

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

In Council Chambers @5:00 P.M.

Monday, May 19, 2025

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 5:03pm.

ROLL CALL

Present were President Stokes, Vice President DeVore Leonard and Council members Carmen Brown and Brian Housh. Solicitor Blankenship and Village Manager Johnnie Burns were also present.

Housh MOVED TO EXCUSE THE ABSENCE OF COUNCIL MEMBER Gustafson.
Stokes SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

EXECUTIVE SESSION

At 5:04 DeVore Leonard MOVED and Housh SECONDED a MOTION TO ENTER EXECUTIVE SESSION TO Discuss the Employment and Compensation of a Village Employee. The MOTION PASSED 4-0 ON A ROLL CALL VOTE. The Village Manager and Solicitor were present in the session.

MOTION TO ENTER REGULAR SESSION

At 6:08, Housh MOVED and DeVore Leonard SECONDED a MOTION TO ENTER REGULAR SESSION. The MOTION PASSED 4-0 ON A VOICE VOTE.

ANNOUNCEMENTS

Burns announced the Celebration of Life for Fire Chief Powell to be held May 31st.

Burns announced that AC Service will hold a Community Appreciation Day May 30th.

Burns announced that Gaunt Park Pool is being filled in preparation for this weekend's opening.

Housh thanked Tanner Bussey and the VYS crew for installing the first of two deer fences at Bill Duncan Community Gardens. He noted that all plots are spoken for at that location.

CONSENT AGENDA

1. Minutes of May 5, 2025 Regular Meeting
2. Credit Card Statement for April

Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE THE MINUTES of April 21, 2025. The MOTION PASSED 4-0 ON A VOICE VOTE.

Housh MOVED and Brown SECONDED a MOTION TO APPROVE THE CREDIT CARD STATEMENT FOR APRIL. The MOTION PASSED 4-0 ON A VOICE VOTE.

REVIEW OF AGENDA

There were no changes made.

PETITIONS/COMMUNICATIONS

There were no communications.

PUBLIC HEARINGS/LEGISLATION

DeVore Leonard MOVED and Housh SECONDED a MOTION TO WAIVE FULL READING OF EMERGENCY AND SECOND=READ ORDINANCES. The MOTION PASSED 4-0 ON A VOICE VOTE.

First Reading of Ordinance 2025-08 Repeal and Replace Chapter 220.02 “Remote Meetings”. DeVore Leonard MOVED and Stokes SECONDED A MOTION TO APPROVE.

Blankenship introduced the legislation, noting that Council had provided some direction at their May 5th meeting, which is reflected in the repeal/replace before Council.

DeVore Leonard pointed out that the version provided was not red-lined.

Council decided to assess the language provided as that which would be added or retained, and discussed.

DeVore Leonard received clarification regarding when and how the public can participate in either a hybrid or fully remote meeting, stating his understanding that citizens would not be able to comment on the zoom platform in a hybrid meeting, but would be able to do so in a fully remote meeting.

Blankenship conveyed the intent of the additions as well as the deletions.

DeVore Leonard received clarification that more than one Council member could participate remotely.

Council indicated agreement with the language provided, and were assured that they would receive the red-lined version for consideration at the public hearing.

Stokes declined to call a vote on the first reading.

Emergency Reading of Ordinance 2025-09 Approving a Second Supplemental Appropriation for the Second Quarter of 2025 and Declaring an Emergency. Housh MOVED and Brown SECONDED A MOTION TO APPROVE.

Burns introduced the legislation, noting that it covers only the requested repairs to the Bryan Center HVAC system. He noted that the emergency consists of the closure of the YSPD interview room due to leakage.

Stokes OPENED THE PUBLIC HEARING. There being no comment, Stokes CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Reading of Resolution 2025-28 Repealing Resolution 2017-15 “Refusing to Annex”. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Blankenship explained that in March of 2017, Council passed Resolution 2017-15 stating refusal to “annex or extend utilities to any properties outside of the current municipal limits”. This resolution was in response to property placed for auction which was adjacent to existing village limits.

