XENIA CITY COUNCIL
MEETING AGENDA
AUGUST 27, 2026

LOCATION:
City Administration Building
City Council Chambers
107 E. Main Street
Xenia, OH 45385

NOTE: Regular and Special Meetings are open to the public. Executive Sessions are closed to the public. Only Regular Sessions are live streamed on the City's YouTube channel (eXplore Xenia). There is an opportunity for Audience Comments during Regular Sessions only and during Public Hearings. Please see the note under Audience Comments below.

REGULAR MEETING

- **INVOCATION** — Pastor Todd Martin, Liberty Life Church

(1) PLEDGE OF ALLEGIANCE — Councilwoman Faith Sorice

(2) CALL TO ORDER — 6:00 p.m.

(3) ROLL CALL AND EXCUSAL OF ABSENCES — Vice President James Crawford, Councilwoman Faith Sorice, Councilman JD Mackiewicz, Councilwoman Rachel Huffman, Councilman Jesse Rubio, Mayor Ethan Reynolds, and President Wesley Smith

(4) APPROVAL OF MINUTES — August 13, 2026

(5) SPECIAL PRESENTATION(S) — None

(6) AUDIENCE COMMENTS — The public may also submit comments and/or questions for Council consideration by emailing the City Clerk's Office at xeniacityclerk@cityofxenia.org by 3 p.m. on 08/27/2026.

(7) OLD BUSINESS

A. ORDINANCE 2026-30 (Public Hearing) — PROVIDING FOR THE ELECTION ON AMENDMENTS TO SECTION 4.01(G)(2), SECTION 4.05(A), SECTION 5.01(B), SECTION 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND SECTION 13.01 OF THE XENIA CITY CHARTER, *introduced by Mayor Reynolds on August 13, 2026*

(8) NEW BUSINESS

A. ORDINANCE 2026- 31 (Introduction) — APPROVING A MAJOR CHANGE TO THE PUD CONCEPT PLAN FOR THE TIMBER RIDGE PLANNED UNIT DEVELOPMENT, WITH THE MODIFICATIONS RECOMMENDED BY THE XENIA PLANNING AND ZONING COMMISSION *(City Manager)*

B. ORDINANCE 2026-32 (Introduction) — AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE A 121.558-ACRE PROPERTY LOCATED SOUTH OF U.S. ROUTE 42 EAST AND EAST OF 997 N. COLUMBUS STREET FROM A-1: AGRICULTURAL DISTRICT TO SN: SUBURBAN NEIGHBORHOOD DISTRICT *(City Manager)*

C. RESOLUTION 2026-048 ADOPTING A STATEMENT OF THE MUNICIPAL SERVICES TO BE PROVIDED TO A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNARINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO *(City Manager)*

D. RESOLUTION 2026-049 ADOPTING A STATEMENT REGARDING ZONING BUFFERS FOR A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNERINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO (*City Manager*)

(9) APPOINTED OFFICIALS' REPORTS

(10) COUNCIL COMMENTS & REPORTS

(11) EXECUTIVE SESSION

(12) WORK SESSION: Update on Current Projects and Programs

(13) ADJOURNMENT

Published upon approval of the Council President by: Amy E. Brown, City Clerk

XENIA CITY COUNCIL
REGULAR MEETING
AUGUST 13, 2026

REGULAR SESSION

Vice President Crawford asked everyone to stand; Pastor Albert Reffitt, Victory Life Christian Center, provided the Invocation.

(1) PLEDGE OF ALLEGIANCE: All present remained standing and recited the Pledge of Allegiance led by Mayor Ethan Reynolds.

(2) CALL TO ORDER: Vice President Crawford called the Regular Session to order at 6:00 p.m. in the City Administration Building, City Council Chambers, 107 E. Main Street, Xenia.

(3) ROLL CALL: Vice President James Crawford, Councilman JD Mackiewicz, Councilwoman Rachel Huffman, Councilman Jesse Rubio, and Mayor Ethan Reynolds. Councilwoman Faith Sorice and President Wesley Smith were absent.

Motion by Mayor Reynolds, seconded by Councilman Mackiewicz, to excuse Councilwoman Sorice and President Smith due to work obligations. No discussion followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

Staff Present: City Manager Brent Merriman, Assistant City Manager Eric Henry, Finance Director Ryan Duke, Assistant Finance Director Jason Lake, Law Director Donnette Fisher, City Clerk Amy Brown, Fire and EMS Deputy Chief Travis Dill, and Police Major Lon Etchison.

(4) APPROVAL OF MINUTES: Vice President Crawford called for a motion on the minutes of the July 23, 2026, Regular Meeting.

Motion by Mayor Reynolds, seconded by Councilwoman Huffman, to approve the July 23, 2026, minutes of the Regular Meeting as written. Vice President Crawford entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

(5) SPECIAL PRESENTATION: Erin Jeffries, Miami Valley Community Action Partnership (MVCAP), said it was a pleasure to be here, and noted the MVCAP served Montgomery, Darke, Greene, and Preble counties, with one of the office locations in Xenia. She wanted to share tonight a little about their organization, including some of their accomplishments from 2025. They recently released their annual report, which had been provided tonight to Councilmembers. She would be sharing their impact in Greene County, including their work in emergency shelters, transitional housing, and housing stability, along with highlighting how their presence and investment in Xenia would grow during the coming year with some additional programs.

Some of their programs, such as weatherization, extended to additional counties outside the counties they served. MVCAP had been around over 60 years, and they were headquartered in Dayton. They had the resources and expertise of a regional organization, but their services were delivered locally at each of their local offices. People often came to them during an immediate crisis. Maybe they were facing homelessness, a utility disconnection, or an unsafe home. Across their service area, their work included utility assistance with direct payments to the utility, weatherization services by improving homes to bring energy bills down, and emergency and transitional housing along with housing and financial counseling. Housing instability was one of the most difficult crises a person or family could experience. In Greene County, they operated the Donnellan Emergency Shelter, the Donnellan Transitional Shelter, and Harding Place Transitional Housing. The emergency shelter provided immediate safety for up to 45 days, the transitional shelter up to six months, and the transitional housing was a program for individuals for up to 12 months. Case managers also helped the residents address barriers such as restoring income or helping people seek the benefits they were eligible for, helping them find employment, addressing any health or treatment needed, obtaining identification needed, or locating permanent housing. The goal was not to simply provide a place to sleep, but to create a pathway to lasting housing stability. Ms. Jeffries introduced Greene County Director Brent Robinson, who led the Greene County programs with tremendous ability and a deep commitment to help people. The Greene County team allowed MVCAP to have specialized expertise on the team along with resources across all agencies that supported the work in Xenia and Greene County.

Ms. Jeffries noted in 2025, MVCAP processed more than 10,000 Home Energy Assistance Program (HEAP) applications and more than 10,000 Percentage of Income Payment Plan (PIPP) applications to assist people with their utility bills and reduce their energy bills. MVCAP also weatherized 669 homes in 2025 to make those homes safer, healthier, and more energy efficient. 392 prospective first-time homebuyers were counseled on budgeting, credit, and sustainable home ownership. Greene County and Xenia residents benefitted from this structure since all of their team members across their service area formed a continuum to respond better to emergencies. Fiscal stewardship was more important than ever; and in 2025, 87% of expenses went directly to programs, with 13% to administrative costs. MVCAP was subject to independent audits, and there had been clean audits for years. They were monitored multiple times a year by the State of Ohio because of the different grants they managed, and they worked carefully to ensure all of their resources were used efficiently and effectively so waste, fraud, and abuse could be reduced. On July 1st, the programs they operated that were previously overseen by the Ohio Department of Development transitioned to the Ohio Department of Job and Family Services, and they were excited about that change. During that transition, MVCAP assumed the lead agency role for the Homeless Crisis Response Program (HCRP) for Region 15, which included Greene and Clark counties. This expanded responsibility would bring new funding and new positions to the Xenia office, and would strengthen their housing crisis response, improve coordination among other social service providers, and expand the support available to residents across Greene and Clark counties. She thanked Council for allowing her presentation, and stated a strong community depended on residents having access to safe housing, reliable utilities, and effective support when emergencies occurred. She was proud they were located in Xenia in order to have a presence in Greene County, and she appreciated the leadership that Council provided to the community. She looked forward to learning new ways they could partner to better serve the community.

Councilwoman Huffman asked for information about the HCRP. Mr. Robinson said the HCRP was a housing stability grant for rental, deposit, or utility assistance for anyone at risk or homeless. Councilwoman Huffman noted that she worked very closely with the population that needed those services, and she asked how someone would apply. Mr. Robinson replied people could call 2-1-1, or they could call the Greene County office, and they would do a screening tool for referral to a case manager. The case manager would then reach out to the participant or family to set up an intake. Councilwoman Huffman appreciated everything they did, and stated she had been working with MVCAP for many years, and they had always been a good partner. They were a good organization to have in the community. Ms. Jeffries said she appreciated the work Councilwoman Huffman did with Council as well as the Emerge Recovery & Trade Initiative. Mayor Reynolds thought MVCAP did a great job, and he was appreciative for all the work they did. Vice President Crawford noted MVCAP had rescued quite a few people he had known, as well as tenants that were struggling, and he asked if the programs they offered were income based. Ms. Jeffries said there were different income requirements for each of the programs, but they were listed on their website. All of the programs were income based, and a lot of them had an income threshold of 175% or 200% of the federal poverty level, which was roughly $54,600 this year for a family of four. Mr. Robinson noted people did not have to have income at the beginning of their programs. For the transitional family shelter, people had to be under 150% of the average median income. But, for certain programs, people had to have income to qualify, particularly HCRP. Vice President Crawford asked if 1099s were required for clients, or how MVCAP was tracking them. Ms. Jeffries stated MVCAP tracked every client through a variety of systems depending on the program. Anytime MVCAP made a direct payment to a vendor, they would provide the 1099 to the vendor at the end of the year. Vice President thanked Ms. Jeffries for their services to the community, and added the services were well-needed.

(6) AUDIENCE COMMENTS: Vice President Crawford explained the procedures for Audience Comments and invited those who wished to speak to come forward.

Thomas Scrivens, 726 Lexington Avenue, spoke regarding the three and four-year staggered terms that the Charter Review Commission (CRC) recommended. This CRC looked at this issue this time, as well as five years ago, and the same thing was recommended. At that time, Council did what this Council planned to do tonight, which was waffle. At some point, each member would have to subordinate their own interests for the interests of the community. The community wanted to be represented fairly; and the way it was now, it was a bit unfair. He understood Councilmembers wanted to maintain their positions and might want to move up to higher positions, but they had to look at what was best long-term for the City. At this point, he was quite chagrined that the members were against staggered terms the way the CRC recommended them. He did not see them looking further than their own desks in terms of how officials were elected in the City. For the Market District, he would like to make it official to call the whole development Hospitality Square, and he was tired of everyone asking him what was going on there. There were no signs and nobody said anything about what was going on, and Councilmembers had to communicate to their constituents, but they had been silent about that. He noted a couple of Councilmembers lived on one of the worst streets in town, and it was surprising and appalling that they were not strident about getting the streets redone. He thought Councilmembers were sliding back into mediocrity

when they did not stand up for improvements of the streets in Xenia. He noted he would be watching and waiting to see what Council would do.

(7) OLD BUSINESS:

A. Vice President Crawford presented **ORDINANCE 2026-25 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY LIGHTING THEREOF FOR THE YEAR 2026,** introduced by Councilman Mackiewicz on July 23, 2026. He asked Mr. Merriman for a brief summary of this item. Mr. Merriman said this Ordinance represented the third and final step of a statutory required process that City Council must take to implement a one-year citywide street lighting assessment for the 2026 tax year. Essentially, this extended the policy that had been in place, and Council would need to approve the Ordinance this evening in order to move forward.

Vice President Crawford opened the public hearing at 6:22 p.m. and invited those wishing to speak for or against levying assessments for street lighting to come forward. Nobody came forward to speak. He closed the public hearing at 6:23 p.m. and entertained comments or questions from Council. Hearing none, he entertained a motion on Ordinance 2026-25.

Motion by Councilman Mackiewicz, seconded by Mayor Reynolds, to adopt Ordinance 2026-25 as presented. Vice President Crawford entertained comments or questions. None were presented. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

(8) NEW BUSINESS:

A. ORDINANCE 2026-26 AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $1,479,233.13 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST OF WATER MAIN REPLACEMENTS IN THE CITY, INCLUDING BUT NOT LIMITED TO THOSE AT THE SECTION OF N. KING STREET FROM W. CHURCH STREET TO W. ANKENEY MILL ROAD, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND OTHER MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. Vice President Crawford asked Mr. Duke for a brief summary of this item. Mr. Duke said in June of this year, Council approved Resolution 2026-38, which was a contract for N. King Street infrastructure improvements, including water main and storm sewer replacements. At that time, staff stated the plan was to fund this project through debt service, so there were three related Ordinances being presented to Council tonight for their consideration. This was the first of those three Ordinances. Ordinance 2026-26, which was specifically related to the water portion of this project. This portion of the bond issue would total $1,479,233.13. Ordinance 2026-27 would deal with specifically the storm water portion of the project, and then Ordinance 2026-28 would consolidate those two issues into one bond issue. The total debt service for the bond issue for both the water and the storm was estimated to be $262,720.33, and that was a ten-year bond issue with an interest rate of 4.75%. Staff did seek quotes and responses from a variety of financial institutions, and this was the best option presented.

Each of these Ordinances was being requested as an emergency because banks typically only held those rates for a short period of time. Typically, these debt issues were done via emergency in order to meet tight timelines and lock in the interest rate. He was happy to answer any questions that Council might have.

Vice President Crawford entertained comments or questions. Councilman Mackiewicz asked Mr. Duke to speak on what having a healthy amount of debt meant for the City. Mr. Duke said there were a lot of different metrics on what a healthy level of debt was, and it depended on if it was based on tax-funded types of operations or utility operations. There was an analysis of the City's debt service done every year, and the City did have a debt policy, which looked at things like total valuations across the City and the debt. It also looked at things like the average debt per capita that was assigned, and there were standards for all of those things. In the government realm, these things were segmented into different areas, so there were the governmental expenditures along with utility expenditures; and in this case, water and storm water. The City's water fund had very little debt at this point; and prior to this bond issue, there was a total of around $1.5 million worth of debt, which sounded like a lot of money. But, in the City's budget and the water funds, there was usually around $4.5 million in annual budget expenditures for the water utility, so $1.5 million was well within the acceptable range from a best practice standpoint as far as debt. There was around five years of debt left on the City's remaining outstanding debt today, and this would be another ten-year issue, which was a fairly small period of time. The life of the infrastructure being installed was around 50 to 60 years, maybe even longer, so a ten-year debt service option for this type of infrastructure was well within what was best practice. Councilman Mackiewicz asked if these bonds were available for the public to buy. Mr. Duke said, no, these were privately placed, and not public offerings. Typically, on an issue of this size, it would be a private issue, and this was a private placement with a local bank.

Vice President Crawford asked if there was an opportunity for refinancing, because this was a good interest rate. Mr. Duke thought at five years, they could refinance. He would have to look at the specific documents again, but he was confident it was a five-year period. Right now, it did not look like interest rates were going anywhere, and these were slightly higher rates than five to six years ago, but they were a little lower than a year or two ago. While rates had come down a bit, they were still higher than what he would like, and he did not see rates moving to the lower end of the spectrum over the next five years, but they could evaluate it at that time. Vice President Crawford noted that spoke to the City's credibility and credit rating with those particular lenders. Mr. Duke agreed, and said the City had a quality credit rating that had only improved. He was thankful there were not any current issues.

Hearing nothing further, Vice President Crawford called for a motion to adopt Ordinance 2026-26.

Motion by Mayor Reynolds, seconded by Councilman Mackiewicz, to adopt Ordinance 2026-26 as presented. No comments followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

B. ORDINANCE 2026-27 AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $568,573.87 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST OF STORM WATER REPAIRS AND REPLACEMENTS IN THE CITY, INCLUDING BUT NOT LIMITED TO THOSE AT THE SECTION OF N. KING STREET FROM W. CHURCH STREET TO W. ANKENEY MILL ROAD, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND OTHER MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. Vice President Crawford asked Mr. Duke for a brief summary of this item. Mr. Duke said this item was the storm water portion of debt service, which was $568,573.87, and around $72,944.33 annually. As stated previously, this Ordinance was a part of the larger issue, and he was happy to answer any questions.

Vice President Crawford entertained comments or questions. Hearing none, he called for a motion to adopt Ordinance 2026-27.

