

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

**VIRTUAL @ 5:00 P.M.**

**Tuesday, January 21, 2025**

**CALL TO ORDER**

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

**ROLL CALL**

Present were President Stokes, Vice President Gavin DeVore Leonard and Council member Brian Housh. Also present were Solicitors Amy Blankenship and Sarah Sparks of Bricker Gradon.

**EXECUTIVE SESSION**

Housh MOVED and DeVore Leonard SECONDED a MOTION TO ENTER EXECUTIVE SESSION For the Purpose of the Discussion of Compensation of a Village Employee. The MOTION PASSED 3-0 ON A ROLL CALL VOTE. The Solicitor, Sparks and Clerk were present for the session. Brown joined the Executive Session at 5:25pm.

Gustafson arrived at 6pm and did not join the Executive Session.

**MOTION TO ENTER REGULAR SESSION**

Brown MOVED and DeVore Leonard SECONDED a MOTION TO ENTER REGULAR SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

**ANNOUNCEMENTS**

Housh announced the following: A successful and impactful MLK Jr. Day Celebration; Housh and Leatherman attended Wright State University's Economic Forum with a focus on workforce development; Housh viewed a USDA webinar on funding opportunities; Housh thanked the YS Beloved Community for provision of monthly meals to the community and support of meals for Bryan Center youth.

**SWEARING IN**

President Stokes swore in Ian Chavez as an Alternate member of the Environmental Commission.

**CONSENT AGENDA**

1. Minutes of December 16, 2024 Regular Meeting
2. Credit Card Statement for December.

DeVore Leonard MOVED and Brown SECONDED a MOTION TO APPROVE THE MINUTES of December 16, 2024. The MOTION PASSED 5-0 ON A VOICE VOTE.

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

**REVIEW OF AGENDA**

The following legislation was added to the agenda:  
Resolution 2025-09 Approving an Amended Option to Purchase Agreement with Yellow Springs Exempted Village School District  
Resolution 2025-10 Approving \$100,000 Towards Completion of New Community Soccer Fields

**PETITIONS/COMMUNICATIONS**

The Clerk will receive and file:

Council Clerk re: CPIM Certification for 2025  
Brian Housh re: Clarification of Comments/Appreciation for Staff Expertise  
MVRPC re: Member Services and ROI (2)

DeVore Leonard summarized the communications.

**PUBLIC HEARINGS/LEGISLATION**

DeVore Leonard MOVED TO WAIVE READING IN FULL FOR SECOND READINGS. Stokes SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

**Second Reading and Public Hearing of Ordinance 2025-01** Repealing and Replacing Chapter 1256 “Overlay Districts” of the Yellow Springs Zoning Code. DeVore Leonard MOVED and Gustafson SECONDED A MOTION TO APPROVE.

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.

**Second Reading and Public Hearing of Ordinance 2025-02** Repealing and Replacing Section 1260.03 “Driveway Standards, Access Easements, Parking and Storage” of the Yellow Springs Zoning Code. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Stokes OPENED THE PUBLIC HEARING.

Stokes CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Second Reading and Public Hearing of Ordinance 2025-03** Repealing and Replacing Section 1268.02 “Applicability” of the Yellow Springs Zoning Code to Remove Requirement of Site Plan Review for Permitted Uses. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Leatherman noted that presently, all new permitted uses occupying a building of 5,000 square feet or more, must obtain approval from Planning Commission at a public hearing with a Site Plan application (Section 1268.02).

Because the code includes a clause that allows the Zoning Administrator to submit the Site Plan application to Planning Commission if they believe the project may have a negative impact on surrounding properties, there remains that option, Leatherman said. All Conditional Uses will still be required to obtain approval from Planning Commission and will require a public hearing.

Stokes OPENED THE PUBLIC HEARING.

Ralita Hildebrand commented that she has lost trust in public officials as a result of the LIHTC process, and therefore opposes the effort to reduce the level of public input in this process.

Matt Raska spoke in favor of the legislation, characterizing the requirement for a hearing as “fraught with risk”.

Housh spoke in favor of the legislation, noting that it refers only to permitted uses. He advocated trust in staff and commented that additional layers of process add complexity to a project.

DeVore Leonard opined that the change will not reduce transparency, adding that he has never seen any indication that staff are not following the letter of the law.

Stokes CLOSED THE PUBLIC HEARING and CALLED THE VOTE.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2025-05** Approving Dues for Miami Valley Regional Planning Commission for 2025. Brown MOVED and Gustafson SECONDED A MOTION TO APPROVE.

Housh noted the benefits to the Village and value gained through MVRPC membership, such as access to and assistance with grants.

