

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

In Council Chambers @6:00 P.M.

Tuesday, September 15, 2025

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 6:02pm.

ROLL CALL

Present were Council President Kevin Stokes, Vice President Gavin DeVore Leonard and Council members Brian Housh and Carmen Brown, Solicitor Amy Blankenship, Finance Director Michelle Robinson, Police Chief Paige Burge, Planning and Economic Development Director Meg Leatherman and Village Manager Johnnie Burns were also present. Trish Gustafson arrived at 6:03.

SWEARINGS IN

President Stokes swore in Elyse Giardullo as Assistant Village Manager/Project Lead.

ANNOUNCEMENTS

Housh announced an upcoming update to the Active Transportation Plan. HE announced upcoming Porchfest activities set for this weekend. Housh expressed apologies to villagers for Council's inability to have the municipal flag raised to full staff as a protest against the gubernatorial order that it be flown at half-staff from September 11-September 14 in keeping with a Federal order to lower flags in honor of Charlie Kirk, who, Housh stated, spread hatred and instigated violence against marginalized groups.

CONSENT AGENDA

- 1. Minutes of September 2, 2025 Regular Meeting**
- 2. Credit Card Statement for August**

Gustafson MOVED and Housh SECONDED a MOTION TO APPROVE THE MINUTES of September 2, 2025. The MOTION PASSED 5-0 ON A VOICE VOTE.

Gustafson MOVED and Brown SECONDED a MOTION TO APPROVE THE CREDIT CARD STATEMENT FOR AUGUST. The MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF AGENDA

Housh requested addition of his "Resolution Establishing Protocols for Flying the Village Flag at Half-Staff to New Business.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Naysan McIlhargey re: Short Street Comments
Saul Greenburg re: Short Street Comments
Rebecca Kuder re: Short Street Comments
Paulette Olson re: Short Street Comments
Ellis Jacobs re: Sun Day Flier
Pan Reich re: Opposition to Short Street Closure
Charlene Prestopino re: Opposition to Short Street Closure
Margaret Veenstra re: Opposition to Short Street Closure
Joseph Neal re: Opposition to Short Street Closure
Carole Cottom re: Opposition to Short Street Closure

Leigh Duncan re: Support for Short Street Closure
Emily Seibel re: Support for Short Street Closure
Angie Hsu re: Support for Short Street Closure
Margaret Mattox re: Support for Short Street Closure
Devinne Melecki re: Support for Short Street Closure (2)
Clark Family re: Support for Short Street Closure
Lynch/Lapedes re: Support for Short Street Closure
Lori Askeland re: Support for Short Street Closure
Connie O'Brien re: Support for Short Street Closure
Joshua Mabra re: Support for Short Street Closure
Terry Graham re: Support for Short Street Closure
Wendy DeLong re: Support for Short Street Closure
Eric Mahoney re: Support for Short Street Closure
Steven Conn re: Support for Short Street Closure
Donna Haller re: Support for Short Street Closure
Angela Brintlinger re: Support for Short Street Closure
Lynn Adams re: Support for Short Street Closure
Jill Baker re: Support for Short Street Closure
Linda Sikes re: Support for Short Street Closure
Mayor's Clerk re: Mayor's Monthly Reports (2)
Home, Inc. re: Proclamation (2)

DeVore Leonard reviewed communications.

PUBLIC HEARINGS/LEGISLATION

DeVore Leonard MOVED and Brown SECONDED a MOTION TO READ IN THE EMERGENCY ORDINANCE BY TITLY ONLY. The MOTION PASSED 5-0 on a VOICE VOTE.

Emergency Reading of Ordinance 2025-16 Approving a Supplemental Appropriation for the Third Quarter of 2025 and Declaring an Emergency. Housh MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Robinson explained that the Supplemental moves donated funds into their respective fund lines.