Motion by Mayor Reynolds, seconded by Councilman Mackiewicz, to adopt Ordinance 2026-27 as presented. No comments followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

C. ORDINANCE 2026-28 AUTHORIZING THE CONSOLIDATION OF UP TO TWO BOND ISSUES OF THE CITY OF XENIA, OHIO, AND OTHER MATTERS RELATED TO SUCH CONSOLIDATED BOND ISSUE, AND DECLARING AN EMERGENCY. Vice President Crawford asked Mr. Duke for a brief summary of this item. Mr. Duke said this Ordinance consolidated the prior two Ordinances that Council just approved. This would be all part of one bond issue, and there would be only one set of bond documents instead of multiple iterations of signatures and documents, so this Ordinance combined those two previous Ordinances into one bond issue.

Vice President Crawford entertained comments or questions. Hearing none, he called for a motion to adopt Ordinance 2026-28.

Motion by Councilwoman Huffman, seconded by Councilman Rubio, to adopt Ordinance 2026-28 as presented. No comments followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

D. ORDINANCE 2026-29 PROVIDING FOR THE ELECTION ON AMENDMENTS TO § 4.01(G)(2), § 4.05(A), § 5.01(B), § 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND § 13.01 OF THE XENIA CITY CHARTER, AND DECLARING AN EMERGENCY. Vice President Crawford asked Ms. Fisher for a brief summary of this item. Ms. Fisher said she just noticed the title, as it appeared on the agenda, was not correct. Vice President Crawford then read the correct title as stated above. Ms. Fisher stated Council appointed a Charter Review Commission (CRC) late last year, and the charter required this be done every five years. The CRC filed a report with Council in June, and Council had the authority to decide

which of the recommended amendments they wanted to present to the voters. Council could not change or modify any of the recommendations, but they did have the choice of which of the amendments, if any, to present. Council spent a lot of time going over this at both the July 9th and July 23rd meetings, and the sections that Council chose to present to the voters were included in this Ordinance. The entire amendments could not be listed on the ballot because it would make the ballot too long. So typically, there was a summary of the proposed amendments on the ballot, and the text of the actual amendments were attached to the Ordinance as Exhibit A, which did have to be posted at the polling place. If voters had not seen the actual text to the amendments before they voted, those would be posted at the polling place. In addition, the actual text of the proposed amendments would be published in the paper and on the City's website.

Ms. Fisher noted three of the seven amendments proposed had a summary for each one, but she could not guarantee the Board of Elections (BOE) would exactly follow the language suggested. They did not do that on the last two income tax levies that were submitted, but she was hoping since this was the City charter, the BOE would follow the recommended language. Council was not voting on whether they approved or disagreed with any of these amendments; Council was voting on whether or not they wanted to let the voters decide on these amendments. This Ordinance authorized that presentation in November, and it would be one ballot item containing all seven amendments. There was a window of 120 to 60 days for Council to take action to present, so it was not unusual to do this by emergency. Should Council choose to adopt this emergency Ordinance, it gave staff time to get this to the BOE before the September 4th deadline. However, because emergency Ordinances automatically stood repealed as of the 61st day of their passage, Council would also have to introduce this as a regular Ordinance following adoption of this emergency. If Council adopted this emergency Ordinance, she asked that Council introduce a regular Ordinance to make sure the Ordinance stayed effective, so there would be an effective Ordinance authorizing the placement on the ballot before the November election.

Vice President Crawford entertained comments or questions. Mayor Reynolds thanked Ms. Fisher and the Charter Review Commission for reviewing the charter. Obviously, not all items were taken forward, but there had been a lot of time dedicated for the CRC and Council to review them. There had been a lot of great sections, and he wanted to clarify that he believed voters should have the greatest opportunity to hold their elected officials accountable. He believed they should make it easier for voters to vote, not harder. If voters wanted to make a change, they could make that change. The City belonged to the people, and that was why he was in favor of keeping the current election system at 4-3 because he was always for giving the voters more power, not less.

Hearing nothing further, Vice President Crawford called for a motion to adopt Ordinance 2026-29.

Motion by Mayor Reynolds, seconded by Councilman Rubio, to adopt Ordinance 2026-29 as presented. No comments followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

E. Introduction of **ORDINANCE 2026-30 PROVIDING FOR THE ELECTION ON AMENDMENTS TO SECTION 4.01(G)(2), SECTION 4.05(A), SECTION 5.01(B), SECTION 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND SECTION 13.01 OF THE XENIA CITY CHARTER.** Vice President Crawford asked Ms. Fisher for a brief summary of this item. Ms. Fisher said this was basically the exact same Ordinance that Council just adopted, minus the emergency language. All that was needed tonight was an introduction, and then a public hearing and vote on this at the next meeting.

Vice President Crawford entertained comments or questions. Hearing none, he called for the introduction of Ordinance 2026-30 as presented.

Mayor Reynolds introduced ORDINANCE 2026-30 PROVIDING FOR THE ELECTION ON AMENDMENTS TO SECTION 4.01(G)(2), SECTION 4.05(A), SECTION 5.01(B), SECTION 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND SECTION 13.01 OF THE XENIA CITY CHARTER

(9) APPOINTED OFFICIALS' REPORTS

Vice President Crawford asked the Finance Director for his comments. Mr. Duke said earlier this week, Joe Braden, representative from the Auditor of the State of Ohio, stopped by his office to present him with the Award with Distinction for excellence in financial reporting for the 2025 year. Typically, in the past, Mr. Braden had come to a Council meeting and made a presentation. This was a very important thing that demonstrated that the City had responsibly stewarded public dollars. It was also a testament to all the hard work the people in the organization were doing to make sure the City was compliant and doing things the right and lawful way, and using best practices when it came to financial reporting and policy. It was his pleasure to present and share this with Council; and if Council desired, they could take a picture after the meeting. If not, staff could do a press release to let the public know this had been awarded. He stated Assistant Finance Director Jason Lake had done a terrific job with this report, as he had with several others, and there had been a lot of staff that put a lot of time and effort into this report to make sure everyone was following policy and adhering to procedures and best practices. He was proud of the organization as a whole for doing a great job making sure they were doing their best to do things the right way. They did not always get everything right, but everyone did their best to get the big things right, and they had been successful in doing that.

Vice President Crawford asked the Law Director for her comments. Ms. Fisher said she hoped Council realized that in her nine years with the City, Mr. Duke had won this award on behalf of the City every one of those nine years. His staff did great because they had a great leader. He did a great job as Finance Director, and the fact that he had won the award yet again was wonderful.

Vice President Crawford asked the City Manager for his comments. Mr. Merriman said staff was in pre-production of a video series, and he was hoping to launch that no later than September. They would be looking at a number of important topics in the community, much of which had been discussed with Council. He would be reaching out to Councilmembers as staff would like their help in some of those video presentations. As Council should be aware, the Clerk sent out an email, based on his recommendation to the Council President and Vice President, a request for a Special

Session on September 1st. The purpose of that meeting would be to have some important conversations on Council's direction involving a number of projects and revenue needs, so staff could complete the Capital Improvement Plan recommendations for the year. Finally, he had been in discussions with the street rehabilitation repaving contractor, John R. Jurgensen, and for a number of reasons, most notably the weather, it looked like the street work would be a little more delayed than anticipated. He hoped they would be doing that work yet in August, but it was looking like early September; and with every day of rain, it was more and more difficult to get that work done. Councilman Rubio asked if there was a starting date. Mr. Merriman thought they were slated for the second week of September, but again, there was rain forecasted for the next four to five days, and even forecasted into next week. They could work with some rain, but it was slowing all projects down.

(10) COUNCIL COMMENTS & REPORTS:

Councilman Mackiewicz reported earlier today, there was a Property Management Committee meeting. A number of vacant lots would soon have houses on them, which was a wonderful thing, and he thanked staff for all their hard work on returning properties to productive private use. He was glad to see the speed tables being installed on Hollywood Boulevard, and he appreciated the staff's work on that, along with the traffic calming project on Bellbrook Avenue. He thanked the Charter Review Commission for their hard work, and he was glad for the opportunity for the voters to vote on the amendments. He was looking forward to helping out at the Back to School Bash at New Life Christian Assembly at 436 E. Main Street this Saturday from 1:00 p.m. to 4:00 p.m. There would be games, hot dogs, walking tacos, and back-to-school supplies; and he looked forward to seeing everyone come out for that event. He reminded everyone it was back to school time, and he encouraged everyone to leave a little earlier during school hours to give themselves extra time. He did some math on school speed limits, and in front of the high school the speed limit dropped during school hours from 35 to 20 mph, so it would be an extra 15 seconds to traverse that area. At Cox Elementary, it was only four extra seconds to slow down from 25 to 20 mph.

Councilwoman Huffman stated she met with the City's Community Resources Coordinator, Elizabeth Brown, a couple of weeks ago. She was a licensed social worker who would be working closely with the Fire, EMS, and Police Divisions to respond to different calls by helping to establish relationships with people who tended to be more high frequency callers. Being able to have that in Xenia was a huge benefit, and it was a model that had been widely used in behavioral health and by first responders across the nation. She was glad to see Xenia doing this, and she was hoping to see a good outcome with this pilot project.

Councilman Rubio was able to be at Hollywood Boulevard when crews were installing the speed bumps, and he was excited about seeing those traffic calming measures being installed. He met with a few neighbors there, and he was glad to see them smile. There was a lot of work to do, and Council spent a lot of time talking about the roads because it was a topic on all of their agendas. He was sure Mr. Merriman was sick of hearing from him about the roads, and he did not mean to be a bother because he was there for the people, but Mr. Merriman was doing a great job. He attended the city-wide worship, and it was a great time to meet as believers; there were a lot of different churches and faiths worshipping God in the park.

Mayor Reynolds agreed the city-wide worship was awesome, and it was good to see other members of Council, friends, and neighbors attending the event. This past week, members of Council met with Congressman Mike Turner to review community project funds that had been put into the federal budget. There was a discussion about what the City might be able to do in the future to develop and grow the Market District site. It was a great time with Congressman Turner, and he thanked him for coming to Xenia. Last Friday, the Family Film Friday event was cancelled, so this Friday at 7:30 p.m. at Shawnee Park, there would be another Family Film Friday event. There would be free popcorn, thanks to Rural King, sno-cones thanks to Dr. Christina King, Copley Construction was sponsoring the movie and providing the inflatable projection screen, and One Bistro would provide a sweet treat for all the kids. Councilman Rubio asked what movie would be playing. Mayor Reynolds said Super Mario Brothers.

Vice President Crawford thanked everyone for their patience today. He highlighted Mr. Duke, Ms. Fisher, and Mr. Merriman for their business savvy, wisdom, and what they brought to the City. These officials not only navigated the workforce, but they were also navigating decisions. He knew they leaned upon Councilmembers for counsel, and he thought the relationship that had been developed over the years was one of significance. It was worthy for other cities to pay attention to, and he thought this Council was a great group as well. He thanked the appointed officials for their service. He noted Mr. Duke had a level of integrity that he operated by, he was extremely proud of his professionalism, and he admired him in that field. He thanked Ms. Fisher for her support of him, and he noted Mr. Merriman's leadership to the group was well-respected among Council.

(11) EXECUTIVE SESSION: Vice President Crawford said an Executive Session was not needed this evening.

(12) ADJOURNMENT: Motion by Mayor Reynolds, seconded by Councilman Mackiewicz, to adjourn the Regular Meeting at 6:59 p.m. No discussion followed. The Roll on this was the following:

Ayes: Crawford, Mackiewicz, Huffman, Rubio, Reynolds
Nays: None motion carried.

Amy E. Brown
City Clerk

James Crawford
Vice President, Xenia City Council

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Introduction:	August 13, 2026, by Mayor Ethan Reynolds
Public Hearing & Vote:	August 27, 2026
Effective Date:	September 26, 2026

Agenda Item: **ORDINANCE 2026-30**
PROVIDING FOR THE ELECTION ON AMENDMENTS TO SECTION 4.01(G)(2), SECTION 4.05(A), SECTION 5.01(B), SECTION 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND SECTION 13.01 OF THE XENIA CITY CHARTER

Submitted & Presented By: Donnette Fisher, Law Director

Summary: With the adoption of Ordinance 2026-29, as an emergency, Council authorized the placement of proposed City Charter amendments on the ballot at the November 3, 2026, general election for the consideration of Xenia's electorate. To meet the deadline for submitting these Charter amendments to the Board of Elections for placement on the ballot, an emergency ordinance was necessary. However, per City Charter § 5.03, Ordinance 2026-29 will stand automatically repealed as of the 61st day following its adoption (October 13, 2026). Thus, the adoption of this Ordinance is necessary to assure that Council's authorization does not lapse between the effective date of Ordinance 2026-29 and the November 3, 2026, general election. The language of this Ordinance precisely mirrors the language of Ordinance 2026-29, with the exception that the emergency language was removed.

Cover Memo Attachments: None.

Vote Required for Adoption: Per Article XVIII, § 9 of the Ohio Constitution, passage of this Ordinance requires the affirmative vote of 2/3 of Council (five (5) affirmative votes).

Budgetary Impact: None.

Recommendation: Adopt Ordinance 2026-30 to assure that Council's authorization of the placement of proposed City Charter amendments on the November 3, 2026, ballot for voter consideration remains effective prior to the election.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 30

PROVIDING FOR THE ELECTION ON AMENDMENTS TO SECTION 4.01(G)(2), SECTION 4.05(A), SECTION 5.01(B), SECTION 9.04(C)(3), ARTICLE XI, ARTICLE XII, AND SECTION 13.01 OF THE XENIA CITY CHARTER

WHEREAS, Xenia City Charter § 8.06 requires that City Council appoint a Charter Review Commission at least every five (5) years for the purpose of reviewing the Charter of the City and recommending to Council such alterations, revisions, and amendments to the Charter as, in the Commission's judgment, are desirable;

WHEREAS, Council, by Resolution 2025-061, passed on November 25, 2025, appointed a Charter Review Commission, as required by the City Charter;

WHEREAS, the Charter Review Commission filed its "Report to City Council on Recommended Charter Amendments for Placement on the November 3, 2026, Ballot" with City Council on June 11, 2026; and

WHEREAS, after consideration of the recommendations of the Charter Review Commission, this Council finds it desirable to submit some of the proposed Charter amendments, in the manner provided by the Constitution of the State of Ohio, to the City's qualified electors,

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, at least five (5) of the members of Council elected thereto concurring, that:

Section 1. The question of amendments to § 4.01(G)(2), § 4.05(A), § 5.01(B), § 9.04(C)(3), Article XI, Article XII, and § 13.01 of the Xenia City Charter be submitted to a vote of the qualified electors of the City at the general election to be held on November 3, 2026, at the regular hours and regular places of voting in the City. If approved by a majority vote at said election, § 4.01(G)(2), § 4.05(A), § 5.01(B), § 9.04(C)(3), Article XI, Article XII, and § 13.01 of the Xenia City Charter shall be amended, as shown in Exhibit A, and shall become effective upon certification of the election results by the Greene County Board of Elections.

Section 2. The ballots for the election shall be entitled: "Xenia City Charter Amendments Ballot," and the question to be submitted on the ballot shall be: "Shall the proposed amendments to the Xenia City Charter be adopted?" To the left of said wording, in boxes with appropriate place for marking, shall appear the words, "Yes," and "No," and each voter shall indicate his or her vote by making a mark in the place so provided. Under this question shall appear a digest/summary of said amendments, to read as follows:

§ 4.01(G)(2). Allow Council to approve sale of City-owned property by resolution but require a public hearing on such resolution.

§ 4.05(A). Remove Council's ability to raise Council salaries; Beginning January 1, 2027, make Council's monthly salary equal to the minimum earnable salary required under Ohio Public Employees Retirement System (OPERS) to earn a monthly service credit and adjust salaries automatically as of January 1st of each year only if the OPERS required minimum earnable salary has increased.

§ 5.01(B). Delete subdivision (7) to match amendment to § 4.01(G)(2).

§ 9.04(C)(3). Correct the typo in this subdivision by replacing "administrative motion" with "procedural motion."

ARTICLE XI. Further clarify that City elections are to remain nonpartisan, without primaries; clarify nominating petition requirements based on state law; keep number of required signatures for a nominating petition at 75; clarify that the candidate for office that receives the highest number of votes shall be declared elected; clarify that the eligibility of a candidate for Council or Mayor shall be determined at the time of filing of the candidate's nominating petition; prohibit a City employee from remaining in the City's employ when the employee runs for City office; add language assuring that a process is provided whereby the City electorate may recall a member of Council, including the Mayor (in light of the Ohio Supreme Court's holding in *Maumee v. Lucas County Board of Elections*).