Blankenship stated both she and staff are recommending repeal of the 2017 resolution. She noted that Village Council has full discretion to determine whether annexation will be approved on a case-by-case basis. Blankenship noted that there have been annexations approved since resolution 2017-15 was passed, so best practice would be to repeal this blanket refusal to annex.

Blankenship clarified that the Village can support development outside of existing Village limits but cannot support development outside the Urban Service Boundary due to limitations in existing municipal resources, and referenced a map provided by the Village Manager delineating the Urban Service Boundary.

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

Reading of Resolution 2025-29 Approving a Grant to the Porchfest Committee in Support of 2025 Porchfest Activities. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

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

Reading of Resolution 2025-30 Authorizing the Village Manager to Apply for a Planning Loan from the Ohio EPA to Engage Wessler Engineering, Inc. to Conduct a Wastewater Treatment Plant Capacity Study. Brown MOVED and DeVore Leonard SECONDED A MOTION TO APPROVE.

Burns explained that taking out the loan will put the Village in a queue with the Ohio EPA, and should upgrades or repairs be necessary as indicated by the capacity study, the Village would then be in a good position to apply for additional loan funds or grants from the OEPA. He added that a capacity study will be mandated if the Village plant reaches 80% of capacity, and it is currently running between 60% and 70%.

Burns stated that staff have been pleased with Wessler's presentations and information, and that they come recommended by Choice One. He noted that no agreement with Wessler will take place unless the loan is approved.

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

Reading of Resolution 2025-31 Urging Restoration of the Ohio Housing Trust Fund in the Ohio State Budget and Expressing Support for The Cascades Affordable Housing Project. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Brittany Keller, representing Home, Inc., spoke on behalf of the resolution, stating that the fund has provided a great deal of financial assistance to Home, Inc. in years past.

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

Reading of Resolution 2025-32 Authorizing the Village Manager to Enter into a Contract with MSD, Inc. for Emergency Repairs to Bryan Center HVAC Systems. Brown MOVED and DeVore Leonard SECONDED A MOTION TO APPROVE.

Burns referenced the materials provided and information given at the May 5th meeting. He noted that Council has approved the request in the form of the earlier supplemental appropriation.

Burns stressed that there is both a financial advantage and an efficiency advantage in having the entire system repaired at the same time, and that is why he is requesting the entire amount.

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

CITIZEN CONCERNS

Jacintha Williams requested information on what chemicals are present in Village drinking water. Burns stated that he would provide her with water quality reports.

April Wolford announced Pride activities set for June 28th.

Chris Rolitsky identified himself as a neighboring property owner to the 84 acres being considered for annexation. He asked why the opinions of neighboring property owners had not been solicited, and characterized the information and news coverage of the matter as inadequate. He opined that because the annexing property owner had donated land to the High School for use as athletic fields, the annexation was “a quid pro quo”.

Burns explained that no annexation had yet taken place; that the Development Agreement precedes an annexation agreement.

Blankenship further explained the type of annexation agreement (Expedited Type One) which is several months away, and which will entail two more pieces of legislation.

The question was asked as to why notification was not made public prior to Council’s vote.

Blankenship stated that the request for annexation will go first to the Township, after which it will come to Council. She noted that noticing requirements are set by Ohio Revised Code.

Reilly Dixon, Yellow Springs News, alleged that “at no point in the School Board’s process was it made public that 84 acres was quid pro quo for the soccer fields.” Dixon stated that, “the only public documents that were made available to me as well as to the public” were the 3.6 acres “that were in exchange for the existing Morgan Fields”. Dixon asked that his statements be placed on the record.*

*The property owner’s intention to petition for annexation of 84 acres was made public during a January 17th, 2024 Yellow Springs School Board meeting when the property owner’s intentions were publicly discussed. During that meeting, the Village Manager noted the 84 acres referenced in the Donation Agreement, and indicated that while Village staff would be open to reviewing such a request there was no commitment to approval. The property owner’s intention to request annexation is also noted on page 6 of the School Board’s “Real Property Donation Agreement,” which is publicly available.

Following the Manager’s Report, Stokes permitted a late arrival to comment.

