

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

In Council Chambers @5:00 P.M.

Monday, April 21, 2025

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 5:15pm.

ROLL CALL

Present were President Stokes and Council members Brian Housh and Trish Gustafson. Vice President Gavin DeVore Leonard and Councilmember Carmen Brown were absent. Solicitor Blankenship and Village Manager Johnnie Burns were also present.

Gustafson MOVED TO EXCUSE THE ABSENCE OF COUNCIL MEMBER DeVore Leonard. Housh SECONDED, and the MOTION PASSED 3-0 ON A VOICE VOTE.

Gustafson MOVED TO EXCUSE THE ABSENCE OF COUNCIL MEMBER Brown. Stokes SECONDED, and the MOTION PASSED 2-1 ON A VOICE VOTE, with Housh voting against.

EXECUTIVE SESSION

At 5:16pm. Housh MOVED and Gustafson SECONDED A MOTION TO ENTER EXECUTIVE SESSION FOR TO DISCUSS THE POTENTIAL SALE OF REAL ESTATE. The MOTION PASSED 3-0 ON A ROLL CALL VOTE. Present in the session were Solicitor Blankenship, and Village Manager Burns. Realtor Allison Moody and Planning and Economic Development Coordinator Meg Leatherman joined the session at 5:30.

MOTION TO ENTER REGULAR SESSION

At 6:13pm, Housh MOVED and Gustafson SECONDED a MOTION TO ENTER REGULAR SESSION. The MOTION PASSED 3-0 on a ROLL CALL VOTE.

ANNOUNCEMENTS

Stokes read a brief statement regarding Fire Chief Denny Powell's student and professional career. A moment of silence was held, and Gustafson and Housh offered brief remembrances.

Housh noted banners up in town, thanking the Village team for facilitating this effort. He suggested a return to the Art banners of several years ago.

Housh noted a proclamation given in honor of Kate Anderson, and another in honor of Peggy Erskine.

Housh noted Earth Day celebrations to be held April 26th.

CONSENT AGENDA

1. Minutes of April 7, 2025 Regular Meeting
2. Minutes of April 11, 2025 Special Meeting
3. Credit Card Statement for March

Gustafson MOVED and Housh SECONDED a MOTION TO APPROVE THE MINUTES of April 7, 2025. The MOTION PASSED 3-0 ON A VOICE VOTE.

Gustafson MOVED and Housh SECONDED a MOTION TO APPROVE THE MINUTES of April 11, 2025. The MOTION PASSED 3-0 ON A VOICE VOTE.

Gustafson MOVED and Housh SECONDED a MOTION TO APPROVE THE CREDIT CARD STATEMENT FOR MARCH, 2025. The MOTION PASSED 3-0 ON A VOICE VOTE.

REVIEW OF AGENDA

There were no changes made.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Earth Day Fliers (2)
Brian Housh re: Village Café Report from LEAF
Mayor's Clerk re: Mayor's Court Reports (3)

Housh reviewed communications.

PUBLIC HEARINGS/LEGISLATION

First Reading of Ordinance 2025-06 Repealing Section 242.01 "Composition; Classification" of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 242.01 "Composition; Classification" to Add an Additional Community Outreach Specialist Position. Housh MOVED and Gustafson SECONDED a MOTION TO APPROVE.

Chief Burge referenced her memo on the topic, stressing that the need for an additional COS is not directly related to the COS taking on the role of victim advocate, but is a result of "the growing demands placed on our existing COS role and the continued success of the position in fostering positive, community-based policing."

Burge added that the addition would allow YSPD to sustain and grow successful outreach programs, provide more comprehensive and responsive support to residents, and ensure continuity in the role, especially in planning for eventual staff transitions.

Stokes noted that a change may need to be made to the ordinance to clarify that the Chief is not a contract employee.

Blankenship agreed, stating that the change would be made to the ordinance that comes back to Council for a second reading. She noted further that reference to a specific number is likely to be removed.

Stokes declined to call a vote on the first reading.

Housh MOVED TO UNTABLE RESOLUTION 2025-20. Gustafson SECONDED, and the MOTION PASSED 3-0 ON A VOICE VOTE.

Reading of Resolution 2025-20 Adopting a Law Enforcement Video Records Policy for Fees and Processing.

Blankenship described changes made to the policy as a result of discussion at the prior meeting.

Council members asked a number of questions related to types of charges, time required to engage in the redaction process, etc.

Stokes emphasized that any charges will not come close to the actual cost of producing video records.

A fair amount of time was spent discussing the suggested exemption for Village residents as well as the process for notifying requestors of their costs and how that is determined.

Blankenship pointed out that there is language in the policy that once redactions are complete, the door is closed to subsequent requestors being charged. This language, she opined, is clear enough for purposes of the policy.

Stokes asked for Council opinion regarding the addition of village residents to the list of exemptions.

Both Gustafson and Housh indicated that because residents pay taxes, they should receive an exemption if they are willing to divulge their identity as residents.

