think through the particulars, and to address issues raised by citizens. Wintrow asked that Council have a plan for funding the repair and replacement of sidewalks prior to passage of Ordinance 2010-18.

Hempfling CALLED A MOTION TO TABLE. Booth MOVED and Wintrow SECONDED the MOTION to TABLE.

Hempfling stated her opinion that all citizens use sidewalks, regardless of whether they may have a sidewalk on their property, and that sidewalks are a public good.

Askeland agreed, noting that most residents live here because of the perception of walkability, and that anyone who shops or uses the library uses sidewalks.

Hempfling CALLED THE VOTE, and the MOTION TO TABLE PASSED 4-1, with Walkey voting against.

**10-18-2010**

**PUBLIC HEARINGS/LEGISLATION**

**First Reading of Ordinance #2010-18** Amending Sidewalk Policy. Askeland MOVED and Walkey SECONDED a MOTION TO APPROVE.

Cundiff introduced the legislation, noting that Village Council had discussed the repair of public sidewalks at the October 4th meeting. After this discussion, Council resolved to change the Village's policy of requiring abutting property owners to keep sidewalks in good condition and instead to treat sidewalks similarly to streets, and repair sidewalks as part of the Village's Capital Improvement Program.

There were no questions or comments.

Hempfling CALLED THE VOTE, and the MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE.

**10-4-2010**

**V. OLD BUSINESS**

**Sidewalks Policy Discussion** – Cundiff introduced the topic by reporting on the results of the survey he conducted through his colleagues at the OCMA. Of the 27 communities with sidewalk programs, 20 (74.1%) assess the cost of the sidewalks to the abutting property owner. Two of these communities have some type of cost limit as to the amount they will assess. Five (5) of the communities (18.5%) do not charge the property owner for the cost of the replacement/repair.

Cundiff then explained the methods he used to assess total cost of a Village-funded sidewalk repair program, and offered the following cost assessment:

The bullet statements below indicate how many years it would take to complete the needed repairs/ replacements if a set allocation was budgeted, as well as what allocation would need to be budgeted to complete the repairs in 10 years:

- For Total Replacement/Repair of 96,990 l.f. at estimated cost of $2,618,730 : $30,000 annual allocation = 87.3 years to complete; $50,000 annual allocation = 52.4 years to complete; $261,873 annual allocation required to complete in 10 years.

- For Estimate 1 of 24,550 l.f. at estimated cost of $662,850 : $30,000 annual allocation = 22.1 years to complete; $50,000 annual allocation = 13.3 years to complete; $66,285 annual allocation required to complete in 10 years.

- For Estimate 2 of 26,866 l.f. at estimated cost of $725,382 : $30,000 annual allocation = 24.2 years to complete; $50,000 annual allocation = 14.5 years to complete; $72,538 annual allocation required to complete in 10 years.

Cundiff noted that these estimates would be lowered if some of the repair/replacement costs were covered by grants from the Safe Routes to School Program or other grant programs.

Cundiff made the case that if Yellow Springs wishes to consider its sidewalks as an integral part of the transportation system of the Village, it makes sense to add the cost of sidewalk replacement and repair to the Capital budget.

Askeland requested an estimate of the Village's yearly costs currently for street repair and replacement. Cundiff and Amrhein concurred that the amount over the last 2-3 years has run about $200,000, but was substantially higher prior to that time.

In answer to a question from Wintrow, Amrhein confirmed that the cost estimate he provided does include removal of the previous sidewalk, as well as curb, gutter and ramp needs.

Askeland suggested a vote of Council to indicate whether or not legislation is in order. Wintrow expressed some frustration, citing planning issues that might come up unexpectedly. Hempfling urged a decision as soon as possible.

Villager Connie Crocket spoke, noting that the efforts of the Tree Committee have made sidewalks much more difficult to repair, in that the tree roots contribute to the heaving of sidewalks.

Askeland MOVED that the Village provide legislation stating that the Village will henceforth provide for the repair and replacement of sidewalks. Walkey SECONDED the MOTION. Hempfling commented that she is in full support of the plan, noting that, as with the streets, a great deal more will be accomplished, and that costs will drop after an initial push. The MOTION PASSED on a VOICE VOTE 4-0.

Cundiff asked whether he should send out assessments for this year. Hempfling stated that property owners should not be assessed for this year.

**8/16/2010**

Manager's Report:

> Survey of Sidewalk Programs – At the last Council meeting, a question was asked about how other Ohio communities handled sidewalk replacement. Cundiff then asked that question of other Ohio Municipal Managers who are members of the OCMA. Of the 28 responses received, here follows a sampling of their approaches.

Two communities, Carlisle and Indian Hill, do not have any type of sidewalk program. Carlisle is also looking at starting one and Indian Hill does not have any sidewalks.

Of the remaining 26 communities, 23 have repair/replacement programs and three have replacement/repair and new construction programs.

Of the 26 communities with programs, 18 assess some portion of the cost back to the property owner. Eight do not assess.

Only three of the 26 communities had any type of cap on what the property owner might pay. One community reimburses half the cost up to $250, one community requires the property owner to pay for the concrete and municipal crews install the sidewalks, and one community (Loveland) has a complicated system where they reimburse up to 50% of the cost if paid within 30 days or the home owner repairs themselves; they assess 90% of the cost if informed within 30 days by the property owner they want it assessed; and they assess 100% plus a 10% administrative fee to all others.

Five of the communities pay for the sidewalk repair/replacement or new construction as part of their CIP program.

The City of Bellbrook sends out letters asking property owners to make repairs, but they do not send orders to make the repairs.

Bricker Graydon Wyatt

**MEMORANDUM**

To: Village Council
From: Amy Blankenship, Village Solicitor
Re: Yellow Springs Development Corporation
Date: April 1, 2026

This memorandum will provide general information regarding Community Improvement Corporations ("CICs"), and specifically some background on YSDC's organization as a CIC and its relationship to the Village.

CICs are formed in accordance with Ohio Revised Code Chapter 1724. The general outline of the formation is as follows:

**Formation**

- A CIC is a corporation not for profit organized under ORC Section 1702.04 by filing articles of incorporation with the Ohio Secretary of State setting forth the following:
  - Name of the Corporation;
  - The location of the principal office;
  - The purposes for which the corporation is formed; and
  - at the option of the incorporator, additional information listed in ORC 1702.04, including the names of the individuals who are to serve as the initial directors.

***YSDC's Articles of Incorporation are attached as Exhibit A***

- Per R.C. 1702.10, after the articles of incorporation have been filed and at any time prior to a meeting of voting members, the incorporators, at a meeting, may adopt regulations for the government of the corporation.
  - If the incorporators fail to adopt regulations within ninety days after the date of incorporation, regulations may be adopted at a meeting of voting members.