Mike Breza stated his concern regarding the aforementioned 84 acres. He asked for meetings and feedback and stated his opposition to development of this property.

SPECIAL REPORTS

There were no Special Reports.

MANAGER’S REPORT

Burns reported on the following:

Village Water scored first place in the Ohio Rural Water category for best tasting, best smelling and best clarity. The Water Department will be in attendance on June 2nd to display the trophy.

Burns reported that the Village is number 6 in Greene County for residential and commercial building starts.

Burns announced engagement with new technology to continue efforts to track water loss.

Burns thanked Thor Sage and MVECA for supplying a low-cost phone service able to meet Health Department requirements for the emergency Gaunt Park Pool phone.

Burns noted that the Village has been conducting internal audits to increase internal efficiencies.

Burns reported that a resident who works for Homeland Security will be assisting with a Village cyber security audit.

Burns noted attendance at a recent Dayton Area Manager’s meeting which addressed several state level bills dealing with TGL regulation and utility bill responsibility shifts.

Burns commented that he, Leatherman and Giardullo had engaged in a productive meeting with Xylem recently.

Burns announced a plan to close Short Street for the last weekend in May in collaboration with the Chamber and Community Foundation to trial an open area for pedestrians and shoppers, diners, etc. He stated that the plan is to maintain the pedestrian area as a barricaded-off area.

DeVore Leonard asked for staff feedback regarding Village Goals.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Scheduling of Work Session re: Village Capacity for Expansion. The Clerk noted that this issue has been raised by various entities and Council members over the last several years and it would be well to begin having these conversations and gathering necessary information. Council members agreed that this was a topic of concern to them. All agreed to a work session in the near future. The Clerk will schedule the session.

BOARD AND COMMISSION REPORTS

Brown suggested that Council members view the last Planning Commission meeting covering the PUD requests from Windsor Companies.

Burns noted that the Learning Tree sculpture at the Library is in fact owned by the Village, and the Village will assume maintenance of that sculpture.

FUTURE AGENDA ITEMS

Housh asked that Council revisit Village Values in light of some recent POTUS decisions, notably the decision to roll back recent PFAS monitoring and mitigation standards. This will be discussed during Agenda Planning.

- June 2: **Second Reading and Public Hearing of Ordinance 2025-08** Repeal and Replace Chapter 220.02 “Remote Meetings”
 Reading of Resolution 2025-33 Authorizing the Village Manager to Enter into an Agreement with TBD For 2025 Utility Line Clearance (Section 3) of the Village
 Reading of Resolution 2025-34 Determining the Necessity of Levying a Renewal of an Existing 8.4 Mill Property Tax Levy in Excess of the Ten-Mill Limitation for the Purpose of Paying for Current Operating Expenses of the Village to Run for Five (5) Years, Pursuant to Section 5705.19 as Amended, and Requesting the County Auditor to Certify Matters in Connection Therewith
 TLT Request to Extend Greenspace Fund Availability Through December 31, 2025
- June 16: **Reading of Resolution 2025-35** Official Question and Issue Ballot-General Election- Proposed Tax Levy (Renewal)
 First Reading of Ordinance 2025-10 Rezoning 11 Parcels Totaling 1.256 Acres of Property Located at 150 East South College Street to Planned Unit Development (PUD) and Amending the Zoning Map Accordingly and Approving the Preliminary Development Plan

July 7: **First Reading of Ordinance 2025-11** Rezoning 1 Parcel Totaling 2.169 Acres of Property Located at 275 East North College Street to Planned Unit Development (PUD) and Amending the Zoning Map Accordingly and Approving the Preliminary Development Plan
Second Reading and Public Hearing of Ordinance 2025-10 Rezoning 11 Parcels Totaling 1.256 Acres of Property Located at 150 East South College Street to Planned Unit Development (PUD) and Amending the Zoning Map Accordingly and Approving the Preliminary Development Plan
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*Future Agenda items are noted for planning purposes only and are subject to change.

ADJOURNMENT

At 7:43pm, Housh MOVED TO ADJOURN. DeVore Leonard SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

Attest: -----
Judy Kintner, Clerk of Council