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

First Reading of Ordinance 2025-17 Accepting Annexation from Miami Township to the Village of Yellow Springs of 28.324 Acres of Property Located East of East Enon Road and North of Dayton Street. Brown MOVED and Housh SECONDED a MOTION TO APPROVE.

Blankenship explained that the acceptance of annexation is the final step on the part of Council in the annexation process. Following passage after the second reading, she said, the Clerk will file the ordinance with several Greene County entities to ensure that the property is properly reflected on taxation, zoning and voting maps.

Burns clarified that the property was identified as appropriate for development on the Village Comprehensive Land Use Plan. It is the former Clem farm property, he said, and was stubbed in as part of the Springs Meadows development.

Stokes declined to call a vote on the first reading.

Reading of Resolution 2025-50 Authorizing the Removal of Defunct and Uncollectible Utility Account Balances from the Utility Billing System of the Village of Yellow Springs for the Years 2023 and 2024. Brown MOVED and Housh SECONDED a MOTION TO APPROVE.

Robinson explained that there are several accounts from between 2021 and 2024 that have proven uncollectable, hence the resolution.

Stokes asked about the process used in attempting collection.

Gustafson asked whether the list of accounts would be made available, stating that she was unable to understand the total without that list.

The Clerk stated that that list was not a required attachment to the resolution, but could be made available, adding that the list was not attached to avoid identifying those residents publicly.

Stokes CALLED THE VOTE, and the MOTION PASSED 4-1 with Gustafson voting against.

Reading of Resolution 2025-51 Approving Check Signing Privileges for WesBanco Bank/General Checking & Guaranteed Deposits. DeVore Leonard MOVED and Brown SECONDED a MOTION TO APPROVE.

Burns explained that the resolution adds Giardullo to the list of approved signers.

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

CITIZEN CONCERNS

Alyssa Paolo commented that the recent flag controversy has caused harm and exhorted Council to lead with integrity.

Mike Slaughter expressed disapproval regarding the decision to keep the flag lowered, adding that he was disappointed in the decision “at all levels.”

Rick Sanders stated that he adjoins the property now being considered for annexation. He offered several objections to development of the property and asked that “sight blocks” be put in place. Sanders added that if the controversial 84 acre property south of Dayton Yellow Springs Road is developed the need for single family homes in the village will be exceeded.

Ralita Hilderbrand spoke against any future annexation of the 84 acre property citing impact on Jacoby Creek if it is developed.

Housh commented that there will need to be more known about impacts of development should an annexation be in the works.

Brown stated that she would reach out to Tecumseh Land Trust, Agraria and the Township to further research the matter.

Eric Clark expressed disagreement with the lowering of the municipal flag September 11-14, stating that this did not reflect the values of the village.

SPECIAL REPORTS

There were no Special Reports.

MANAGER'S REPORT

Burns reported on the following:

A survey regarding the Short Street pilot project has been launched.

Backflow preventers will soon be required for all new construction, and that legislation will come to Council.

Halloween bonfires are planned for this year, and Short Street will be one of the locations.

TIF legislation will be brought to Council in the next few meetings.

Aaron Arallano, Planning and Economic Development Coordinator, will be leading “business walks” in the next few weeks to gather information and talk with business owners, and welcomes volunteers.

Text amendment recommendations from Planning Commission will come to Council on October 6th.

Responding to a question from Housh, Burns stated that work on a CRA document for Council consideration is underway with Bricker Graydon.

Regarding possible annexation of 84 acres south and west of the village, Burns stated that he has spoken with the property owner and there are no current plans to seek annexation. Burns said that he will bring information to Council as soon as he learns of any change.

DeVore Leonard received information that Burns has a meeting scheduled with Antioch College president Fernandez scheduled to discuss the possibility for re-opening East North College Street through to Corry Street.

Burns stated that there is no new information regarding the Windsor project at this time.