***YSDC's Code of Regulations are attached as Exhibit B***

**Designation as Agency for Development**

- Local governments may designate a CIC as the agency of the government for the industrial, commercial, distribution, and research development
- Designation of the CIC as the development agency must be made by a resolution

- After designation, the local government may enter into an agreement with the CIC to prepare a plan for industrial, commercial, distribution, and research development (the "Plan").
- The Plan shall provide the extent to which the CIC shall participate as the development agency of the local government.
- The Plan shall be confirmed by the legislative authority of the local government.

***YSDC was appointed as the Village's agent per Resolution 2020-06, attached as Exhibit C***

CICs have broad powers as delineated in ORC 1724.02. Here are some examples of the powers and authority of a CIC:

- To borrow money for any purpose of the CIC
- To provide loans to individuals for businesses
- To buy, lease, sell real or personal property
- To enter into contracts with federal, state, and local governments
- To apply for and administer grants
- To do all acts necessary or convenient to carry out its statutory powers

*** Village Council granted $35,000.00 to YSDC to re-establish the YS Revolving Loan Fund per Resolution 2020-16, attached as Exhibit D***

**YSDC**

As noted herein, I have attached YSDC's articles of incorporation, code of regulations and the Village's resolution appointing YSDC as agent. I am not aware of a "Plan" submitted by YSDC for Council's approval. If such a plan does not exist, the Village and YSDC could consider drafting one. The relevant language from R.C. 1724.10 reads:

> Any political subdivision which has designated a community improvement corporation as such agency under this section may enter into an agreement with it to provide …That the community improvement corporation shall prepare a plan for the political subdivision of industrial, commercial, distribution, and research development, and such plan shall provide therein the extent to which the community improvement corporation shall participate as the agency of the political subdivision in carrying out such plan. Such plan shall be confirmed by the legislative authority of the political subdivision.

Such a plan may serve to clarify and provide guidance regarding the Village and YSDC's relationship.

**VILLAGE OF YELLOW SPRINGS**
**RESOLUTION 2019-46**

**Approving a Code of Regulations for a Yellow Springs Community Development Corporation**

**WHEREAS,** Council for the Village of Yellow Springs firmly believes that economic development in an environment of collaboration is essential to the continued financial health and well-being of the Village; and

**WHEREAS**, Council recognizes the necessity for a collaborative body that can provide the insights and flexibility needed to advance, encourage, and promote the industrial, economic, commercial, and civic development of both the Village of Yellow Springs and Miami Township in Greene County, Ohio; and

**WHEREAS**, Chapters 1702 and 1724 of the Ohio Revised Code allow for creation of such a charitable non-profit corporation; and

**WHEREAS**, Council for the Village of Yellow Springs must therefore grant approval of the proposed Code of Regulations (also known as bylaws) for this organization,

**NOW, THEREFORE, BE IT RESOLVED** by Council for the Village of Yellow Springs that:

**Section 1.** Council declares its approval for the Code of Regulations in a form substantially similar to those attached here as Exhibit A.

__________________________________
Signed: Brian Housh, President of Council

Passed: 10-21-2019

Attest: _________________________
Judy Kintner, Clerk of Council

Roll Call: Housh _Y__ MacQueen _Y__ Stokes__Y__

Kreeger_ABSENT___ Sanford__Y___

# CODE OF REGULATIONS

## YELLOW SPRINGS COMMUNITY DEVELOPMENT CORPORATION
A Community Improvement Corporation

## ARTICLE 1
## NAME, PURPOSE, PRINCIPAL OFFICE, POWERS, LIMITATIONS

1.1 Name. The name of this organization shall be the Yellow Springs Community Development Corporation (herein "Corporation").

1.2 Purpose. The Corporation is a charitable non-profit corporation formed exclusively for the purpose of advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of both the Village of Yellow Springs and Miami Township in Greene County, Ohio as permitted by Chapters 1702 and 1724 of the Ohio Revised Code.

1.3 Principal Office. The principal location of the Corporation and its offices shall be the Office of the Village Manager, Village of Yellow Springs Bryan Center 100 Dayton St, Yellow Springs, OH 45387. In the event a relocation of the principal office is necessary or desired, a new location shall be determined by an agreement of a majority of the Directors. Any new location shall be located within Miami Township or the Village of Yellow Springs.

1.4 Powers. The powers of the Corporation are as set forth in the Articles of Incorporation of on file with the office of the Ohio Secretary of State or as granted to a community improvement corporation under Chapters 1702 and 1724 of the Ohio Revised Code. Such powers shall be exercised by the Board of Directors, which may delegate the performance of such duties to any officers or agents as the Board may, from time to time by resolution, so designate or assign.

1.5 Limitations. The Corporation shall adhere to all local, state, and federal laws which apply to a non-profit organization under Section 501(c)(3) of the Internal Revenue Code. Under the Internal Revenue Code, all Section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office.

**ARTICLE 2**
**BOARD OF DIRECTORS**

2.1 Members of the Board of Directors. There shall be no members of the Corporation other than the Board of Directors. The Board of Directors shall be the governing Board of the Corporation. The Board shall consist of no less than 5 members and not more than 10 members. At any time during which the Corporation is acting as the designated agent of one or more political subdivision, not less than two-fifths of the Board of Directors shall be composed of appointed or elected officers of such political subdivision or subdivisions, and at least one officer of such political subdivision shall be a member of the Board of Directors, in accordance with Chapter 1724 of the Ohio Revised Code. The Board of Directors of the Corporation shall be composed as follows:

Village Appointed Directors: There shall be two (2) Directors appointed from time to time by the Village Council. One (1) such Director shall be a Village Council Member and one (1) shall be appointed by the Village Council as a public official to the YSCDC Board of Directors.

Township Appointed Directors: There shall be two (2) Directors appointed from time to time by the Miami Township Trustees. One (1) such Director shall be a Miami Township Trustee and one (1) shall be appointed by the Miami Township Trustees as a public official to the YSCDC Board of Directors.

School District Directors: There shall be two (2) Directors appointed by the Yellow Springs Exempted Village School District.

Community Directors: There shall be three (3) Directors from the local community:

One (1) Director shall be appointed by Antioch College Board of Trustees;

One (1) Director shall appointed by the Yellow Springs Chamber of Commerce Board of Directors; and

One (1) Director shall be appointed by the Yellow Springs Community Foundation Board of Trustees.

At Large Director: One Director shall be from a business or a non-profit organization within Yellow Springs/Miami Township boundaries and shall be appointed by an affirmative vote of two-thirds (2/3) of the other nine Directors.

