

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

In Council Chambers @6:00 P.M.

Monday, March 17, 2025

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 6:03pm.

ROLL CALL

Present were President Stokes, Vice President Gavin DeVore Leonard and Council members Brian Housh and Trish Gustafson. Solicitor Blankenship, Village Manager Johnnie Burns and Water and Electric Superintendent Ben Sparks were also present. Carmen Brown was absent.

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

ANNOUNCEMENTS

Cole Oberg announced Celebrate Trails Day for April 26, which he is coordinating as his Senior Project for YSHS.

Housh announced the following: A Village Café event will be held this Saturday at the Presbyterian Church; Housh attended a recent State of the College address at Antioch College and noted the need for collaboration; Sign-ups for Community Garden plots is now underway; Earth Day Celebration will occur April 27th;

Burns announced the monthly Beloved Community free meal the third Saturday of every month at the Presbyterian Church.

CONSENT AGENDA

1. Minutes of March 3, 2025 Regular Meeting
2. Credit Card Statement for February

Gustafson MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE THE MINUTES of March 3, 2025. The MOTION PASSED 4-0 ON A VOICE VOTE.

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

REVIEW OF AGENDA

Reading of Resolution 2025-19 was moved first in Legislation to accommodate a guest speaker.

Review of the 3/31 Draft Agenda was added to New Business.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Mayor's Clerk re: Mayor's Monthly Report (2)
Brian Housh re: MVRPC Director's Report
Brian Housh re: MVRPC Committee Assignments

DeVore Leonard reviewed communications.

PUBLIC HEARINGS/LEGISLATION

Reading of Resolution 2025-19 Approving Village of Yellow Springs Participation in Ohio Benefits Co-op. DeVore Leonard MOVED and Gustafson SECONDED a MOTION TO APPROVE.

Justin Wiedle, Benefits Consultant from McGowan Brabender, explained that Anthem recently changed the way it counts employees such that the Village is now considered to have more than 50 employees. This allowed Anthem to drop the Village from their benefits group, causing an immediate increase in the cost of available plans for 2025-2026.

Wiedle explained that McGowan Brabender had shopped carriers and is offering membership in the Ohio Benefits Collective (OBC) as a benefit pool with a consistent record of low annual rate increases. Anthem would remain the Village's healthcare provider, he said, offering the added benefit of a low increase and plan stability.

Wiedle explained that there is an initial \$800 joining fee and an initial three-year commitment to remain in the benefit pool. There are nine plan options, he said, and the top two or three options will be brought back before Council with a recommendation before the end of April.

Council members asked a number of questions regarding both OBC and the makeup of the consortium.

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

Reading of Resolution 2025-15 Approving Grant Funds to Local Non-Profit Entities for Community Enrichment Events for 2025. Gustafson MOVED and Housh SECONDED a MOTION TO APPROVE.

The Clerk explained that the resolution is a means of simplifying the process by which regular requesters of event funds are handled. The resolution enables Council to essentially pre-approve specific, regularly held events in the amounts normally requested. Each request will still need to be made to the Council Clerk using the approved Event request form prior to receiving these funds.

Following discussion, Housh MOVED TO REMOVE "HOLIDAY IN THE SPRINGS". Gustafson SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

Stokes CALLED THE VOTE ON THE RESOLUTION AS AMENDED, AND THE MOTION PASSED 4-0 ON A VOICE VOTE.

Reading of Resolution 2025-16 Declaring Property Located at the Center for Business and Education as Surplus. Housh MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Blankenship explained that Section 206.02 of the Codified Ordinances requires that Council declare property as surplus prior to any sale of that property. That is the action being taken by means of Resolution 2025-16. Blankenship added that the same code section requires that notice of sale be advertised not fewer than three times, with the first such notice running not less than 30 days prior to any sale. This resolution gives the go-ahead for any such publication, she said.

Approval of any sale will come before Council, Blankenship said.

Blankenship noted that the ordinance is "a bit unwieldy" and could use some editing to clarify the process.

Housh pushed back on the need to notice the sale prior to an offer being made.

Blankenship responded that she interprets the language as requiring notice that Village property is up for sale period, not that there is a specific offer for the property.

Council discussion ensued regarding the noticing requirements.

Blankenship commented that the noticing would be repeated if an offer had not been made in six months or so.

Housh continued to object, explaining that his reasoning for the noticing is based on a different interpretation of the code language and noting that he is fine with notification but felt it unnecessary at this time.

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

Reading of Resolution 2025-17 Authorizing VM to Enter into an Agreement with Smith, Meier & Webb Co., L.P.A. for Prosecution Services. Housh MOVED and Gustafson SECONDED a MOTION TO APPROVE.

Blankenship explained that Mark Webb, who currently prosecutes cases in Xenia Municipal Court is able to take on prosecutorial services for Yellow Springs, Cedarville and Jamestown, all of whom have been informed that the Xenia Municipal Court Prosecutor will no longer handle these cases as of April 1, 2025.

Blankenship stated that the cost will be 1/3 of \$25,000, evenly divided, and that municipalities will not pay court costs, assuring that the annual cost will be predictable. Blankenship responded to a concern from Housh and Stokes, stating that she will amend the contract to clarify the aforementioned.

Laura Curliss spoke, offering insight from her previous role as a prosecutor, opining that taxpayers are already paying for the services of a prosecutor as part of their tax burden, since Municipal Courts have county-wide jurisdiction. She stated that, similarly, the County has a duty to provide victim services.

Blankenship countered, stating that each jurisdiction is supposed to provide its prosecutor, and that it is normal to contract out these duties. More information regarding a victim advocate is forthcoming, she said, as this is being actively addressed.