ARTICLE XII. As the City is no longer allowed to regulate utilities per state law, remove utility regulation and franchise language; replace with a process for initiative and referendum petitions to be filed by the City electorate; add language creating a process whereby City Council may refer ordinances/legislative matters directly to the City's voters for decision.

§ 13.01. Amend the language in division (A)(1) to match federal and state law; amend the language in division (B) to provide an actual enforcement mechanism for a violation of division (A)(1) – (A)(5).

Section 3. As ORC § 3505.06 requires that when condensed text is used on a ballot question, issue, or amendment the full text of the proposed question, issue or amendment together with the percentage of affirmative votes necessary for passage shall be posted in each polling place, the attached Exhibit A shall be used as the full text of the proposed ballot item at each polling place.

Section 4. The Greene County Board of Elections shall give public notice of the time and place of holding the election at least ten (10) days prior to the day of election, in accordance with Ohio Revised Code § 3501.03.

Section 5. The City Clerk is directed to publish the full text of these proposed Xenia City Charter amendments once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City or as provided in ORC § 7.16, with the first publication being at least fifteen (15) days prior to the election, in accordance with § 9 of Article XVIII of the Ohio Constitution and ORC § 731.211.

Section 6. The City Clerk is directed to certify a copy of this Ordinance to the Board of Elections of Greene County no later than September 4, 2026.

Section 7. If the amendments to § 4.01(G)(2), § 4.05(A), § 5.01(B), § 9.04(C)(3), Article XI, Article XII, and § 13.01 of the Xenia City Charter are approved by a majority vote, the City Clerk shall certify a copy of the amendments to the Ohio Secretary of State within (30) days of the election.

Section 8. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

Section 9. This Ordinance shall become effective as of September 26, 2026.

Introduced: August 13, 2026
Adopted:

Wesley E. Smith
Attest: Xenia City Council President

Amy E. Brown
City Clerk

CITY OF XENIA BALLOT ITEM ___

PROPOSED AMENDMENTS TO THE XENIA CITY CHARTER

§ 4.01 POWERS OF COUNCIL.

(G) Real Property.

(1) The power to acquire title to, or interests in, real property, whether such property is acquired by the exercise of the power of eminent domain, purchase, gift, lease, devise, bequest, in trust or otherwise.

(2) The power to sell, convey, lease, or grant the use of real property owned by the City, or any rights therein, shall also be vested in the Council. Such sale, conveyance, lease or grant of use shall be made only upon a determination by Council, by resolution, that such property is not needed for any municipal purpose or, in those cases in which real estate is offered only for lease or use for a term, that it will not be needed for municipal purposes during the term of the proposed lease or use or that such proposed lease or use will not interfere with the property's use for municipal purposes. Any sale, conveyance, or lease shall be made only by negotiation, informal competition, or formal bidding, as prescribed by Council in the resolution authorizing the method of sale, conveyance, lease, or grant. The sale, conveyance, lease or grant of use of real property owned by the City, or any rights therein, shall be effective only upon the **passage of a resolution** ~~adoption of an ordinance~~ by Council, approved by the affirmative vote of at least four (4) members of the Council. **Said resolution shall be subject to a public hearing, which shall be held not earlier than seven (7) days following publication of the notice of such hearing.**

§ 4.05 COMPENSATION AND EXPENSES.

(A) Council **Salaries** ~~members~~.

(1) Beginning January 1, 2027, the members of City Council, including the Mayor, shall receive monthly compensation equal to the minimum earnable salary required under the Ohio Public Employees Retirement System to qualify for a full month's service credit ~~The Council may determine the salaries of its members by ordinance, but no ordinance adjusting such salaries shall become effective until the date of the commencement of the terms of the members of Council, including the Mayor, elected at the next regular municipal election. Any ordinance adjusting the salaries of Council members, including the Mayor, shall be adopted by June 1. Such ordinance may set the salaries for Council, including the Mayor, per year of each year of the Council members' and Mayor's terms, but no salary adjustment shall exceed three percent (3%) per year~~.

(2) Thereafter, the monthly compensation payable to the members of City Council, including the Mayor, shall automatically adjust as of January 1st of each year to equal the then yearly minimum earnable monthly salary required under the Ohio Public Employees Retirement System to qualify for a full month's service credit.

(3) The compensation provided under this division (A) shall be paid by the Finance Director on the same schedule as City employees are paid.

§ 5.01 ORDINANCES, RESOLUTIONS, AND MOTIONS.

(B) Action Requiring an Ordinance. The following legislative actions of the City Council shall be by ordinance:

(1) Adopting or amending ~~of~~ an administrative code to establish, alter, or abolish any City department, office, board, commission, or other agency;
(2) Establishing any offense and the imposition or provision of imposition of any penalty for such offense;
(3) Levying of taxes, except when such action may be taken by resolution under the Ohio Revised Code;
(4) Granting, renewing, or extending a franchise;
(5) Regulating the rate charged for its services by a public utility;
(6) Authorizing the borrowing of money or appropriations for the expenditure of public funds;
(7) ~~Authorizing the purchase, conveyance or lease of real property or any title or interest therein;~~
~~(8)~~ Regulating land use and development;
(8) ~~(9)~~ Exercise the police powers granted the City by Article XVIII of the Constitution of the State of Ohio; or
(9) ~~(10)~~ Amending or repealing any ordinance previously adopted.

§ 9.04 OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN.

(C) Action by City Council.

(1) On or before November 1st, the City Manager shall either publish the estimated Operating Budget and Capital Improvement Plan on the City's website or shall publish, in one or more newspapers of general circulation within the City, that said documents are available for public inspection.

(2) At its first regular meeting in November, Council shall schedule and hold a time for public comment on the estimated Operating Budget and Capital Improvement Plan as presented.

(3) Within thirty (30) days of presentation of the Operating Budget and the Capital Improvement Plan to Council, the Council may approve the proposed estimated Operating Budget and Capital Improvement Plan, by **procedural** ~~administrative~~ motion, or may amend the proposed Operating Budget and/or the Capital Improvement Plan by adding or increasing programs or amounts or by deleting or decreasing any programs or amounts, except expenditures required by law for debt service, provided that no amendment shall increase the authorized expenditures to an amount greater than total estimated income. If the Council takes no action within thirty (30) days, the proposed Operating Budget and the Capital Improvement Plan shall be deemed approved as presented.

ARTICLE XI – ELECTIONS **FOR CITY OFFICE.**

§ 11.01 RULES FOR ELECTIONS.

(A) Time and Submission. Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in each odd-numbered year. **All candidates for the office(s) of City Council, including the Mayor, shall be nominated by petition, and all petitions and ballots shall be without party mark or designation. No primary election shall be held for the office of City Council member,**

including the Mayor~~, except as hereinafter provided. Any matter which by the terms of this Charter may be submitted to the electors of the City at any special election may be submitted at any regular Municipal election~~.

(B) **Election of City Council Members. All elections for the office(s) of City Council Member, including the Mayor, shall be at-large elections.**

(C) Nonpartisan Ballots. All officers to be elected under this Charter shall be elected upon one (1) ballot without any party designation of any kind.

(D) ~~C.~~ Determinations. The Council shall be the judge of the qualification**s** and election of its own members, subject to the requirements and limits of this Charter.

§ 11.02 **PROCEDURES FOR PLACEMENT** ~~PETITION FOR PLACE~~ ON BALLOT.

(A) Nominating Petitions. Candidates for **the office(s) of City** Council and Mayor shall be nominated **exclusively** ~~only~~ by petition **in the manner provided by this Charter**. **Nominating petitions shall be governed by the following rules:** ~~The name of any elector of the City shall be printed and signed upon a petition which is to be filed with the Greene County Board of Elections.~~

(1) **Each nominating petition** ~~Such petitions~~ shall state the name **of the candidate, the office for which the candidate is nominated, whether such nomination is for a full term or an unexpired term and the ending date of such unexpired term, and a statement that the signers of such petition certify that, in their opinion, the candidate is well qualified to perform the duties of the office to which the candidate is nominated** ~~and place of residence of each person whose name is presented for a place upon the ballot, and that he or she is a candidate for Council or Mayor for the City of Xenia~~.

(2) ~~(4)~~ Signatures of all the petitioners shall be on forms approved by the Greene County Board of Elections.

(B) Signatures.

(1) ~~(2)~~ **A nominating petition** ~~Such petitions~~ shall be signed by **at least** seventy-five (75) **qualified electors of the City. Only electors qualified to vote on the candidacy which is the subject of the petition shall sign the petition, and each signer shall be a registered elector of the City. The facts of qualification shall be determined as of the date the petition is filed.**

(2) ~~(3)~~ **Signatures shall be affixed in ink, and each signer shall also print the signer's name and** ~~An elector signing a petition shall add to his or her signature his or her~~ place of residence, with the street number, and the date of signing. **The address given upon the petition shall be the address that appears in the registration records of the Board of Elections.** ~~An elector may subscribe to one (1) nominating petition for each of the offices to be filled, and no more. All signatures shall be made in ink.~~

(3) If a petition contains the signature of an elector two or more times, only the first signature shall be counted.

(4) ~~(5)~~ No petition shall be signed by any elector more than one hundred twenty (120) **calendar** days prior to the day of the election, and such petition shall be filed with the Board of Elections not less than ninety (90) **calendar** days previous to the date of such election, except as hereinafter provided.

(5) No person shall sign a name other than the person's own on any petition, and no person may authorize another to sign for the person, except when such person is a registered voter who, by reason of disability is unable to physically sign the person's name and the other person signing on the voter's behalf is doing so pursuant to a valid power of attorney for disabled voters on file with the Board of Elections.

(C) Statement of Candidacy.

(1) ~~(6)~~ Any person whose name has been submitted for nomination by ~~any such~~ petition shall **indicate** ~~file~~ **the person's** ~~his or her~~ acceptance of such nomination **by signing the statement of candidacy on the nominating petition before the nominating petition is circulated. No nominating petition shall be filed** with or **accepted by** the Board of Elections **if the statement of candidacy is unsigned** ~~at the time of filing of his or her petition, except as hereinafter provided; otherwise, his or her name shall not appear upon the ballot~~.

(2) Such statement shall be signed in ink by the candidate and shall contain a declaration made under penalty of election falsification that the candidate desires to be a candidate for the office named and that the candidate is an elector qualified to vote for the office the candidate seeks, and that the candidate otherwise meets all qualifications for the office the candidate seeks.

(3) If the petition consists of more than one separate petition paper, the statement of candidacy needs to be signed by the named candidate on only one such separate petition, but all petition papers shall be filed together.

~~(7) Write-in candidates shall be permitted for the office of Council member in accordance with Ohio election laws.~~

(D) Filing the Petition with the Board of Elections. The nominating petition and statement of candidacy shall be filed with the Board of Elections for placement of the person's name on the ballot as a candidate for office at the next regular municipal election. The Board of Elections shall process the nominating petition in accordance with Ohio Revised Code § 3513.263, as it may be amended from time to time, or any successor provision thereto.

§ 11.03 PROTESTS.

(A) Protests. Written protests against nominating petitions that filed in accordance with this Article may be filed with the Board of Elections by any qualified elector eligible to vote for the candidate whose nominating petition the elector objects to.

(B) Deadline. Such protest shall be filed no later than seventy-four (74) calendar days before the election at which the candidate's name would otherwise appear in the ballot.

(C) Action by the Board of Elections. The Board of Elections shall process the written protest in accordance with Ohio Revised Code § 3513.263, as it may be amended from time to time, or any successor provision thereto.

§ 11.04 **SUBMISSION TO THE ELECTORS.** ~~GENERAL INITIATIVE AND REFERENDUM LAWS TO APPLY.~~

(A) Placement on Ballot. The Board of Elections shall place the names of all candidates that are certified by it on the ballot for the municipal office for which the candidate(s) seek election. Ballots used by the Board of Elections shall comply with the relevant provisions of the Ohio Revised Code.
~~The Constitution and the general laws of Ohio shall govern the procedure for initiative and referendum.~~

(B) Elections. The office of Mayor and the office of City Council member shall appear separately on the ballot. The candidate receiving the highest number of votes for Mayor shall be declared elected to the office of Mayor. The candidate(s) receiving the highest number of votes for Council member for the number of office(s) up for election shall be declared elected to the office(s) of Council member.

~~No ordinance or resolution adopted by an electoral vote can be repealed or amended within one (1) year after its adoption except by an electoral vote; however, an ordinance or resolution to repeal or amend any such ordinance or resolution may be submitted to an electoral vote at any regular election, or at any special Municipal election called for some other purpose, provided that notice of the intention to do so be published by the Council not more than sixty (60) days nor less than thirty (30) days prior to such election, in the manner required for the publication of ordinances and resolutions. If an amendment is so proposed, such notice shall contain the proposed amendment in full. Such submission shall be in the same manner, and the notice shall have the same effect, as in cases of ordinances or resolutions submitted to an election by popular petition.~~

§ 11.05 ~~11.03~~ **APPLICATION OF** GENERAL ELECTION LAWS ~~TO APPLY~~.

(A) Nominating Process and Selection of Municipal Officials. The processes and methods for the nomination of candidates for the offices of Mayor and City Council, and the method of electing such municipal officials, shall be as provided in this Charter. Should this Charter be silent as to any such matter, the provisions of election laws of the State of Ohio shall apply.

(B) Administration of Elections. All municipal elections for the offices of Mayor and City Council shall be conducted, and the results canvassed and certified, by the Board of Elections in accordance with the laws of the State of Ohio, as amended from time to time and including any successor provisions thereto, except where this Charter provides otherwise.
~~All elections shall be conducted and the results canvassed and certified by the election authorities prescribed by the general election laws, except as otherwise provided by this Charter, or by ordinance or resolution of the Council hereafter elected.~~

§ 11.06 CANDIDACY FOR CITY OFFICE.

(A) Requirements. No person shall be eligible for the office of member of City Council or Mayor unless the person meets the eligibility requirements of § 4.02(B) of this Charter. Eligibility shall be determined at the time the person files their nominating petition.

(B) Restrictions. No official (other than the Mayor and members of Council) or employee of the City shall continue in the person's appointment or employment after being certified as a candidate for election to any City office. Except for the Mayor and members of City Council, no official or employee of the City shall engage in the political campaigns of any candidates for any City office.

§ 11.07 ~~11.05 GENERAL~~ **RECALL** ~~**LAWS TO APPLY**~~**.**

(A) Right of Recall. The qualified electors of the City shall have the power to remove from office by a recall election, in the manner herein provided, any elected or appointed member of City Council or the Mayor if that person has served at least six (6) months of the person's term.

(B) Recall Petition.

(1) A recall petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought and a statement not to exceed five hundred (500) words of the grounds for the removal. No petition shall name more than one person to be recalled.

(2) A recall petition shall be signed by at least that number of electors from the City which equals fifteen percent (15%) of the number of the electors voting at the last preceding regular municipal election for Council Members and/or Mayor within the City.

(3) No petition shall be valid after ninety (90) calendar days from the date of the first signature.

(C) Filing the Recall Petition. The recall petition, demanding the removal of the person named in the petition from the office named in the petition, and demanding an election for a successor to the person sought to be removed, shall be filed with the Board of Elections. The Board shall examine all the signatures on the petition to determine whether the petition contains the required number of valid signatures.

(D) Recall Election.

(1) If the elective officer named in the recall petition does not resign his or her office within five (5) calendar days of the Board of Elections determining that the petition is sufficient, the Board of Elections shall schedule a recall election at the next primary or general election occurring more than ninety (90) calendar days from the date of the Board's finding that the petition is sufficient.

(2) The nomination of candidates to succeed the elective officer sought to be removed shall be made by filing with the Board of Elections, at least thirty (30) calendar days before the scheduled election, a petition that meets the requirements of § 11.02 of this Charter.

(3) The Board of Elections shall publish notice and make all arrangements for holding the election, which shall be conducted and the result thereof returned and declared in the same manner as are the results of regular municipal elections.

(E) Ballots.

(1) At the recall election, with respect to each elective officer whose removal is sought, the ballots shall submit the question in the following form: "Shall [naming the officer] be allowed to continue as [naming the office]?" and with the provision on the ballot for voting affirmatively or negatively ("For the recall of [name of person]" or "Against the recall of [name of person]"), with a square placed immediately to the left of each proposition in which the electors may vote for either proposition.

(2) Under each question shall be placed the names of the candidates to fill the vacancy. The name of the elective officer whose removal is sought shall not appear on the ballot as a candidate to succeed the officer's self.