In addition, the following positions may serve as an ex-officio member of the Board of Directors and attend and participate in meetings without the right to vote, provided they are not already serving as an Director appointed according to the terms of this

Section:

Superintendent, Yellow Springs Exempted Village School District
Village Manager, Village of Yellow Springs
Executive Director, or other appointee of, Yellow Springs Community Foundation
Executive Director, Yellow Springs Chamber of Commerce
President, Antioch College

2.2 Term. The two (2) Village appointed Directors and two (2) Township appointed Directors shall be mandatory members of the Board of Directors. All Directors, including Mandatory Directors, shall serve three (3) year terms except for the At Large Director who shall serve a term of one (I) year.

Notwithstanding the foregoing, with respect to the initial Directors, one of the initial Village Appointed Directors, one of the initial Township Appointed Directors, and the initial Director Appointed by the Chamber shall each serve an initial term of two (2) years; the other initial Village Appointed Director and other initial Township Appointed Director and the initial Director appointed by the Community Foundation shall serve an initial term of three (3) years. The initial two Directors appointed by the School Board shall and the initial Director appointed by Antioch College each serve an initial term of one (1) year.

2.3 Resignation. Any Director may resign his/her position at any time with written notice delivered to the President of the Corporation. This resignation may be delivered through electronic submission (e.g. email). Upon receipt of a resignation, the President shall advise the Village Manager and Township Administrator.

2.4 Absences. Any absences must be reported to the President of the Corporation. In the event of an absence, a Director may send a representative from the appointing organization. Such representative shall not have the right to vote and shall not count for quorum purposes but may speak and participate in all discussions, including any discussions in executive session.

The Board of Directors, in its sole discretion, shall vote as to whether any absence is excused. Any Director exceeding (3) three consecutive unexcused absences of regular Board meetings in a calendar year shall be subject to removal by the affirmative vote of two-thirds (2/3) of the other Directors. Mandatory Directors that are removed by the Board shall be promptly replaced by the appointing authority.

2.5 Removal. Any Village appointed Director may be removed from office and replaced, with or without cause, by the Village Council. Any Township appointed Director may be removed from office and replaced, with or without cause by the Township Trustees. Any other Director may be removed only for cause by a vote of the affirmative vote of two-thirds (2/3) of the Directors. "For Cause" shall include three consecutive unexcused absences as well as acting in a manner that disrupts or causes harm to the Corporation. Prior to any vote for removal, the body that appointed the Director subject to such vote shall be notified in writing.

2.6 Vacancy. A vacancy in the Board of Directors for any reason shall be promptly filled by the body that originally appointed the position. In the event the appointing entity or organization decides to withdraw its involvement from the Corporation, it shall provide written notice to the President. The Director seat held by such appointing entity or organization shall then convert to an At-Large seat. In such event, a search committee shall be appointed by the remaining Directors. The committee shall submit one or more names to the Board to fill the vacant directorship as an additional At-Large Director. The Board shall vote and the nominee with the most votes shall be appointed to fill the remaining year and thereafter subject to annual appointment as an additional At-Large Director.

2.7 Committees of the Board of Directors. The Board of Directors may create such standing committees or ad hoc committees as the Board of Directors shall deem appropriate, with such membership, powers and duties as may be deemed necessary or advisable in conducting the business, activities and affairs of the Corporation, and shall elect the Members thereof.

2.8 Compensation. The members of the Board of Directors shall receive no compensation for their service, but shall be reimbursed for reasonable out-of-pocket expenses incurred by them in performing their duties as officers, as budgeted and authorized by the Board of Directors.

2.9 Performance of Duties. A Director shall perform his duties as a director in good faith, in a manner he/she reasonably believes to be in the best interests of the Corporation, and with the care that an ordinarily prudent person, in a like position, would use under similar circumstances. In performing duties, a Director, when acting in good faith, is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, that are prepared or presented by (i) one or more Directors, officers, or employees of the Board of Directors whom the Director reasonably believes are reliable and competent in the matters prepared or presented; (ii) counsel, public accountants, and other persons as to matters that the Director reasonably believes are within the person's professional or expert competence; or (iii) a committee of Directors upon which the Director does not serve, duly established as hereinafter provided, as to matters within its designated authority, which committee the Director reasonably believes to merit confidence.

## ARTICLE lll
## OFFICERS

3.1 Officers. The Board of Directors elect a President, a Vice President, a Secretary and a Treasurer, and such other officers as the Board of Directors may see fit. The Officers shall be chosen from the members of the Board of Directors.

3.2 Election and Term. Each Officer shall be elected by the Board of Directors and shall hold office for a one (1) year term until the next meeting of the Board of Directors following his election or until his earlier resignation, removal from office or death. The Board of Directors may remove any officer at any time, with or without cause, by a majority vote. A vacancy in any office, however created, may be filled by the Board of Directors.

3.3 President. The President shall preside at meetings of the members of the Board of Directors, and with the Corporation's Treasurer may execute all authorized instruments, including without limitation contracts, bonds, notes, debentures, deeds, mortgages and other obligations in the name of the Corporation and shall perform such other duties as the Board of Directors may require. In addition, the President shall perform the duties of the Executive Director at such times as such position shall not be filled.

3.4 Vice President. In the case of the absence or disability of the President, or when the circumstances prevent the President from acting, the Vice President, if any shall perform all of the duties of the President, and in such case shall have all of the powers and obligations of the President, and any such instruments so executed by the Vice President. The Vice President shall also perform such other duties as the Board of Directors may require.

3.5 Secretary. The Secretary shall take and keep records of all meetings, prepare and/or send all Corporation notices and/or correspondence as may be designated by the President, perform the statutory duties of his office and perform other duties as the Board of Directors may require.

3.6 Treasurer. The Treasurer shall be the custodian of all funds and securities in other corporations and similar property belonging to the Corporation and shall do with the same as may be ordered by the Board of Directors. The person shall keep accurate financial accounts and hold the same open for examination by the Board of Directors.

On the expiration of his term of office, after an audit conducted by an entity or person determined by the Board of Directors the person shall turn over to his/her successor to the Board of Directors, all property, books, papers and monies of the Corporation in their hands. An audit of the Treasurer's records can be conducted at any time as determined by the Board of Directors.

3.7 Bond. Any officer, if required by the Board of Directors, shall give bond in such form and with such security as the Board of Directors from time to time may require for the faithful performance of his duties.