Stokes

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

**Reading of Resolution 2025-06** Approving a Three-Year Contract with the Clerk of Council. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Blankenship noted that the contract was the subject of the earlier Executive Session. She stated that several changes needed to be made to the resolution based upon that discussion.

Blankenship corrected the current salary number, noting that it was the result of a miscommunication.

Housh MOVED to amend Section 3 reflect Council's desire to add a merit increase of 2.5% effective from the day of the resolution. DeVore Leonard SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

Blankenship then asked that the amount of salary reflected in the resolution be written in as \$70,920.46, which is reflective of the merit increase and the wage adjustment. She asked that the words "in the first year of this contract" be added following the salary amount.

Housh MOVED to APPROVE THE LANGUAGE SUGGESTED BY BLANKENSHIP, INCLUSIVE OF THE SALARY AMOUNT. Stokes SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Housh lauded the Clerk as an engaged and positive problem solver.

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

**Reading of Resolution 2025-07** Supporting Designation of the Buckeye Trail as a National Scenic Trail. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Mark Heise provided historical background for the Buckeye Trail, noting that it is the eighth longest in the US and is the longest loop trail in the world.

Heise noted that National Scenic Trail status will ensure that either a National Park or National Forestry unit will be assigned to the trail.

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

**Reading of Resolution 2025-08** Authorizing Additional Expenditure for Legal Fees for the Purpose of Pursuing Low Income Housing Options. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Blankenship noted that from the outset, Council has approved legal fees associated with LIHTC by resolution. She noted that the process is very close to passing out of the “exploration” phase, and the need for Council approval of legal fees for the project is near its end.

Once a development agreement is agreed-upon, Blankenship said, there should be no need to specifically approve legal fees for the project, which will then simply be viewed as an ongoing development.

Gustafson MOVED that the words “up to” be added to the resolution preceding the amount. Housh SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

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

**Reading of Resolution 2025-10** Approving \$100,000 Towards Completion of New Community Soccer Fields. Brown MOVED and Gustafson SECONDED A MOTION TO APPROVE.

The Clerk noted that per Manager Burns, Resolution 2025-10 needed to be passed prior to consideration of Resolution 2025-09.

Burns stated that the school will contribute the funds from the sale of the property minus \$50,000 in legal fees associated with the sale for a total contribution of \$289,000.

Burns stated that developer Woda Cooper has offered up to \$200,000 in in-kind services to create replacement soccer fields on the land donated to the schools for that purpose, and that the Community Foundation (CF) has offered to contribute \$100,000 conditional upon the Village’s willingness to match that amount.

Per the resolution, Burns said, and at the request of the Community Foundation, any unexpended funds from the Village/CF partnership would remain in the hands of the CF for ongoing maintenance of the soccer fields.

Burns noted that the total amount expended toward the soccer fields would be \$689,000, which, he opined, should cover the cost of replacement fields.

Stokes thanked Burns for his hard work behind the scenes to assure that the replacement fields would be assured.

Gustafson and Brown seconded these remarks.

Housh asked that Section 2. be amended to add the words “up to” prior to the amount of Woda Cooper’s contribution of \$200,000 of in-kind services.

Responding to several comments indicating that the \$100,000 would be taken from the Village’s Affordable Housing fund, Blankenship asked whether this was indeed the intended source of the funds.

Blankenship suggested that in order to cover the funds being taken from the Affordable Housing line, should that be the case, that the words “to accommodate the development of affordable housing” be added to Section 1.

Housh MOVED to add the words “to accommodate the development of affordable housing” to Section 1, and the words “up to” to Section 2. Stokes SECONDED.

Housh responded to a question from DeVore Leonard, stating that the earlier mentioned \$50,000 to be withheld by the School District would be used to cover their legal fees associated with the sale of the land and with the land donation.

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

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

**Reading of Resolution 2025-09** Approving an Amended Option to Purchase Agreement with Yellow Springs Exempted Village School District. Brown MOVED and Housh SECONDED A MOTION TO APPROVE.

Blankenship stated that on Friday, the School Board voted to remove one of two Option Contingencies contained in the Option to Purchase Agreement, the removed option being the requirement that replacement land has been secured and that adequate funds are available to convert that land into athletic fields.

Because both parties must approve the amended Option to Purchase, Blankenship explained, the amended version is now before Council.

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

Housh stated that this is a time to celebrate, and thanked the Joneses for their donation of land and the School Board. Housh stated that this will be a win for Youth Soccer and for the community as a whole, and thanked all those responsible for assisting in the effort.