(F) Election Results.

(1) In the event that a majority of the votes cast for the recall of the named person are affirmative, such officer shall be considered as removed. The elected successor shall hold office during the unexpired term of the recalled person.

(2) If there were no candidates named to replace the recalled officer, the vacant office shall be filled as provided in § 4.06 of this Charter; provided, however, that a person removed by recall shall not be eligible for appointment to any vacancy created thereby.

(3) If the officer is not removed at such recall election, no further recall petitions shall be filed against the person for a period of one (1) year.

~~The provisions of Chapter 705. of the Revised Code of Ohio, and any subsequent version of that statute, shall govern the procedure for recall of elected officials of the City.~~

ARTICLE XII – **INITIATIVE AND REFERENDUM.** ~~UTILITY REGULATION; FRANCHISES~~

§ 12.01 **GENERAL AUTHORITY; INITIATIVE AND REFERENDUM.** ~~UTILITY REGULATION~~

(A) Initiative. The qualified voters of the City shall have the power to propose ordinances providing for the exercise of any powers of government granted by the State Constitution or delegated to the City by the Ohio General Assembly to the Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to proceed to present such ordinance to the qualified voters of the City by initiative petition for adoption or rejection.

(B) Referendum. The qualified electors of the City shall have power to require reconsideration by the Council of any adopted ordinance or legislative measure and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at an election.

~~All grants shall be subject to the right of the City, whether in terms reserved or not, to control, regulate, in, over, under or across all streets, alleys or public places occupied by any such public utility, and the Council may cause to be reconstructed, relocated or discontinued any such structure or fixture, and the Council may pass all regulatory ordinances effecting such utilities which may be required in the interests of public health, safety, or accommodation.~~

§ 12.02 **INITIATIVE PETITIONS.** ~~FRANCHISES~~

(A) Commencement of Proceedings; Petitioners' Committee. Any five (5) qualified electors may commence initiative proceedings by filing with the City Clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and by filing with the Clerk a certified copy of the proposed ordinance. The copy shall be considered certified if there is attached thereto a written statement attesting that it is a true and exact reproduction of the original proposed ordinance, setting out in full the text of the proposed ordinance, including its title.

~~Restrictions. No grant to exercise a franchise in the City of Xenia shall be exclusive and no such grant shall be renewed earlier than two (2) years prior to its expiration. No franchise or public utility shall be assignable without the consent of the Council by ordinance or resolution first advertised, and any attempted assignment without such ordinance or resolution shall be void and of no effect.~~

(B) Referral to Council. Within fourteen (14) calendar days after the affidavit of the petitioners' committee and the proposed initiative ordinance is filed, if the City Clerk finds the subject matter of the proposed initiative ordinance is a proper exercise of legislative action by ordinance, the City Clerk shall refer the proposed ordinance to City Council. Within thirty (30) calendar days of presentation of the proposed ordinance to Council by the City Clerk for consideration, the Council may adopt such proposed ordinance, or may amend such proposed ordinance, provided that such amendment has been approved by a majority of the members of the petitioners' committee. Upon adoption of the proposed ordinance as submitted or as amended, no further action shall be taken by the petitioners' committee.

~~Extension to Annexed Property. In the grant of any franchise or right to exercise any public utility within the City, the extension of the same to any territory annexed to the City shall, without being expressed therein, be a part of the right which may be enforced by appropriate proceedings.~~

(C) Initiative Petition. If the Council fails to adopt the proposed ordinance, the petitioners' committee may proceed with an initiative petition on the proposed ordinance. The petitioners' committee shall notify the City Clerk, in writing, of its intent to proceed with an initiative petition within ten (10) calendar days of Council's refusal to adopt the proposed ordinance. All initiative petitions shall be subject to the requirements set forth in § 12.04 of this Charter.

~~Right of Purchase. All grants of the right to exercise a franchise made by the Council shall reserve to the City the right to purchase or lease all property of the utility used, for the operation of the utility at a price either fixed in the ordinance or resolution making the grant, or to be fixed in the manner provided by such ordinance or resolution, which price shall in no event include any value for the grant. Nothing in such ordinance or resolution shall prevent the City from acquiring such property by condemnation proceedings or in any other lawful mode, which rights shall be in addition to those reserved in the ordinance making such grant. Upon the acquisition of such property by purchase, condemnation, or otherwise, all grants shall at once terminate.~~

(D) Filing the Petition with the Clerk; Affidavit of Circulator. The initiative petition on the proposed ordinance shall be filed with the City Clerk within sixty (60) calendar days of the date the petitioners' committee filed notice with the Clerk of its intent to proceed with an initiative petition. The petition shall be filed with the City Clerk and shall have attached to it when filed, an affidavit executed by the circulator thereof stating that he or she personally circulated the paper; the number of signatures thereon; that all the signatures were affixed in his or her presence; that he or she believes them to be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the ordinance proposed for initiative.

~~Extension, Connection and Utilization of City Utilities. The extension, connection and utilization of City utilities to tributary areas shall be permitted and the City Council shall establish a schedule of fees for use of and connection to City utilities. The extension, connection and use of City utilities shall only apply to utilities with sufficient capacity.~~

(E) Signatures. Within ten (10) calendar days of the filing of the petition with the City Clerk, the Clerk shall transmit the petition to the Board of Elections. The Board shall examine all the signatures on the petition to determine the number of electors of the City who signed the petition. The Board

shall return the petition to the City Clerk within ten (10) calendar days after receiving it, together with a statement attesting to the number of such electors who signed the petition.

(F) Clerk's Determination of Validity and Sufficiency. Within ten (10) calendar days of receiving the statement from the Board of Elections as to the number of signatures on the petition, the City Clerk shall determine the sufficiency and validity of the petition and whether it meets the requirements of this Charter, and whether the subject matter of the proposed initiative ordinance falls within the scope of the City's authority to act by ordinance. If the Clerk finds the petition or proposed ordinance to be invalid or insufficient, the Clerk shall prepare a written statement of the deficiencies or invalidity of the initiative petition and shall submit the written statement to the Board of Elections and shall send a copy of such statement to the petitioner's committee. No further action shall be taken on an invalid or insufficient initiative petition.

(G) Filing the Petition with the Board of Elections. If the City Clerk determines the initiative petition is sufficient and valid, the Clerk shall transmit the Clerk's certification and a certified copy of the text of the proposed ordinance to the Board of Elections, who shall submit the proposed ordinance for the approval or rejection by the electors of the City in accordance with this Charter.

§ 12.03 REFERENDUM PETITIONS.

(A) Matters Subject to Referendum. Any ordinance or other measure of legislative action passed by Council is subject to referendum, except for the following:

(1) When Council is required to pass more than one ordinance or other measure to complete the legislation necessary to pay for a public improvement, only the first ordinance or other measure required to be passed is subject to referendum and not any subsequent ordinances or other measures relating thereto;

(2) Ordinances or other measures to provide for appropriations for the City's current expenses or for the borrowing of money or incurring debt;

(3) Ordinances or other measures regarding improvements that have been petitioned for, in accordance with the procedures set forth in Ohio Revised Code § 727.06 by owners of a majority of the feet frontage of the property benefited and to be specially assessed for the cost thereof; and

(4) Emergency ordinances passed in accordance with § 5.03 or § 5.04 of this Charter.

(B) Commencement of Proceedings; Petitioners' Committee. Any five (5) qualified electors may commence referendum proceedings by filing with the City Clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and by filing with the Clerk a certified copy of the ordinance proposed for referral to the electors. The copy shall be considered certified if there is attached thereto a written statement attesting that it is a true and exact reproduction of the original ordinance, setting out in full the text of the cited ordinance, including its title. The petitioners' committee affidavit shall be filed with the City Clerk within ten (10) calendar days of publication of the ordinance upon which referendum is sought. Failure to file said affidavit within the required ten (10) calendar days shall render invalid any further steps taken with respect to a referendum.

(C) Referendum Petition. All referendum petitions shall be subject to the requirements set forth in § 12.04 of this Charter.

(D) Filing the Petition with the Clerk, Affidavit of Circulator. The referendum petition shall be filed with the City Clerk within thirty (30) calendar days of the date the ordinance that is the subject of the petition was adopted by City Council. The petition shall be filed with the City Clerk and shall have attached to it when filed, an affidavit executed by the circulator thereof stating that he or she personally circulated the paper; the number of signatures thereon; that all the signatures were affixed in his or her presence; that he or she believes them to be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the ordinance or issue sought to be reconsidered by referendum.

(E) Signatures. Within ten (10) calendar days of the filing of the petition with the City Clerk, the Clerk shall transmit the petition to the Board of Elections. The Board shall examine all the signatures on the petition to determine the number of electors of the City who signed the petition. The Board shall return the petition to the City Clerk within ten (10) calendar days after receiving it, together with a statement attesting to the number of such electors who signed the petition.

(F) Clerk's Determination of Validity and Sufficiency. Within twenty-one (21) calendar days of receiving the statement from the Board of Elections as to the number of signatures on the petition, the City Clerk shall determine the sufficiency and validity of the referendum petition and whether it meets the requirements of this Charter. If the Clerk finds the petition to be invalid or insufficient, the Clerk shall prepare a written statement of the deficiencies or invalidity of the petition and shall submit the written statement to the Board of Elections and shall send a copy of such statement to the petitioners' committee. No further action shall be taken on an invalid or insufficient referendum petition.

(G) Filing the Petition with the Board of Elections. If the City Clerk determines the referendum petition is sufficient and valid, the Clerk shall transmit the Clerk's certification as to the sufficiency and validity of the petition and a certified copy of the ordinance to the Board of Elections.

(H) Subsequent Action by Council. At any time after a referendum petition is filed with the City Clerk but at least sixty (60) calendar days prior to the date of the election scheduled on the petition, Council may repeal the ordinance proposed for referendum. In such event, the City Clerk shall notify the Board of Elections and such ordinance or measure shall not be submitted to a vote of the electors.

(I) Effect of Referendum; Suspension of Effect of Ordinance. When an affidavit by persons constituting the petitioners' committee is filed pursuant to § 12.03(B) of this Charter, upon the filing of a proper referendum petition with the City Clerk, the ordinance or other measure sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate upon a final determination by the Board of Elections that the referendum petition is insufficient or invalid, upon Council's repeal of the ordinance or measure proposed for referendum, or upon the petitioners' committee withdrawing the petition.

§ 12.04 PROCEDURES APPLICABLE TO INITIATIVE AND REFERENDUM PETITIONS.

(A) Petitions.

(1) The initiative or referendum petition circulated by the petitioners' committee shall contain at the top of each page of the petition, the following words, which shall be printed in red: *Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution*.

(2) The initiative or referendum petition may be in separate parts, but shall be assembled as one instrument for filing, and all papers of the petition shall be uniform in size and style.

Initiative petitions shall contain or have attached to it, throughout its circulation, the full text of the ordinance, including its title, that is proposed for adoption by initiative. Referendum petitions shall contain the number and a full and correct copy of the title and text of the ordinance proposed for approval by referendum.

(3) Initiative and referendum petitions must be signed by at least ten percent (10%) of the number of electors who voted for governor at the most recent general election in the City for the office of governor.

(4) Except as otherwise provided in this Article, the initiative or referendum petition shall meet the requirements of Ohio Revised Code § 3501.38. The circulator's statement required on the petition shall be notarized.

(5) No alterations, corrections or additions may be made to a petition after it has been filed with the City Clerk.

(B) Signatures.

(1) Only electors qualified to vote on the issue which is the subject of the petition shall sign a petition. Each signer must be a registered elector of the City. The fact of qualification of each elector who signed the petition shall be determined as of the date the petition is filed with the City Clerk.

(2) In determining the validity of any petition, all signatures which are found to be irregular shall be rejected, but no petition shall be declared invalid in its entirety when one or more signatures are found to be invalid except when the number of valid signatures is found to be less than the total number of signatures required under this Charter.

(C) Circulator's Sworn Statement. The circulator of an initiative or referendum petition shall, within five (5) calendar days of filing the petition with the City Clerk, also file with the City Clerk a notarized, itemized statement, made under penalty of election falsification, showing in detail:

(1) All moneys or things of value paid, given or promised for circulating the petition;

(2) Full names and addresses of all persons to whom such payments or promises were made;

(3) Full names and addresses of all persons who contributed anything of value to be used in circulating the petition; and

(4) Time spent and salaries earned while circulating or soliciting signatures by persons who were soliciting signatures or circulating the petition as a part of their regular job duties.

Such Statement shall remain open to public inspection for one (1) year.

(D) Withdrawal of Petitions. An initiative or referendum petition may be withdrawn by the petitioners' committee at any time prior to sixty (60) calendar days before the scheduled election, by filing with the Board of Elections a written request for withdrawal signed by a majority of the members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect, all proceedings thereon shall be terminated. The Board of Elections shall notify the City Clerk of the withdrawal of the petition within ten (10) calendar days.

§ 12.05 SUBMISSION TO ELECTORS.

(A) Initiative Petition.

(1) If the City Clerk has certified the sufficiency and validity of the initiative petition to the Board of Elections, then the Board of Elections shall submit the proposed ordinance for the approval or rejection by the electors at the next primary or general election occurring at least ninety (90) calendar days after the City Clerk submits the petition to the Board.

(2) At such primary or general election, this question shall be placed upon the ballot: "Shall an ordinance providing [a brief summary of the proposed ordinance shall be inserted here] be adopted?", with the provision on the ballot for voting affirmatively or negatively.

(B) Referendum Petition.

(1) If the City Clerk has certified the sufficiency and validity of the referendum petition to the Board of Elections, then the Board of Elections shall submit the ordinance for the approval or rejection of the electors at the next subsequent election, whether general or primary, occurring at least ninety (90) calendar days after the City Clerk submits the petition to the Board.

(2) At such primary or general election, the question shall be placed upon the ballot: "Shall Ordinance [number] be approved?", with the provision on the ballot for voting affirmatively or negatively.

(C) Submission to Electors. The vote of the electors on a proposed or referred ordinance or measure shall be held not less than ninety (90) calendar days and not later than one (1) year from the date of the certification of the initiative or referendum petition to the Board of Elections. If no regular or primary election is to be held within the period prescribed in this subsection, the Council may provide for a special election; otherwise, the vote shall be held at the same time as such regular election.

(D) Conduct of Elections. Elections on ordinances or legislative measures referred to the electors under the initiative and referendum procedures set forth in this Charter shall be conducted, and the results canvassed and certified, by the Board of Elections of Greene County in accordance with the election laws of the State of Ohio.

§ 12.06 RESULTS OF ELECTION; EFFECTIVE DATE.

(A) Initiative. If a majority of the votes cast on an ordinance proposed by initiative petition are in the affirmative, the ordinance shall be considered adopted five (5) calendar days after the Board of Elections certifies the official vote thereon. Such ordinances shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council. If conflicting ordinances are approved at the same election, whether submitted by initiative petition or by Council pursuant to § 12.07 of this Charter, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(B) Referendum. If a majority of the votes cast on an ordinance submitted by referendum petition vote are in the affirmative, the ordinance shall be deemed approved and shall be effective in accordance with § 5.02 of this Charter. If a majority of the votes cast are in the negative, the ordinance shall be deemed repealed and shall not take effect. If a majority of the qualified electors voting on a referred ordinance or other measure vote for it, it shall become effective five (5) calendar

days after the Board of Elections certifies the official vote thereon, and no publication of such ordinance or resolution shall be required.

§ 12.07 SUBMITTAL OF ORDINANCE TO THE ELECTORS BY COUNCIL.

(A) Submittal to Electorate. By a vote of five (5) members of the Council, any pending ordinance may be submitted to the electors of the City at a general, primary or special election. The action of submittal provided for in this section shall be taken by resolution and shall go into immediate effect. Such resolution shall be passed not less than seventy-five (75) calendar days prior to the date of the primary or general election at which such ordinance is to be submitted. In the event that such ordinance is to be submitted for approval at a special election, the Council shall, in the resolution for submittal, fix a date for such special election at a date not less than seventy-five (75) calendar days after the date of passage of the resolution, and the City Clerk shall cause notice of the special election to be published once a week for two (2) consecutive weeks in a newspaper determined by Council to be of general circulation in the City.

(B) Certification to Board of Elections. The City Clerk shall certify to the appropriate Board of Elections that an election is to be held submitting such ordinance to a vote of the electors at the date fixed by Council as hereinbefore provided. The City Clerk shall also certify a copy of the ordinance to be voted upon to the appropriate Board of Elections.