3.8 Executive Director. The Board may authorize the hiring of an Executive Director. The Executive Director, subject to the oversight of the Board, shall have complete oversight of and is accountable for the daily management of the Corporation, including the execution, administration and implementation of Board policies and oversight of Corporation staff, its facilities, and all other assets of the organization financial or otherwise. Additionally, the Executive Director shall have other powers and duties as may be prescribed or delegated by the Board or by these Bylaws. The Executive Director, or his or her designee(s), is authorized to execute all contracts and other instruments as provided by Board policies. At no time shall the Executive Director of the Corporation serve simultaneous as the Executive Director and as a member of the Board of Directors.

## ARTICLE IV
## MEETINGS

4.1 Meetings.

a. An Annual Meeting of the Board of Directors shall be held on or about the First Tuesday in February of each year in order to elect officers, review annual reports and elect any At- Large Director(s) and for the transactions of any other business that may come before the Corporation.

b. Regular Meetings of the Board of Directors shall be held on the First Tuesday of each month at 12:00 p.m. unless the Board of Directors determines that a meeting shall be held at some other time and causes the notice thereof to so state. A Regular meeting may be canceled by a majority vote of the Board when there are no agenda items to discuss.

c. Special meetings of the Board of Directors may be held at any time upon call of the President or any three (3) Directors.

4.2 Place of Meeting. The Annual and Regular Meetings of the Board of Directors shall be held at the Miami Township office within Yellow Springs unless the Board of Directors determines that a meeting shall be held at some other place or time within Yellow Springs and causes the notice thereof to so state. Special Meetings shall be held within Miami Township.

4.3 Notice.

a. Annual and Regular Meetings. Written notice of the time and place of the Annual and Regular meetings of the Board of Directors shall be given to each Director either by personal delivery, mail, e-mail, not less than three (3) calendar days or more than thirty (30) before the date of such meeting. Such notice of any Annual or Regular meeting need not specify the purposes of the meeting but shall contain an agenda. Notice also shall be posted at The John Bryan Community Center, the Township offices, provided on web pages or social media pages of the Village and Township, and published in print or electronically in the Yellow Springs News or a similar newspaper/medium.

b. Special Meetings. Written notice of any Special Meetings shall require at least twenty-four (24) hours notice and shall set forth the time, place and purpose for such meeting. In addition to providing such notice to each Director by personal delivery, mail or e-mail, such notice also shall be posted at The John Bryan Community Center, the Township offices, and when possible, provided on web page or social media pages of the Village and Township and published in print or electronically in the Yellow Springs News or a similar newspaper/medium.

c. Notice of an Annual, Regular or Special Meeting may be waived in writing, either before or after the holding of such meeting, by any Director, which writing shall be filed with or entered upon the records of the meeting. The attendance of any Director at such meeting without protesting, prior to or at the commencement of the meeting, the lack of proper notice shall be deemed to be a waiver by such Director of notice of such meeting.

4.4 Quorum. A majority of the total authorized number of voting Directors shall constitute a quorum for the transaction of business, except that a majority of the voting Directors then in office shall constitute a quorum for filling a vacancy in the Board of Directors or election of Officers. Whenever less than a quorum is present at any time and place appointed for a meeting of the Board of Directors, a majority of those voting Directors present may adjourn the meeting from time to time without notice, other than by announcement at the meeting, until a quorum shall be present.

4.5 Voting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors unless the act of a greater number is required by law or this Code of Regulations. In the event of a tie vote, the motion shall fail.

4.6 Minutes. Minutes of all meetings of the Board shall be promptly prepared and maintained. Minutes shall provide sufficient information to allow the public to understand and appreciate the rationale behind Board decisions. All minutes are public records.

4.7 Open Meetings. Except as permitted by law, all meetings of the Corporation shall be open to the public. When the Corporation is acting as an agent of a political subdivision, the Board may close a meeting by majority vote of all members present during consideration of non-public record information as permitted by Ohio Revised Code § 121.22.

## ARTICLE V
## TRANSPARENCY

5.1 General. The Corporation will operate as a Community Improvement Corporation under Chapter 1724 of the Ohio Revised Code as it related to the Ohio Open Meetings and Public Records laws. The Corporation shall provide for reasonable citizen input at its meetings with respect to all public matters.

5.2 Requested Notice. Any person, upon request and payment of a reasonable fee, can obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed by providing an email address for electronic notifications or providing the necessary self-addressed, stamped envelopes.

5.3 Notice of News Media of Meetings. Any news media that desires to be given advance notification of meetings shall file with the Secretary a written request therefore. The request shall be effective for one year from the date of the filing. Such requests may be modified or extended only by filing a completely new request with the Secretary. The written request shall specify the name of the news medium, the name and address of the person to whom written notifications to the medium can be emailed, and the names, addresses and telephone numbers of at least two persons to either one of whom oral notification the medium may be given.

## ARTICLE VI
## BOARD BUSINESS & VOTING

6.1 Procedure. Meetings of the Corporation shall follow parliamentary procedure to control deliberations and expedite the orderly transaction of business.

6.2 Motions. Formal action at meetings shall be taken by motion. All motions may be orally made and may be made by any Director. A second is required to open debate or take action on any motion. A vote of a majority of Directors present and voting shall be required to pass any motion unless a greater number is required by law, rules of the Board or this Code of Regulations. Motions shall be determined without call of the Roll at the discretion of the presiding officer. If the Roll is not called, the presiding officer shall determine whether, upon the call of the vote, a majority has voted yes or no. Any Director who disputes the determination may demand that the Roll be Called and the separate votes of each Director be taken and entered upon the Record.

6.3 Decorum. No person shall speak until recognized by the President or other presiding officer. When two or more Directors seek recognition, the presiding officer shall determine the order in which they shall be recognized. No person shall be accorded the floor longer than five minutes at any one time. No Person shall be permitted to speak to an issue more than once until every other Person desiring to speak has had an opportunity to be heard nor be granted the floor more than twice upon any subject.

6.4. Contracts. No Director, Committee Member or Officer shall enter into any contract without Board approval.

6.5 Documents. At all times that the corporation is a designated agent for a political subdivision is shall be subject to the Ohio Public Records law. All public records of the Corporation shall be delivered to the Village of Yellow Springs for retention in accordance with applicable law. The books and records of this Corporation may be examined by any Director or the agent or attorney of any Director for any reason at any reasonable time.

## ARTICLE VII
## FINANCES

7.1 Accounting Year. The Corporation shall operate on a calendar accounting year.

7.2 Policy. The Board shall develop a financial policy and budget.

7.3 Accounts. The President and Executive Director shall have the authority to establish accounts and process transactions for authorized accounts at the Boards approval. Any account transactions over one thousand dollars ($1,000) must first be approved by the Board.

7.4 Checks. All checks or other orders for payment shall be signed by at least two of the following: Executive Director, President, Vice-President, Treasurer and Secretary.

