

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

In Council Chambers @6:00 P.M.

Monday, October 20, 2025

CALL TO ORDER

President of Council Kevin Stokes called the meeting to order at 6:11pm.

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, Assistant Village Manager/Project Lead Elyse Giardullo, Planning and Economic Development Director Meg Leatherman and Village Manager Johnnie Burns were also present. Trish Gustafson was absent.

DeVore Leonard MOVED and Housh SECONDED a MOTION TO EXCUSE GUSTAFSON'S ABSENCE. The MOTION PASSED 3-1 ON A VOICE VOTE, with Brown voting against.

SWEARINGS IN

Kevin Stokes swore Kellye Pinkleton in as a full member of Public Arts and Culture Commission.

ANNOUNCEMENTS

Jeff Brock, GCPL re: Library Levy Information: Brock spoke to the benefit provided to many through Greene County Public Libraries and asked that voters support Issue 2.

Housh announced for Mayor Conine that she attended a summit at Camp Greene to celebrate the Ohio Children's Outdoor Bill of Rights and discussed ways to get youth outside and engaged.

Housh thanked the James A McKee Group for hosting both Candidates Nights.

Phillip O'Rourke announced several Chamber-led entertainment events as well as "Yellow Friday" for the day following Thanksgiving.

CONSENT AGENDA

1. Minutes of October 6, 2025 Regular Meeting
2. Minutes of October 1, 2025 Special Council Meeting Budget Session 1
3. Minutes of October 15, 2025 Special Council Meeting Budget Session 2
4. Credit Card Statement for September

DeVore Leonard MOVED and Brown SECONDED a MOTION TO APPROVE THE MINUTES of October 6, 2025. The MOTION PASSED 4-0 ON A VOICE VOTE.

DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE THE MINUTES of October 1, 2025. The MOTION PASSED 4-0 ON A VOICE VOTE.

Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE THE MINUTES of October 15, 2025. The MOTION PASSED 4-0 ON A VOICE VOTE.

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

REVIEW OF AGENDA

DeVore Leonard requested an Executive Session to follow the regular meeting, citing ORC 121.22(g)(1), Employment of a Public Official.

PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Mayor's Clerk re: Monthly/Quarterly Reports (3)
Bouquet/Oberg re: Support for Short Street Closure
Terri Holden re: Support for Short Street Closure
YS Chamber re: Support for Short Street Closure
Bette Kelley re: Opposition to Short Street Closure
Anita Kohler re: Opposition to Short Street Closure
Kathy Adams re: Opposition to Changing TGL Distance Measurement
AES Ohio re: Distribution Cost Increase Request to PUCO
Alissa Paoletta re: Request for CT Ban (3)
Ri Molnar re: Request for CT Ban
USEPA re: Vernay Third Quarter Report
Brian Housh re: Active Transportation Update Document
Marcia Wallgren re: Opposition to Short Street Closure (2)
Anne Johnston re: Opposition to Short Street Closure

DeVore Leonard reviewed communications.

PUBLIC HEARINGS/LEGISLATION

DeVore Leonard MOVED and Housh SECONDED a MOTION TO READ IN THE SECOND READ AND EMERGENCY ORDINANCES BY TITLE ONLY. The MOTION PASSED 4-0 on a VOICE VOTE.

Emergency Reading of Ordinance 2025-23 Authorizing Supplemental Appropriations for the Fourth Quarter of 2025 and Declaring an Emergency. Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Robinson noted the amounts, all of which were additions to the budget from donations.

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.

Second Reading and Public Hearing of Ordinance 2025-18 Repeal and Replace Section 1264.02 "General Requirements: Table 1264.02 "Parking Requirements by Use" of the Zoning Code for the Village of Yellow Springs. Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Leatherman explained the ordinance as correcting the number of parking spaces required for bicycles with new construction and adding the requirement for TGLs which was omitted in 2024. She noted that Planning Commission (PC) has recommended passage of the amendment.