(C) Form of Ballot. At such primary, general or special election, this question shall be placed upon the ballot: "Shall an ordinance providing [a brief summary of the proposed ordinance shall be inserted here] be adopted?", with the provision on the ballot for voting affirmatively or negatively. If a majority of the votes cast are in the affirmative, the ordinance shall be considered adopted five (5) calendar days after the Board of Elections certifies the official vote thereon. Such ordinances shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council.

(D) Conflicting Ordinances. If conflicting ordinances are approved at the same election, whether submitted by initiative petition or by Council pursuant to this section, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

§ 12.08 APPLICATION OF STATE LAW.

In accordance with Ohio Revised Code § 731.41, as it may be amended from time to time or any successor provision, the processes and methods for the submittal of initiative petitions and referendum petitions to the City electorate shall be as provided in this Charter, to the exclusion of Ohio Revised Code Sections 731.28 – 731.41. Should this Charter be silent on any such matter, the applicable provisions of Ohio Revised Code Chapter 731 shall apply.

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§ 13.01 **PROHIBITED** ACTIVITIES ~~PROHIBITED~~; PENALTIES.

(A) **Prohibited** Activities ~~Prohibited~~. **The City Council shall provide, by ordinance, for the enforcement of the following provisions:**

(1) No person shall ~~be~~ appoint~~ed to~~ or remove~~d from~~, or in any way favor~~ed~~ or discriminate~~d~~ against, **any applicant or candidate for** ~~with respect to~~ any City position or appointive City administrative office because of race, **color, religion, sex, military status, national origin, disability,** ~~gender,~~ age, ~~handicap, religion, country of origin,~~ **ancestry,** or political affiliation.

(2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

(3) No person who seeks appointment or promotion with respect to any City position or appointive City administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment or proposed promotion.

(4) No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any City election from any City employee.

(5) No City employee shall knowingly or willfully make, solicit or receive any contribution to the campaign fund of any political party or committee to be used in a City election or to campaign funds to be used in support of or opposition to any candidate for election to City office. This section shall not be construed to limit any person's right to exercise rights as a citizen to express opinions or to cast a vote, nor shall it be construed to prohibit any person from active participation in political campaigns at any other level of government.

(B) Penalties. Any person **found guilty** ~~convicted~~ of a violation of **any provision of the City's Criminal Code enacted by Council to enforce** this section shall be ineligible for a period of five (5) years following such **finding of guilt** ~~conviction~~ to hold any City office or **employment** ~~position~~ and, if an officer or employee of the City **at the time of such violation**, shall immediately forfeit his or her office or **employment upon such finding of guilt** ~~position~~. The City Council **may also** ~~shall~~ establish, by **criminal code** ~~ordinance~~, such further penalties as it **deems** ~~may deem~~ appropriate.

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Planning and Zoning Commission:	August 12, 2026
Introduction:	August 27, 2026
Public Hearing & Vote:	September 10, 2026
Effective Date:	October 10, 2026

Agenda Item: **ORDINANCE 2026 – 31**
APPROVING A MAJOR CHANGE TO THE PUD CONCEPT PLAN FOR THE TIMBER RIDGE PLANNED UNIT DEVELOPMENT, WITH THE MODIFICATIONS RECOMMENDED BY THE XENIA PLANNING AND ZONING COMMISSION

Submitted by: Brian Forschner, City Planner
Presented by: Brent Merriman, City Manager

Summary: Timber Ridge is a Planned Unit Development at the City's north end. Approved in 1988 for 63 single-family homes (1.2 units per acre), its first section was platted in 1989 with 24 lots along Ridge Road and Ridgewood Drive; 19 homes were built. The remaining 34.48 acres have remained undeveloped for the past 37 years. In October 2025, developer Arbor Homes submitted an application requesting a Major PUD Change to build 88 homes on the undeveloped land, but City Council denied the request (Ordinance 2025-33).

In June, Arbor Homes submitted a new request for a Major PUD Change proposing 82 homes on the undeveloped land. This new plan includes development standards – particularly architectural standards – that exceed those required under conventional SN District zoning. Key changes from the 2025 plan for the undeveloped land include:

- Two entrances onto US-68 instead of one.
- No connection to Ridge Road; the 2025 plan extended Ridge Road into the new section.
- 82 lots instead of 88.
- Reconfigured open space with a larger buffer between existing and proposed homes, including a 50-foot no-clear zone that preserves a heavily wooded area next to existing homes.
- A higher minimum home size of 1,800 sq. ft. for lots on Ridge Road.

Planning & Zoning Division staff supports the revised density, open space layout, and development standards. However, staff recommended to Planning & Zoning Commission (PZC) that the proposed Concept Plan be modified to allow only one new entrance onto US-68 rather than two, along with a connection to Ridge Road (shown on Exhibit A to this Ordinance). Staff's reasons for these recommendations to PZC were:

- **Consistency with the approved plan:** The original 1988 PUD Concept Plan required Ridge Road to continue through the development and connect to one additional US-68 entrance.
- **Compliance with the Land Development Code and Fire Code:** The Land Development Code requires stub-ended streets to continue into new sections and limits dead-end streets to 600 feet; Ridge Road already exceeds that limit. The

Fire Code also requires subdivisions with more than 30 homes to have more than one access point, which may include a connection to an existing subdivision.

- **Safety:** Although the developer's traffic analysis found that two additional access points would meet acceptable safety standards, staff concluded that one new access point plus a Ridge Road connection would present less risk.
- **Avoiding public expense:** Disconnected subdivision streets create isolated neighborhoods, lengthen Fire/EMS response times, and direct all traffic onto thoroughfares, potentially increasing taxpayer costs for road widening and additional emergency-service facilities.
- **Minimal impact on the existing neighborhood:** Connecting Ridge Road to the new section would have little effect on existing Timber Ridge streets because the proposed entrance would be closer to more new lots than the existing Ridgewood Drive entrance. During the weekday PM peak hour, the estimated increase on the existing sections of Ridge Road and Ridgeview Drive is:
  - Developer's plan: 4 additional vehicle trips
  - Staff-recommended plan: 5–7 additional vehicle trips

The attached staff report to PZC provides additional details and compares each plan to the Code's approval criteria.

PZC reviewed the request and held the required public hearing at its August 12, 2026, meeting. PZC voted to recommend City Council approve the PUD Major Change, with a modification that the developer be required to follow a Modified PUD Concept Plan (rather than the Developer submitted plan), allowing only one entrance onto U.S. 68 and requiring a connection to Ridge Road.

Cover Memo Attachments: Staff report to PZC; Developer Submitted PUD Concept Plan

Budgetary Impact: Estimated annual revenues will exceed service costs by approximately 15% upon full buildout.

Vote Required for Adoption: The affirmative vote of a majority of the members of Council present at the meeting, per Charter § 5.02(E).

Recommendation: It is the recommendation of the PZC that City Council approve the requested Major PUD Change for the Timber Ridge Planned Unit Development, with the modification that the developer be required to follow the PZC-Approved Modified PUD Concept Plan, allowing only one entrance onto U.S. 68 and requiring a connection to Ridge Road.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 31

APPROVING A MAJOR CHANGE TO THE PUD CONCEPT PLAN FOR THE TIMBER RIDGE PLANNED UNIT DEVELOPMENT, WITH THE MODIFICATIONS RECOMMENDED BY THE XENIA PLANNING AND ZONING COMMISSION

WHEREAS, with permission from the property owner, Clayton Properties Group, Inc., d/b/a Arbor Homes, submitted an application for a major change to the Timber Ridge PUD Concept Plan for approximately 34.48 acres of undeveloped land within the Timber Ridge Planned Unit Development, as well as Greene County Parcel ID M40000100530000300 (the "PUD"), Case PZC2026-10;

WHEREAS, the application for the PUD Concept Plan change proposes 82 single-family home lots and 8.5 acres of private open space;

WHEREAS, the procedures for reviewing a major change to the Timber Ridge PUD Concept Plan, as specified in § 1220.04(h) of the Land Development Code, have been followed;

WHEREAS, the Xenia Planning and Zoning Commission (PZC), at its August 12, 2026, meeting, held the required public hearing and voted to recommend this Council approve the requested major change to the Timber Ridge PUD Concept Plan, with modifications allowing only one entrance onto U.S. 68 and requiring a connection to Ridge Road; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to approve the major change to the Timber Ridge PUD Concept Plan, with the modifications recommended by the Planning and Zoning Commission,

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, a majority of the members of City Council present concurring, that:

Section 1. In accordance with the process outlined in § 1220.04(h) of the City's Land Development Code, the modified Timber Ridge PUD Concept Plan, as approved by the Xenia Planning and Zoning Commission, and the developer-submitted development standards for the Timber Ridge PUD, are hereby approved, as further documented and illustrated in Exhibit A, attached to this Ordinance and hereby made a part of as if fully written herein.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

Section 3. This Ordinance shall take effect October 10, 2026.

Introduced: August 27, 2026
Adopted:

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

PRELIMINARY PLAT FOR

TIMBER RIDGE

CITY OF XENIA, OHIO
GREENE COUNTY, OHIO

OWNER
JDF XENIA PROPERTIES, LLC
180 CANAL VIEW BLVD, SUITE 600
ROCHESTER, NY 14623

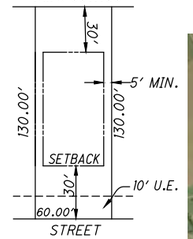
APPLICANT
CLAYTON PROPERTIES GROUP INC.
DBA ARBOR HOMES
9050 CENTRE POINTE DR., SUITE 210
WEST CHESTER, OH 45069
513-667-1182

ENGINEER
CHOICE ONE ENGINEERING
440 E. HOEWISHER RD.
SIDNEY, OHIO 45365
937-497-0200

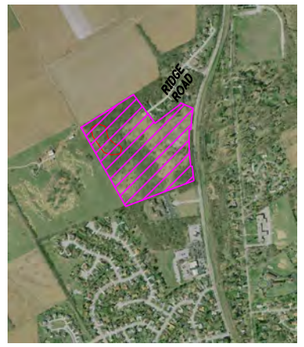
PZC-APPROVED MODIFIED PUD CONCEPT PLAN



LOTS 1-8, 10-51, 53-70, 72-92
(88 UNITS)



TYPICAL LOT
7,800 SF



VICINITY MAP, XENIA, OHIO

PROPOSED STREET RIGHTS OF WAY TO BE 50' IN WIDTH. INTERNAL STREETS TO BE 30' BACK TO BACK CURB WITH 6' CURB LAWN AND 4' SIDEWALKS.

PARKING LIMITED TO ONE SIDE OF STREET. CLUSTER MAILBOX LOCATIONS TO BE COORDINATED WITH POST OFFICE.

PRIVATE OPEN SPACE TO BE PROTECTED BY CONSERVATION EASEMENT AT FINAL PLAT.

SUBDIVISION TO BE BUILT IN TWO PHASES.

SITE DATA
PARCEL ID: M40000100530000300

ADDRESS: NORTH DETROIT STREET

SITE: 34.48 Ac. TOTAL

ZONING PUD - 34.48 Ac.
MIN. 7,800 SF
MIN. WIDTH 60'
MIN. FRONT SETBACK = 25'
MIN. REAR SETBACK= 30'
MIN. SIDE SETBACK= 5'
MIN. DWELLING SIZE =
1,200 SF ON 15% OF LOTS (ONLY ALLOWED IN 1400 SF SECTION)
1800 SF FOR LOTS 1-4
1400 SF MIN OTHERWISE
NUMBER OF DWELLING UNITS: 82
MAX BUILDING HEIGHT: 2 STORIES

DENSITY: 2.44 UNITS/ACRE

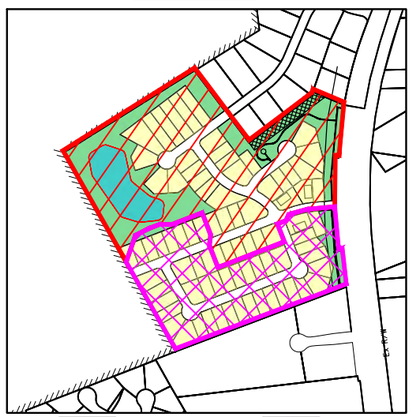
OPEN SPACE: 10.67 Ac. (30.94%)

NO CLEAR ZONE

OPEN SPACE

1. TRAFFIC IMPACT STUDY AND SPEED STUDY FOR US-68 AND PROPOSED INTERSECTION WITH TIMBER RIDGE ROAD WILL BE PERFORMED AND SATISFIED AT FINAL PLAT STAGE.
2. FEASIBILITY STUDY FOR PEDESTRIAN/BIKE CROSSING OF US-68 WILL BE COMPLETED AND SATISFIED AT FINAL PLAT STAGE.
3. THE WIDTH OF THE PATH FROM TIMBER RIDGE ROAD TO THE SOUTH PROPERTY WILL BE DETERMINED DURING THE FEASIBILITY STUDY.
4. 2000 SF OR LARGER HOMES SHALL COMPLY WITH ALL APPLICABLE ARCHITECTURAL STANDARDS FOR SINGLE-FAMILY HOMES IN THE LAND DEVELOPMENT CODE AND PROVIDE AT LEAST TWO SIDING MATERIALS ON THE FRONT FACADE.
5. HOMES SMALLER THAN 2000 SF SHALL COMPLY WITH THE SAME STANDARDS AS THE 2000+ SF HOMES, PLUS PROVIDE AT LEAST TWO OF THE FOLLOWING:
   - MORE THAN 1 FRONT-FACING GABLE
   - COVERED PORCH THAT IS AT LEAST 5'x5' (CAN DOUBLE-COUNT AS COVERED PORCH PROVIDED PURSUANT TO LAND DEVELOPMENT CODE)
   - ONE OR MORE AWNINGS ABOVE WINDOWS OR DOORS OTHER THAN THE PRIMARY FRONT PEDESTRIAN DOOR

PHASING PLAN



PHASE 1
45 LOTS

PHASE 2
43 LOTS

***PHASING SUBJECT TO CHANGE BASED ON LOT DEMAND**

SCALE IN FEET
0 50 100 200

Choice One Engineering
SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
www.CHOICEONEENGINEERING.com

TIMBER RIDGE
CITY OF XENIA
PRELIMINARY PLAT - OVERALL VIEW

REVISIONS:

FILE NAME	OVERALL VIEW - B
DRAWN BY	KMM
CHECKED BY	KMM
PROJECT No.	GREXEN2510
DATE	06-12-2026
SHEET NUMBER	1 OF 3

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STAFF REPORT
XENIA PLANNING AND ZONING COMMISSION

ITEM:	PUD Major Change
CASE NUMBER:	PZC2026-10
REPORT DATE:	August 5, 2026
MEETING DATE:	August 12, 2026
APPLICANT NAME:	Clayton Properties Group Inc. dba Arbor Homes
PROPERTY ADDRESS:	North Detroit Street
GREENE COUNTY PARCEL IDENTIFICATION NUMBER(S):	M40000100530000300
ORDINANCE SECTION(S):	1220.04(h)(4)A.
ZONING:	PUD Planned Unit Development

A. Action Requested

Hold a public hearing and vote whether to endorse a Major Change to the Timber Ridge PUD that would increase residential density and modify the layout relative to the approved PUD Concept Plan, allowing 82 proposed single-family homes and preservation of 8.5 acres of private open space.

B. Background

The Timber Ridge PUD is located at the City's northernmost point, near the intersection of US-68 and Old Springfield Pike. The original PUD Concept Plan was approved in 1988 and proposed 63 single-family home lots on 52.364 acres (1.2 units/acre), with no preserved open space, two entrances from US-68, and internal streets that connected the two entrances via Ridge Road. Section 1 was platted in 1989, consisting of 24 lots on 18.156 acres (1.3 units/acre), the northern entrance (Ridgeview Drive), and Ridge Road stub-ended on its south end, with intent to extend it to subsequent sections. All lots were sold but only 19 homes were built. The five remaining lots and the remaining 34.48-acre tract remained undeveloped for 36 years.

The City received multiple proposals to develop the remaining acreage since 1989. One proposal to increase the total lots from 63 to 85 was withdrawn in 1993. Two proposals to build an assisted living facility on the property were denied. A 2025 application by Arbor Homes for 88 proposed lots (2.55 units/acre) on the 34.48-acre tract was endorsed by the Planning and Zoning Commission but denied by City Council.

Arbor Homes has now submitted a second application in an attempt to gain approval to develop the 34.48-acre tract. The present application differs from the 2025 application in that it contains slightly fewer single-family homes lots (82, or 2.38 units/acre), a revised open space layout, a third entrance from US-68, and a severed connection between the new section and existing section.