7.5 Loans. No loans shall be administered, nor indebtedness shall be incurred without Board approval.

7.6 Solicitation of Funds. All solicitation of funds on behalf of the Corporation, through donations, grants, fundraising events or otherwise, shall be pre-approved by the Board of Directors and performed only by parties appointed to do so by the Board.

7.7 Receipt of Funds. All funds received in cash, check, stocks, bonds, like kind or other form through donations, grants, fundraising events, or otherwise shall be delivered directly to the Treasurer. All donations will be recorded duly by the Treasurer and included in the financial report. The Treasurer shall provide a list to the Secretary of all donations received, the manner and schedule for such reports to be determined by the Board of Directors.

7.8 Property. All property acquired by this Corporation by purchase, gift, bequest or otherwise shall be the absolute property of this Corporation, unless at the time of acquiring such property it is otherwise specified in writing.

7.9 Sale or Disposition of Assets. The Board of Directors may authorize the lease, sale, exchange, transfer or other disposition of any assets of the Corporation without the necessity of procuring authorization from the court pursuant to Section 1715.39 of the Ohio Revised Code, and any such lease, sale, exchange, transfer or other disposition shall be made whole or in part for money or other property, including shares or other securities or promissory notes of any corporation for profit.

## ARTICLE VIII

## ETHICS/CONFLICT OF INTEREST/NON-DISCRIMINATION

8.1 Ethics Laws. Board members shall comply with Ohio's ethics laws and foster public confidence in the integrity of the Corporation. Directors and Officers of the Corporation shall refrain from engaging in activities including, but not limited to, the following:

a. Soliciting or accepting anything of value from anyone doing business with the Corporation;

b. Using his or her position to gain contracts, employment, or any other benefits for the benefit of the Director, his or her employees, family members, or business associated;

c. Holding, securing, or benefiting from any contract authorized by or approved by the Corporation;

d. Soliciting or accepting any payment for services rendered without charge to anyone doing business with this agency;

e. During tenure as a board member and for one year following, representing any person, in any fashion, before any public agency with respect to a matter personally participated in while serving with the Corporation;

f. Disclosing confidential information protected by law; and

g. Using the Corporation or position in the Corporation in a manner that suggests impropriety, favoritism.

8.2 Conflicts of Interest. No contract, action, or transaction shall be voided or voidable with respect to the Corporation because the contract, action, or transaction is between or affects the Corporation and any other person in which one or more of its Directors or Officers are directors or officers or in which one or more of the Corporation’s Directors or Officers have a financial or personal interest, or because one of more interested Directors or Officers participate in or vote at the meeting of the Board of Directors that authorizes the contract, action or transaction, if any of the following applies:

a. The material facts as to his/her or their relationship or interest as to the contract, action or transaction are disclosed or are known to the Directors, and the Directors in good faith reasonably justified by the material facts, authorizes the contract, action, or transaction by the affirmative vote of a majority of the disinterested Directors, even if the disinterested Directors constitutes less than a quorum of the Directors; or

b. The contract, action, or transaction is fair as to the Corporation as of the time it is authorized or approved by the Directors.

Common or interested Directors may be counted in determining the presence of a quorum at a meeting of the Directors which authorizes the contract, action, or transaction.

8.3 Non-Discrimination. The Corporation shall not render or deny services on the basis of age, economic circumstances, race, color, religion or religious affiliation, national origin, ethnicity, disability, gender, sexual orientation, gender identity, or veteran’s status. The Corporation shall not discriminate or otherwise base any matter regarding employment, election to the Board of Directors, or to any office on the basis of age, economic circumstances, race, color, religion or religious affiliation, national origin, ethnicity, disability, gender, sexual orientation, gender identity, or veteran's status.

## ARTICLE IX

## INDEMNITY OF MEMBERS, OFFICERS AND STAFF

9.1 Indemnity. Each Director, Officer and employee shall be indemnified by this Corporation under the standards set by and to the fullest extent allowable under Section 1702.12(E) of the Ohio Revised Code, as the same shall be amended from time to time. The foregoing right of indemnification shall be in addition to any other rights to which any person seeking indemnification may be or become entitled by law, vote of disinterested Directors of this Corporation or otherwise. Notwithstanding the foregoing, Section 1702.12(E)(5)(a)(i) of the Ohio Revised Code regarding the advancement of attorney's fees shall not apply to the Corporation.

9.2 Insurance. The Corporation shall annually evaluate risks and exposures of the Corporation and to its Board of Directors, Officers, Volunteers and employees, and may purchase general liability, and Directors Officers, Errors and Omissions Insurance, at levels deemed most reasonable and affordable by the Board.

## ARTICLE X

## AMENDMENT PROCEDURE

10.1 This Code may be amended, repealed or altered, in whole or in part, by the affirmative vote of two-thirds (2/3) of the members of the entire Board at a duly called meeting of the Board at which a quorum is present; provided, however, that the notice of such meeting must be in writing, must describe, generally, the scope and nature of the amendment, revision or alteration to the Code, and must state that a purpose of the meeting is to vote on such proposed amendment, revision or alteration to this Code.

## ARTICLE XI

## DISPOSITION OF FUNDS UPON DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation in such manner or to the Yellow Springs Community Foundation, or in the event the Yellow Springs Community Foundation is not in existence, then such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue law), as the Board of Directors shall determine. Any assets not disposed shall be disposed of by the Court of Common Pleas of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said Court shall determine which are organized and operated exclusively for the purposes set forth in this Article.

**VILLAGE OF YELLOW SPRINGS COUNCIL**
**RESOLUTION 2020-06**

**DESIGNATING YELLOW SPRINGS DEVELOPMENT CORPORATION AS AN ECONOMIC AGENT FOR THE VILLAGE OF YELLOW SPRINGS PURSUANT TO OHIO REVISED CODE CHAPTER 1724**

**WHEREAS**, in 2019 the Yellow Springs Development Corporation was incorporated to serve, in conjunction with Yellow Springs Village Council and Miami Township Trustees and other relevant stakeholders, as a coordinating and planning non-profit entity providing funding and oversight for projects to further the economic and cultural vitality of the Yellow Springs community for businesses, educational institutions, health/wellness organizations, non-profits, residential and infrastructure development; advance the economic, community, commercial, and civic development in the Yellow Springs community to grow and strengthen the tax base and such other related purposes allowed by law; and

**WHEREAS**, the Yellow Springs Development Corporation was formed as a statutory Economic Development Corporation under Ohio Revised Code Chapter 1724; and

**WHEREAS**, the Yellow Springs Development Corporation can enhance the industrial, commercial, distribution, and research development needs for the community; and

**WHEREAS**, the Board of Trustees of the Yellow Springs Development Corporation and the Council for the Village of Yellow Springs have deemed it to be in the corporation's and the Village of Yellow Springs' best interest for the Yellow Springs Development Corporation to be an Economic Development Corporation as defined by Ohio Revised Code § 1724.01; and

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF YELLOW SPRINGS THAT:**

**SECTION 1.** The Village of Yellow Springs hereby designate the Yellow Springs Development Corporation as an economic agent for the Village of Yellow Springs for the industrial, commercial, distribution, and research development in the Village of Yellow Springs.