The Clerk presented an argument in favor of not exempting residents as a tool to curbing requests made for the purpose of voyeurism or profiteering.

Stokes MOVED TO STRIKE THE RESIDENT EXEMPTION. Gustafson SECONDED, and the MOTION PASSED 2-1, with Housh voting against.

Housh MOVED TO APPROVE RESOLUTION 2025-20. Gustafson SECONDED. Stokes CALLED THE VOTE, and the MOTION PASSED 3-0 ON A VOICE VOTE.

Reading of Resolution 2025-25 Approving an Annexation Agreement with Miami Township. Housh MOVED and Gustafson SECONDED A MOTION TO APPROVE.

Burns introduced the Resolution, noting that the area has been identified on the Comprehensive Land Use Plan for future development for some time, and that Public Works has had utilities stubbed out to that property since development began on Spring Meadows.

Burns stated that the Village has been in communication with Miami Township regarding the Village's support for annexing the property in for the purpose of development.

Housh commented that Council has not pursued inclusionary zoning in the last five years, stating that he believes the zoning code could do better in this regard.

Stokes CALLED THE VOTE, and the MOTION PASSED 3-0 ON A VOICE VOTE.

CITIZEN CONCERNS

Rick Sanders, Township resident and adjoining neighbor to the land being annexed, stated that he does not want a development near him, that he doubts the village wants this, and that he would like to know what is likely to be developed.

Burns confirmed that the area is indeed next to Sanders' property.

Blankenship clarified that the Annexation Agreement is a step towards annexation, which will not occur until another round of legislation is passed.

Dino Pallotta referenced a recent Open Discussion post which targeted the Village Manager and Chief, expressing his dismay that an individual in a leadership position, that is, the moderator, would engage in or permit the targeting to continue in the forum. He stated that the action did not seem responsible.

Stokes aired some personal grievances regarding Facebook attacks.

Pallotta commented that moderators have the power to remove people from the discussion and asked “who moderates the moderators?”

Housh referenced Stokes’ comments, noting that there is a lot of content that is not inflammatory and which simply expresses an alternative viewpoint.

SPECIAL REPORTS

Village of Yellow Springs End of Year Report. Burns presented the report, offering highlights from 2024.

Village Manager Performance Review. This document was included in the packet but was not referenced during the meeting.

MANAGER’S REPORT

Burns announces Spring Clean Up and the Summer Sewer adjustment program.

Burns announced a YSPD Facebook page upcoming.

Burns stated that Millworks will be coming to Planning Commission to request an expansion to add a building for an expanding business.

Staff insurance sign ups are underway.

Burns noted his memo regarding his recommendation that the Village cease hybrid meeting and permit remote meetings only in the event of a state, federal or local emergency. He pointed out the limitations of hybrid meetings and the need for additional cables to be installed to facilitate this if Council determines that they want to continue hybrid meetings.

Housh commented that almost no public bodies are meeting virtually at this point.

Gustafson commented that all Council members should be included in the decision.

Council discussed the matter briefly, agreeing to wait on a decision until all members are present.

Blankenship informed Council that recent changes in Ohio law does allow for virtual meetings for some Boards and Commissions, but not for Council or School Boards at this point.

OLD BUSINESS

Village Goals Draft for Legislation. Giardullo received confirmation that the draft Village Goals she presented are accurate. These will be attached to legislation for the May 5th meeting. Giardullo noted that once the goals are passed, she will coordinate with the Village Manager to assign staff and create timelines.

NEW BUSINESS

There was no New Business.

FUTURE AGENDA ITEMS

May 5: Executive Session To Consider the Employment or Compensation of a Village Employee.
Second Reading and Public Hearing of Ordinance 2025-06 Repealing Section 242.01 “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 242.01 “Composition; Classification” to Add an Additional Community Outreach Specialist Position

First Reading of Ordinance 2025-07 Accepting Utility Easements for Center Circuit
First Reading of Ordinance 2025-08 Repeal and Replace Chapter 220.02 “Remote Meetings”
Reading of Resolution 2025-26 Approving a Smart Thermostat Agreement with American
Municipal Power to Assist in Peak Shaving Efforts
Reading of Resolution 2025-27 Approving a Developers Agreement
Reading of Resolution 2025-28 Approving Village Goals for 2025-2026
Quarterly Financials
Treasurer Report
Council Process for Projects

May 19: **Second Reading and Public Hearing of Ordinance 2025-07** Accepting Utility Easements for
Center Circuit

Second Reading and Public Hearing of Ordinance 2025-08 Repeal and Replace Chapter
220.02 “Remote Meetings”

June 2: **Reading of Resolution 2025-xx** 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

June 16: **Reading of Resolution 2025-xx** Official Question and Issue Ballot-General Election-May 6,
2025 Proposed Tax Levy (Renewal)

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

ADJOURNMENT

At 8:05pm, Housh MOVED TO ADJOURN. Gustafson SECONDED, and the MOTION PASSED 3-0
ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

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