Below is a summary description of Arbor Homes' present PUD Concept Plan application:

1. Proposed Land Uses/Intensity:
   (a) 82 single-family home lots (increasing the PUD's total approved lots from 63 to 106)
   (b) 2.38 units/acre (increasing the PUD's total approved density from 1.2 units/acre to 2.02 units/acre)
   (c) 8.5 acres of preserved private open space (24.6% of site)

2. Streets:
   (a) Two new entrances from US-68 (Oak Court and Timber Ridge Circle)
   (b) Conversion of Ridge Road to a permanent dead-end street with a cul-de-sac and four proposed lots
   (c) No connection between Ridge Road and Hackberry Way, which will also end in a cul-de-sac.

3. Open Space (to be maintained/owned by HOA)
   (a) Provides a buffer with a 50’ wide no-clear zone between five existing Timber Ridge lots and the proposed section
   (b) Provides location for detention basin at northwest corner of site
   (c) Provides a buffer between proposed lots and US-68
   (d) Includes a proposed gazebo on Oak Court

4. Pedestrian/Bike Provisions
   (a) Sidewalks on all proposed internal streets
   (b) Proposed path on west side of US-68 across frontage of proposed development, plus a connection from this path to the proposed Ridge Road cul-de-sac

5. Development Standards
   (a) Minimum 60’ width and 7,800 sq. ft.(larger than the SN District standards)
   (b) Minimum setbacks: 25’ front, 30’ rear, 5’ side (comparable to SN District)
   (c) Minimum dwelling floor area:
      (1) 1,800 sq. ft. on Ridge Road lots
      (2) 1,400 sq. ft. on remainder of development, with provision that up to 15% of lots can be reduced to 1,200 sq. ft. (SN District requires 1,400 sq. ft.)
   (d) Maximum 2-story building height
   (e) Architectural standards
      (1) New homes 2,000 sq. ft. or larger must follow Land Development Code architectural standards, AND use at least two siding materials on the front façade
      (2) New Homes less than 2,000 sq. ft. must follow the same standards as 2000+ sq. ft. homes AND provide at least two of the following:
         a. More than 1 front-facing gable
         b. Covered porch that is at least 5'x5' (slightly larger than Land Development Code requirement)
         c. One or more awnings above windows or doors other than the primary front pedestrian door

6. Phasing:
   (a) Two phases, starting from the north

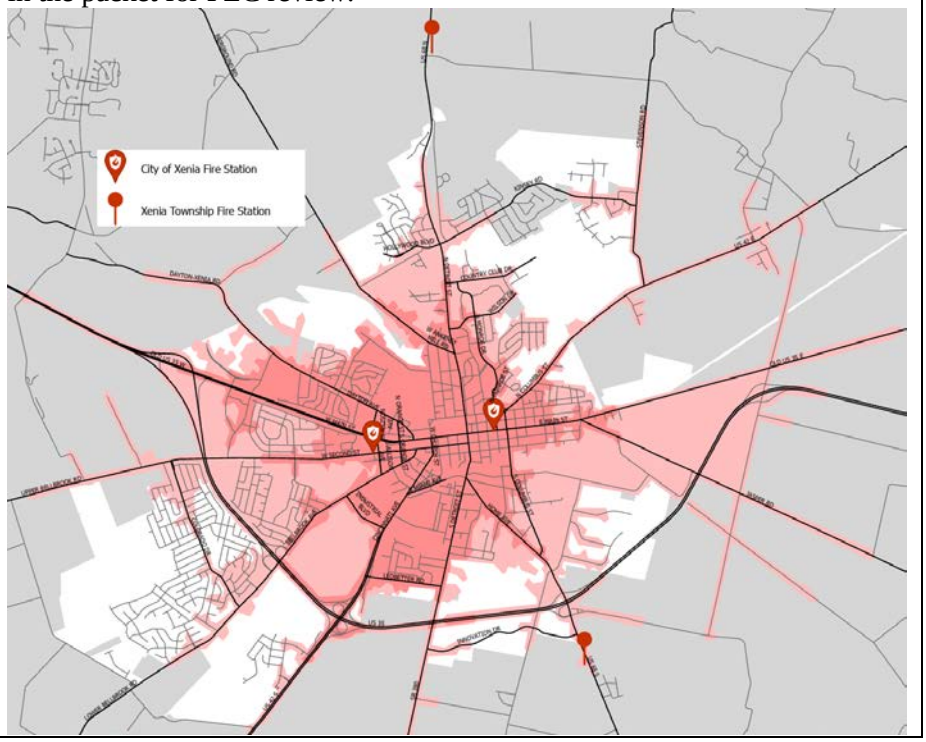
7. Additional items to be submitted before Final Plat approval:
   (a) Traffic Impact Study to evaluate whether improvements such as turn lanes are needed on US-68
   (b) Speed study to evaluate whether the speed limit on US-68, which is currently 50 mph, can be reduced
   (c) Feasibility study for pedestrian/bike crossing of US-68 to connect Timber Ridge neighborhood to Little Miami Scenic Trail (will likely require speed limit reduction), and construction of crossing if feasible

C. Staff Analysis

Section 1220.04(e)(1) Criteria	Analysis
A. The proposed development is consistent with the comprehensive plan, other adopted City plans, and the stated purposes of this code and Section 1222.06: Planned Unit Developments.	**Satisfied** neXtPlan recommends development of the remainder of Timber Ridge as single-family homes at 2-4 units per acre and 1-2 story building heights. The proposed Arbor Homes development will be 2.4 units per acre with 1-2 story homes. neXtPlan also recommends a pedestrian and bicycle crossing of US-68 north of Kinsey Road, connecting neighborhoods west of US-68 with the Little Miami Scenic Trail. The applicant has agreed to study the feasibility of this crossing and construct if feasible.
B. The proposed development is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.	**Satisfied** Xenia housing needs and construction costs have changed considerably since the 1988 establishment of this PUD: • Costs of entry-level new homes have increased by over 50% since 2020 (based on a comparison of sampled homes in Sterling Greene Crossing in 2020 to Edenbridge in 2025) • Average number of people living in a household decreased from 2.7 in 1990 to 2.3 in 2022 (smaller households need less living area) • Median age of the population increased from 35 in 2010 to 40 in 2023 (as adults age, they tend to become more interested in smaller, lower-maintenance properties) • Construction costs, and City maintenance costs, per foot of new street or water/sewer line have skyrocketed These trends all point toward a need for smaller home and lot sizes. The feasibility of developing 100’ wide lots with utilities, as built in the existing section of Timber Ridge, has declined. No major subdivision with minimum lot widths greater than 65 feet have been built in Xenia since before the Global Financial Crisis and Great Recession of 2007-2009. In response to these factors, the City amended the residential requirements in its Land Development Code to allow smaller lots (as little as 40’ wide and 5,000 sq. ft.) and a greater range of housing types. The proposed 60’ lot width and 7,800 sq. ft. lot area minimums are in line with what is feasible to build in today’s housing market, and both exceed the minimum required in the City’s lowest-density residential district.

Section 1220.04(e)(1) Criteria	Analysis
C. The proposed development will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved as well under other zoning districts.	**Satisfied** The PUD process allows for more flexibility when reviewing an application. The applicant is requesting a significant increase in density. In return, staff requested that the applicant incorporate enhanced architectural standards, variable home square footage minimums and preservation of trees and open space to protect the existing neighborhood. These measures will help the proposed development complement its surroundings while still being economically feasible for the developer.
D. The proposed development will support the purpose of this code as stated in Section 1218.01: Purpose.	**Satisfied** The proposed development will increase the approved density, reduce the approved lot size, and protect nearly a quarter of the site as open space. This results in a more efficient development pattern that will secure economy in the cost of providing services (1218.01(b) and (e)). The use of buffers, enhanced architectural standards and variable home square footage minimums will ease the transition between the existing and new neighborhood, protecting the existing neighborhood's character and values (1218.01(c) and (d)). The potential connection to the Little Miami Scenic Trail will help provide access to and from the neighborhood by varied modes of transportation (1218.01(f)).
E. The proposed development is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.	**Satisfied** The development will require substantial clearing and regrading of a relatively rugged, forested property. However, the applicant will preserve nearly a quarter of the site as open space, and will guarantee a minimum 50' wide no-clear zone adjacent to existing home lots. This is an improvement relative to the original 1988 PUD Concept Plan, which provided no protected open space. Although the proposed stormwater detention area will require clearing and regrading, it will generally follow the natural drainage patterns of the site.
F. The concept plan has been transmitted to all other agencies and departments charged with responsibility of review.	**Satisfied** The Engineering and Fire Divisions have reviewed the Concept Plan.

Section 1222.06(e) Criteria	Analysis
(1) The proposed PUD conforms to the comprehensive plan.	**Satisfied** See analysis of 1220.04(e)(1)A.

Section 1222.06(e) Criteria	Analysis
(2) The development will not impose an undue burden on public services and facilities, such as fire and police protection.	**Satisfied with Conditions** The existing neighborhood is currently beyond the 5-minute drive time from current Fire stations, like other subdivisions on the City's periphery (see map below). The proposed layout's new entrance will be reachable within 5 minutes. However, Fire Division, Engineering and Planning staff prefer that the proposed streets connect to and continue the existing Ridge Road rather than terminate it in a cul-de-sac. This will ease movement of emergency vehicles through the development and reduce response times in this outlying area. Staff has included an alternative, "Staff-Recommended" Concept Plan in the packet for PZC review. 

Section 1222.06(e) Criteria	Analysis
(3) The site will be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development will be adequate to serve the residents or occupants of the proposed development.	**Satisfied with Conditions** The developer will be required to conduct a traffic impact study and construct any necessary improvements to US-68 to maintain safe and efficient operation. The Fire Code requires that a neighborhood containing more than 30 homes shall have at least two entrances, ensuring adequate emergency vehicle access and maneuverability. In the 1988 PUD Concept Plan and the 2025 application, the Timber Ridge plan met this requirement by providing two entrances from US-68 and a street connection between the two entrances via Ridge Road. The present application includes two proposed entrances from US-68, and no connection to Ridge Road. The developer has conducted a preliminary engineering analysis that demonstrates the feasibility and safety of these two entrances, acknowledging their proximity to Ridgeview Drive and Paceline Court, and the presence of a blind curve on US-68 to the north (see traffic memo included in the packet materials). Although staff accepts this preliminary analysis, staff still prefers a safer approach. Staff recommends that only one new entrance be built, and that Fire Code requirements be met by connecting the proposed section to Ridge Road, consistent with the original 1988 PUD Concept Plan. A revised, "Staff-Recommended" Concept Plan has been included in the packet to illustrate this approach. Timber Ridge residents expressed opposition to the Ridge Road connection when it was proposed in the 2025 PUD Concept Plan application, due to concerns about increased traffic in the existing neighborhood. Staff is able to allay these concerns based on additional traffic analysis, conducted as a supplement to the applicant's analysis (see attached supplement). The traffic impact on the existing Timber Ridge streets from the staff-recommended plan is minimal and similar to the applicant's submitted plan: • Applicant Concept Plan submittal: 3-4 additional trips during peak hour • Staff-Recommended Concept Plan: 5-7 additional trips during peak hour Staff's attached supplement explains the methodology for these estimates. The traffic impact on the existing neighborhood is minimal in both the applicant's Concept Plan and staff's recommended plan for the following reasons: • Applicant's plan proposes 4 additional lots on Ridge Road, all of which will exclusively use existing Timber Ridge streets for access, because Ridge Road will not be connected to the remainder of the new section. • With Staff's recommended Concept Plan, most of the traffic generated by the proposed lots will use the proposed (south) entrance, because it will provide the shortest route to the lots. Only 14 of the 82 lots may use the north entrance, and this is only for traffic accessing the neighborhood from the north on US 68. This amounts to a very small percentage of overall traffic generated.

Section 1222.06(e) Criteria	Analysis
(4) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses.	**Satisfied** The proposed front setback requirements fit within the range of those permitted in the existing subdivision. The new homes will be buffered from the existing homes by an open space area with a no-clear zone to protect a heavily wooded area. The developer will be required to build sidewalks throughout the proposed section and on the west side of US-68, and will provide a pedestrian crossing across US-68 if deemed to be safe.
(5) Natural features such as watercourses, natural land contours, trees and rock outcrops will be preserved to the maximum extent feasible so that they can be incorporated into the layout to enhance the overall design of the PUD.	**Satisfied** Much of the property is relatively rugged and will require substantial regrading, although significant regrading would be required for the 1988 PUD Concept Plan as well. Furthermore, the 1988 PUD Concept Plan would likely need to be modified to meet current stormwater management standards. The present proposal, and the staff-recommended plan, create more opportunities to preserve natural features than the 1988 plan. The 1988 plan contained no guarantees to preserve open space or protect existing wooded areas from clearing. Despite an increased housing density, the present plan preserves nearly a quarter of the site as open space and provides 50-foot-wide no-clear zone south of existing Timber Ridge lots, preserving a heavily wooded buffer area. This wooded area will be incorporated into a proposed private open space area that contains a trail and gazebo.

Section 1222.06(e) Criteria	Analysis
(6) A PUD and its permitted, accessory and conditional uses, buildings or structures shall be subject to all applicable regulations of this code, unless superseded by any special requirements, conditions, variances or other particulars imposed by the PZC during the concept preliminary application and hearing phases described in Section 1220.04: Planned Unit Developments.	**Satisfied with Conditions** The submitted PUD Concept Plan fails to comply with the Land Development Code requirements to connect to existing stub-ended streets and contain stub-ended streets that connect to surrounding undeveloped property, and to avoid dead-end streets that exceed 600 feet in length: • Section 1238.06(a): (5) Where practical, the arrangement of streets in new subdivisions shall make provision for the continuation of existing streets in adjoining areas. (6) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets. • Section 1238.06(f)(2): B. Permanent dead-end streets shall not exceed 600 feet in length as measured from the centerline of the intersecting street to the center of the turn-around. Permanent dead-end streets may be longer where unique topographic or other physical conditions exist making a through street impractical. The intent of these code requirements is to prevent a development pattern in which neighborhoods are isolated from one another, emergency vehicle response times are excessive, and all traffic is funneled onto arterial streets. Such a development pattern leads to increased taxpayer expense in building additional Fire/EMS stations and widening roadways. The staff-recommended version of the plan does comply with these standards, because it includes a street connection to the existing stub-ended Ridge Road and contains a stub-ended Timber Ridge Road that allows connection to an undeveloped property to the west.

D. Staff Recommendation

Based on the preceding analysis, staff recommends that Planning and Zoning Commission approve the proposed PUD Concept Plan with the following modifications:

- Utilize the attached "Staff-Recommended" PUD Concept Plan, which utilizes only one proposed entrance from US-68 and includes a street connection to the existing Ridge Road, and requires a minimum of 1,800 square feet for new homes on Lots 1-4.
- Include all other conditions and standards in the applicant's PUD Concept Plan submittal.

To summarize, the reasons for staff's recommendation for the Ridge Road connection and a singular proposed access point from US-68 are as follows:

- Consistency with the original 1988 PUD Concept Plan
- Meeting Land Development Code requirements for street continuation and maximum permanent dead-end street length

- Avoid creating a precedent that leads to future code violations and isolation of neighborhoods, which will increase Fire/EMS response times and traffic on thoroughfares, and resulting taxpayer expenses for additional Fire/EMS facilities and road widening

PZC's action will be a recommendation to City Council, which is scheduled to introduce an ordinance for this PUD Change at their August 27 meeting, and hold a public hearing and vote on the ordinance at their September 10 meeting. If approved, the ordinance will go into effect October 10.

PRELIMINARY PLAT FOR

TIMBER RIDGE

CITY OF XENIA, OHIO
GREENE COUNTY, OHIO

OWNER
JDF XENIA PROPERTIES, LLC
180 CANAL VIEW BLVD, SUITE 600
ROCHESTER, NY 14623

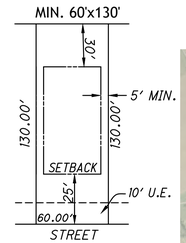
APPLICANT
CLAYTON PROPERTIES GROUP INC.
DBA ARBOR HOMES
9050 CENTRE POINTE DR., SUITE 210
WEST CHESTER, OH 45069
513-667-1182

ENGINEER
CHOICE ONE ENGINEERING
2633 CAMPBELL ROAD
SIDNEY, OHIO 45365
937-497-0200

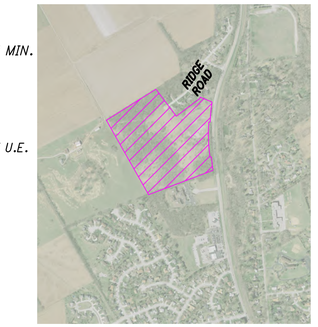
DEVELOPER-SUBMITTED PUD CONCEPT PLAN



LOTS 1-82
(82 UNITS)
MIN. 60'x130'



TYPICAL LOT
7,800 SF



VICINITY MAP, XENIA, OHIO

PROPOSED STREET RIGHTS OF WAY TO BE 50' IN WIDTH. INTERNAL STREETS TO BE 30' BACK TO BACK CURB WITH 6' CURB LAWN AND 4' SIDEWALKS.