**SECTION 2.** It is hereby found and determined that all formal actions of this body concerning and relating to the passage of this legislation were adopted in an open meeting of this body and that all deliberations of this body and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution shall become effective immediately upon its adoption.

___________________________________
Signed: Brian Housh, President of Council

Passed: 1-6-2020

Attest: ___________________________
Judy Kintner, Clerk of Council

ROLL CALL: Brian Housh__Y__ Marianne MacQueen__Y__ Kevin Stokes__Y_
Lisa Kreeger__Y__ Laura Curliss_Y__

**VILLAGE OF YELLOW SPRINGS COUNCIL**
**RESOLUTION 2020-16**

GRANTING REVOLVING LOAN FUND MONIES TO THE YELLOW SPRINGS DEVELOPMENT CORPORATION

**WHEREAS**, the Village of Yellow Springs has funds reserved for economic development initiatives held in the Economic Development Fund line such as for the purpose of re-establishing the YS Revolving Loan Fund to support local entities, and

**WHEREAS**, the Yellow Springs Development Corporation (YSDC) was formed as a statutory Designated Community Improvement Corporation under Ohio Revised Code Chapter 1724 in an effort to create efficiencies and opportunity for collaboration among Village stakeholders, and

**WHEREAS,** the Village of Yellow Springs passed Resolution 2020-06 on January 6, 2020 to designate the YSDC as an economic agent for the Village of Yellow Springs for industrial, commercial, distribution, and research development in the Village of Yellow Springs.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS THAT:**

**SECTION 1.** The Village of Yellow Springs hereby grants the sum of $35,000.00 to the YSDC, that sum to be taken from the Economic Development Line, #205, for the purpose of re-establishing the YS Revolving Loan Fund to support local entities.

**SECTION 2.** It is hereby found and determined that all formal actions of this body concerning and relating to the passage of this legislation were adopted in an open meeting of this body and that all deliberations of this body and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution shall become effective immediately upon its adoption.

___________________________________
Signed: Brian Housh, President of Council

Passed: 4-20-2020

Attest: ___________________________
Judy Kintner, Clerk of Council

ROLL CALL: Brian Housh__Y__ Marianne MacQueen_Y__ Kevin Stokes_Y_

Lisa Kreeger__Y__ Laura Curliss_Y__

Excerpts from Minutes Relevant to CIC and/or YSDC

**10/21/19**

**Reading of Resolution 2019-46** Approving a Code of Regulations for a Yellow Springs Community Development Corporation. MacQueen MOVED and Sanford SECONDED A MOTION TO APPROVE.

Housh noted that the CDC members have been meeting, and that the collaboration is made up of 40% elected officials from the Village and Township and of stakeholders from the Yellow Springs Schools, the YS Chamber, Antioch College and the YS Community Foundation. He noted that the group is beginning work to collaborate on such issues as economic development, levy issues, housing and transportation, to name a few.

Housh noted corrections made to the agreement where the document contained sexist language.

Housh CALLED THE VOTE, and the MOTION PASSED 4-0 ON A VOICE VOTE.

**8/19/19**

**YS Community Development Corporation Update.** Kreeger stated that the group has not yet applied for the 501c3 designation. The group will be retaining legal counsel separate from the Village Solicitor. The next step will be to finalize the group's bylaws. The bylaws will go to each stakeholder group for comment or approval, after which the group will file for 501c3 status.

Kreeger stated that the membership will consist of two Village of Yellow Springs Council members, two YS School Board members, one Miami Township Trustee, one Chamber of Commerce representative, the President of Antioch College or designee and the YS Community Foundation President or designee (who is also the convener). In addition, the Executive Director of the YS Community Foundation and the Village Manager serve as ex officio members. Three members representing local business, nonprofit and real estate interests are to be named, for a total of eleven voting members.

**3/1/21**

**Yellow Spring Development Corporation: Review of Year One.** Kreeger presented an overview of the group's first year, which encompassed a great deal of activity. She noted the need for such a collaborative entity in the face of a pandemic, noting the good fortune in having assembled such a group prior to the pandemic. Kreeger noted members and designations of all of the representatives on the Board as follows, thanking all for their involvement:
Trustees include representatives from the YS Schools, Village and Township government, Chamber of Commerce, Antioch College, YS Community Foundation, and a member of the local

community. Per Ohio law, a minimum of 40% of the voting members must be elected government officials or their designated representatives.

**2020 Voting Members:** Lisa Abel (President), Corrie van Ausdal, Steven Conn, Sarah Courtwright/(Karen Wintrow), Don Hollister, Lisa Kreeger (Vice President), Patrick Lake, Marianne
MacQueen, Steve McQueen (Secretary), Hannah Montgomery (Treasurer).

**Ex-Officio Members Attendees:** Jeannamarie Cox, Terri Holden, Maureen Lynch/(Tom Manley), Josue Salmeron, Alex Scott.

Kreeger noted that putting the group together took about one full year, noting the many steps required for the process.

Kreeger noted administration of $35,000.00, donated by the Village from its Economic Development Fund, in loans for COVID relief to both local and Township businesses, stating that all loans were subsequently forgiven.

Kreeger noted the YSDC acted as a convener for an “Education Corridor” proposal for Antioch College property, involving the School Board, Community Children’s Center and Antioch College. Kreeger noted inclusion of the criteria used to evaluate the proposals for purchase of the former Fire Station. Kreeger thanked outgoing At-Large Member Patrick Lake and welcomed Shelley Blackman into that role for 2021. Kreeger noted an upcoming vote on bylaw changes.

MacQueen asked Council how they would like to be represented by MacQueen and Kreeger. She stated that she would like the organization to become more participatory.
MacQueen commented that she would like the YSDC to discuss the kind of economy that would work for the Village, and how to support entrepreneurs.

Stokes stated that he would like to see a small business-friendly environment, and suggested more conversation with that community to better understand their needs. He asked that the YSDC provide a little more information regarding their activities. Curliss suggested a listening tour. She noted a need for office space for entrepreneurs, and suggested matching grants for building improvements. She noted the importance of bike trails to economic development.