Stokes thanked Housh as well as other Council members and Meg Leatherman for their efforts.

## **CITIZEN CONCERNS**

Dino Pallotta thanked those responsible for getting the project to this point, with special thanks to the Jones family and Woda Cooper. He asked for a status report on movement at the CBE.

Mitzie Miller thanked Village staff for clearing streets. She asked for the amount of the appraisal on the school property.

Rebecca Potter thanked Terri Holden for her efforts. She stated that there is a need to get clear information out regarding the LIHTC project.

Ralita Hildebrand stated that she had been offended by remarks made earlier by President Stokes when he commented that he hoped the LIHTC project was now “above the bug line”. She stated that she did not believe that the ends always justify the means, and citizen comment and scrutiny are meant to assure transparency and accountability. Hildebrand commented further that only government email should be used for government business such as occurred around the LIHTC project. She requested the Village enact a policy requiring that officials use only government email for official business.

President Stokes offered his sincere apologies to Ms. Hildebrand, stating that he had meant only to convey a positive forward momentum.

Melissa Heston questioned the legality of the sale of school land and alleged that the school board violated their oaths of office and ethics. She asserted that other land options exist and should be used.

Emily Seibel, Executive Director of Home, Inc., acknowledged the significance of the moment. She commented that Home, Inc. recently received grant funding for their home repair outreach program.

Amy Bailey spoke as an individual and not as a School Board member. She stated that she and Board member Dorothee Bouquet support affordable housing but do not believe that the current LIHTC project is a good fit for the community. She stated that the project has distracted officials from priorities. Bailey stated that several members of the LIHTC Task Force had been deliberately excluded from communications shared by other members of the Task Force in an effort, Bailey alleged, to prioritize Home, Inc. and Springers for More Springers. Bailey asked that the replacement soccer fields' construction be overseen by Burns, who had been instrumental in securing agreements and funds. Bailey asked that the ESC be prioritized and that a new School Liaison be assigned, given Housh's comments that Bailey and Bouquet were "insane".

April Wolford thanked Council et al for getting the project to this point. She added that raising ethical concerns without evidence is concerning.

Matt Raska thanked Council for getting the project to this point.

Jessica Thomas thanked Council et al for the conversations regarding the project and encouraged that energy to continue.

## **SPECIAL REPORTS**

**Clerk End of Year Report.** The Clerk presented her EOY report, noting statistics for numbers of meetings, record requests, legislation, etc.

## **MANAGER'S REPORT**

Burns thanked Triac Electric for the improved lighting in Chambers.

Burns noted the copious amount of snow recently and the need to restock with salt, which has now been done. He thanked crews and staff for working through the snow event.

Burns noted that all staff are now required to attend safety training.

Burns noted a successful Dayton Area Mayors and Managers meeting hosted by the Village, with CenterPoint and Cresco as presenters.

Burns welcomed a new dispatcher and noted that the Village has begun the interview process for the Economic Development position.

Burns noted that all new staff are being given tours of all facilities. He commented that Council will need new tours as well since much has changed.

Burns reported on recent water loss data. The current number is a loss of about 31 million gallons annually, down from about 60 million, and efforts at reducing this number continue.

Burns stated that he is working with the Township to obtain an easement for directional boring for the new center circuit.

Housh asked for follow-up information on the ADA requirement for websites and asked staff to update the LIHTC FAQ page online. He asked that the 2018 Incentive Policy be placed in Council’s next meeting packet for review.

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

There was no New Business.

**BOARD AND COMMISSION REPORTS**

Housh offered to be the only Council member on the Active Transportation Committee.

Housh offered his position up as the School Liaison. Gustafson offered to step in and was given the role.

**FUTURE AGENDA ITEMS**

- Feb. 3:       **Ordinance 2025-04** Approving a Right of Way Vacation Request to Vacate One Alley Off of East Center College Street
- Ordinance 2025-05** Approving a Right of Way Vacation Request to Vacate One Alley Off of Livermore Street
- Resolution 2025-05** Approving Dues for Miami Valley Regional Planning Commission for 2025 Planning Commission End of Year Report to Council
- Feb. 18:     **Resolution 2025-0X** Approving Grants to Local Entities for Calendar Year 2025
- First Reading of Ordinance 2025-XX** Establishing Section 1064.04 of the Village Zoning Code to Provide for Waiver of Tap-In Fees for Specific Forms of Economic and Housing and Development

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

**ADJOURNMENT**

At 8:27pm, Housh MOVED TO ADJOURN. Gustafson SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Signed: \_\_\_\_\_  
Kevin Stokes, Council President

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