Stokes OPENED THE PUBLIC HEARING. There being no comment, Stokes CLOSED THE PUBLIC HEARING.

Leatherman responded to a question from Housh, stating that new construction requires that bicycle parking spaces be added.

Matthew Kirk asked whether racks would be required and was directed to the ordinance, which explains the requirement in detail.

Stokes CALLED THE VOTE. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2025-19 Repeal and Replace Chapter 1262.08(e)(7)(B) Specific Requirements: “Location” Amending Measurement for Required Distance Between Transient Guest Lodging Establishments. Brown MOVED and Housh SECONDED a MOTION TO APPROVE.

DeVore Leonard RECUSED himself from the hearing.

Leatherman explained that the amendment had been recommended by a member of PC, but has subsequently been voted against by PC. She noted that per the Village zoning code, all recommendations—for or against—must come to Council for a Public Hearing.

Stokes OPENED THE PUBLIC HEARING.

Scott Osterholm stated that he serves on the BZA and Planning Commission, but was speaking as a private citizen. He stated that he opposes the amendment because the variance process allows for relief from the current measurement method and assures a public process.

Matthew Kirk stated that he operates an Air BNB. He commented that there is a bill in the Senate that would repeal limitations to TGL establishments based upon a plethora of onerous limitations, and warned against imposing more limitation.

Stokes CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION FAILED 3-0 ON A ROLL CALL VOTE.

Second Reading and Public Hearing of Ordinance 2025-20 Adding New Section 1048.09 “Required Backflow Prevention” to Chapter 1048 “Sewers and Sewage” of the Codified Ordinances of the Village of Yellow Springs. Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Leatherman stated the purpose of the ordinance is to ensure safeguard against sewer intrusion for homeowners. The requirement will be triggered whenever a building permit is required.

Stokes OPENED THE PUBLIC HEARING.

Eric Clark asked about the cost for retrofit an existing home. Burns stated that he would respond to Clark offline.

Stokes CLOSED THE PUBLIC HEARING.

DeVore Leonard asked regarding a general cost to install and was told that cost does vary dependent upon the contractor and quality of device.

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

Second Reading and Public Hearing of Ordinance 2025-21 Repeal and Replace Chapter 1284 “Definitions” to Add Definitions for “Deck”; “Floodplain Administrator”; “Low Attached Deck” and to Amend Definition of Accessory Dwelling Unit. DeVore Leonard MOVED and Housh SECONDED a MOTION TO APPROVE.

Leatherman commented that the ordinance adds definitions for Deck, Floodplain Administrator, and Low Attached Deck.

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

Second Reading and Public Hearing of Ordinance 2025-22 Repeal and Replace Chapter 1268 Site Plan Review. Brown MOVED and DeVore Leonard SECONDED a MOTION TO APPROVE.

Leatherman described the ordinance as an administrative cleanup that clarifies which types of applications are required under what circumstances.

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

Reading of Resolution 2025-55 Honoring the Legacy of Wheeling Gaunt and Approving the Annual Distribution of Flour and Sugar to Village Widows and Widowers. Brown MOVED and Housh SECONDED a MOTION TO APPROVE.

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

CITIZEN CONCERNS

Jacintha Williams complained of unsafe, distracted and speeding drivers in her Whitehall Drive neighborhood and requested signage indicating the presence of elderly persons and children.

Allissa Paoletta requested a Village ban on Conversion Therapy for minors, stating that a number of Ohio municipalities have already passed such legislation.

Scott Osterholm stated support for such a ban, characterizing it as abusive.

Carmen Brown commented that there has not in the past been anyone engaging in the practice of CT, stating that local clergy are highly supportive of LGBTQ youth and asking what message it sends to bring a ban for something that does not and is unlikely to exist.

Brown requested comment from Blankenship, who explained that the municipalities who have passed legislation have a method for civil citation, and the Village does not. She stated that the problem is enforcement.