Curliss stated the need for apartment complexes and condominiums for middle-income people. Housh commented that he is interested in helping to influence development in a way that is in line with “what we want to see in our community”, which is a critical reason the YSDC was established. He noted technical assistance support for potential new small business as a key to achieving equity and diversity, as is development of entrepreneurs and support of those endeavors. Housh emphasized that each representative should be representing the values of their organizations, and expressed confidence that the Council representatives are doing so.

Housh asked for more information regarding a comment in the report that mentioned aligning economic development and housing issues.

Kreeger agreed to follow up on this with more information, since neither she nor MacQueen were certain what activities that encompassed. Housh noted with appreciation that the YSDC has been vastly more accessible and open than the non-designated CIC that preceded it.
Kreeger responded that she and MacQueen can give more detailed report-outs to Council in the future.

**4/6/20**
**Reading of Resolution 2020-13** Authorizing Transfer of the Revolving Loan Fund Monies to the Yellow Springs Development Corporation. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Kreeger explained the resolution, noting that $30,000.00 has been held for some time by the Village, and the YSDC is now ready to accept these funds for disbursement. She stressed that the YSDC is conducting meetings in accordance with Sunshine Law.

**1/6/20**
**Reading of Resolution 2020-06** Designating the Yellow Springs Development Corporation as an Economic Agent for the Village of Yellow Springs. Curliss MOVED and MacQueen SECONDED a MOTION TO APPROVE.
Kreeger noted that this is a meaningful opportunity for collaboration and a way to “maximize scarce resources”.
Kreeger expressed thanks to Lisa Abel and the YS Community Foundation for acting as the convener for the group.
Housh noted makeup of the stakeholder group, highlighting that others will be added as the meetings are formalized. He noted opportunity for coordinating levy information as well as development in the Village. Housh commented that the YSDC “falls under Sunshine Laws”, stating that no property will be brought forward without a community process.
Curliss commented that the YSDC will help tremendously with development as well as housing.
Housh CALLED THE VOTE, and the MOTION PASSED 5-0 on a voice vote.

# 35 With 8 Accessible — S Walnut St.

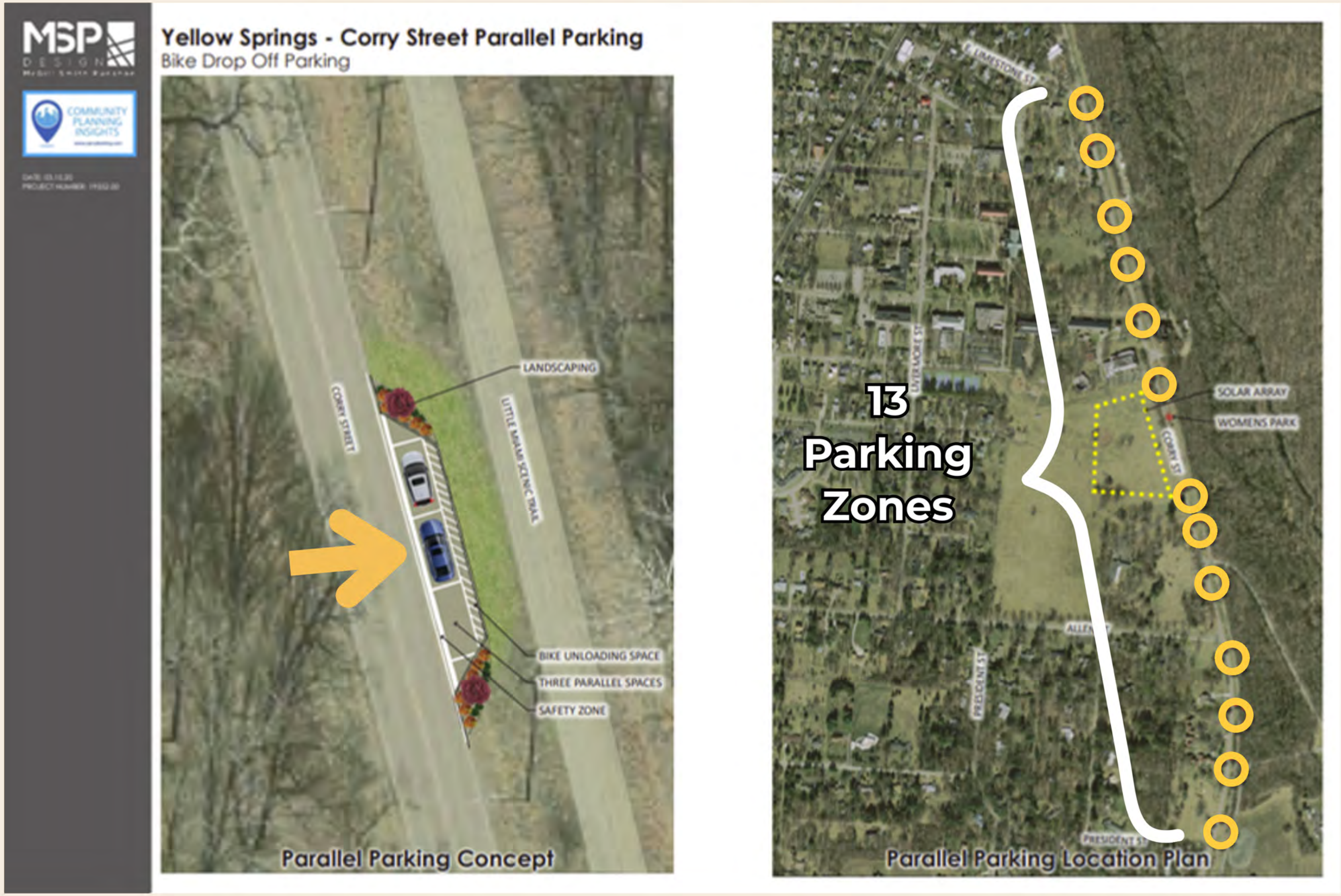

ADA requires 1 accessible space per 25 parking spaces

Discussed renderings with school leadership and Presbyterian Church

# 71 With 8 Accessible — Elm St. & Phillips St.

# 8 with 2 Accessible — Corry at Beatty-Hughes

# 39 — Corry St.



MSP DESIGN
COMMUNITY PLANNING INSIGHTS
Yellow Springs - Corry Street Parallel Parking
Bike Drop Off Parking
LANDSCAPING
CORRY STREET
LITTLE MIAMI SCENIC TRAIL
BIKE UNLOADING SPACE
THREE PARALLEL SPACES
SAFETY ZONE
Parallel Parking Concept
E LIMESTONE ST
13 Parking Zones
SOLAR ARRAY
WOMENS PARK
CORRY ST
PRESIDENT ST
Parallel Parking Location Plan