PARKING LIMITED TO ONE SIDE OF STREET. CLUSTER MAILBOX LOCATIONS TO BE COORDINATED WITH POST OFFICE.

PRIVATE OPEN SPACE TO BE PROTECTED BY CONSERVATION EASEMENT AT FINAL PLAT.

SUBDIVISION TO BE BUILT IN TWO PHASES.

NOTE: MAILBOXES WILL BE PROVIDED AT EACH DRIVEWAY FOR LOTS 70-73.

SITE DATA
PARCEL ID: M40000100530000300

ADDRESS: NORTH DETROIT STREET

SITE: 34.48 Ac. TOTAL

ZONING PUD - 34.48 Ac.
MIN. 7,800 SF
MIN. WIDTH 60'
MIN. FRONT SETBACK = 25'
MIN. SIDE SETBACK= 5'
MIN. DWELLING SIZE =
1,200 SF ON 15% OF LOTS (ONLY ALLOWED IN 1400 SF SECTION)
1800 SF FOR LOTS 70-73
1400 SF MIN OTHERWISE
NUMBER OF DWELLING UNITS: 82
MAX BUILDING HEIGHT: 2 STORIES

TOTAL LENGTH OF STREET: 3,925'

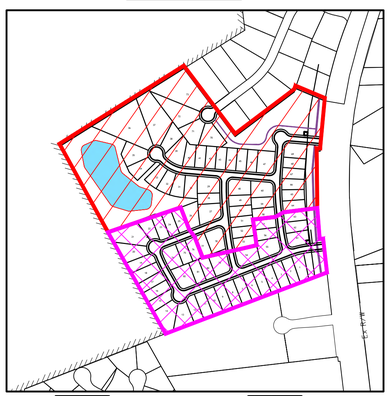
DENSITY: 2.38 UNITS/ACRE

OPEN SPACE: 8.471 Ac. (24.57%)

OPEN SPACE

1. TRAFFIC IMPACT STUDY AND SPEED STUDY FOR US-68 AND PROPOSED INTERSECTION WITH TIMBER RIDGE ROAD WILL BE PERFORMED AND SATISFIED AT FINAL PLAT STAGE.
2. FEASIBILITY STUDY FOR PEDESTRIAN/BIKE CROSSING OF US-68 WILL BE COMPLETED AND SATISFIED AT FINAL PLAT STAGE.
3. THE WIDTH OF THE PATH FROM TIMBER RIDGE ROAD TO THE SOUTH PROPERTY WILL BE DETERMINED DURING THE FEASIBILITY STUDY.
4. 2000 SF OR LARGER HOMES SHALL COMPLY WITH ALL APPLICABLE ARCHITECTURAL STANDARDS FOR SINGLE-FAMILY HOMES IN THE LAND DEVELOPMENT CODE AND PROVIDE AT LEAST TWO SIDING MATERIALS ON THE FRONT FACADE.
5. HOMES SMALLER THAN 2000 SF SHALL COMPLY WITH THE SAME STANDARDS AS THE 2000+ SF HOMES, PLUS PROVIDE AT LEAST TWO OF THE FOLLOWING:
   - MORE THAN 1 FRONT-FACING GABLE
   - COVERED PORCH THAT IS AT LEAST 5'x5' (CAN DOUBLE-COUNT AS COVERED PORCH PROVIDED PURSUANT TO LAND DEVELOPMENT CODE)
   - ONE OR MORE AWNINGS ABOVE WINDOWS OR DOORS OTHER THAN THE PRIMARY FRONT PEDESTRIAN DOOR

PHASING PLAN



PHASE 1
43 LOTS

PHASE 2
39 LOTS

*PHASING SUBJECT TO CHANGE BASED ON LOT DEMAND

SCALE IN FEET
0 50 100 200

ChoiceOne Engineering
SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
www.CHOICEONEENGINEERING.com

TIMBER RIDGE
CITY OF XENIA
PRELIMINARY PLAT - OVERALL VIEW

REVISIONS:

FILE NAME
OVERALL VIEW

DRAWN BY
KMM

CHECKED BY
KMM

PROJECT No.
GREXEN2510

DATE
06-12-2026

SHEET NUMBER
1 OF 3

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XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Planning and Zoning Commission:	August 12, 2026
Introduction:	August 27, 2026
Public Hearing & Vote:	September 10, 2026
Effective Date:	October 10, 2026

Agenda Item: **ORDINANCE 2026 – 32**
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE A 121.558-ACRE PROPERTY LOCATED SOUTH OF U.S. ROUTE 42 EAST AND EAST OF 997 NORTH COLUMBUS STREET FROM A-1: AGRICULTURAL DISTRICT TO SN: SUBURBAN NEIGHBORHOOD DISTRICT

Submitted by: Brian R. Forschner, City Planner
Presented by: Brent Merriman, City Manager

Summary: On July 9, 2026, City Council approved Resolution 2026-043, accepting annexation of 121.558 acres that is located on the south side of US Route 42 East and east of 997 N. Columbus Street. The parcel lies on the City's eastern edge, adjacent to the east side of Lexington Park. The Land Development Code automatically assigns A-1: Agricultural District zoning to parcels annexed into the City. Any other designation requires rezoning.

The developer, Rockford Homes, Inc., has proposed rezoning the property to the SN: Suburban Neighborhood District to develop Trailside Run, a 520-home single-family subdivision. Trailside Run will also extend onto a 62.077-acre parcel at 1634 Old US 35 East that is already zoned SN. The SN District permits single- and two-family residential development at up to four units per acre. Approval of the rezoning is not approval of the development itself, as the developer will have to file for subdivision approval if the rezoning is granted.

At its August 12, 2026, meeting, PZC reviewed the application, held the required public hearing, and voted to recommend Council approve the rezoning. The attached staff report to the Planning & Zoning Commission (PZC) provides additional detail on the rezoning and its consistency with the Code's approval criteria.

Cover Memo Attachments: Staff Report to PZC

Budgetary Impact: N/A

Vote Required for Adoption: The affirmative vote of a majority of the members of Council present at the meeting, per Charter § 5.02(E).

Recommendation: It is the recommendation of PZC that City Council adopt Ordinance 2026-32 to amend the Official Zoning Map of the City of Xenia, Ohio, to rezone the recently annexed 121.558-acre property located on the south side of U.S. Route 42 East and east of 997 N. Columbus Street from A-1: Agricultural District to SN: Suburban Neighborhood District.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 32

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE A 121.558-ACRE PROPERTY LOCATED SOUTH OF U.S. ROUTE 42 EAST AND EAST OF 997 N. COLUMBUS STREET FROM A-1: AGRICULTURAL DISTRICT TO SN: SUBURBAN NEIGHBORHOOD DISTRICT

WHEREAS, Rockford Homes, Inc., with authorization from the current property owner, has filed an application to rezone the recently annexed 121.558-acre property located south of U.S. Route 42 East and east of 997 N. Columbus Street from A-1: Agricultural District to SN: Suburban Neighborhood District (Case PZC2026-11);

WHEREAS, the Xenia Planning and Zoning Commission, at its August 12, 2026, meeting, held the required public hearing and voted to recommend to this Council that the requested rezoning be approved;

WHEREAS, the procedures with regard to zoning amendments to the City's Official Zoning Map, as set forth in § 1220.03 of the City's Land Development Code, have been followed; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to adopt the Planning and Zoning Commission's recommendation and make certain amendments to the City's Official Zoning Map,

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, a majority of the members of City Council present concurring, that:

Section 1. The Official Zoning Map of the City of Xenia, Ohio, is hereby amended by changing the zoning district classification from A-1: Agricultural District to SN: Suburban Neighborhood District for the 121.558-acre property located south of U.S. Route 42 East and east of 997 North Columbus Street (Greene County Parcel ID M55-0001-0001-0-0003-00), as shown on the attached Exhibit A, which shall be part of this Ordinance and shall be used as a reference for reflecting the zoning district classification change on the City of Xenia's Official Zoning Map. The City Planner is hereby directed to make the approved amendments to the City's Official Zoning Map.

Section 2. All ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

Section 4. This Ordinance shall take effect October 10, 2026.

Introduced: August 27, 2026
Adopted:

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Annexation Petition Filed:	August 10, 2026
Statement of Services Due:	August 30, 2026
Presentation & Vote:	August 27, 2026
Effective Date:	August 27, 2026

Agenda Item: **RESOLUTION 2026 – 048**
ADOPTING A STATEMENT OF THE MUNICIPAL SERVICES TO BE PROVIDED TO A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNARINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO

Submitted by: Brian Forschner, City Planner
Presented by: Brent Merriman, City Manager

Summary: Under Ohio Revised Code § 709.023(C), Council must adopt a statement of services within twenty (20) days after an annexation petition is filed with the County. The statement must identify the services the City will provide to the territory upon annexation and the approximate date they will begin, if the County approves the annexation and Council accepts it. The statement may provide that the City will offer no municipal services, all available municipal services, or only specified services, and it may make those services subject to conditions. Adoption of this resolution does not obligate Council to accept the annexation if the Greene County Board of Commissioners approves it.

On August 10, 2026, property owner Mannarino Family Partnership, Ltd. filed an Expedited Type 2 annexation petition with the Greene County Board of Commissioners. The petition seeks to annex approximately 55.5843 acres on the south side of Upper Bellbrook Road, west of the Reserve of Xenia Subdivision, Section Five, to the City of Xenia for development as a residential subdivision. The property consists of Greene County Parcel IDs B04000200500006500, B04000200500006600, and K28000100070001900, including a 0.03-acre portion of B04000200500006500 located in Xenia Township (the "Territory"). Planning & Zoning Division staff recommends providing the Territory with the same services available to other incorporated residential areas, subject to conditions requiring the developer to fund all utility-main extensions, necessary lift stations, and other appurtenances needed to provide adequate water pressure and sanitary sewer service. Because the property across Upper Bellbrook Road will remain in Xenia Township, the Territory excludes the Upper Bellbrook Road right-of-way.

Cover Memo Attachments: Annexation Petition

Budgetary Impact: N/A

Vote Required for Passage: The affirmative vote of a majority of the members of Council present at the meeting, per Charter § 5.05(A).

Recommendation: Because Council is required to adopt a statement of the services to be provided to the Territory, it is recommended that Council pass Resolution 2026-048.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 048

ADOPTING A STATEMENT OF THE MUNICIPAL SERVICES TO BE PROVIDED TO A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNARINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO

WHEREAS, a petition for annexation of a 55.5843+/- acre parcel (Greene County Parcel IDs B04000200500006500, B04000200500006600, and K28000100070001900, including a 0.03-acre portion of B04000200500006500 that is located in Xenia Township) on the south side of Upper Bellbrook Road, located west of the Reserve of Xenia Subdivision, Section Five (the "Territory"), was filed with the Greene County Board of Commissioners on August 10, 2026, by the Mannarino Family Partnership, Ltd, property owner, pursuant to Ohio Revised Code §§ 709.021 and 709.023; and

WHEREAS, as part of the annexation process, ORC § 709.023(C) requires this Council to adopt a Statement of Services stipulating what municipal services, if any, the City will provide to the Territory upon annexation including an approximate date by which it will provide them,

NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES, a majority of the members of City Council present concurring, that:

Section 1. If the annexation of the Territory is accepted, the City of Xenia shall provide or make available the following services to the Territory:

- Police, fire, and emergency medical services within thirty (30) days of the effective date of the annexation.
- Residential refuse service, property maintenance code inspections, and zoning under City ordinances, within thirty (30) days of the effective date of the annexation.
- Water utility services and sanitary sewer utility services will be made available upon the property owner(s) or developer's completion, to the satisfaction of the City, of the following conditions:
  - The property owner(s) or developer of the Territory shall, at its/their own expense, extend from the City's existing water and sewer mains (or as otherwise approved by the City), any water and sewer mains the City deems necessary to serve development on the Territory.
  - The property owner(s) or developer of the Territory shall, at its/their own expense, construct any City-required sanitary sewer lift stations and/or any other appurtenances required to achieve adequate public sanitary sewer services for the proposed development of the Territory.

Section 2. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of County Commissioners of Greene County, Ohio, on or before August 30, 2026.

Section 3. It is hereby found that all formal actions of this Council concerning and relating to the passage of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

Section 4. This Resolution shall become effective immediately upon its passage.

Passed: August 27, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

RECEIVED - GC BRDC
25 AUG 10 PM 10:27

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023) TO THE CITY OF XENIA OF 55.5843+/- ACRES, MORE OF LESS, FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, & XENIA TOWNSHIP

TO THE BOARD OF COUNTY COMMISSIONERS
OF GREENE COUNTY, OHIO

The undersigned, petitioners in the premises, and being the SOLE OWNER OF REAL ESTATE in the territory described, consisting of 55.5843 +/- acres (43.8037 ac. - Beavercreek Township; 6.87 ac. - Spring Valley Township; 0.03 ac. - Xenia Township), more or less, with a total length of the annexation perimeter of 7892.68 feet, more or less, which area is contiguous along 4142.71 feet, or 52.2% to the City of Xenia, do hereby pray that said territory be annexed to the City of Xenia, according to the statutes of the State of Ohio and that no island of unincorporated area will be created by the annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto as Exhibits "A" and "B" and made part hereof.

In support of said Petition, the petitioner states that they are the SOLE OWNER OF THE REAL ESTATE within the territory so prayed to be annexed

Thomas L. Hart, whose address is Painter & Associates, LLC, 5029 Cemetery Road, Hilliard, OH 43026, is hereby appointed agent for the undersigned Petitioner, as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Greene County Engineer in his examination of an amended plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

Mannarino Family Partnership Ltd.