April Wolford spoke in support of a ban, commenting that it sends a message, even if it is unenforceable.

Gary Greenburg suggested consulting Equality Ohio.

Rebecca Potter commented that the State has handed down some mandates around limitation of support for LGBTQ youth, and asked that the Village engage regarding ways Village action could assist.

Judith Hempfling spoke in favor of the proposal, commenting that passing legislation is how changes are made.

Stokes asked how difficult it would be to re-constitute the HRC and/or develop a way to enforce civil matters.

Brown commented that the Village's HRC had never had the ability to enforce or hear cases.

Upon request, Blankenship reiterated that the Village has no way to enforce any legislation, she stated that communities able to enforce have a robust Human Relations Commission able to hear and rule on discrimination matters and a civil citation process, and those are not in place in the Village.

Blankenship responded to a question from Stokes, stating that putting such a system in place would be “a heavy lift.”

Housh asked that legislation be brought back before Council.

The Clerk cautioned that passing unenforceable legislation would be patronizing.

The discussion was curtailed, and next steps will be determined at a later point.

Eric Clark spoke in favor of a ban.

SPECIAL REPORTS

Short Street Survey Presentation. Elyse Giardullo presented her findings and a statistical interpretation thereof. She noted an unusually robust response to the survey, with 969 responses, and described the parameters of the survey, safeguards and statistical significance.

Citizen Comment regarding Short Street Closure:

Resident Jacincta Williams spoke in favor of the closure, but asked for more shade availability.

Stephanie Pierce, resident and downtown employee, spoke against the closure, citing traffic and parking as issues. She commented that she has to pick up trash each time she goes there and characterized the spot as an encouragement to tourists.

Jackie Clark spoke in support of permanent closure, though she did remark on it being attractive to unhoused persons.

Matthew Kirk, resident and business owner, disagreed with what he sees as a lack of development of stakeholders ahead of time. He commented that no real-time data was collected regarding use, and complained that no distinction was made between one-time use and regular use. How the space is used is an important consideration, he said.

DeVore Leonard stated that having a plan for permanent closure would be useful so that expectations and costs are managed. He stated that he supports the project conceptually, and asked for input on the matter from Council. DeVore Leonard asked for information from the bank and Mills Lawn.

Marcia Wallgren stated that she had spoken to the bank manager who shared that the closure had negatively impacted bank business.

Housh stated that he is compelled by the safety argument from Mills Lawn. He promoted the idea of removeable bollards to permit the space to be flexible. Housh asked for a plan to include restrooms, but added that he trusts the Village team in terms of a final decision. He added that he “wants those five parking spots to come back.”

Marcia Wallgren stated that she has information that “it is hard on the bank”.

DeVore Leonard and Stokes both asked for a plan to consider more fully.

Burns commented that he was turned down for a grant for downtown bathrooms on the basis that they did not want to fund a temporary space.

Burns added that if parking is an issue, he would like to bring back the parking plan that was removed from the Comprehensive Land Use Plan, since that plan adds a number of spaces in the downtown area.

Marcia Wallgren asked whether the closure will continue following the end of October.

DeVore Leonard asked whether a plan could be available for the next meeting.

Burns stated that a plan will not likely be available until December at the earliest. He added that there will be cost involved with taking the space down and then potentially setting it back up.

Kirk commented that he sees the matter as an issue of trust, noting that initially the plan was for the space to remain up temporarily and be brought down after Fall Street Fair.

Phillip O'Rourke asked whether Short Street will remain closed while a plan is developed. He asked for clarity and an interim decision on the matter.

DeVore Leonard reiterated his need for a plan.

Housh asked that Short Street remain closed until a plan is presented for a permanent decision.

DeVore Leonard asked that Short Street be opened until a plan is presented. DeVore Leonard MOVED to reopen Short Street the first week in November.