To: Village Council
From: Gavin DeVore Leonard
Re: Strategic Plan
Date: 04/03/26

One of our Goals is to start (and then complete) a strategic planning process. This memo is intended to be the first step in working toward finding consultants that we will partner with to lead and implement that process and create resulting documents. I would like to gather any input, ensure there is majority support for the direction, and then I will share a more concrete draft for consideration at our next meeting. Here are the components I expect we'll need, which I'd then work to prepare:

- An overview of the purpose of doing strategic planning, including expected deliverables
    - Reviewing relevant existing plans and documents
    - Engaging stakeholders — process for incorporating input from Council, staff, community members and institutions
    - Documenting a long-term vision for our community (10-20 years)
    - Documenting the Village's mission and/or role toward that vision (3-5 years)
    - Creating actionable plans

- A call for Letters of Interest (LOI)
    - Anchored by the overview of the purpose for planning (directly above), this would be the document that would be sent to prospective consultants
    - 1-2 pages max, including a summary of our community values and history, any timeline and budget considerations, and guidelines for LOIs, likely to include:
        - Relevant experience
        - Why they are interested in working with our community
        - Any initial timeline and budget considerations

- A process and timeline for circulating, collecting, and reviewing the call for LOIs
    - Consideration about process and communication expectations going forward, including team working with a consultant

While strategic planning was formally discussed as a line item in the budget for 2025 (at $75,000), that did not happen last fall/winter for the 2026 budget. I am under the assumption that there is strong agreement on this Goal, but I do want to do a temperature check to ensure we're on the same page before we formally proceed as this will cost money.

My hope is that in a brief conversation at this meeting I can gather any initial input so that the work I do will be in keeping with expectations. I look forward to the conversation.

Village of Yellow Springs

March 18, 2026

Dear Members of the General Assembly,

Village Council is pleased to offer support for Antioch College's request for State of Ohio capital funding for the reconstruction of Antioch Hall in Yellow Springs.

As one of three original 1853 buildings on the Antioch College campus, Antioch Hall is an iconic building for the College and for the Village of Yellow Springs. The building is featured in promotional literature for both entities. Antioch Hall served as the original classroom building for the College, and in the twentieth century its theater, Kelly Hall, became a venue for innovative student programming as well as nationally known speakers and musical groups.

When Antioch College re-opened in the fall of 2011 after a three-year hiatus, the vision of College administration was to work to reactivate Antioch Hall. Several years ago a $675,000 grant from the Yellow Springs Community Foundation enabled heating, electrical and plumbing systems, as well as the roof and the façade to be repaired. Over the last year, the building's first floor has been restored and is now housing some Antioch administrative offices.

The legislative capital grant will help to finance reactivation of the upper floors of Antioch Hall to provide accessibility and allow for use by the general public. This work will accomplish a major step in the preservation of this historic building. Upon reopening, Antioch Hall will once again serve as a hub for Antioch College administrative offices and for community programming, benefiting Village residents and visitors as well as the Antioch community.

Reactivation of Kelly Hall, which seats over 650 people, will open the door to many other opportunities as there is not another venue in Yellow Springs that comes close to this level of capacity.

Village Council encourages support of this request for capital funding. We believe this project will both preserve an iconic historical structure and provide educational and entertainment opportunities for the region.

Thank you for your commitment to strengthening Ohio communities.

On Behalf of Yellow Springs Village Council,

Gavin DeVore Leonard, Council President

## Judy Kintner, Clerk of Council


**From:** M Wallgren <mwallgren@sbcglobal.net>
**Sent:** Wednesday, April 1, 2026 11:27 AM
**To:** Judy Kintner, Clerk of Council

**Subject:** Please forward this info
**Attachments:** IMG_9488.jpeg

Hi Judy- please put in packet and get to Village Manager, Council, and Bowen. Thank you.

To Village Manager, Village Council, Bowen Research, and whoever it may concern.

There is info that needs to be conveyed to the Bowen Housing Study as they update their report for the Village.

When the last Bowen study was done, the Vernay contamination studies weren't as far along and the EPA had not commented. They determined that the Vernay contamination site will not be suitable for housing due to the extent of the contamination and the degree that it can be cleaned up. (In fact, even if industry is located there in the future, there may be institutional controls placed as to how long people can be onsite). This was conveyed at the public and private Village meetings with USEPA Region 5.

When the last Bowen study was done, they considered the Vernay site as a future housing site. This skewed the figures for about 19 acres of what was thought to be available land for future development of housing. Since Bowen is updating the plan, they need to know that land is a Superfund site (deferred for cleanup under the RCRA program), and not for housing use. It needs to be removed and this corrected. (See attached).

As it is, the cleanup proposal hasn't even been acted on, the final cleanup proposal hasn't been approved by US EPA, and it will take decades. According to other hydrogeology experts, the contamination continues to spread, and the risk for eventual off property offgassing is possible. EPA wanted VOC testing of our Village wells and water increased due to the contamination and this needs to be ongoing (are we even testing for VOC's)?

I strongly encourage Village government to be communicating directly with the US EPA supervising the project as to why it isn't being cleaned up, and encourage them to act. In the past the manager and Council members reported communicating with Vernay, not the US EPA who Vernay is bound by consent decree to cleanup, and who supervises this project. It is a federal, not state cleanup. Contact info for the project manager is at the website.

Vernay site info can be had at Vernay Hazardous Waste Cleanup, US EPA:

https://www.epa.gov/hwcorrectiveactioncleanups/hazardous-waste-cleanup-vernay-laboratories-inc-facility-yellow-springs#Reuse

Please send this info to the Village Manager, the Council members, and whoever is communicating with Bowen for study that is ongoing.

Thank you,
Sincerely,

Marcia Wallgren

This was how the land was identified in the original Bowen housing assessment:

| | |
|---|---|
| **Year Built:** | N/A |
| **Number of Floors:** | N/A |
| **Current Use:** | Vacant Land |
| **Approximate Building Size:** | N/A |
| **Approximate Lot Size (Square Footage):** | 19.778 acres |
| **Available:** | Unknown |
| **Zone Class:** | A,I-General Farm, Industrial |

**Comments:**

Land owned by Vernay Laboratories

| RATINGS | | | | | |
|---|---|---|---|---|---|
| Building (Exterior) | Neighborhood | Access (Ingress/Egress) | Visibility | Parking | Development Potential |
| N/A | B | A | A | A | A |

A – Above Average
B – Average
C – Below Average
N/A – Not Applicable