OLD BUSINESS

Staff Evaluation/Compensation Review Timeline. DeVore Leonard reviewed the process he had outlined, noting that the goal was to improve consistency with regard to the evaluations. This will involve several Executive Sessions, and is planned to conclude before the end of 2025. Moving forward, DeVore Leonard said, both Clerk and Village Manager will engage in two annual check-ins in addition to the evaluation process.

There was general agreement as to the process as outlined, and DeVore Leonard stated that he will return to Council with the finalized document.

Housh asserted that the process has been consistent for the last four years, and agreed to share that information with DeVore Leonard, who stated that the goal is increased consistency.

DeVore Leonard noted that a similar process will be put in place for the Solicitor, but will take place in June or July.

NEW BUSINESS

Flag Policy Discussion. Stokes led the discussion, explaining the usual practice for lowering and raising the flag, which is to follow gubernatorial orders. He commented that the flag has been lowered about 20 times so far in 2025 and 30 times in 2024. Stokes added that when orders are issued, staff follow those orders.

Gustafson read through the list of reasons for flag lowering for 2025. She asserted that the order “should have been compared to our core values” prior to lowering the flag.

Brown stated that she had been very upset to see the flag at half-staff. She added that “the entire Village of Yellow Springs” could have contacted the Village Manager to demand the flag be raised and it could not have been done because there is no policy in place to contravene gubernatorial orders. We can change that now, she said, asserting that a policy permitting Council oversight of the flag policy needs to be passed.

Housh stated that “Council was ignored,” and read the resolution he had prepared for the meeting.

DeVore Leonard clarified that in lowering the flag, “staff was doing what they have always done in following gubernatorial orders,” and Council cannot order the Village Manager to change a practice or policy outside of a noticed meeting. The issue then, he said, is that Council is identifying that we want the ability to counter a gubernatorial order if we believe it conflicts with our core values.

DeVore Leonard commented that in enacting a policy, Council is recognizing the significant recent shift in the political climate that may cause the flag lowering policy to be questioned more often. He stressed that Council is not able to make decisions outside of Council meetings, and cannot, therefore, give direction to staff until they have met as a group and arrived at a majority decision to provide that direction.

DeVore Leonard suggested that a broader conversation to discuss Council position regarding some of these political decisions may be in order.

Stokes stressed that there was no official request made to staff that was ignored, and Housh agreed with this point.

Council agreed as a group to bring the resolution to the next Council meeting.

Addressing a concern expressed by Housh, DeVore Leonard stated that any two Council members can request a special meeting through the Clerk, and this method could be employed if another value-challenging flag issue came up before Council’s next scheduled meeting.

The Clerk asked that the resolution be reviewed before coming to the table so as not to imply fault on the part of the Village Manager.

Gustafson stated that, on the contrary, the resolution cites Charter and removes responsibility from the Village Manager, to which Housh agreed.

BOARD AND COMMISSION REPORTS

Nominations to Environmental Commission. Brown NOMINATED Lexi Kip to Environmental Commission. Housh SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

Brown NOMINATED Kellye Pinkleton to PACC. Housh SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

FUTURE AGENDA ITEMS

Oct. 1: Council Work Session: Budget-1

Oct. 6: **Second Reading and Public Hearing of Ordinance 2025-17** Accepting Annexation from Miami Township to the Village of Yellow Springs of 28.211 Acres of Property Located East of East Enon Road and North of Dayton Street
Resolution re: Flag Policy

Four Text Amendment Ordinances
Oct. 15: Council Work Session: Budget-2
Oct. 20: Short Street Discussion
Oct. 22: Council Work Session: Budget-3
Nov. 3: 2026 Budget Ordinance and Council Motions for Amendment
Nov. 10: Special Council Meeting: Executive Session re: Clerk and Village Manager Evaluations
Nov. 17: Second Reading of 2026 Budget Ordinance

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

ADJOURNMENT

At 7:pm, DeVore Leonard MOVED TO ADJOURN. Brown SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

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