Chief Burge spoke strongly in favor of the safety improvement to Mills Lawn drop-off conditioned by the closure.

Steve McCullough stated concern that the project did not end when predicted, that the handicap parking had been relocated onto US 68, and that multiple events were now occurring on the same nights due to music events on Short Street.

Amy Bailey, School Board member spoke in favor of leaving the street closed to support the safety improvement to school drop-off.

Brown asked for a plan by January.

DeVore Leonard described the issue on the floor as a decision needed as to whether to keep Short Street open or closed until such time as Council makes a final decision.

Council finally determined that a decision regarding the interim status of the project would be arrived upon on November 3rd.

MANAGER'S REPORT

Burns presented the following information:

Burns will be out of town attending the ICMA next week.

Street Fair was one of the best run and best attended in recent history, according to Burns.

Youth Center made about \$3,600 parking cars at Street Fair.

A major water main break on the first floor of the Bryan Center created a good deal of damage. The failed backflow preventer will cost \$8,600 to replace, and the insurance claim is in.

Increased permit fees may come back to Council.

Coats for Kids was a fulfilling success.

Business Walk was reportedly a success.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

There was no New Business.

BOARD AND COMMISSION REPORTS

DeVore Leonard NOMINATED Anthony Salmonson as an Alternate to Planning Commission. Housh SECONDED and the MOTION PASSED 4-0 ON A VOICE VOTE.

FUTURE AGENDA ITEMS

Council discussed the proposed conversion therapy ban. Brown asked that the matter not “get into the weeds” and asked that a resolution stating position be considered.

Blankenship commented that should the Supreme Court pass their “Ban on Bans” it would reverse any ban ordinance.

Council decided to discuss the matter further at a subsequent meeting, with DeVore Leonard noting that Council currently has a busy agenda.

- Nov. 3: Executive Session for the Purpose of the Evaluation of a Public Employee (Clerk and VM Evaluation with Council) **Executive Session 4:30-6pm**
First Reading of Ordinance 2025-24 Establishing a Community Reinvestment Area for the Village of Yellow Springs
First Reading of Ordinance 2025-25 Approving 2026 Annual Appropriations for the Village of Yellow Springs and Declaring an Emergency
First Reading of Ordinance 2025-26 Establishing a Village-Wide Moratorium on the Issuance of All Use, Zoning, Building Permits and Certificates of Occupancy for New Smoke Shop Businesses for a Period of 180 Days and Declaring an Emergency
Resolution 2025-56 Authorizing the Village Manager to Enter into a Contract with XXX for Dashcam and Taser Services
Resolution 2025-57 Authorizing Tax Increment Financing for the 314 Dayton Street Project
Resolution 2025-58 Authorizing the Release of Grant Funds in the Amount of \$113,000 from the Green Space Fund to Tecumseh Land Trust for the Purpose of Conserving Farmland Located Outside the Village Urban Service Boundary
Decision Regarding Short Street
Conversion Therapy Ban Discussion
- Nov. 10: **Special Meeting:** Executive Session for the Purpose of the Evaluation of a Public Employee (Clerk and VM Evaluation with Council) 4:30-6pm

Nov. 17: **Second Reading and Public Hearing of Ordinance 2025-24** 2026 Budget Ordinance
Resolutions re: VM and Clerk Based Upon Evaluations
Dec. 1: Swearing In: Officer Rebecca Duff

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

EXECUTIVE SESSION

At 8:51pm, DeVore Leonard MOVED TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF THE EMPLOYMENT OF PUBLIC OFFICIALS, citing ORC 121.22(g)(1). Housh SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE. The Village Manager and Solicitor were present for the session.

Trish Gustafson joined via ZOOM following start of the Executive Session.

At 9:47, Housh MOVED and Brown SECONDED a MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

ADJOURNMENT

At 9:48pm, DeVore Leonard MOVED TO ADJOURN. Housh SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Signed: _____
Kevin Stokes, Council President

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