Blankenship noted that it is typical for a municipality's law director to appoint a prosecutor for the municipality.

Curliss asked which cases would go to Mayor's Court and which would be referred to Municipal Court.

Blankenship responded that no change to the current process is anticipated, with eligible misdemeanors going to Mayor's Court and all other misdemeanors going to Municipal Court. There will be no uncovered cases or gap to be concerned with, she said.

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

Reading of Resolution 2025-18 Authorizing Grant Submission for Extension of Sidewalk on Fairfield Pike. Housh MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Burns explained that the Village had applied for the same grant in 2024, for construction of sidewalks along Yellow Springs-Fairfield Road from Ridgecrest Drive to the Little Miami Scenic Trail. While the Village was awarded \$1.6 million in funding, the project was ultimately declined due to increased match requirements.

Since last year's submission, Choice One has worked to refine the concept plan and address concerns raised by the ODOT District, resulting in a more detailed proposal and updated cost estimates. There is now an option to move forward with the project either as a single-phase effort or as a phased approach.

Burns explained that if the phased approach is accepted, the Village would need to apply for grants to complete the second phase (Winter Street to Little Miami Scenic Trail).

Burns's suggestion was to adopt the phased option, which would mean applying for phase one only.

Council discussed the options and the need for the project.

DeVore Leonard shared his concern regarding how to expend limited funds, and whether sidewalks are more important than other types of projects.

Gustafson responded that sidewalks are critical for persons with mobility challenges, including members of the aging community. She stated her preference for applying for the grant and also using strategic planning to address the concern that DeVore Leonard raised.

Housh complimented the thoroughness of the report and expressed agreement with the phased approach, given his awareness of the way that submissions are scored. He suggested naming the Active Transportation Plan in the grant as a means for improved scoring.

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

CITIZEN CONCERNS

Judith Hempfling, stating that she was speaking as the School Board representative to Council, identified three "areas of cooperation" that she asked be set up prior to next Fall's school start date, all of these being Village actions. Hempfling then stated that Councilperson Gustafson had made a "very serious accusation" against her. She alleged that such an accusation could only be made when the accused is present to counter. Hempfling requested that the Council President speak to Gustafson and remediate the situation.

Amy Wamsley announced an upcoming and historic attempt on her part to swim the English Channel this summer. She promoted her work on behalf of water conservation and asked for donations to her fund to support women's empowerment and/or to her Channel swim fund.

Laura Curliss spoke to the need for prosecution services, offering her insights as a former prosecutor and suggesting the Village take an approach that prioritizes diversion, restorative justice and use of Mayor's Court.

SPECIAL REPORTS

End of Year Report: Water and Electric. Superintendent of Water and Electric, Ben Sparks, provided an in-depth annual report.

MANAGER'S REPORT

Burns presented the Manager's report, highlighting an upcoming lottery for a Lawson Place apartment; ongoing Manager as well as staff trainings, Village broadband and upgrades and repairs to the Bryan Center.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Council Information Request Process. DeVore Leonard introduced the topic noting that when Council members ask for action on a particular item or introduce a new idea for consideration, this often adds to staff workload and can increase cost for legal services.

There was general agreement among Council members that following a process for these requests, ideally to introduce the idea during a meeting and receive either a go-ahead or a no-go from Council as a whole, or to have the item be reviewed in Agenda Planning.

Work Session Draft Agenda Review. Council discussed the draft agenda. Gustafson shared that when she took over the role of liaison to the School Board, she received a communication from Hempfling regarding areas of mutual cooperation. Gustafson stated that she interpreted this very inclusively, seeing the liaison communication as a way to foster greater transparency and to set a standard for ethical communication between both bodies.

Gustafson stated that members of the public have lost trust in both entities and both need to work to regain this trust. She asked that a discussion regarding priorities for communication and possible cooperation be added to the draft agenda.

There was general agreement regarding the addition.

Council was reassured that more information for each topic area as well as a list of each Council member's suggestions would be provided prior to the meeting set for March 31.

Gustafson raised the need for a strategic planning process that would involve citizens, including the gathering of information through a survey process.

BOARD AND COMMISSION REPORTS

Housh asked for Council approval to send a draft letter to state-level legislators regarding the impact of recent DOGE actions on the Village.

Council members agreed to the action: Housh will revise the letter, and Stokes will sign on behalf of Council.

Housh asked whether Council wished to join him in objecting to Planning Commission's decision to add a review of Transient Guest Lodging to their goals. It was requested that DeVore Leonard share more information about PC's proposed goals at the next meeting.

FUTURE AGENDA ITEMS

DeVore Leonard asked that a balance be struck between charging for Bodycam redaction and accessibility to public records.

Housh asked that Council determine whether or not the Village should engage in a Charter Review, and also suggested a review and potential revision of 206.02 given the confusion regarding this code section.

March 31: Council Work Session: Village Goals (5-7pm)
April 7: 5-6pm: Work Session: Village Manager Goals
Ordinance Approving a PUD on Less than Five Acres
Special Reports: Finance/Robinson: 2024 Fiscal Report
Treasurer Report
AMP Smart Thermostat Presentation
Resolution Permitting Fees for Body Cam Redaction

April 21: Village End of Year Report
Resolution: Dental Insurance
Resolution Health Insurance
Quarterly Financials
Treasurer Report

May 5:

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

ADJOURNMENT

At 9:01pm, Gustafson MOVED TO ADJOURN. Housh SECONDED, and the MOTION PASSED 4-0 ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

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