By: _____

Christina Lenahan - General Partner

Name/Title

DATE: June 30th, 2026

Address:
1905 Wickersham Hollow
Cumming, GA 30041

EXHIBITS

Exhibit A - Legal Description of Proposed Annexation

Exhibit B - Plat Survey of Proposed Annexation

Exhibit C - Adjacent Property Owners to Proposed Annexation

Date:	May 1, 2026
Description:	55.5843 Acres To Be Annexed
Location:	Beavercreek Township, Spring Valley Township, Greene County, Ohio

Situated in Military Survey No. 760, Beavercreek Township, Spring Valley Township, and Xenia Township, Greene County, Ohio, being part of a 5.014 acre tract and part of a 50.769 acre tract as conveyed to Mannarino Family Partnership, LTD. as recorded in Official Record 1005, Page 665 of the Greene County, Ohio Recorder's office, being 55.5843 acres and being more particularly described as follows:

Beginning at a found 18 inch square concrete post on the northeast corner of Lot 164 of The Reserve of Xenia, Section 4 as recorded in Plat Cabinet 35, page 86B-88A being on the west line of Lot 225 of the Reserve of Xenia, Section 5 as recorded in Plat Cabinet 35, Page 88B-90A, said post being the **True Point of Beginning**;

thence, from the **True Point of Beginning,** departing said Lot 225 and with the North line of said The Reserve of Xenia, Section 4 and becoming the north line of Gerdes Property Holdings, LLC (50.084 acre tract) as recorded in Instrument Number 2026007561, South 64° 14' 01" West, 1847.26 feet to a set iron pin on the east line of Gerdes Inc. remaining part of an original 175 acre tract as recorded in Official Record 472, Page 434;

thence, continuing with the east line of said Gerdes Inc., North 21° 23' 04" West, 1351.24 feet to a found 5/8 inch iron pin with no cap on the southwest corner of Chris Liakos and/or Constance Liakos, Trustees as recorded in Official Record 2346, Page 747;

thence, departing said Gerdes Inc. and with said Chris Liakos and/or Constance Liakos, Trustees, extended, North 76° 49' 58" East, 823.03 feet to a found 1 inch iron pipe on the southeast corner of Woodrow M. Collins and Constance L. Collins 8.111 acre tract as recorded in Instrument Number 2024013012;

thence, continuing with said Woodrow M. Collins and Constance L. Collins, North 21° 22' 39" West, 944.83 feet to a set iron pin on the south right of way of Upper Bellbrook Road;

thence, departing said Woodrow M. Collins and Constance L. Collins and with the south right of way of said Upper Bellbrook Road, North 76° 49' 56" East, 329.04 feet to a set iron pin on the west line of Wayne J. Thornburg and Ellyn D. Board 5.014 acre tract as recorded in Official Record 3541, Page 405;

thence, departing the south right of way of said Upper Bellbrook Road and with said Wayne J. Thornburg and Ellyn D. Board the following two courses: South 21° 22' 39" East, 944.84 feet to a found 5/8 inch iron pin with no cap;

thence, North 76° 49' 58" East, 708.23 feet to a found 5/8 inch iron pin on the west line of said The Reserve of Xenia, Section 5 and being the southeast corner of Jerry L Hess and Gertrude M. Hess, Mandy Lynn Deane and Thomas Lee Hess as recorded in Instrument Number 2023004187;

thence, departing said Hess et. Al. tract and with the west line of said The Reserve of Xenia, Section 5, South 21° 25' 28" East, 944.21 feet to the True Point of Beginning containing 55.5843 acres of land, more or less, and being subject to all legal highways, easements, restrictions and

A

STH
6.18.2026

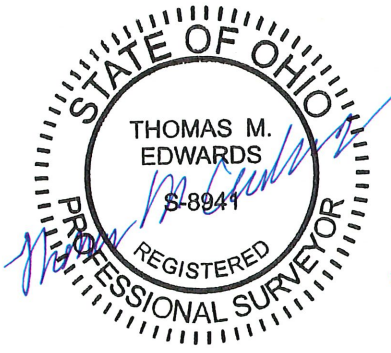
agreements of record. Being 4.8806 acres out of Parcel Number B04-0002-0050-0-0066-00, being a 5.014 acres of which are out of Beavercreek Township, being 43.8037 acres out of Parcel Number B04-0002-0050-0-0065-00, being a 50.0769 acres total of which are out of Beavercreek Township, being all of (0.03 acres) Xenia Township, and being all of (6.87 acres) Parcel Number K28-0001-0007-0-0019-00, being a 50.0769 acres total of which are out of Spring Valley Township.

Basis of Bearings: Ohio State Plane NAD83 (2011)

The above description was prepared from a plat of survey made on May 1, 2026 under the direction of Thomas M. Edwards, Professional Surveyor #8941 in the State of Ohio.

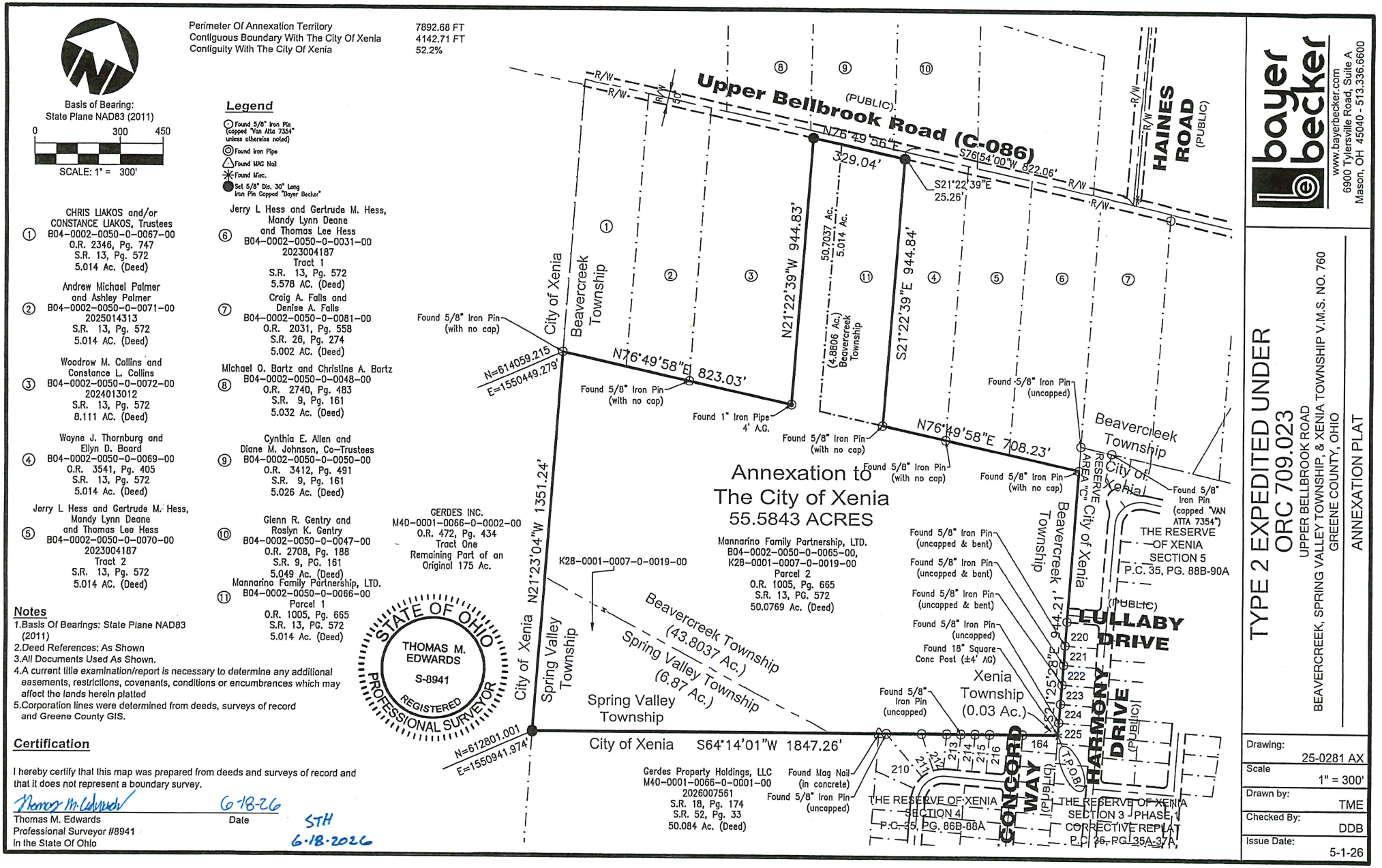
All set iron pins are 5/8" diameter x 30" long in size with plastic cap stamped "Bayer Becker"

DESCRIPTION CHECK
Greene County Engineer's Tax Map Dept.
X Legally Sufficient As Described
____ Legally Sufficient With Corrections Noted
____ Legally Insufficient, New Survey Required
By: STH Date: 6.18.2026
Par ID: Dist____ BK____ PG____ PAR____



6-18-26

B



Notes

1. Basis Of Bearings: State Plane NAD83 (2011)
2. Deed References: As Shown
3. All Documents Used As Shown.
4. A current title examination/report is necessary to determine any additional easements, restrictions, covenants, conditions or encumbrances which may affect the lands herein platted
5. Corporation lines were determined from deeds, surveys of record and Greene County GIS.

Certification

I hereby certify that this map was prepared from deeds and surveys of record and that it does not represent a boundary survey.

Thomas M. Edwards — Date 6-18-26
Professional Surveyor #8941
In the State Of Ohio

STH
6.18.2026

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

TYPE 2 EXPEDITED UNDER ORC 709.023

UPPER BELLBROOK ROAD
BEAVERCREEK, SPRING VALLEY TOWNSHIP, & XENIA TOWNSHIP V.M.S. NO. 760
GREENE COUNTY, OHIO

ANNEXATION PLAT

Drawing:	25-0281 AX
Scale	1" = 300'
Drawn by:	TME
Checked By:	DDB
Issue Date:	5-1-26

EXHIBIT C
Adjacent Property Owners

1. Parcel ID B04-0002-0050-0-0072-00
   Woodrow and Constance Collins
   1305 Upper Bellbrook Road
   Xenia, OH 45385

2. Parcel ID B04-0002-0050-0-0071-00
   Andrew & Ashley Palmer
   1345 Upper Bellbrook Road
   Xenia, OH 45385

3. Parcel ID B04-0002-0050-0-0067-00
   Chris & Constance Liakos, Trustees
   1365 Upper Bellbrook Road
   Xenia, OH 45385

4. Parcel ID M40-0001-0066-0-0002-00
   1441 Upper Bellbrook Road
   Xenia, OH 45385
   Gerdes Inc.
   828 Van Eaton Road
   Xenia, OH 45385

5. Parcel ID M40-0001-0066-0-0001-00
   50.084 ac. Upper Bellbrook Road
   Xenia, OH 45385
   Gerdes Property Holdings LLC
   828 Van Eaton Road
   Xenia, OH 45385

6. Parcel ID B04-0002-0050-0-0069-00
   Wayne Thornburg & Ellyn Board
   1265 Upper Bellbrook Road
   Xenia, OH 45385

7. Parcel ID B04-0002-0050-0-0070-00 and
   B04-0002-0050-0-0031-00
   Jerry Hess, et al
   1205 Upper Bellbrook Road
   Xenia, OH 45385

8. Parcel ID B04-0002-0050-0-0081-00
Craig & Denise Falls
1195 Upper Bellbrook Road
Xenia, OH 45385

9. Parcel ID B04-0002-0050-0-0048-00
Michael O. & Christine A. Bartz
1306 Upper Bellbrook Road
Xenia, OH 45385, and

Michael O. & Christine A. Bartz
3232 Newmark Drive
Miamisburg, OH 45342

10. Parcel ID B04-0002-0050-0-0050-00
Cynthia Allen & Diane Johnson, Co-Trustees
1282 Upper Bellbrook Road
Xenia, OH 45385

11. Parcel ID B04-0002-0050-0-0047-00
Glenn R. & Roslyn K. Gentry
1260 Upper Bellbrook Road
Xenia, OH 45385

12. Parcel ID M40-0001-0063-0-0181-00
Reserve of Xenia Storm Water/Harmony Drive
% K&C Service Corp.
4695 Lake Forest Dr., Ste. 300
Blue Ash, OH 45242-3745

13. Parcel ID M40-0001-0063-0-0171-00
John Andrew & Alaina Lynn Davis III
436 Jodee Drive
Xenia, OH 45385

14. Parcel ID M40-0001-0063-0-0172-00
Thomas & Elaine Wharton
426 Jodee Drive
Xenia, OH 45385

15. Parcel ID M40-0001-0063-0-0173-00
418 Jodee Drive

Xenia, OH 45385
Paul & Margaret MacKnight, Trustees
426 Jodee Drive
Zenia, OH 45385

16. Parcel ID M40-0001-0063-0-0174-00
Mark & Anna Brooks
412 Jodee Drive
Xenia, OH 45385

17. Parcel ID M40-0001-0063-0-0175-00
Gary & Esther Everitt
408 Jodee Drive
Xenia, OH 45385

18. Parcel ID M40-0001-0063-0-0176-00
Linda Lucente
404 Jodee Drive
Xenia, OH 45385

19. Parcel ID M40-0001-0063-0-0177-00
Sherman Thatcher, Sr., Suc. Trustee
400 Jodee Drive
Xenia, OH 45385

20. Parcel ID M40-0001-0063-0-0125-00
Suzanne Collins
389 Concord Way
Xenia, OH 45385

21. Parcel ID M40-0001-0063-0-0095-00
Hunter & Hailey Bryant
2432 Harmony Drive
Xenia, OH 45385

22. Parcel ID M40-0001-0063-0-0187-00
John Cambron
2418 Harmony Drive
Xenia, OH 45385

23. Parcel ID M40-0001-0063-0-0186-00
Jeffrey & Laura Evans
2404 Harmony Drive

Xenia, OH 45385

24. Parcel ID M40-0001-0063-0-0185-00
Michael & Deborah Badley
2390 Harmony Drive
Xenia, OH 45385

25. Parcel ID M40-0001-0063-0-0184-00
Matthew & Gabriella Schmidt
2376 Harmony Drive
Xenia, OH 45385

26. Parcel ID M40-0001-0063-0-0183-00
Michael & Maureen Prince, Sr.
2362 Harmony Drive
Xenia, OH 45385

27. Parcel ID M40-0001-0063-0-0182-00
Glenn Deardorff
2348 Harmony Drive
Xenia, OH 45385

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Annexation Petition Filed:	August 10, 2026
Statement of Services Due:	August 30, 2026
Presentation & Vote:	August 27, 2026
Effective Date:	August 27, 2026

Agenda Item: **RESOLUTION 2026 – 049**
ADOPTING A STATEMENT REGARDING ZONING BUFFERS FOR A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNARINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO

Submitted by: Brian Forschner, City Planner
Presented by: Brent Merriman, City Manager

Summary: Under ORC § 709.023(C), Council must adopt a statement addressing potentially incompatible land uses and required zoning buffers within twenty (20) days after an annexation petition is filed with the County. The statement must provide that, if the territory is annexed and City zoning permits uses incompatible with those allowed by township zoning on adjacent unincorporated land, the City will require the property owner to install a buffer between the annexed territory and the adjacent land. Adoption of this resolution does not obligate Council to accept the annexation if the Greene County Board of Commissioners approves it.

On August 10, 2026, Mannarino Family Partnership, Ltd. filed an Expedited Type 2 annexation petition with the Greene County Board of Commissioners for approximately 55.5843 acres on the south side of Upper Bellbrook Road, west of the Reserve of Xenia Section Five subdivision. The property consists of Greene County Parcel IDs B04000200500006500, B04000200500006600, and K28000100070001900, including a 0.03-acre portion of B04000200500006500 located in Xenia Township (the "Territory"). The petition seeks to annex the Territory for development as a residential subdivision, potentially including single-family dwellings. Adoption of this resolution neither acknowledges that incompatible uses exist nor alters staff's conclusion that the proposed development is unlikely to create incompatibility concerns.

Cover Memo Attachments: N/A

Budgetary Impact: N/A

Vote Required for Passage: The affirmative vote of a majority of the members of Council present at the meeting, per Charter § 5.05(A).

Recommendation: Because Council is required to adopt a required buffer statement under the ORC regarding the Territory, it is recommended that Council pass Resolution 2026 – 049.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 049

ADOPTING A STATEMENT REGARDING ZONING BUFFERS FOR A 55.5843+/- ACRE PARCEL SOUTH OF UPPER BELLBROOK ROAD, WHICH IS PROPOSED BY THE MANNARINO FAMILY PARTNERSHIP, LTD., FOR ANNEXATION FROM BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP TO THE CITY OF XENIA, OHIO

WHEREAS, a petition for annexation of a 55.5843+/- acre parcel (Greene County Parcel IDs B04000200500006500, B04000200500006600, and K28000100070001900, including a 0.03-acre portion of B04000200500006500 that is located in Xenia Township) on the south side of Upper Bellbrook Road, located west of the Reserve of Xenia Subdivision, Section Five (the "Territory"), was filed with the Greene County Board of Commissioners on August 10, 2026, by Mannarino Family Partnership, Ltd., property owner, pursuant to Ohio Revised Code §§ 709.021 and 709.023; and

WHEREAS, ORC § 709.023(C) requires, as the Territory was zoned under regulations adopted pursuant to ORC Chapters 303 or 519 at the time the petition was filed, that this Council adopt a statement that if the Territory is annexed and becomes subject to zoning by the City and that zoning permits uses in the Territory that the City determines are clearly incompatible with the uses permitted under current county or township zoning regulations on the adjacent land remaining within the townships from which the Territory was annexed, the City will require, in the zoning ordinance permitting the incompatible uses, the owner of the Territory to provide a buffer separating the use of the Territory and the adjacent land remaining within the townships,

NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES, a majority of the members of City Council present concurring, that:

Section 1. If the annexation of the Territory, as described above, is approved and accepted, the City will provide zoning and planning services to the Territory. If the City's zoning permits uses in the Territory that the City determines are clearly incompatible with the uses permitted under current township zoning in the adjacent land remaining within the townships, the City will require, in the zoning ordinance permitting the incompatible uses, the owner of the Territory to provide a buffer separating the use of the Territory and the adjacent land remaining within the Townships. For the purposes of this section, "buffer" may include open space, landscaping, fences, walls, and other structural elements; street and street right-of-way; or bicycle and pedestrian paths and sidewalks.

Section 2. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of County Commissioners of Greene County, Ohio, on or before August 30, 2026

Section 3. It is hereby found that all formal actions of this Council concerning and relating to the passage of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

Section 4. This Resolution shall become effective immediately upon its passage.

Passed: August 27, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk