XENIA CITY COUNCIL
MEETING AGENDA
MARCH 12, 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 Mike Wakeland, Xenia United Presbyterian Church

(1) PLEDGE OF ALLEGIANCE — Councilman Jesse Rubio

(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 — February 26, 2026 Regular Meeting

(5) SPECIAL PRESENTATION(S) — Toward Independence – CEO Joe Harmon

(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 03/12/2026.

(7) OLD BUSINESS

A. ORDINANCE 2025-39 (Tabled on 12/22/2025) (To Remain Tabled) — AMENDING SECTIONS 881.01, 881.03(a), 881.04(a)(1), 881.06(a)(3), AND 881.26(b)(2) OF THE CITY'S INCOME TAX CODE TO PROVIDE FOR THE INCREASE OF THE CITY'S MUNICIPAL INCOME TAX RATE BY TWENTY-FOUR HUNDREDTHS OF ONE PERCENT (0.24%) FOR A PERIOD OF TEN (10) YEARS, COMMENCING JANUARY 1, 2027, FOR THE PURPOSE OF PROVIDING FUNDS FOR STREET REPAIRS AND MAINTENANCE, *introduced by (former) Mayor Urschel on 12/22/2025*

B. ORDINANCE 2026-07 (Public Hearing) — APPROVING THE SALE OF THE CITY-OWNED PROPERTY AT 714 E. MARKET STREET TO RIMO CONSTRUCTION, LLC, *introduced by Mayor Reynolds on 02/26/2026*

C. ORDINANCE 2026-08 (Public Hearing) — VACATING THE ALLEY BETWEEN 968, 976, 986, 998, 1006, 1016, AND 1030 N. DETROIT STREET ON THE EAST SIDE, AND 920 N. DETROIT STREET, PARCEL M40000100040005400, PARCEL M40000100040015200, PARCEL M40000100040004600, AND 1052 N. DETROIT STREET ON THE WEST SIDE, *introduced by Vice President Crawford on 02/26/2026*

D. ORDINANCE 2026-09 (Public Hearing) — AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE APPROXIMATELY 31.21

ACRES OF THE PROPERTY AT 817 UPPER BELLBROOK ROAD FROM A-1 AGRICULTURAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT, AND APPROVING A PUD CONCEPT PLAN FOR A PROPOSED 160-UNIT TOWNHOME COMMUNITY AT SAID PROPERTY, *introduced by Councilwoman Huffman on 03/12/2026*

E. ORDINANCE 2026-10 (Public Hearing) — CHANGING THE NAME OF THE SOUTHEAST BROOKE LANE TO CONNOR DRIVE IN THE SUMMER BROOKE SUBDIVISION, SECTION 3B, IN THE CITY OF XENIA, OHIO, *introduced by Mayor Reynolds on 03/12/2026*

F. ORDINANCE 2026-11 (Public Hearing) — AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 39 WEAVER STREET FROM P-1 PUBLIC AND INSTITUTIONAL DISTRICT TO B-1 CONVENIENCE BUSINESS DISTRICT, *introduced by Councilman Rubio on 03/12/2026*

(8) NEW BUSINESS

A. PUBLIC HEARING — First Public Hearing on the Community Development Block Grant (CDBG) Small Cities Program for 2026 *(City Manager)*

B. RESOLUTION 2026-014 — AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE WATCHTOWER PROPERTY ADJACENT TO THE GREAT COUNCIL STATE PARK *(City Manager)*

C. RESOLUTION 2026-015 — AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH BEF FOODS, INC. FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE PROPERTY AT 640 BIRCH ROAD *(City Manager)*

D. RESOLUTION 2026-016 — AWARDING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR THE 2026 SEWER PIPELINE REHABILITATION PROJECT *(City Manager)*

(9) APPOINTED OFFICIALS' REPORTS

(10) COUNCIL COMMENTS & REPORTS

(11) EXECUTIVE SESSION

(12) ADJOURNMENT

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

XENIA CITY COUNCIL
REGULAR MEETING
FEBRUARY 26, 2026

REGULAR SESSION

President Smith asked everyone to stand observe a moment of silence in honor of former Mayor John Saraga, who passed away last week; 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 Councilwoman Rachel Huffman.

(2) CALL TO ORDER: President Smith 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, Councilwoman Rachel Huffman, Councilman Jesse Rubio, Mayor Ethan Reynolds, and President Wesley Smith. Councilwoman Faith Sorice was absent.

Motion by Mayor Reynolds, seconded by Vice President Crawford, to excuse Councilwoman Sorice. Mayor Reynolds stated she would arrive late to the meeting due to a work commitment. No discussion followed. The Roll on this was the following:

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

Staff Present: Assistant City Manager Eric Henry, Finance Director Ryan Duke, Assistant Finance Director Jason Lake, Law Director Donnette Fisher, Public Service Director Chris Berger, City Planner Brian Forschner, Community Development Coordinator Ryan Baker, Public Relations Coordinator Lydia Henry, City Clerk Amy Brown, Fire and EMS Chief Mike Bogan, Police Major Matt Miller and Police Chief Chris Stutes.

(4) APPROVAL OF MINUTES: President Smith called for a motion on the minutes of the February 12, 2026, Special Meeting.

Motion by Mayor Reynolds, seconded by Councilman Rubio, to approve the February 12, 2026, minutes of the Special Meeting as written. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

President Smith called for a motion on the minutes of the February 12, 2026, Regular Meeting.

Motion by Mayor Reynolds, seconded by Vice President Crawford, to approve the February 12, 2026, minutes of the Regular Meeting as written. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

(5) SPECIAL PRESENTATION(S): President Smith said Gina McFarlane-El with Five Rivers Health Centers was here this evening for a special presentation. He met her and her staff last week when he took a tour of their new facility. He was excited for what they were bringing to Xenia, and he thanked her for being at the meeting.

Ms. McFarlane-El thanked Council for the opportunity to share their story. Five Rivers Health Centers (FRHC) was started almost 15 years ago by combining three departments that were part of Miami Valley and Good Samaritan Hospitals with the hope and intent of becoming a Federally Qualified Health Center (FQHC). They achieved FQHC status in 2013, and they were currently the largest FQHC in Montgomery County, as well as the 9th largest in Ohio, out of 61 centers. She then stated the following data:

- They began with 12,000 patients, and were now seeing over 27,000 patients.
- They started with 45,000 office visits, and were currently over 90,000 visits.
- Originally, there were three sites, and there were now seven sites.
- They began with 77 employees, and they currently had over 300 employees.
- FRHC had over 43 providers between dental and medical services.

FRHC had been in Xenia since 2016 at the Greene County Health Center location and at Star Pediatrics. They were different than a regular doctor's office in that they provided a variety of primary care services including dental, behavioral health services, and dietitian services. Since they were moving into the new location, they would also be providing new services such as a low cost pharmacy for their patients, so patients would not have to worry about affording their medications. Another service they would be adding would be additional transportation. They have had conversations with Greene Cats Public Transit, and wherever they could not serve, FRHC would take care of patient transportation to make sure the patients received the services they needed. The focus was on the social determinants of health, and the ability to take good care of their patients. She introduced FRHC Development Manager, Dori Spaulding, and asked her to give an update on the new site.

Ms. Spaulding said it was nice to give some of the Councilmembers a tour of the new building last week. FRHC would begin seeing their first patients on Monday at the new site, and they were excited to establish themselves in the new location. The projected cost of the building was $11.7 million, and they were seeking additional funding to support a pharmacy robot, newborn supplies, vehicles for patient transport, patient education materials, and fruit. Every day, they provided bananas, apples, and oranges around their offices for patients. There were currently 24 staff members transitioning from the two locations to the new offices on Allison Avenue, and there would be seven more employees added over the coming year with more as they continued to grow. They were excited to serve the great people of Xenia and Greene County.

Vice President Crawford asked them how long they had planned to stay in the community. Ms. McFarlane-El said, forever! They did purchase the lot next to them because they wanted to grow. Their hope and intent was to get even bigger than what they were now. She hoped everyone could come out to their grand opening on April 9th from 10:00 a.m. to 11:00 a.m. Vice President Crawford said if someone wanted to use their services, he asked where would they start.

Ms. McFarlane-El said they could start by calling 937-281-6800, and they were accepting new patients. President Smith thanked them for coming this evening. He noted four Councilmembers, including himself, attended the open house, and it was impressive and an investment in the community. He could not thank them enough for all of the services they would be providing, and he wished them the best of luck. He knew FRHC was seeking partners, and he would spread the word. He was looking forward to the grand opening on April 9th. He asked if any Councilmembers or anyone in the audience had any questions. Audience member JD Mackiewicz asked if the center was open to everyone. Ms. McFarlane-El said absolutely, and they accepted all insurance.

(6) AUDIENCE COMMENTS: President Smith explained the procedures for Audience Comments and invited those who wished to speak to come forward. No one came forward.

(7) OLD BUSINESS:

A. ORDINANCE 2025-39 AMENDING SECTIONS 881.01, 881.03(a), 881.04(a)(1), 881.06(a)(3), AND 881.26(b)(2) OF THE CITY'S INCOME TAX CODE TO PROVIDE FOR THE INCREASE OF THE CITY'S MUNICIPAL INCOME TAX RATE BY TWENTY-FOUR HUNDREDTHS OF ONE PERCENT (0.24%) FOR A PERIOD OF TEN (10) YEARS, COMMENCING JANUARY 1, 2027, FOR THE PURPOSE OF PROVIDING FUNDS FOR STREET REPAIRS AND MAINTENANCE, introduced by previous Mayor Will Urschel on December 22, 2025, and tabled on December 22, 2025. President Smith said this item would remain tabled.

B. ORDINANCE 2026-05 ENACTING SECTION 810.07, TITLED "CITY-SPONSORED COMMUNITY EVENTS," OF THE CITY'S BUSINESS REGULATION AND TAXATION CODE AND AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said collectively, these updates established a vendor permit process for both food/drink vendors and retail vendors setting up at City-sponsored events. This authorized the City Manager to issue said permits, and also established a fee schedule for the two types of permits.

Ms. Fisher noted staff was planning a complete rewrite of part eight of the codified ordinances this year, so there may be some changes to this item coming back to Council. But, with the Red, White, and Blue Block Party coming up, they needed something on the books now. Vice President Crawford asked if this was in relation to some of cost reductions for events that were done for this year. Mr. Henry said that was part of it, but staff was also trying to streamline how they did these events. A lot of the events had been eliminated, and the City used to have a third party secure food truck vendors for these events. Staff was attempting to do that this year, so they did need to establish some sort of fees. If money was received in advance from the vendors, it helped to secure the vendor would actually show up for the event. He knew there had been some back and forth about collecting these fees, but maybe there could be something amended at some point where the fees could be reimbursable if the vendor showed up for the event. Ms. Fisher said, no. There was a lot of administrative work that went into getting ready for these festivals. The fees that had been established were extremely reasonable, and the fees helped to cover those administrative costs. Mr. Henry concurred. President Smith asked how this affected churches or non-profit organizations if they wanted to set up a booth for an event. Ms. Fisher did not believe it was the

plan to have churches or anyone coming to give anything away for them to pay a fee. This would be for people selling food, beverages, crafts, or retail businesses.

President Smith opened the public hearing at 6:15 p.m. and invited those who wished to speak for or against enacting Section 810.07, titled "City-Sponsored Community Events" and amending the City's Fee Schedule. No one came forward to speak.

Hearing nothing further, President Smith closed the public hearing at 6:15 p.m. and entertained a motion on Ordinance 2026-05.

Motion by Councilman Rubio, seconded by Mayor Reynolds, to adopt Ordinance 2026-05 as presented. President Smith entertained further comments or questions. No comments followed. The Roll on this was the following:

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

(8) NEW BUSINESS:

A. ORDINANCE 2026-06 PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF XENIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026, AND DECLARING AN EMERGENCY(2026 ANNUAL APPROPRIATION ORDINANCE). President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said the Ohio Revised Code directed Council to adopt an Annual Appropriation Ordinance by April 1st each year. In October 2025, for those who were on Council previously, staff presented the proposed 2026 Operating Budget and Capital Improvement Plan (CIP). Since then, Council had given feedback and notes, and staff took that document and edited it, so that was what was being presented today. Appropriations as presented for all funds totaled roughly $91.2 million, but that number was a little misleading. That projected a key operating fund balance of about $6.5 million for the year, but it also included about $16.9 million in fund transfers and approximately $400,000 in interfund loans.

President Smith entertained comments or questions. Mayor Reynolds thanked Mr. Duke for all the work he put into the budget, as well as City staff and President Smith for his work on the Finance and Budget Committee.

Hearing nothing further, President Smith called for a motion to adopt Ordinance 2026-06.

Motion by Vice President Crawford, seconded by Mayor Reynolds, to adopt Ordinance 2026-06 as presented. President Smith entertained further comments or questions. No comments followed. The Roll on this was the following:

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

B. Introduction of ORDINANCE 2026-07 APPROVING THE SALE OF THE CITY-OWNED PROPERTY AT 714 E. MARKET STREET TO RIMO CONSTRUCTION, LLC. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said the City

acquired this property in 2015 by forfeiture. On February 12, 2026, Council, by Resolution 2026-011, declared the property unnecessary for municipal use and authorized its sale through negotiations or informal competition. The proposed buyer was RIMO Construction, LLC. It was RIMO's intent in purchasing 714 E. Market Street to resurvey both parcels, thereby widening 714 E. Market, and creating space for a single-family home on each lot.

President Smith stated for anyone in the audience questioning why this would be so cheap, this would actually take the burden off the City for mowing and contractual services. It was a win because it would go back into private hands. The City did not want to own property; the goal was to get the property back into the private sector. This was an excellent opportunity for someone to potentially build on that property.

Hearing nothing further, President Smith called for the introduction of Ordinance 2026-07.

Mayor Reynolds introduced ORDINANCE 2026-07 APPROVING THE SALE OF THE CITY-OWNED PROPERTY AT 714 E. MARKET STREET TO RIMO CONSTRUCTION, LLC.

C. Introduction of ORDINANCE 2026-08 VACATING THE ALLEY BETWEEN 968, 976, 986, 998, 1006, 1016, AND 1030 N. DETROIT STREET ON THE EAST SIDE, AND 920 N. DETROIT STREET, PARCEL M40000100040005400, PARCEL M40000100040015200, PARCEL M40000100040004600, AND 1052 N. DETROIT STREET ON THE WEST SIDE. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said the petitioner was the owner of the property at 1016 N. Detroit Street and a vacant lot to the rear of that property. The two lots were separated by a 12' wide public alley right-of-way, which extended from 968 N. Detroit Street to 1030 N. Detroit Street. The petitioner sought to vacate the alley in order to consolidate 1016 N. Detroit Street's lot with the vacant lot behind it to have the ability to develop it. The alley did contain a City sanitary sewer main, but it did not contain pavement and it was not connected to any other public alley or street or any public access easements. Although the City would have an easement for the sanitary sewer main, the alley right-of-way had no viable transportation purpose. Thus, City staff had no objections to the requested vacation of this alley.

President Smith entertained comments or questions. Hearing none, he called for the introduction of Ordinance 2026-08.

Vice President Crawford introduced ORDINANCE 2026-08 VACATING THE ALLEY BETWEEN 968, 976, 986, 998, 1006, 1016, AND 1030 N. DETROIT STREET ON THE EAST SIDE, AND 920 N. DETROIT STREET, PARCEL M40000100040005400, PARCEL M40000100040015200, PARCEL M40000100040004600, AND 1052 N. DETROIT STREET ON THE WEST SIDE.

D. Introduction of ORDINANCE 2026-09 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE APPROXIMATELY 31.21 ARES OF THE PROPERTY AT 817 UPPER BELLBROOK ROAD FROM A-1 AGRICULTURAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT, AND APPROVING A PUD CONCEPT PLAN FOR A PROPOSED 160-UNIT TOWNHOME COMMUNITY AT SAID PROPERTY. President Smith asked Mr. Henry for a brief summary

of this item. Mr. Henry said Redwood USA, a national apartment community developer with several communities throughout Greene County, intended to purchase 817 Upper Bellbrook Road. The purpose was to develop and manage 160 units of single-story attached townhomes, in groups of three to nine per building, on approximately 31 acres. Planning & Zoning Commission previously reviewed this proposed rezoning and PUD Concept Plan and found them to be consistent with the majority of the Land Development Code's approval criteria.

President Smith entertained comments or questions.

Mayor Reynolds asked if this was only for lot 1 and not lot 2, and he asked which parcel this would be. Mr. Forschner said the northeastern parcel was excluded and it would remain A-1 Agricultural. The lots would be resurveyed after this rezoning was approved to conform to those boundaries. Mayor Reynolds asked if Pueblo Drive would be connected to this area. Mr. Forschner concurred, and said the public street would connect at Pueblo Drive. Vice President Crawford asked what the price point was on these homes. Mr. Forschner said the proposed rents would range from $1,600 month for one bedroom, $2,000 for two bedrooms, and $2,400 a month for three bedrooms, with roughly a third of each type in the development. President Smith asked if these were all rentals or if there were purchase options. Mr. Forschner confirmed they were all rentals. Redwood would manage the community in addition to developing it. President Smith said he was familiar with Redwood as they had a location in Beavercreek by the mall. Mr. Forschner stated they also had one in Fairborn as well as one in the Centerville area. President Smith noted this had already gone through the Planning and Zoning Commission, and he asked if there were any concerns. Mr. Forschner said none from the Planning and Zoning Commission, but there was a resident who raised some concerns about cut-through traffic on Pueblo Drive. He did some additional homework on that, and he did not believe that the majority of the traffic in this development would use Pueblo Drive. The majority of the traffic would be going north and west toward Dayton since the majority of the jobs in the area were toward Beavercreek, Dayton, and Wright-Patterson Air Force Base. He had also done some trip analysis through GPS in looking at people living on Seneca Drive, for instance, the route went to Ottawa Drive to W. Second Street to Progress Drive. The route did not go down to Bellbrook Avenue. Also, in looking at the traffic counts in the area, he felt confident it would not cause a lot of cut-through traffic on Pueblo Drive, and that was part of the reason the Planning and Zoning Commission felt comfortable endorsing this item.

Hearing nothing further, President Smith called for the introduction of Ordinance 2026-09.

Councilwoman Huffman introduced ORDINANCE 2026-09 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE APPROXIMATELY 31.21 ARES OF THE PROPERTY AT 817 UPPER BELLBROOK ROAD FROM A-1 AGRICULTURAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT, AND APPROVING A PUD CONCEPT PLAN FOR A PROPOSED 160-UNIT TOWNHOME COMMUNITY AT SAID PROPERTY.

E. Introduction of ORDINANCE 2026-10 CHANGING THE NAME OF THE SOUTHEAST BROOKE LANE TO CONNOR DRIVE IN THE SUMMER BROOKE SUBDIVISION, SECTION 3B, IN THE CITY OF XENIA, OHIO. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said in 1997, the Summer Brooke Subdivision, Section 3B was recorded with a duplicated street name. For unknown reasons,

"Brooke Lane" was used to name two disconnected streets in Section 3B, streets that remain disconnected. The recently approved Summer Brooke South Subdivision, Section 6B, would link, via Connor Drive, to southeast Brooke Lane, but not the northwest Brooke Lane. To resolve confusion, the Summer Brooke South Subdivision developer, at the request of the City Planner, had petitioned to rename the southeast Brooke Lane to Connor Drive. Ms. Fisher noted there were not currently any houses on that section with the name change, so this would not affect anyone's address.

President Smith entertained comments or questions. Hearing none, he called for the introduction of Ordinance 2026-10.

Mayor Reynolds introduced ORDINANCE 2026-10 CHANGING THE NAME OF THE SOUTHEAST BROOKE LANE TO CONNOR DRIVE IN THE SUMMER BROOKE SUBDIVISION, SECTION 3B, IN THE CITY OF XENIA, OHIO.

F. Introduction of ORDINANCE 2026-11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 39 WEAVER STREET FROM P-1 PUBLIC AND INSTITUTIONAL DISTRICT TO B-1 CONVENIENCE BUSINESS DISTRICT. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said this was a State-owned vacant property that served as a meeting, training, recruiting, and event facility for the Ohio Army National Guard. The former Armory was built in the 1930s, and the state had placed it available for purchase. Staff felt this property, which was currently zoned as P-1 Public and Institutional District, fit better as a B-1 Convenience Business District. This property was a viable piece of property that was essentially the gateway to Shawnee Park.

President Smith entertained comments or questions. Mayor Reynolds asked if there would be an Executive Session tonight concerning economic development. Mr. Henry concurred.

Hearing nothing further, President Smith called for the introduction of Ordinance 2026-11.

Councilman Rubio introduced ORDINANCE 2026-11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 39 WEAVER STREET FROM P-1 PUBLIC AND INSTITUTIONAL DISTRICT TO B-1 CONVENIENCE BUSINESS DISTRICT.

G. RESOLUTION 2026-012 DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2026. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said the City instituted a Citywide street lighting assessment for the first time in 2025. Prior to these assessments, the City was spending around $250,000 annually to provide lighting for City streets and public ways. The implementation of these annual street lighting assessments allowed the City to finance street lighting through assessments, thereby freeing the General Fund for other purposes, specifically street rehabilitation. Staff recommended that Council enact a street lighting assessment for just one year this year instead of the maximum allowable five years, due to ongoing contract negotiations with Miami Valley Lighting (MVLt). Once a new ten-year contract with MVLt had been established, staff could bring a five-year assessment at that time. Mr. Duke added for a

$100,000 home, it would be about $1.00 a month, totaling about $12.00 for a $100,000 home per year. For a $200,000 home, it would be about $24.00 a year. The overall cost that had been incorporated into this assessment was very similar to the cost that was used last year. There was a slight uptick in the overall cost for the electric, but it would not be a significant change from what people had experienced this year on their property tax bill.

President Smith entertained comments or questions. Vice President Crawford asked if this assessment was based on the taxed assessed value alone. Mr. Duke concurred, and said it was simply based on the value of the property, so the higher the value of that parcel, the larger the assessment would be. Ms. Fisher noted the biggest payers of this were commercial and industrial users because those properties were valued so much higher. President Smith said this made sense, and he confirmed this was just for one year. Ms. Fisher concurred.

Hearing nothing further, President Smith called for a motion to pass Resolution 2026-012.

Motion by Councilwoman Huffman, seconded by Mayor Reynolds, to pass Resolution 2026-012 as presented. No comments followed. The Roll on this was the following:

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

Ms. Fisher reminded Council this was a process, and there was an objection period. Once that was over, depending on whether there were objections filed or not, there would then be an Ordinance to Proceed. That was followed by the actual Appropriation Ordinance, where those assessments were imposed, so this was a several month process, with the first step occurring tonight.

H. RESOLUTION 2026-013 ADOPTING THE 2025 GREENE COUNTY NATURAL HAZARD MITIGATION PLAN. President Smith asked Mr. Henry for a brief summary of this item. Mr. Henry said in 2000, the federal government enacted the Disaster Mitigation Act which instituted a mandate requiring local governments have and maintain a hazard mitigation plan with their respective states in order to qualify for mitigation funding. The Act further stipulated that these Plans must be reviewed and updated every five years. In 2020, the Greene County Emergency Management Agency (EMA) coordinated the development of a consolidated, county-wide Plan, thereby streamlining efforts and efficiently fulfilling core requirements under the Act. The primary goals for the Plan update included: increasing public awareness, protecting life and property, fostering and strengthening partnerships, creating a safer environment through construction or installation of natural hazard safety systems, and reducing losses resulting from the failure of high hazard potential dam failures.

President Smith entertained comments or questions. Hearing none, he called for a motion to pass Resolution 2026-013.

Motion by Mayor Reynolds, seconded by Vice President Crawford, to pass Resolution 2026-013 as presented. No comments followed. The Roll on this was the following:

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

(9) APPOINTED OFFICIALS' REPORTS

President Smith asked the Finance Director for his comments. Mr. Duke was pleased to announce the Ohio Senate recognized the City of Xenia for the award from the Ohio Auditor of State for the 2024 report. He believed Senator Koehler spearheaded that, and he added it was nice to be recognized. He appreciated the sentiment acknowledging that achievement. President Smith noted it was tax season. Mr. Duke said if anyone had any questions, RITA was available to help in the City Administration Building if anyone wanted to come in person. There were also a lot of online resources with the ability to file online. He had heard a lot of good feedback about how quickly RITA was able to help people address any of their City income tax related issues. President Smith asked if people needed an appointment. Mr. Duke stated anyone could just walk in, and depending on the day, it was typically a quick experience without much of a wait. The closer they got to April 15th, the longer those lines would be. President Smith asked what their hours were. Mr. Duke said they were available Monday through Friday from 8:00 a.m. to 4:00 p.m. Mayor Reynolds said the process was super easy. He just walked right in, handed them his two W-2s, they took care of it, and he was done two minutes later.

President Smith asked the Law Director for her comments. Ms. Fisher said she had no items this evening.

President Smith asked the Assistant City Manager for his comments. Mr. Henry said they were entering storm season, and staff wanted everyone to be aware. Public Relations Coordinator Lydia Henry would be posting some tips on social media of things to be aware of during storm season. Additionally, some staff would be going through a scenario-based training that would look back at the previous two major tornados that were experienced in Xenia. The focus would be to make sure they learned lessons from what went right and what went wrong. The most recent major one was 26 years ago, and it was important to impart to newer staff members that historical knowledge so those lessons were not forgotten.

(10) COUNCIL VACANCY APPOINTMENT: President Smith noted they were still waiting for Councilwoman Sorice's arrival so she could participate in the appointment process tonight, so they would go to Council Comments and Reports first.

(11) COUNCIL COMMENTS & REPORTS:

Councilwoman Huffman had no items this evening.

Councilman Rubio had no items this evening.

Vice President Crawford said he had the honor of attending a tour through the Five Rivers Health Center, and it was a top in class place to go through. He would recommend to anyone to schedule a tour, and it was not only informative, but it was neat to see these kinds of services being provided at a professional level for all citizens, regardless of insurance. He also loved the pharmacy and their reasonable charges in comparison to other pharmacies. He enjoyed the walkthrough, and noted most of the Councilmembers were also there. He was excited for what was going on in Xenia and the growth.

Mayor Reynolds attended a ribbon cutting at the new Marathon station along with Councilman Rubio. He met with Lance Oakes last week, owner of Oakes Tree Development, to discuss upcoming development opportunities and possibilities in Xenia. He attended the walkthrough at the Five Rivers Health Centers, along with other Councilmembers. He also met with the owner of Xenia Harley-Davidson to discuss potential future items.

President Smith expressed the City's sympathies to the Saraga family. Mayor Saraga served the City of Xenia from 1998 to 2005, and that was very difficult time. In 2000, the City was hit very hard with a tornado that went through a major portion of the City, and he had a lot of leadership in trying to get things taken care of. There were services scheduled for next week, and he extended prayers for his wife and their son. His wife was very involved in the Xenia Chamber of Commerce, and there was a big Chamber event coming up this weekend, so he expressed his sympathies because it would be a very difficult time for her. He noted he heard the tornado sirens when they had that little scare a few days ago. He reminded everyone the intention of tornado sirens were that they were a warning device for people outside to seek shelter, not for people to leave their home to go to a shelter. The safest place was inside in the center of the building. He attended a Rotary meeting, and reported they were doing a fundraiser and currently working with the City to provide flags. Mr. Berger said that was correct. President Smith said the flags would be purchased and displayed in the center strip of Route 35 from Progress Drive to Allison Avenue. There would be a big one-time cost, but once that was achieved, they would be able to place those flags periodically, not just for the Fourth of July, but maybe also Labor Day or Flag Day. There would be information forthcoming on how citizens or businesses could sponsor a flag, and he added they did not have to be a Rotarian to donate to the fundraiser.

(12) EXECUTIVE SESSION: President Smith said at this time, they would be going into Executive Session for confidential business information related to requests for Economic Development Assistance per ORC §121.22(G) and Charter §13.03C.(2) and general legal advice per Charter §13.03C.(1). He noted that Council might come back out to take action, and then they may or may not have to go back into Executive Session because he was not sure how long they would be since they wanted to wait for Councilwoman Sorice. He entertained a motion to go into Executive Session.

Motion by Mayor Reynolds, seconded by Vice President Crawford, to go into Executive Session to discuss confidential business information related to requests for Economic Development Assistance per ORC §121.22(G) and Charter §13.03C.(2) and general legal advice per Charter §13.03C.(1). at 6:48 p.m., with possible business to follow. No discussion followed. The Roll on this was the following:

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

The Council convened in Executive Session with the same members present. At 7:00 p.m., Councilwoman Sorice arrived and entered the Executive Session.

At 8:54 p.m., President Smith reconvened the Regular meeting. He thanked everyone for staying; it had been a long night, and he appreciated everybody in attendance. There was one more item of business, and that was the Council vacancy appointment process. He stated this had been an almost

agonizing decision for Council, and there were twelve very concerned people about the City that had offered to serve on City Council. They did not take that lightly; every one of these people had qualities that everyone aspired to. It was very difficult to make a decision, and this year was more unique since there was a little different process, including background checks for candidates. Council had decided tonight to make an appointment, and they conferred with the Law Director that they were allowed to discuss this in Executive Session; they just could not vote in private.

President Smith entertained nominations for the vacant Council seat that would expire on December 31, 2027. Ms. Fisher noted it was the seat that Mayor Reynolds vacated when he became Mayor.

Motion by Councilwoman Huffman, seconded by Councilman Rubio, to appoint JD Mackiewicz to the vacant City Council seat. President Smith asked if there were any additional nominations, and there were none. The Roll on the appointment of JD Mackiewicz to the vacant City Council seat was the following:

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

(13) ADJOURNMENT: Motion by Mayor Reynolds, seconded by Vice President Crawford, to adjourn the Regular Meeting at 8:57 p.m. No discussion followed. The Roll on this was the following:

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

Amy E. Brown
City Clerk

Wesley E. Smith
President, Xenia City Council

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Introduction:	February 26, 2026, by Mayor Ethan Reynolds
Public Hearing & Vote:	March 12, 2026
Effective Date:	April 11, 2026

Agenda Item: **ORDINANCE 2026 – 07**
APPROVING THE SALE OF THE CITY-OWNED PROPERTY AT 714 E. MARKET STREET TO RIMO CONSTRUCTION, LLC

Submitted by: Ryan Baker, Community Development Coordinator
Presented by: Brent Merriman, City Manager

Summary: The City acquired 714 E. Market Street (Parcel ID M40000200080026600) in 2015 by forfeiture. On February 12, 2026, Council, by Resolution 2026-011, declared the property unnecessary for municipal use and authorized its sale through negotiations or informal competition. The lot at 714 E. Market is only 35.5' wide, which is too narrow for home construction. The proposed buyer for 714 E. Market Street, RIMO Construction, LLC, owns the neighboring lot at 728 E. Market Street, which is 71' wide. It is RIMO's intent in purchasing 714 E. Market Street to resurvey both parcels, thereby widening 714 E. Market, and creating space for a single-family home on each lot. The sale of 714 E. Market for this purpose will not go through the Home Preservation Program.

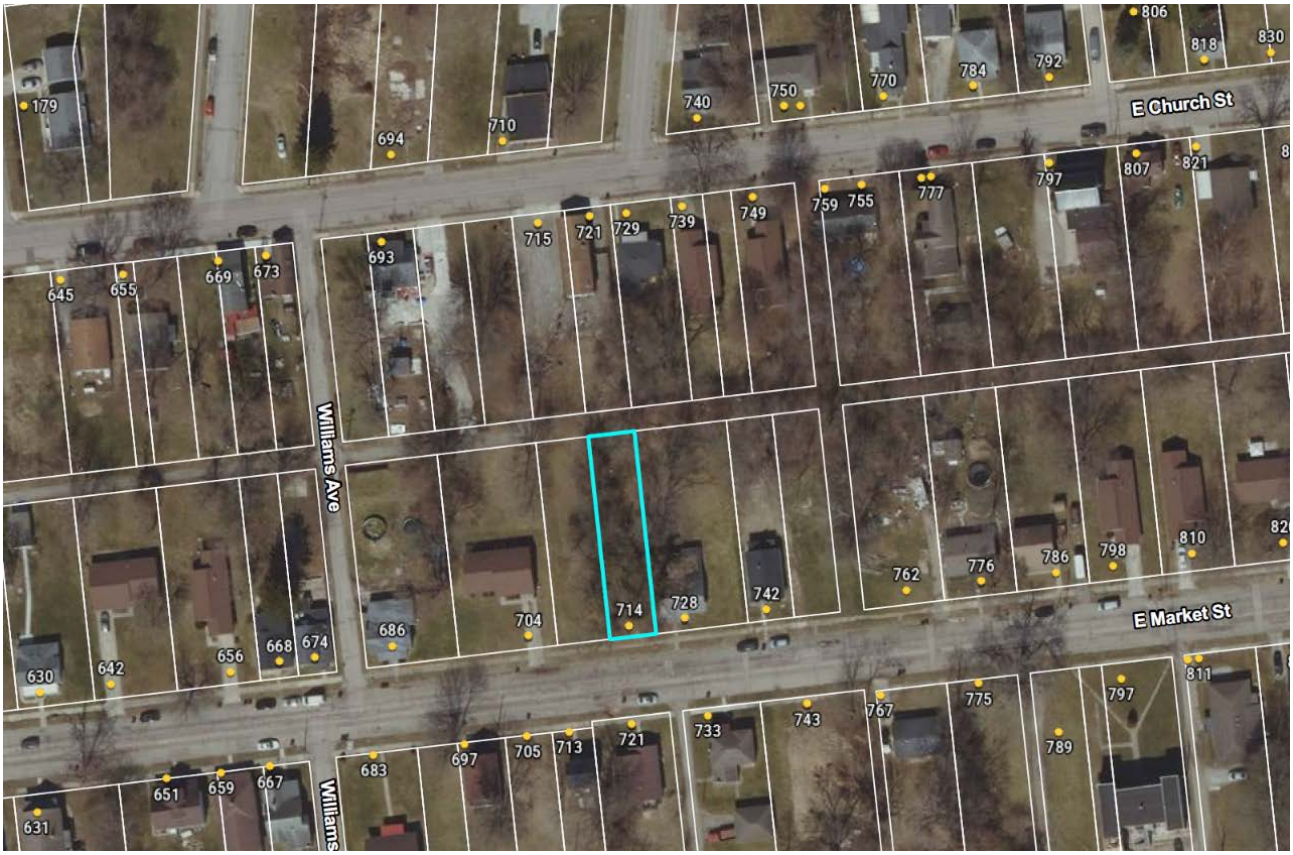
Cover Memo Attachments: Property Map

Budgetary Impact: $1,000 into Fund 361

Vote Required for Adoption: The affirmative vote of at least four (4) members of Council (Charter § 4.01 G.).

Recommendation: Adopt Ordinance 2026 - 07 to approve the sale of the City-owned property at 714 E. Market Street to RIMO Construction, LLC, in the amount of One Thousand Dollars ($1000).

714 East Market Street



CITY OF XENIA, OHIO
ORDINANCE 2026 – 07

APPROVING THE SALE OF THE CITY-OWNED PROPERTY AT 714 E. MARKET STREET TO RIMO CONSTRUCTION, LLC

WHEREAS, City Charter § 4.01 G.(2) grants this Council the power to convey real property owned by the City upon the adoption of an ordinance approving such conveyance;

WHEREAS, the City acquired 714 E. Market Street ("the Property") by forfeiture and this Council, by Resolution 2026-011, passed on February 12, 2026, determined that the Property was not needed for any municipal purpose and authorized its sale by negotiations or informal bidding;

WHEREAS, RIMO Construction, who owns a neighboring property at 728 E. Market Street, has offered to purchase the Property, which will relieve the City of the ongoing maintenance for the Property; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City to authorize the sale and conveyance of the Property to RIMO Construction, LLC,

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, at least four (4) members of the City Council concurring, that:

Section 1. The sale of the City-owned property at 714 E. Market Street, Xenia, Ohio (Greene County Parcel ID M40000200080026600) to RIMO Construction LLC, 3695 Orchard Grove Road, Sabina, Ohio, in the amount of One Thousand Dollars ($1,000), is hereby approved.

Section 2. The City Manager is authorized to execute the deed for the approved conveyance and any other documents necessary for the sale and transfer of the above-listed property.

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 April 11, 2026.

Introduced: February 26, 2026
Adopted: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Introduction:	February 26, 2026, by Vice President James Crawford
Public Hearing & Vote:	March 12, 2026
Effective Date:	April 11, 2026

Agenda Item: **ORDINANCE 2026 – 08**
VACATING THE ALLEY BETWEEN 968, 976, 986, 998, 1006, 1016, AND 1030 N. DETROIT STREET ON THE EAST SIDE, AND 920 N. DETROIT STREET, PARCEL M40000100040005400, PARCEL M40000100040015200, PARCEL M40000100040004600, AND 1052 N. DETROIT STREET ON THE WEST SIDE

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

Summary: The petitioner is the owner of the property at1016 N. Detroit Street and a vacant lot to the rear of that property (parcel M40000100040015200). The two lots are separated by a 12' wide public alley right-of-way, which extends from 968 N. Detroit Street to 1030 N. Detroit Street. The petitioner seeks to vacate the alley in order to consolidate 1016 N. Detroit Street's lot with the vacant lot behind it and have the ability to develop it. The alley also touches 968, 976, 986, 998, 1006 and 1030 N. Detroit Street on its east side, and 920 N. Detroit Street, land owned by the Greene County Agricultural Society (Parcel M4000010004005400), a lot owned by the property owner at 1030 N. Detroit Street (Parcel M40000100040004600), and 1052 N. Detroit Street on its west side. Upon vacation, half of the alley's width would be deeded to each abutting property owner on both the east side and west side of the alley.

Under ORC § 723.04, a person owning a lot in the City may petition City Council praying that an alley in the immediate vicinity of the lot be vacated. If Council determines that there is good cause for such vacation and that it will not be detrimental to the general interest, Council may declare the alley to be vacated. Upon vacation, the abutting owners on each side of the vacated alley are vested with a fee simple title to one-half of the former alley adjacent to their property. This ownership interest arises by operation of law, not by the ordinance itself. In addition, under ORC § 723.041, any public utility (including City utilities) are deemed to have a permanent easement in the vacated alley for the purposes of maintaining, operating, and reconstructing that utility.

The alley does contain a City sanitary sewer main, but it does not contain pavement and it is not connected to any other public alley or street or any public access easements. Although the City will have an easement for the sanitary sewer main, the alley right-of-way has no viable transportation purpose. Thus, City staff has no objections to the requested vacation of this alley.

Cover Memo Attachments: None.

Budgetary Impact: N/A.

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

Recommendation: Adopt Ordinance 2026 – 08 to vacate the 0.1073 acre, 12-foot-wide alley, as prayed for in the petition.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 08

VACATING THE ALLEY BETWEEN 968, 976, 986, 998, 1006, 1016, AND 1030 N. DETROIT STREET ON THE EAST SIDE, AND 920 N. DETROIT STREET, PARCEL M40000100040005400, PARCEL M40000100040015200, PARCEL M40000100040004600, AND 1052 N. DETROIT STREET ON THE WEST SIDE

WHEREAS, a petition to vacate the alley between 968, 976, 986, 998, 1006, 1016, and 1030 N. Detroit Street on the east side, and 920 N. Detroit Street, Parcel M40000100040005400, Parcel M40000100040015200, Parcel M40000100040004600, and 1052 N. Detroit Street on the west side has been filed, in accordance with ORC § 723.04;

WHEREAS, notice of the pendency and prayer of the vacation petition has been given as required by ORC § 723.07;

WHEREAS, a public hearing has been held on said petition, as required in ORC § 723.04; and

WHEREAS, this Council is satisfied that there is good cause for such vacation and that the vacation will not be detrimental to the general interest of the City of Xenia or its citizens,

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

Section 1. This Council finds that the Petition for vacation, attached hereto as Exhibit A, signed by Donald W. Hickman II, owner of 1016 N. Detroit Street (Parcel M40000100040004800) and a vacant lot to the rear of 1016 N. Detroit Street (parcel M40000100040015200) has been properly presented to this Council, praying that the alley between 968, 976, 986, 998, 1006, 1016, and 1030 N. Detroit Street on the east side, and 920 N. Detroit Street, Parcel M40000100040005400, Parcel M40000100040015200, Parcel M40000100040004600, and 1052 N. Detroit Street on the west side be vacated.

Section 2. This Council further finds that there is good cause for such vacation and that such vacation will not be detrimental to the general interests of the City of Xenia or its citizens and ought to be made.

Section 3. It is hereby declared that the 12'-wide alley between 968, 976, 986, 998, 1006, 1016, and 1030 N. Detroit Street on the east side, and 920 N. Detroit Street, Parcel M40000100040005400, Parcel M40000100040015200, Parcel M40000100040004600, and 1052 N. Detroit Street on the west side, containing 0.1073 acres, more or less, as shown on the vacation plat submitted with the Petition, is vacated.

Section 4. The abutting property owners, as to that portion of the alley abutting their properties, are vested with a fee simple interest in one-half of the width of the strip of land that formerly comprised the alley, as provided by operation of law (*Taylor v. Carpenter*), subject to all existing legal easements of record.

Section 5. In accordance with ORC § 723.041, the City shall retain a permanent utility easement over the entire 12' of the vacated alley for the purposes of a sanitary sewer main. Any other public utility who holds an easement of record in said vacated alley shall be deemed to have a permanent easement in said vacated alley, as set forth in ORC § 723.041.

Section 6. The Petitioners are responsible for recording the vacation plat of said vacated alley with the Greene County Recorder and the Greene County Auditor and for any costs associated with recording the same.

Section 7. 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 8. This Ordinance shall take effect April 11, 2026.

Introduced: February 26, 2026
Adopted: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

EXHIBIT A

PETITION TO XENIA CITY COUNCIL
For Vacation of a Street or Alley
In Xenia, Ohio

The undersigned, Donald W. Hickman II , (print name)
and _____ _____, (print name),
being the owner(s) of a lot/lots within the corporation limits of the City of Xenia, located at 1016 N. Detroit ST Xenia, OH 45385 (address), known as Lot # 48 and 152
_____ (address), known as Lot #_____
hereby files this Petition praying for the vacation of the alley/right of way located:

In the easterly line of 15 feet wide alley, passing an iron pin (set) at 28.28 feet, With the westerly line of the said tract one (0.21 acre tract) and the said line of the 15 feet wide alley, North 07 degree 55' 07" west a distance of 50 feet to an iron pin set. A distance of 185.0 feet to the point of beginning passing an iron pin set at 155.78 feet

There is good cause for this Petition and the requested action will not be detrimental to the general interests of the City or its citizens for the following reasons:

The alley no longer serves a public purpose and is essentially abandoned to public use. It holds minimal public utility use. Private ownership will benefit every homeowner along its path by providing protection, property rights, and value. Dividing the 15-foot alley among each property owner can help the city by eliminating a maintenance burden on city costs.

Respectfully requested,

Property Owner(s) at: 1016 N. Detroit ST Xenia, OH 45385
(Address)

Donald W. Hickman II
_____ 10.21.2025 _____
Signature Date Signature Date

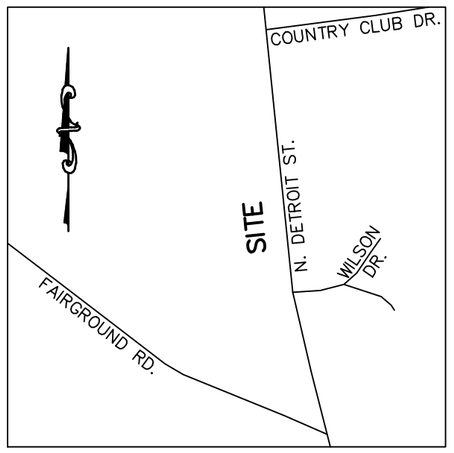
Property Owner(s) at: _____
(Address)

_____ _____
Signature Date Signature Date

GREENE COUNTY SURVEYOR'S RECORD No.____, PAGE_____

SURVEY FOR ALLEY VACATION

EXHIBIT A

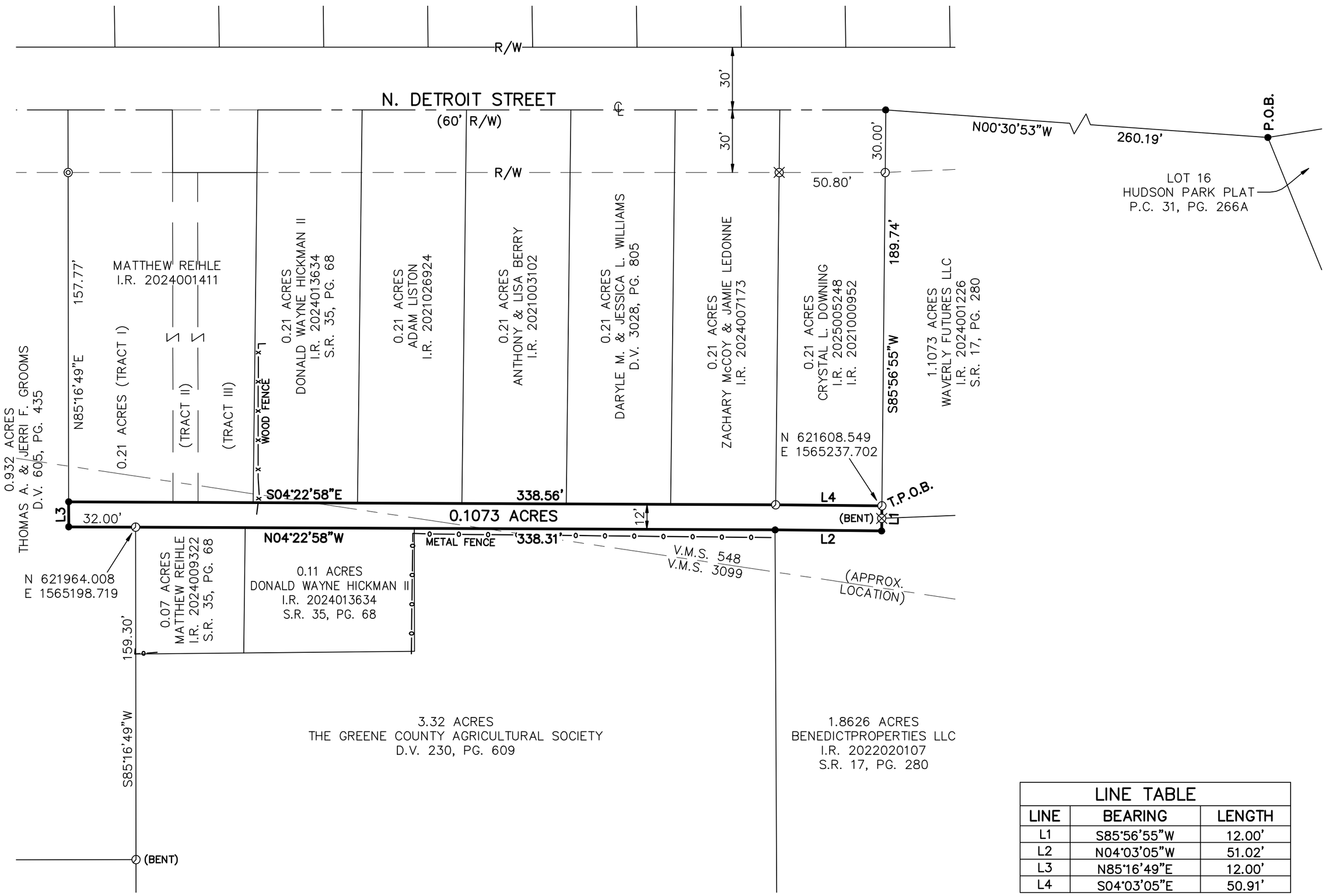


VICINITY MAP
NOT TO SCALE

BASIS OF BEARINGS:
- ALL BEARINGS ARE BASED UPON GPS OBSERVATIONS TAKEN ON DECEMBER 3, 2025, OHIO STATE PLANE COORDINATES, SOUTH ZONE. US FOOT, NAD83 WITH THE EAST LINE OF THE ALLEY BEING S04°22'58"E.

SURVEY REFERENCES:
- ALL DEEDS, PLATS AND SURVEY RECORDS SHOWN ON THE FACE OF THIS SURVEY.

GENERAL NOTES:
- OCCUPATION IS AS SHOWN ON THE SURVEY.
- ALL MONUMENTS WERE FOUND OR SET IN GOOD CONDITION.



SYMBOL LEGEND

◴	FOUND 5/8" IRON PIN
◎	FOUND 1" IRON PIPE
⊠	FOUND RAILROAD SPIKE
●	SET 5/8" IRON PIN W/"HALEY-DUSA" CAP

LINE TABLE		
LINE	BEARING	LENGTH
L1	S85°56'55"W	12.00'
L2	N04°03'05"W	51.02'
L3	N85°16'49"E	12.00'
L4	S04°03'05"E	50.91'

Haley-Dusa
Engineering & Surveying Group, LLC
270 Regency Ridge Drive, Suite 203
Dayton, Ohio 45459
Phone: (937) 439-4300 Fax: (937) 439-2005
Email: haleydusa@haleydusa.com
Website: www.haleydusa.com

Scale: 1"=40'	Drawn: SBM	Checked: TED
Date: 01-06-2025	Job No. S5473	

SURVEY NOTES:
- THERE IS TO BE AN EASEMENT RETAINED OVER THE ENTIRETY OF THE VACATED ALLEY FOR OPERATION, REPAIR AND MAINTENANCE OF AN EXISTING SANITARY SEWER LINE. SEE VACATION ORDINANCE FOR DETAILS.
- VACATED ALLEY IS TO BE DIVIDED AMONG ADJOINING LAND OWNERS ON THE EAST AND WEST SIDES.

APPROVED GREENE COUNTY ENGINEER

By_____ Date_____

APPROVED BY:

ZONING_____ DATE_____

RPCC, CITY OR VILLAGE DATE

CERTIFICATION:
I CERTIFY THAT THIS PLAT OF SURVEY IS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37, STANDARDS FOR BOUNDARY SURVEYS AND PERFORMED UNDER MY DIRECT SUPERVISION IN APRIL OF 2023 AND THAT DIMENSIONS ARE CORRECT AND MONUMENTS HAVE BEEN FOUND OR SET AS INDICATED.

STATE OF OHIO
THOMAS E. DUSA
S-7143
REGISTERED
SURVEYOR

Thomas E. Dusa Professional Surveyor No. S-7143
Date of Survey: December 3, 2025

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

GRANTOR CITY OF XENIA

GRANTEE_____

LOCATION

Section_____, Town_____, Range_____

or Survey No. 548 & 3099

CITY XENIA

GREENE COUNTY, OHIO

DATE JANUARY 6, 2025 SCALE: 1"=40'

EXHIBIT A

DESCRIPTION OF
0.1073 ACRES
VIRGINIA MILITARY SURVEY NUMBERS 548 & 3099
CITY OF XENIA
GREENE COUNTY, OHIO

Situate in Virginia Military Survey Numbers 548 and 3099, City of Xenia, County of Greene, State of Ohio and being all of a 12 foot wide alley, more particularly described as follows: (all references to deed books, official records, microfiche numbers, instrument numbers, survey records and/or plats refer to the Greene County Recorder's Office, Greene County, Ohio)

Beginning at a 5/8" iron pin set on the west right-of-way line of North Detroit Street (60' R/W) at the northeast corner of Lot Number 16 of Hudson Park Plat, recorded in Plat Cabinet 31, Page 266A, said point also being the southeast corner of a 1.1073 acre tract conveyed to Waverly Futures LLC in I.R. 2024001226, thence along the east line of said 1.1073 acre tract, North 00°30'53" West a distance of 260.19 feet to a 5/8" iron pin set in the centerline of North Detroit Street at the northeast corner of said 1.1073 acre tract and the southeast corner of a 0.21 acre tract conveyed to Crystal L. Downing in I.R. 2025005248 and I.R. 2021000952;

Thence along the north line of said 1.1073 acre tract and the south line of said Downing tract, South 85°56'55" West, passing a 5/8" iron pin found on the west right-of-way line of North Detroit Street at 30.00 feet, a total distance of 189.74 feet to a 5/8" iron pin found at the southwest corner of said Downing tract and at the southeast corner of said alley, said point being the **TRUE PLACE OF BEGINNING**.

Thence continuing along the north line of said 1.1073 acre tract and along a 1.8626 acre tract conveyed to Benedictproperties LLC in I.R. 2022020107, **South 85°56'55" West**, passing a bent railroad spike found at the northwest corner of said 1.1073 acre tract at 5.99 feet, a total distance of **12.00** feet to a 5/8" iron pin set at the southwest corner of said alley;

Thence along the east line of said 1.8626 acre tract and the west line of said alley, **North 04°03'05" West** a distance of **51.02** feet to a 5/8" iron pin set at the northeast corner of said 1.8626 acre tract and the southeast corner of a 3.32 acre tract conveyed to The Greene County Agricultural Society in Deed Volume 230, Page 609;

Thence along the east line of said 3.32 acre tract, the east line of a 0.11 acre tract conveyed to Donald Wayne Hickman II in I.R. 2024013634, the east line of a 0.07 acre tract conveyed to Matthew Reihle in I.R. 2024009322, along a 0.932 acre tract conveyed to Thomas A. and Jerri F. Grooms in Deed Volume 605, Page 435 and along the west line of said alley, **North 04°22'58" West**, passing a 5/8" iron pin found at the northeast corner of said 0.07 acre tract at 306.31 feet, a total distance of **338.31** feet to a 5/8" iron pin set at a corner of said 0.932 acre tract and at the northwest corner of said alley;

EXHIBIT A

PAGE TWO

Thence along said 0.932 acre tract, **North 85°16'49" East** a distance of **12.00** feet to a 5/8" iron pin set at the northwest corner of a 0.21 acre tract conveyed to Matthew Reihle in I.R. 2024001411 and the northeast corner of said alley;

Thence along the east line of said Reihle tract, the east line of two other tracts conveyed to Matthew Reihle in I.R. 2024001411, the east line of five (5) 0.21 acre tracts, ownership as follows: Donald Wayne Hickman II in I.R. 2024013634, Adam Liston in I.R. 2021026924, Anthony and Lisa Berry in I.R. 2021003102, Daryle M. and Jessica L. Williams in Deed Volume 3028, Page 805 and Zachary McCoy and Jamie Ledonne in I.R. 2024007173 and along the east line of said alley, **South 04°22'58" East** a distance of **338.56** feet to a 5/8" iron pin found at the southwest corner of said McCoy/Ledonne tract and the northwest corner of said Downing tract;

Thence along the west line of said Downing tract and the east line of said alley, **South 04°03'05" East** a distance of **50.91** feet to the **TRUE PLACE OF BEGINNING**.

Containing **0.1073** acres, more or less.

Subject to all legal highways, easements, and restrictions of record.

Basis of Bearings: all bearings are based upon GPS observations taken on December 3, 2025, Ohio State Plane Coordinates, South Zone, US foot, NAD83 with the east line of the alley being South 04°22'58" East

A (5/8" iron pin set) refers to a 30" long rebar with a plastic identification cap stamped "Haley-Dusa S-7143".

This description is based upon a field survey conducted under the supervision of Thomas E. Dusa, Registered Surveyor, Ohio License Number S-7143, on December 3, 2025 as filed in Greene County Engineer's Office Record of Land Surveys, Survey Record Number_____, Page_____.

Haley-Dusa Engineering & Surveying Group, LLC

Thomas E Dusa

Thomas E. Dusa
Registered Surveyor
Ohio License Number S-7143

STATE OF OHIO
THOMAS E. DUSA S-7143
REGISTERED PROFESSIONAL SURVEYOR

January 6, 2026
Job # S5473

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: 1.7.2026
Par ID: Dist____ BK____ PG____ PAR____

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

PZC Public Hearing:	February 11, 2026
Introduction:	February 26, 2026, by Councilwoman Rachel Huffman
Public Hearing & Vote:	March 12, 2026
Effective Date:	April 11, 2026

Agenda Item: **ORDINANCE 2026 – 09**
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE APPROXIMATELY 31.21 ACRES OF THE PROPERTY AT 817 UPPER BELLBROOK ROAD FROM A-1 AGRICULTURAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT, AND APPROVING A PUD CONCEPT PLAN FOR A PROPOSED 160-UNIT TOWNHOME COMMUNITY AT SAID PROPERTY

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

Summary: Redwood USA, a national apartment community developer and property manager, intends to purchase 817 Upper Bellbrook Road, for the purpose of developing and managing 160 units of single-story attached townhomes, in groups of three to nine per building, on approximately 31 acres. The property, previously used as part of the Strausburg tree nursery, is south of the REACH Center and situated between US-35 and the Old Arrowhead neighborhood. The development would be served by a single winding public street that connects South Progress Drive to Pueblo Drive, along with a network of private streets providing access to most units. Redwood's acquisition will exclude a small portion at the northeast corner of the property, which will be east of the planned southward extension of South Progress Drive. That strip of land will be split from the subject parcel and added to the parcel to the east at 805 Upper Bellbrook Road. The development and its proposed development standards are described in greater detail in the attached Planning & Zoning Commission staff report.

Planning & Zoning Commission reviewed this proposed rezoning and PUD Concept Plan and found them to be consistent with the majority of the Land Development Code's approval criteria for PUD Concept Plans [§ 1220.04(e)(1)] and general PUD development guidelines [§ 1222.06(e)], as summarized below (see attached staff report for a detailed criteria analysis):

- Responds to evolving housing needs, despite proposing a higher proportion of residential usage of the subject property than recommended by neXtPlan's Future Land Use Plan.
- Upholds purposes of the Land Development Code by proposing an efficient development pattern with relatively high-density housing next to a commercial corridor.
- Will not negatively impact the natural environment or the character of adjacent neighborhoods.
- Will not cause an undue burden on City services.

The City will require the developer to conduct a traffic impact study and construct and/or contribute financially to any recommended improvements to existing public streets that are necessitated by the proposed community.

Cover Memo Attachments: Staff report to Planning & Zoning Commission, PUD Illustrative Concept Plan.

Budgetary Impact: FISCAL IMPACT ANALYSIS

The relatively small length of public streets proposed in the development will save the City on street maintenance costs; however, given that Redwood developments are marketed toward smaller households that can include retirees, there is a potential that some residents will not pay income tax. Based on estimated rents and property values, if all proposed households pay income tax, revenues will annually exceed costs by approximately 26%, or roughly $57,000. If 25% of the households are retired without earned income, this annual surplus will shrink to 2.5%, or roughly $5,500.

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

Recommendation: The Planning & Zoning Commission held the required public hearing on this application at its meeting on February 11th, and voted to recommend (5-0) that City Council adopt Ordinance 2026-09, approving a zoning map amendment to change the zoning of approximately 31.21 acres of 817 Upper Bellbrook Road from A-1 Agricultural District to PUD Planned Unit Development, and approving a PUD Concept Plan for a proposed 160-unit townhome community at that property.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 09

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE APPROXIMATELY 31.21 ACRES OF THE PROPERTY AT 817 UPPER BELLBROOK ROAD FROM A-1 AGRICULTURAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT, AND APPROVING A PUD CONCEPT PLAN FOR A PROPOSED 160-UNIT TOWNHOME COMMUNITY AT SAID PROPERTY

WHEREAS, with permission of the property owner, Redwood USA submitted an application requesting that approximately 31.21 acres of the property at 817 Upper Bellbrook Road in the City of Xenia be rezoned from A-1 Agricultural District to PUD Planned Unit Development, and seeking approval of a Planned Unit Development Concept Plan for a 160-unit residential community with attached single-story townhomes on the property, to be known as Redwood Xenia;

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;

WHEREAS, the procedures for review of a Planned Unit Development specified in § 1220.04(d) of the Land Development Code have been followed;

WHEREAS, the Xenia Planning & Zoning Commission (PZC), at its February 11, 2026, meeting, held the required public hearing and voted (5-0) to make a recommendation that this Council approve the requested rezoning and approve the submitted PUD Concept Plan in Case PZC2026-03; 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 PZC's recommendations,

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 PUD Planned Unit Development for the approximately 31.21-acre portion of the property located at 817 Upper Bellbrook Road (Greene County Parcel ID M40000100580000600), labeled as Lot 1 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 amendment to the City's Official Zoning Map.

Section 2. In accordance with § 1220.04 of the City's Land Development Code, and upon the recommendation of the City's Planning & Zoning Commission in Case PZC2026-03, the PUD Concept Plan and Development Standards for the PUD at 817 Upper Bellbrook Road, to be known as Redwood Xenia, attached hereto as Exhibit B, are hereby approved.

Section 3. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

Section 4. 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 5. This Ordinance shall take effect April 11, 2026.

Introduced: February 26, 2026
Adopted: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk



REVISIONS	DATE	SHEET NO.	DESCRIPTION

DATE: 02/13/2026
DRAWN BY: MLYNCH
CHECKED BY: JHC
JOB NUMBER: 23253425

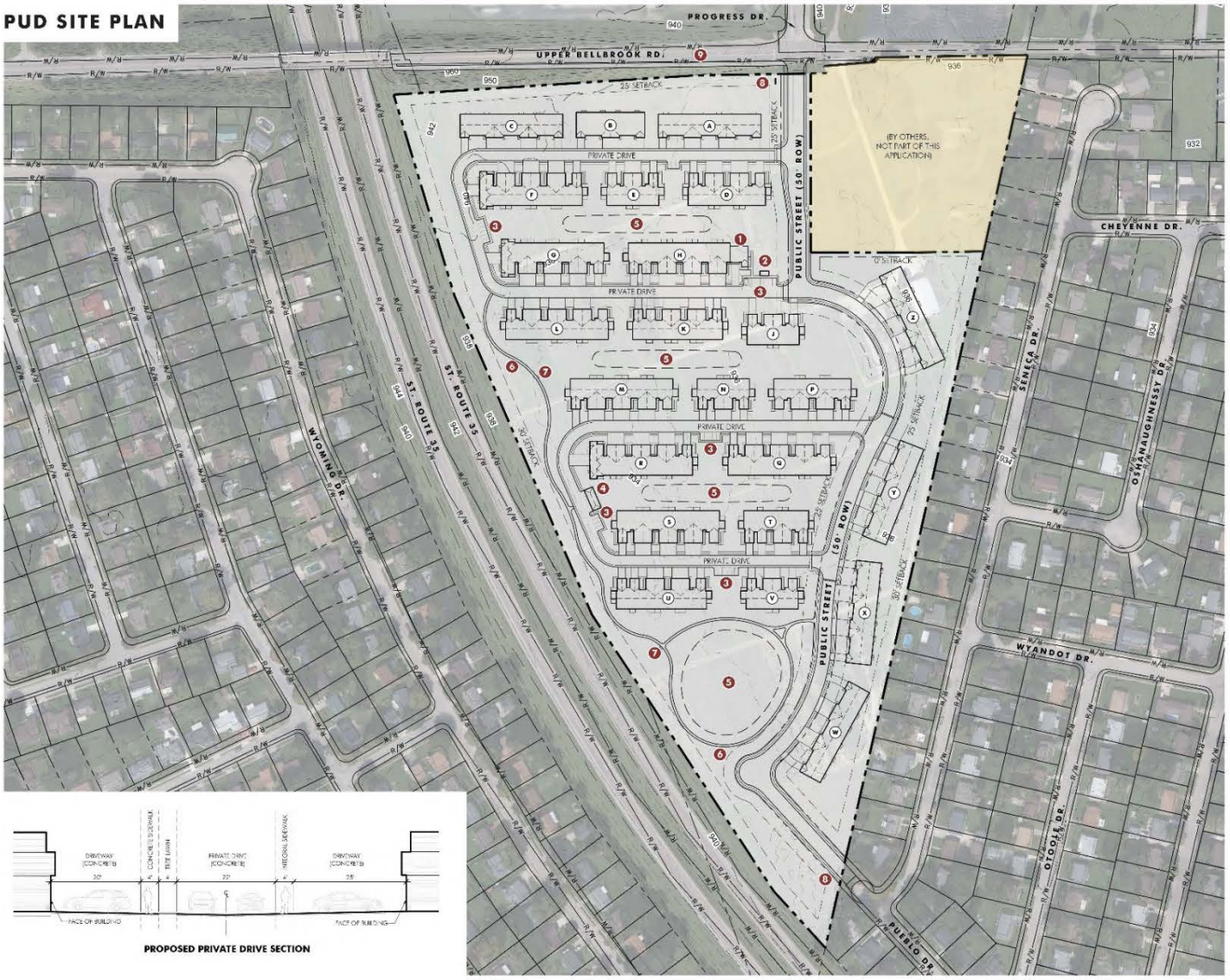
1/1

EXHIBIT
FOR
817 UPPER BELLBROOK RD
CITY OF XENIA, GREENE COUNTY, OHIO

AMERICAN STRUCTUREPOINT INC.
3550 Corporate Exchange Dr. Ste 200 | Columbus, Ohio 43231
TEL 614.461.2255 | FAX 614.461.2256
www.structurepoint.com

Ordinance 2026-09
Exhibit B

PUD SITE PLAN



PROPOSED PRIVATE DRIVE SECTION



VICINITY MAP

SITE INFORMATION

PARCEL:	M4000010058000600
TOTAL SITE AREA:	±31.24 AC
EXISTING ZONING:	A-1 AGRICULTURAL DISTRICT
PROPOSED ZONING:	PUD
TOTAL PROPOSED UNITS:	160
PROPOSED DENSITY:	±5.12 DU/AC
TOTAL PARKING:	664
UNIT DRIVEWAY:	314
UNIT GARAGE:	314
GUEST (9' X 18' SPACE)	31
FREESTANDING GARAGE	5

LEGEND

1. LEASING CENTER / MAINTENANCE GARAGE
2. MAIL GAZEBO
3. GUEST PARKING
4. FREESTANDING GARAGE BUILDING (5 SPACES)
5. STORMWATER INFILTRATION AREA (PROPOSED)
6. 5' CONCRETE PATH
7. BENCH
8. PROJECT SIGNAGE / ENTRY FEATURE
9. 10' PUBLIC TRAIL

0 50' 100' 200'
SCALE: 1" = 100' 0"

Ordinance 2026-09
Exhibit B

OPEN SPACE PLAN





VICINITY MAP

OPEN SPACE DATA

TOTAL SITE AREA:	±31.24 AC
TOTAL OPEN SPACE REQUIRED:	±3.1 AC (10%)
FORMAL OPEN SPACE REQUIRED:	±1.6 AC (5%)
OPEN SPACE PROPOSED:	±7.8 AC (25%)
FORMAL:	±2.9 AC (9%)
PASSIVE:	±4.9 AC (16%)

0 50' 100' 200'
SCALE: 1" = 100'-0"

REDWOOD XENIA UPPER BELLBROOK ROAD
PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT
DEVELOPMENT TEXT (Version 2.0)

February 4, 2026

I. Introduction:

A. Introduction: Redwood Xenia Upper Bellbrook Road neighborhood is being proposed to provide an important housing option to the City of Xenia. This neighborhood will provide for the development of attached one story apartment dwellings as provided in more detail below.

II. Site: The project site includes 31+/- acres. It will provide for the development of attached one story apartment dwellings as provided below.

A. Permitted Uses: Permitted uses shall be as follows:

1. Attached one story apartment dwellings with a mix of attached one & two car garages. Buildings may contain a combination of 3 to 9 attached dwellings and consist of a mixture of one bedroom, two bedroom and three bedroom dwellings.

2. Free standing multi-bay garage buildings

3. Publicly or privately owned parks and open spaces.

4. Model homes and sales offices, in accordance with City of Xenia Land Development Code

5. Home occupation uses in association with a permitted dwelling, in accordance with City of Xenia Land Development Code.

6. Mailbox gazebo

B. Density, Lot and Setback Commitments:

1. Number of Units: There shall be a maximum of 160 residential units in this PUD District, consisting of all attached one story apartment dwellings in building configurations ranging from 3 dwellings to a maximum of 9 dwellings per building.

2. Setbacks:

(a) Upper Bellbrook Road: There shall be a minimum pavement and building setback of 25 feet as measured from the edge of the right-of-way of Upper Bellbrook Road. Public streets, leisure paths, and sidewalks may be located within this setback.

(b) State Route 35: There shall be a minimum pavement and building setback of 30 feet as measured from the edge of the right-of-way of State Route 35. Public streets, leisure paths, and sidewalks may be located within this setback.

(c) Public Road Extension (From Upper Bellbrook Road to Pueblo Drive): There shall be a minimum pavement and building setback of 25 feet as measured from the edge of the right-of-way of Upper Bellbrook Road. Public streets, leisure paths, sidewalks and private driveways may be located within this setback.

(d) Side Yard Setback (adjacent to existing single family): There shall be a minimum pavement and building setback of 30 feet as measured from the side property line of the lot. Patios shall be permitted to encroach up to 8 feet and eaves shall be permitted to encroach up to 2 feet into the required minimum side yard setback adjacent to existing single family homes.

(e) Side Yard Setback (adjacent to parcel in Northeast portion of proposed PUD): There shall be a minimum pavement and building setback of 30 feet as measured from the side property line of the lot. Patios shall be permitted to encroach up to 8 feet and eaves shall be permitted to encroach up to 2 feet into the required minimum side yard setback.

C. Access, Parking, Pedestrian, and Traffic-Related Commitments:

1. A public street shall be provided as a part of this project that will extend existing Progress Drive at Upper Bellbrook Road (North) to Pueblo Drive (South). The public street shall have a 50' right of way and constructed to local street standards per the Xenia code. The public street shall be designed to promote slower traffic (such as curves and/or traffic calming measures).

2. All internal drives shall be private. The maintenance of private streets shall be the sole responsibility of the owner. Private drives shall be 26' in overall width, constructed of concrete with a 22' drive aisle and an integral 4' sidewalk and no curbing. The sidewalk shall utilize differentiated pavement type, striping and/or color to identify it separately from the drive aisle. Conformance with FHA/ADA requirements for accessibility shall be maintained. In addition, there shall be a 4' wide sidewalk, separated from the private drive by a minimum 4' wide treelawn on the side of each private drive that is opposite the integral sidewalk. See proposed section on the proposed PUD Site Plan.

3. Off-Street Parking: Each single-family home shall have a minimum two-car garage. An additional 2 off-street parking spaces in their driveways is also provided for each dwelling in addition to the enclosed garage spaces.

4. On-Street Parking: On-street parking is not permitted on any internal private drives

and within the proposed public street. Designated guest parking spaces are provided throughout the development as noted on the PUD Site Plan.

5. Parking Dimension: Parking spaces are to be 9' x 18' dimension.

6. Access Points: Primary vehicular access to and from this site shall be provided from Upper Bellbrook Road in the general location shown on the PUD Site Plan.

7. A formal traffic study will be coordinated with the necessary agencies to identify any recommended improvements to the proposed development and shall be provided with the Final PUD Plan.

D. Buffering, Landscaping, Open Space and Screening Commitments:

1. Landscaping: Proposed landscaping shall comply with Chapter 1232 of the City of Xenia Land Development Code

2. Storm Water Management Facilities: Storm water basins may be located within the required setbacks. It is anticipated that storm water will be managed utilizing areas of infiltration based on preliminary soil assessments in the area. If traditional storm retention basins are deemed a more suitable management decision, they shall conform to the City of Xenia requirements and contain a fountain or aeration system.

3. Open space: See Open Space Plan for open space areas provided. All open space shall be privately owned and subject to the requirements of the City of Xenia zoning code. A public 10' multi-use path shall be provided as a part of the PUD Site Plan and located along Upper Bellbrook Road across the length of the development's frontage.

E. Signage Commitments:

1. Signage within this site may be generally provided as provided below.

(a) One sign may be permitted at the entrance from Upper Bellbrook Road. The sign within the median shall be installed and maintained by the owner. Sign area shall not exceed 32 square feet and shall not exceed 6 feet in height. The sign shall meet all applicable setbacks for site distance.

2. Additional signage shall be in accordance with Chapter 1236 of the City of Xenia Land Development Code.

F. Architectural Standards: All apartment dwellings on this site shall be in conformance with Chapter 1228 of the City of Xenia Land Development Code and will be provided with the Final PUD plan.

1. Maximum building height: Dwellings may be 1 story and may have a

maximum height of 35 feet as measured in accordance with City of Xenia Zoning Code.

2. Exterior Materials: Permitted primary and secondary materials for buildings in this PUD District are as follows:

   (a) Primary Materials: Permitted Cladding Materials include brick, stone/cultured stone, and vinyl siding.

   (b) Secondary Materials: Vinyl trim, vinyl shake accent siding, prefinished aluminum gutters and downspouts, vinyl decorative louvers.

   (c) Roofing Materials: Minimum 30 year dimensional asphalt shingles

   (d) Windows and sliding patio doors: Shall be Vinyl.

3. Garages: Front-loaded and attached garages shall be permitted on each home as well as the leasing office building.

4. Lighting:

   (a) Primary lighting shall be provided with building mounted coach lights at each dwelling garage. Coach lights shall be controlled by dusk/dawn sensors.

   (b) Secondary lighting shall be provided at each dwelling private patio mounted to building

   (c) Street lighting is permitted but not required for all private drives. Specific fixture, color, locations, and spacing to be approved at time of development plan. Street light height shall not exceed 18 feet in height. Street light poles and fixtures shall be consistent in height, color, and appearance throughout the site if proposed by owner.

   (d) Lighting of entry features and any additional proposed lighting shall be provided and approved at time of the Final PUD plan. Ground mounted lighting shall be shielded and landscaped.

   (e) Fully shielded, cut-off type lighting fixtures shall be required.

G. Utilities: All new utility lines and wiring shall be placed underground. Utility easement locations and widths shall be determined in the final development plan for this PUD District.

H. Miscellaneous:

1. Refuse – Refuse for the site will be provided by an independent third party hauler. Residents shall be provided with an individual tote which will be stored within garage.

STAFF REPORT
XENIA PLANNING AND ZONING COMMISSION

ITEM:	PUD Concept Plan/Rezoning
CASE NUMBER:	PZC2026-03
REPORT DATE:	February 4, 2026
MEETING DATE:	February 11, 2026
APPLICANT NAME:	Redwood USA (Greg Thurman)
PROPERTY ADDRESS:	817 Upper Bellbrook Road
GREENE COUNTY PARCEL IDENTIFICATION NUMBER(S):	M40000100580000600
ORDINANCE SECTION(S):	1220.04
ZONING:	Existing: A-1 Agricultural Proposed: PUD Planned Unit Development

A. Action Requested

Hold public hearing and vote whether to endorse a rezoning of the above property from A-1 Agricultural to Planned Unit Development (PUD) and approve a PUD Concept Plan to support a proposed 160-unit townhome community.

B. Background

Redwood proposes a 160-unit rental townhome community on the above subject property, which is located adjacent to US-35, the Old Arrowhead neighborhood, and the REACH Center. The subject property has been used as a tree farm for Strausberg Nursery, but the owner is now prepared to sell the property to Redwood for development. The proposed development will contain a mix of private and public streets.

The applicant could have chosen to rezone the property to R-3, because the R-3 District permits townhomes. However, R-3 does not permit more than one principal building per parcel, and the code requires private streets to meet public street standards. Because the applicant is proposing multiple townhome buildings to share the same parcel and private streets that do not meet City public street standards, the applicant has requested to follow the PUD process. The PUD process is an alternative form of zoning that allows a customized set of development standards to be created for an individual property, as a result of a negotiation process between the City and developer.

The proposed PUD zoning will exclude a small portion at the northeast corner of the property, which will be east of the planned southward extension of South Progress Drive. That strip of land will be split from the subject parcel and added to the parcel to the east at 805 Upper Bellbrook Road. Below is a summary description of Redwood's proposed Concept Plan, which was amended since its submittal following staff comments:

1. Streets:
   (a) One public street, following City local street standards, connecting the South Progress Drive/Upper Bellbrook Road/West Second Street intersection to the existing stub-ended Pueblo Drive
   (b) Curvilinear alignment of public street to discourage high-speed cut-through traffic
   (c) Private streets providing access to most townhomes

(1) 26’ wide concrete with no on-street parking
(2) Maintained by Redwood
(3) Judged by Fire Inspector to meet Fire Code

2. Proposed Uses
(a) Attached single-story townhomes with attached 2-car garages, in buildings containing 3-9 units each
(b) Renter-occupied, buildings and grounds on common parcel maintained by Redwood
(c) Freestanding garage buildings for additional resident storage
(d) Model homes and sales offices
(e) Mailbox gazebo

3. Open Space (maintained/owned by Redwood)
(a) 7.8 acres (25% of site, 10% required)
(b) 2.9 acres of formal open space containing walking paths (9% of site, 5% required)
(c) Buffer from adjacent neighborhood, Upper Bellbrook Road and US-35
(d) Greenspace between townhome groups and locations for detention/retention basins

4. Pedestrian/Bike Provisions
(a) Public Street: Sidewalks per City standards
(b) Private streets:
(1) 4’ of one side of street designated as “integrated sidewalk,” using variations in color/materials instead of curbing and treelawns to delineate this space for pedestrians
(2) 4’ wide sidewalk on opposite side of each private street, separated from the private street by a 4’ wide grass strip
(c) Bike path on south side of Upper Bellbrook Road across frontage, per neXtPlan recommendations

5. Development Standards
(a) Townhome buildings and open space to share a common lot
(b) Minimum site perimeter setbacks comparable to or in excess of R-3 standards:
(1) Front (Upper Bellbrook Road and proposed public street): 25’
(2) Side (US-35): 30’
(3) Side (Old Arrowhead neighborhood): 30’
(4) Side (parcel at northeast corner of development): 30’
(5) R-3 front setbacks are 25’, and side setbacks are 6’ for 3-family dwellings and 10’ for 4+ family dwellings
(c) Minimum dwelling floor area:
(1) Not specified, although other Redwood communities in the Dayton metro area range from 1,123 sq. ft. to 1,709 sq. ft. for 2-bedroom units, which significantly exceeds minimum R-3 District standards
(d) Architectural standards
(1) Building Materials:
a. Primary: Brick, stone/cultured stone, and vinyl
b. Secondary: Vinyl trim, vinyl shake accents, aluminum gutters/downspouts, vinyl decorative louvers
c. Roofing: Minimum 30-yr dimensional shingles
d. Vinyl windows/patio doors
(2) Other architectural standards: Utilize City standards

6. Additional items to be submitted before Final PUD Plan approval:
(a) Traffic Impact Study to evaluate whether the proposed development requires improvements to existing streets, particularly West Second Street/Upper Bellbrook Road/South Progress Drive

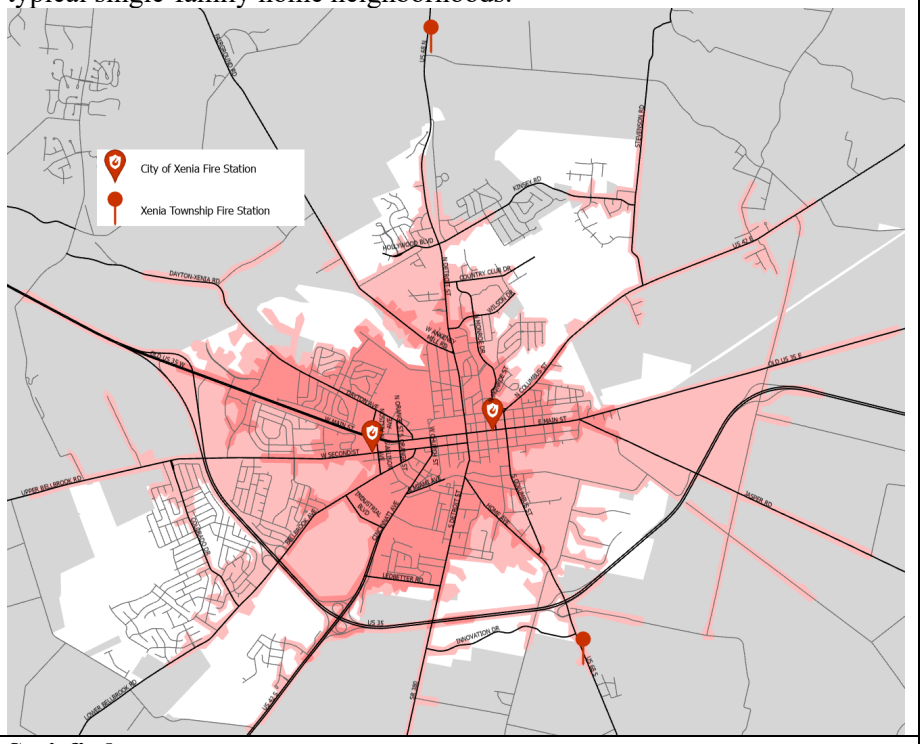
C. Staff Analysis

Staff analyzed this proposed PUD Concept Plan according to the review criteria for PUD Concept Plans and Zoning Map Amendments in Section 1220.04(e)(1) and Section 1222.06(e), as follows:

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.	**Neutral** neXtPlan recommends Regional Business District for the subject property, which recommends primarily commercial uses, but up to 50% of the land bounded by US-35, Upper Bellbrook Road and the Old Arrowhead neighborhood can be residential. The proposed PUD will utilize 88% of this land area as residential, leaving the remaining 12% under current A-1 zoning, and available to be rezoned to a business district in the future. The proposed PUD is consistent with neXtPlan in terms of the mix of potential uses, but not in terms of the land area allocated to each use. The proposed bike path along the south side of Upper Bellbrook Road helps to implement the neXtPlan recommendation for a path that links the existing Progress Drive path to neighborhoods west of US-35.
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 are changing, but the market has not yet caught up. Housing needs and construction costs have changed considerably in recent decades: • 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 per foot of new street or water/sewer line have skyrocketed These trends all point toward a need for smaller and/or more affordable and lower-maintenance housing styles. Higher-density, multi-family formats such as townhomes can satisfy this need because of the relative lack of yard space to maintain and lower construction costs per square foot due to shared walls.
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 proposed PUD could not be achieved under conventional zoning because it proposes multiple principal buildings on one parcel, and the proposed private streets do not meet public street standards. However, the proposed perimeter setback standards and single-story buildings are more restrictive than conventional zoning districts such as R-3, and help to protect the existing Old Arrowhead neighborhood from detrimental impacts. Additionally, the proposed private streets reduce potential impacts on City street maintenance services. Proposed unit floor area will also significantly exceed R-3 District minimums.

Section 1220.04(e)(1) Criteria	Analysis
D. The proposed development will support the purpose of this code as stated in Section 1218.01: Purpose.	**Satisfied** The proposed development will facilitate orderly, efficient and appropriate growth and foster a rational relationship between land uses by placing higher-density housing near a commercial center and community anchors such as the YMCA and Xenia Adult Recreation and Services Center (1218.01(b) and 1218.01(j)). Additionally, the proposed PUD's low building heights and perimeter setbacks will help to preserve the character and quality of adjacent neighborhoods (1218.01(c)). The proposed density, relative to most proposed residential developments in Xenia, will help secure economy in the cost of providing services (1218.01(e)).
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 subject property is largely flat and has been used for agricultural purposes, so there is little "natural" habitat or topography to preserve. Development of townhome buildings will provide some shielding that can help to reduce US-35 noise impacts on homes in the Old Arrowhead neighborhood. Stormwater impacts must be mitigated according to City and Ohio EPA regulations.
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.	**Neutral** 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** The existing neighborhood is within a 5-minute drive time from the City's West Second Street Fire station (see map below). The proposed private streets will minimize the impact on street maintenance services relative to typical single-family home neighborhoods. 
(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** The developer will be required to conduct a traffic impact study and construct any necessary improvements to surrounding public streets to maintain safe and efficient operation. A broader area traffic impact study, the process of being completed for the City, recommends a roundabout at the Upper Bellbrook Road/South Progress Drive/West Second Street intersection. Staff recommends that the developer's study by required to identify the extent of the developer's responsibility for sharing in the cost of this improvement and that the developer be required to dedicate the necessary right-of-way.

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 perimeter setbacks and low building heights will maintain compatibility with the existing Old Arrowhead neighborhood. Other perimeter setbacks will help to buffer the proposed development from surrounding commercial uses and US-35. The sidewalks on the proposed public street will connect the Old Arrowhead neighborhood to the Progress/Hospitality Drive business district.
(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** As stated earlier, the subject property is currently agricultural and relatively flat with little, if any, natural features.
(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** Other than the Land Development Code's prohibition against multiple principal buildings per parcel, and its requirements that private streets meet public street standards, this PUD's proposed Concept Plan and standards are largely in line with applicable code requirements.

D. Staff Recommendation

Based on the preceding analysis, staff recommends that the Planning and Zoning Commission recommend approval of the proposed PUD Concept Plan as submitted. The Concept Plan will be presented to City Council for an ordinance introduction on February 26, 2026, and a vote and public hearing on March 12, 2026. If approved, the revised PUD Concept Plan will go into effect January 10, 2026. Then the applicant will be required to submit the required Traffic Impact Study and a Final Plat/Final PUD Plan (for PZC approval) for each phase prior to construction.

One condition of staff's recommendation is that the developer be required to dedicate necessary right-of-way for improvements to the South Progress Drive/Upper Bellbrook Road/West Second Street intersection identified in the developer's and City's traffic impact studies, and contribute the share of construction costs proportionate to the traffic impact generated by the proposed PUD.

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Introduction:	February 26, 2026, by Mayor Ethan Reynolds
Public Hearing & Vote:	March 12, 2026
Effective Date:	April 11, 2026

Agenda Item: **ORDINANCE 2026 – 10**
CHANGING THE NAME OF THE SOUTHEAST BROOKE LANE TO CONNOR DRIVE IN THE SUMMER BROOKE SECTION 3B SUBDIVISION, ADJACENT TO THE SUMMER BROOKE SOUTH SECTION 4 AND 6B SUBDIVISIONS, IN THE CITY OF XENIA, OHIO

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

Summary: In 1997, the Summer Brooke Subdivision, Section 3B was recorded with a duplicated street name. For unknown reasons, "Brooke Lane" was used to name two disconnected streets in Section 3B; streets that remain disconnected. The recently approved Summer Brooke South Subdivision, Section 6B will link, via Connor Drive, to southeast Brooke Lane, but not the northwest Brooke Lane. No addresses currently use the southeast Brooke Lane. To resolve confusion, the Summer Brooke South Subdivision developer, at the request of the City Planner, has petitioned to rename the southeast Brooke Lane to Connor Drive.

ORC § 723.04 authorizes any person owning a lot in the City to file a petition with City Council to change the name of a street in the immediate vicinity of that lot. In this case, the Summer Brooke South Subdivision developer owns land next to the southeast Brooke Lane. Renaming the southeast Brooke Lane to Connor Drive will leave only one Brooke Lane (the current northwest Brooke Lane). Thus, staff recommends granting the petition as the requested renaming will eliminate confusion and bring the Summer Brooke Subdivision into conformity with the Land Development Code, which prohibits duplication of existing street names in new subdivisions.

Cover Memo Attachments: None.

Budgetary Impact: N/A

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

Recommendation: It is staff's recommendation that Council adopt Ordinance 2026-10, changing the name of the southeast "Brooke Lane" to "Connor Drive" in the Summer Brooke Subdivision, Section 3B, adjacent to the Summer Brooke South Subdivision, Section 4 and Section 6B.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 10

CHANGING THE NAME OF THE SOUTHEAST BROOKE LANE TO CONNOR DRIVE IN THE SUMMER BROOKE SUBDIVISION, SECTION 3B, IN THE CITY OF XENIA, OHIO

WHEREAS, a Petition to change the name of the southeast "Brooke Lane" in the Summer Brooke Subdivision, Section 3B to "Connor Drive" has been filed in accordance with ORC § 723.04;

WHEREAS, notice of the pendency and prayer of the street name change petition has been given as required by ORC § 723.07;

WHEREAS, a public hearing has been held on said Petition, as required by ORC 723.04; and

WHEREAS, this Council is satisfied that there is good cause for such a change and that the change will not be detrimental to the general interests of the City of Xenia or its citizens,

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

Section 1. This Council finds that the Petition for a street name change, attached hereto as Exhibit A, signed by Tracy Burchfield on behalf of the Arnold Development Company, the owner of land in the immediate vicinity of the street whose name is petitioned for change, has been properly presented to this Council, praying that the name of the southeast "Brooke Lane" in the Summer Brooke Subdivision, Section 3B, be changed to "Connor Drive," as shown in the Petition.

Section 2. This Council further finds that there is good cause for such change of name, that it will not be detrimental to the general interest of the City of Xenia or its citizens and ought to be made.

Section 3. It is hereby declared that the southeast "Brooke Lane" in the Summer Brooke Subdivision, Section 3B, is hereby changed to "Connor Drive." The northwest "Brooke Lane" in said Subdivision shall remain unchanged.

Section 4. The City Manager is hereby directed to erect appropriate street signage upon the effective date of this Ordinance or as otherwise appropriate.

Section 5. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Greene County Auditor, the Greene County Engineer, and the Greene County Recorder. Notice shall also be provided to the U.S. Postal Service, as necessary.

Section 6. 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 7. This Ordinance shall take effect April 11, 2026.

Introduced: February 26, 2026
Adopted: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

PETITION TO XENIA CITY COUNCIL

For Changing Name of City Street

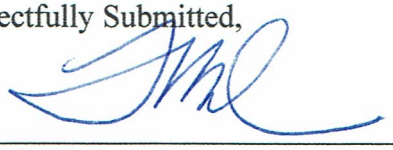
The undersigned, Tammy Burchfield of Arnold Development Company, being the owner of Greene County Parcel Identification Number M40000200280000100, comprising 14.35 acres immediately south of the Summer Brooke Section 3B subdivision and the Summer Brooke South Section 4 subdivision, which Parcel lies within the corporation limits of the City of Xenia and is in the immediate vicinity of Brooke Lane, hereby files this Petition praying that:

The name of the southeastern segment of Brooke Lane in the Summer Brooke South Section 3B subdivision be changed to Connor Drive.

There is good cause for this Petition and the requested action will not be detrimental to the general interests of the City or its citizens for the following reasons:

The southeastern segment of Brooke Lane duplicates the name of another separate existing street in the City of Xenia, in the Summer Brooke and Summer Brooke South subdivisions. Furthermore, the Summer Brooke South Section 6B subdivision, approved by City Council, contains an extension of the southeastern segment of Brooke Lane and names the street Connor Drive.

Respectfully Submitted,



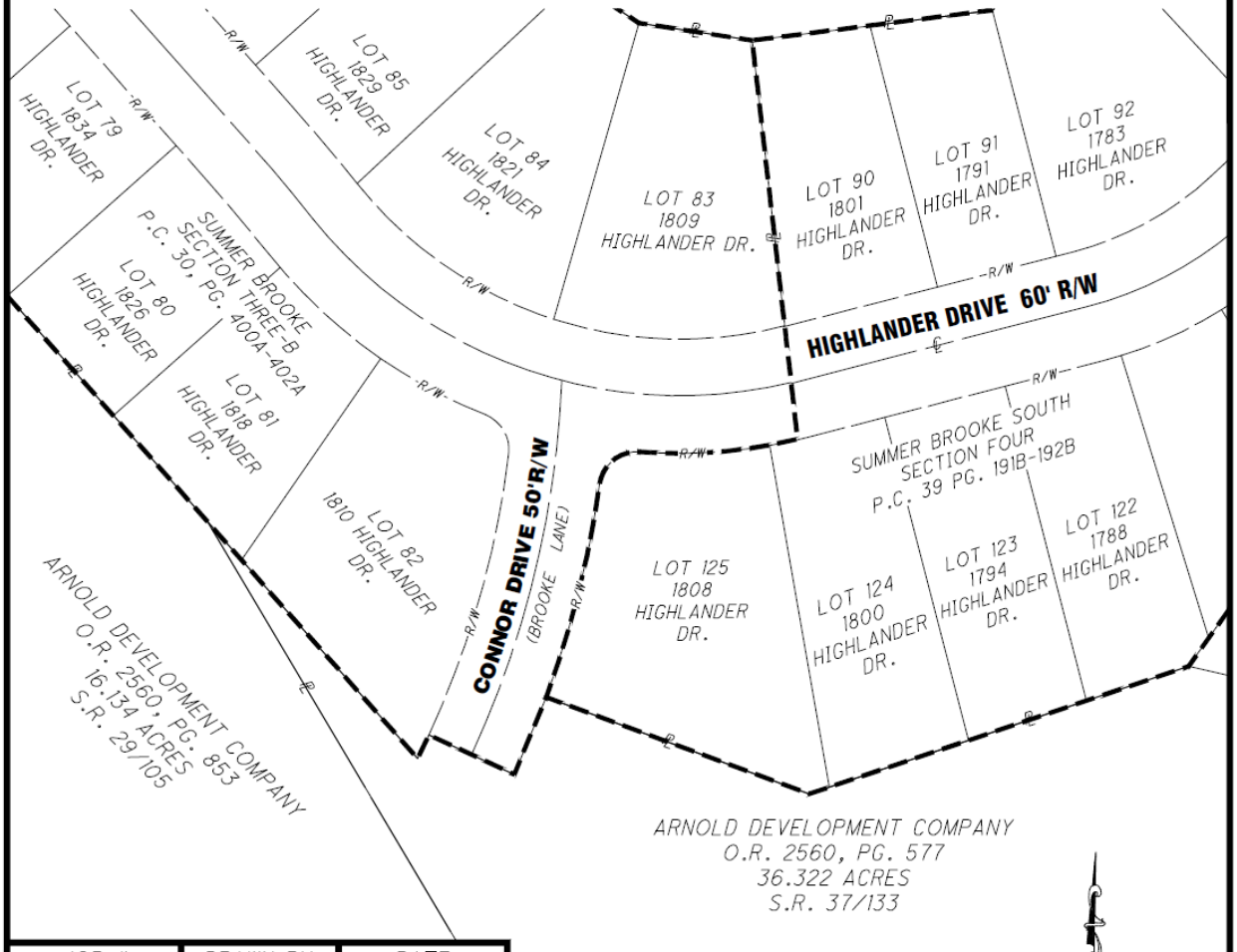
_____

[Name]

Date: 2/1/26

EXHIBIT A

BEING A PROPOSED ROAD NAME CHANGE SITUATE IN MILITARY SURVEY No. 548, CITY OF XENIA, GREENE COUNTY, OHIO



JOB #	DRAWN BY:	DATE
GRE-XEN-2509	RAP	01-28-2026

LEGEND

EX. SUBDIVISION LINE

SCALE: 1"=100'

0 50 100

NOTE:

THE PROPSED ROAD NAME CHANGE CONSISITS OF THE EXISTING BROOKE LANE FROM ITS INTERSECTION WITH HIGHLANDER DRIVE TO WHERE IT TERMINATES IN THE NORTHERLY LINE OF A TRACT CONVEYED TO ARNOLD DEVELOPMENT COMPANY IN OFFICIAL RECORD 2560, PAGE 577.

Choice One Engineering

SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554

www.CHOICEONEENGINEERING.com

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

PZC Public Hearing:	February 11, 2026
Introduction:	February 26, 2026, by Councilman Jesse Rubio
Public Hearing & Vote:	March 12, 2026
Effective Date:	April 11, 2026

Agenda Item: **ORDINANCE 2026 – 11**
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 39 WEAVER STREET FROM P-1 PUBLIC AND INSTITUTIONAL DISTRICT TO B-1 CONVENIENCE BUSINESS DISTRICT

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

Summary: The above subject property is the former Xenia Armory, a State-owned vacant property that served as a meeting, training, recruiting and event facility for the Ohio Army National Guard. The former Armory, built in the 1930s, is visible from North Detroit Street, adjacent to Shawnee Park, and is a prominent historic landmark, (although not part of the National Register of Historic Properties). The Armory property is now for sale, as it is no longer needed for National Guard or other State purposes. The site includes 12 parcels and bids are due April 2026. The property is currently zoned P-1 Public and Institutional District, which fit the former public use of the property. Now that the property is for sale, it is likely that the property will transition to private usage.

City Council initiated this rezoning application by procedural motion at its January 22, 2026, meeting. The goal of the rezoning is to broaden reuse options for the property and ensure that future usage benefits the community and is consistent with the Comprehensive Plan. The former Armory is a highly visible property and adjacent to Xenia's premier public park, so its future usage will have a significant impact on the community. The Planning & Zoning Commission reviewed the proposed rezoning and found it to be consistent with the majority of the Land Development Code's approval criteria for zoning map amendments (§ 1220.03), as summarized below (see attached staff report for a detailed criteria analysis):

- Consistent with Comprehensive Plan (neXtPlan) designation of this area as a "neighborhood business district" and specific plan recommendations to convert this building to recreational, entertainment, restaurant/brewery, or other related uses.
- Responds to imminent sale and likely transition from public to private usage.
- Better aligns with the purpose of the proposed B-1 District than that of the existing P-1 District.
- Unlikely to result in negative environmental or neighborhood impacts and will prevent potential negative impacts from some P-1 uses.

Cover Memo Attachments: Staff report to Planning & Zoning Commission.

Budgetary Impact: N/A

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

Recommendation: The Planning & Zoning Commission held the required public hearing on this application at its meeting on February 11th, and voted to recommend (5-0) that City Council adopt Ordinance 2026-11, approving a zoning map amendment to change the zoning of the approximately 1.3-acre property at 39 Weaver Street from P-1 Public and Institutional District to B-1 Convenience Business District.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 11

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE THE PROPERTY AT 39 WEAVER STREET FROM P-1 PUBLIC AND INSTITUTIONAL DISTRICT TO B-1 CONVENIENCE BUSINESS DISTRICT

WHEREAS, City Council initiated an application, via procedural motion at its January 22, 2026, meeting, to rezone the property at 39 Weaver Street in the City of Xenia from P-1 Public and Institutional District to B-1 Convenience Business District;

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;

WHEREAS, the Xenia Planning & Zoning Commission (PZC), at its February 11, 2026, meeting, held the required public hearing and voted (5-0) to make a recommendation that this Council approve the requested rezoning be approved, in Case PZC2026-02; 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 PZC's recommendation,

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 P-1 Public and Institutional District to B-1 Convenience Business District for the approximately 1.3-acre parcel located at 39 Weaver Street (Greene County Auditor Parcel ID's M40000200040012600, M40000200040012700, M40000200040012800, M40000200040012900, M40000200040013000, M40000200040013100, M40000200040013200, M40000200040013300, M40000200040013400, M40000200040013500, M40000200040013600, and M40000200040013700), 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 3. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

Section 4. 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 5. This Ordinance shall take effect April 11, 2026.

Introduced: February 26, 2026
Adopted: March 12, 2026

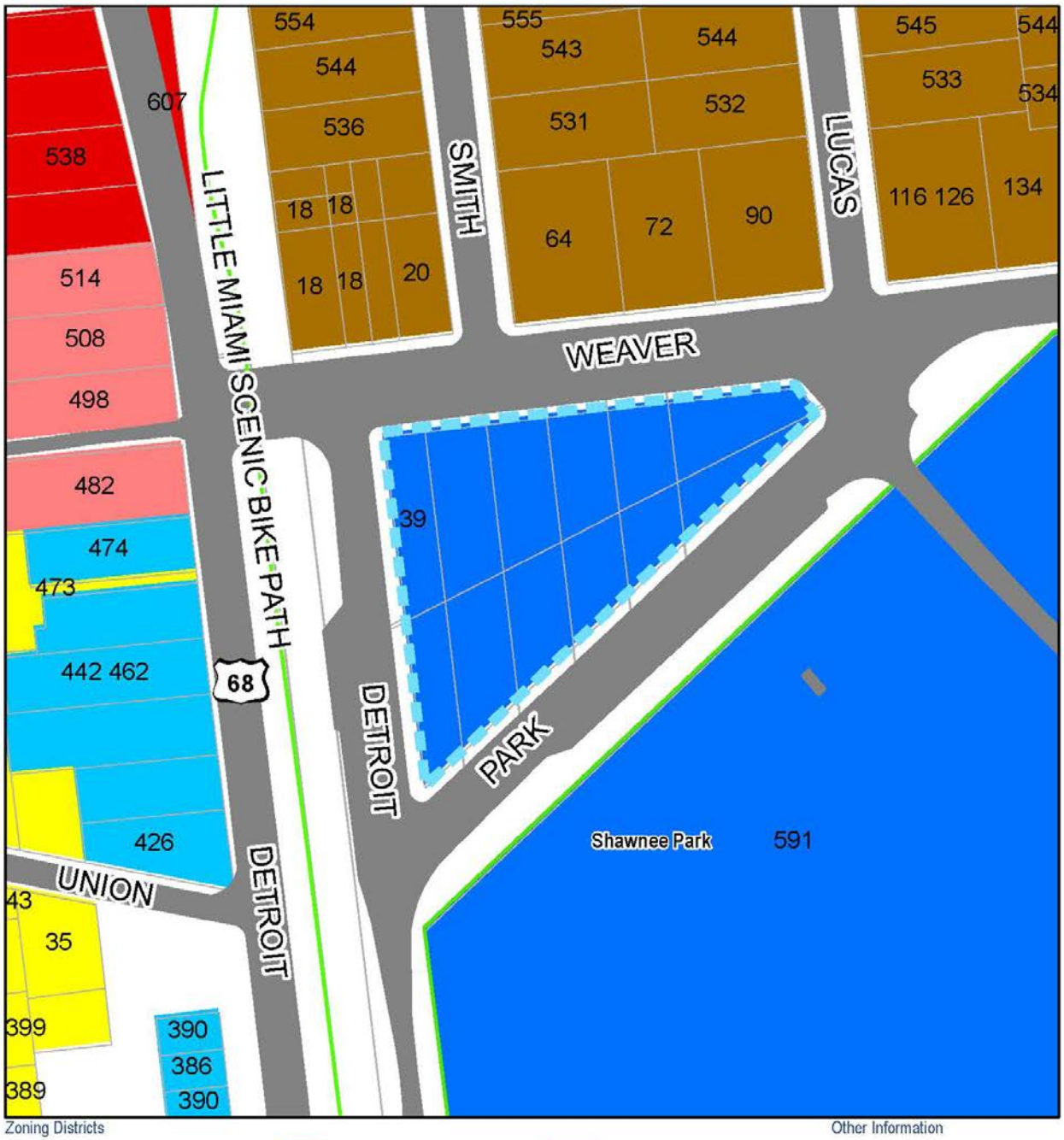
Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

Exhibit A: Area to be Rezoned

Outlined in Light Blue



Zoning Districts

- R-1A One Family Residential (12,500)
- R-1B One Family Residential (10,000)
- R-1C One Family Residential (7,500)
- R-1D One Family Residential (5,000)
- R-2 Two Family Residential
- R-3 Attached Residential
- O-1 Office
- P-1 Public and Institutional
- B-1 Convenience Business
- B-2 Downtown
- B-3 General Business
- I-1 Light Industrial
- I-2 Heavy Industrial
- A-1 Agricultural
- PUD Planned Unit Development
- Properties Outside City or Rights-of-Way

Other Information

- Bike Trails
- City Boundary
- Edge Of Pavement
- Parks
- Historic Districts/Properties

XENIA CITY COUNCIL
AGENDA ITEM REPORT

Meeting Date: March 12, 2026

Agenda Item: First Public Hearing on the Community Development Block Grant (CDBG) Small Cities Program for 2026

Submitted By: Ryan Baker, Community Development Coordinator
Presented By: Brent Merriman, City Manager

Summary: To comply with federal Community Development Block Grant Small Cities Program ("CDBG") citizen participation requirements, grantees such as Xenia must hold one public hearing to cover general aspects of the CDBG Program, and one project application-specific public hearing before the submission of any projects to the State of Ohio for CDBG funding. The second, project application-specific public hearing is scheduled for May 14, 2026, at the regularly scheduled Council Meeting.

In the PY 2026 and PY 2027 grant cycle, Xenia is eligible to receive its biennial allocation grant and is also eligible to apply for competitive grant programs such as Neighborhood Revitalization, Critical Infrastructure, and the CDBG Flexible Grant Program. The public is encouraged to request specific projects at this time or may contact the Development Department with questions or suggestions. There will also be two informational sessions open to the public on March 24, 2026, at 2:00 p.m. and April 9, 2026, at 10:00 a.m., with both sessions being held in Council Chambers. All grant project requests should be submitted to the City by April 17, 2026 by 4:00 p.m.

Estimated due date for applications to the State of Ohio is June 12, 2026.

A brief listing of potential CDBG Programs available to the City of Xenia in 2026/2027:

NON-COMPETITIVE	APPROXIMATE AVAILABLE FUNDS
PY 2026 CDBG Allocation Grant	$164,000
COMPETITIVE	
Neighborhood Revitalization Grant	$750,000
Critical Infrastructure Grant	$500,000
CDBG Flexible Grant (including the former Downtown Revitalization Grant)	$250,000

Agenda Report Attachments: Public Hearing Notice from the Xenia Gazette

Budgetary Impact: (If received)

PY 2026 CDBG Allocation Grant	$164,000
Neighborhood Revitalization Grant	$750,000
Critical Infrastructure Grant	$500,000
CDBG Flexible Grant (including the former Downtown Revitalization Grant)	$250,000

City of Xenia
Notice of Public Hearing #1
To Be Held March 12, 2026, at 6:00 p.m.

The City of Xenia will hold a Community Development Implementation Strategy hearing on Thursday March 12, 2026, in the Xenia City Council Chambers, second floor, 107 E. Main St., Xenia, OH, to discuss funding under the Community Development Block Grant (CDBG) Small Cities Program. There will also be informational sessions March 24, 2026, at 2:00pm and April 9, 2026, at 10:00am in the same location. The federally funded, state administered CDBG program can provide a broad range of planning, community improvement, and housing related activities. These activities must be primarily designed to benefit low- to moderate-income persons, aid in the prevention of slum and blight, or meet an urgent need within the community. These also includes information pertaining to the City's Fair Housing Program. Certain CDBG programs are highlighted below:

- CDBG Allocation Program: The City will be eligible to receive its biennial allocation grant for Plan Year 2026 and is now soliciting project ideas. The PY 2026 Allocation is estimated to be $164,000 and can be used for any eligible activity that meets one of the national objectives.
- CDBG Neighborhood Revitalization: The City may be eligible to apply for up to an estimated $750,000 under this competitive set-aside program. This program allows communities to target development improvements for qualified areas.
- CDBG Flexible Grant Program: The City may be eligible to apply for this competitive set-aside program with maximum award of up to $250,000. This program, which funds projects at varying amounts, provides a means to fund worthwhile projects and activities that do not fit within existing program structures, and to provide supplemental resources to resolve immediate and unforeseen needs. This grant includes the former Downtown Revitalization program.
- CDBG Critical Infrastructure: The City may be eligible to apply for up to an estimated $500,000 under this competitive set-aside program. This program is designed to assist communities with single-component projects with high community-wide impact.
-

This is the first of two public hearings regarding these CDBG programs with the second being held on May 14, 2026 at the same time and location. The first public hearing will provide citizens with pertinent information about these programs: including an explanation of eligible activities, applicable program requirements, and application due dates. The second public hearing will announce project selections for the PY 2026 Grant Cycle. All grant project requests should be submitted to the City by April 17, at 4:00pm. Please contact the City's Community Development Department for further details.

Brent Merriman
City Manager
Publish on or before March 5, 2026.

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:
Presentation & Vote: March 12, 2026
Effective Date: March 12, 2026

Agenda Item: **Resolution 2026 – 014**
AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE WATCHTOWER PROPERTY ADJACENT TO THE GREAT COUNCIL STATE PARK

Submitted By: Chris Berger, Public Service Director
Presented By: Brent Merriman, City Manager

Summary: On August 25, 2022, Council authorized an Extraterritorial Utility Service Agreement (EUSA) with the Ohio Department of Natural Resources (ODNR) to connect to the City's water and sanitary sewer mains along U.S. Route 68 near Old Town. The EUSA was necessary because the new interpretive center at the Great Council State Park is located outside the City's corporation limits. Recently, Public Service Department staff was informed that ODNR plans to expand visitor amenities at the park by constructing a watchtower on the adjacent 13.872-acre property immediately south of the interpretive center, which is also owned by ODNR. Consistent with the 2022 request for utility services for the interpretive center, ODNR is now requesting water and sanitary sewer services for the watchtower. The watchtower will be located approximately 650' west of U.S. Route 68 and will require a 2" water line and a 6" sanitary sewer line.

Per Xenia City Code § 1031.04(c), any nonresidential entity outside the City's corporation limits seeking access to City utilities must first secure Council authorization and enter into an EUSA with the City. Per Xenia City Code Chapter 1031, all extraterritorial utility service customers are required to pay surcharge fees of 50% and must agree to annex the property if the property becomes contiguous to the City, and such annexation is requested by the City. The proposed EUSA with ODNR being presented for Council's approval is the standard EUSA the City uses for all nonresidential customers.

Cover Memo Attachments: Draft Extraterritorial Service Agreement with ODNR.

Budgetary Impact: Additional revenues to Water and Sewer Funds.

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

Recommendation: Pass Resolution 2026-016 to authorize the execution of an EUSA with the Ohio Department of Natural Resources (ODNR) for the provision of water and sanitary sewer service to the new watchtower at the Great Council State Park, subject to the terms and conditions approved by the Law Director.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 014

AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE WATCHTOWER PROPERTY ADJACENT TO THE GREAT COUNCIL STATE PARK

WHEREAS, the Ohio Governor established the Great Council State Park, which was constructed on a site located outside the City of Xenia's corporate limits at 1575 U.S. 68;

WHEREAS, City Council previously authorized, by Resolution 2022-XX, passed on August 25, 2022, an Extraterritorial Utility Service Agreement (EUSA) with the Ohio Department of Natural Resources (ODNR) for the provision of water and sanitary sewer services to the Great Council State Park;

WHEREAS, ODNR is now requesting the provision of water and sanitary sewer services to an adjacent property upon which ODNR is constructing a watchtower as an accessory use to the Great Council State Park,

WHEREAS, Xenia City Code § 1031.03 requires any extraterritorial property owner who cannot annex to the City prior to tap-in to a municipal utility must execute an EUSA with the City prior to the provision of services; and

WHEREAS, per Xenia City Code § 1031.04(c), all requests for EUSAs for nonresidential uses must be approved by City Council, by resolution,

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

Section 1. The City Manager is hereby authorized to execute, on behalf of the City, an Extraterritorial Utility Service Agreement with ODNR for the provision of water and sanitary sewer services to the 13.872-acre property adjacent to, and immediately south of, the Great Council State Park (Greene County Parcel ID M36000100140001900), upon such terms and conditions as are approved by the Law Director.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 3. This Resolution shall become effective upon its passage.

Passed: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

City Of Xenia, Ohio
EXTRATERRITORIAL UTILITY SERVICE AGREEMENT

This Extraterritorial Utility Service Agreement ("Agreement") is entered into by and between the **City of Xenia**, **Ohio**, 107 E. Main Street, Xenia, Ohio 45385 ("City"), as approved by the Xenia City Council by Resolution 2026-014, passed on March 12, 2026, and the **Ohio Department of Natural Resources**, 2045 Morse Road, Fountain Square E-2, Columbus, Ohio 43229 ("ODNR"), herein collectively referred to as "the parties."

RECITALS

I. ODNR has requested the City provide water and sanitary sewer utility services ("the Utilities") to ODNR's property along U.S. Route 68, Xenia, Ohio 45385 (Greene County Parcel ID M3600001001400019000), containing 13.82 acres, more or less, and as shown the map attached hereto as Exhibit A, which lies outside the City's corporate limits (the "Property").

II. The Xenia City Council has determined that the provision of Utilities to the Property meets the purposes of the City's laws regarding the provision of extraterritorial utility service, as set forth in Xenia City Code Section 1031.01.

WITNESS, that for and in consideration of the mutual promises and covenants contained herein, the parties hereby agree as follows:

1. **Infrastructure.** ODNR agrees that it will be solely responsible for the installation and maintenance of all necessary water and sanitary sewer infrastructure, from the City's existing water and sanitary sewer mains to the Property, and all costs associated therewith, including applicable tap-in fees. Once ODNR has installed any necessary water main and/or sanitary sewer infrastructure, in accordance with City standards, the City agrees to provide the Utilities to the Property.

2. **Extraterritorial User Fees.**
   (a) ODNR agrees that the Utilities provided by the City to the Property under this Agreement, as an extraterritorial user, will be charged at a rate at least fifty percent (50%) higher than the normal City rate for such utilities, in accordance with Section 1031.05 of the Xenia City Code (including any future amendments to said Xenia City Code), until the Property is annexed into the City.

   (b) ODNR hereby agrees and acknowledges that the provision of Utilities under this Agreement are subject to the Utility Billing provisions, rules, and regulations of the City and the City may suspend or discontinue the Utilities for any delinquencies in ODNR's payment of the required User Fees.

3. **Application of Xenia City Code.** ODNR hereby agrees and acknowledges that the provision of the Utilities by the City to the Property shall be subject to the provisions of the Streets, Utilities and Public Services Code of the Xenia City Code, especially Chapter 1030 regarding utility billing and Chapter 1031 regarding extraterritorial customers, and any and all rules and regulations promulgated pursuant to the Streets, Utilities and Public Service Code.

4. **Annexation.** As a condition of providing the Utilities under this Agreement, ODNR hereby agrees to petition for annexation of the Property to the City of Xenia at such time as the Property becomes contiguous to the City and such annexation is requested by the City. The Parties agree that ODNR's failure to abide by this condition shall give the City the right, in its sole discretion, to discontinue the Utilities to the Property.

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5. **Existing ODNR Water Distribution and Sanitary Sewer Systems.** As a condition of providing the Utilities under this Agreement, ODNR shall comply with the following terms and conditions:
   (a) Ownership. Beginning at their connection to the City's mains, all current and future water distribution and sanitary sewer collection systems on that Property ("the Systems"), shall remain in the ownership of ODNR and shall not be deemed public infrastructure or be deemed to be owned by the City.

   (b) Laterals. ODNR's Systems and laterals shall only be used for the provision of the Utilities to the Property and ODNR shall not permit or allow any other person or property to tap-in/tie-in to the Systems or laterals at any time without the express, written permission of the City.

   (c) Notification of Breaks or Overflows. ODNR commits to and will notify the City of any breaks or overflows in its Systems or laterals as soon as practical and never later than same day of awareness. The City will provide and maintain an emergency notification procedure and contact list including names, phone numbers, and email addresses of appropriate personnel to be notified.

   (d) Access by City Personnel. ODNR agrees that City personnel will have access to the Property for emergency situations when such access is required in order to ensure compliance with OEPA regulations and/or to limit damage to infrastructure and risk to public safety because of system failures, sabotage, acts of God or other unforeseen circumstances which may compromise the safe and effective functioning of the City's utility systems. The City shall, when possible, provide advance notice of the City's need for access; provided, however, that ODNR has provided the City with a 24/7 emergency contact for such purposes.

6. **Term; Binding Effect; Amendment.**
   (a) Term. This Agreement shall be effective from January 1, 2026, to December 31, 2026, and thereafter shall automatically renew for additional one (1) year terms. Either party may terminate this Agreement upon six (6) months written notice to the other party.

   (b) Continuity of Obligations. Notwithstanding any provision of this Agreement to the contrary, ODNR shall at all times during the term of this Agreement remain liable to City for the faithful performance of all obligations imposed upon it by this Agreement until the obligations have been fully performed or until the City, at the sole discretion of the City Council, has otherwise released ODNR from any or all of the obligations.

   (c) Binding Effect. This Agreement shall inure to the benefit of and be binding upon the assignees and successors in title of ODNR, and upon successor corporate authorities of the City.

   (d) Amendment. This Agreement sets forth all the promises, inducements, agreements, conditions and understandings between the City and ODNR relative to the subject matter of this Agreement, and there are no promises, agreements, conditions, or understandings, either oral or written, express or implied, between them, other than those that are set out in this Agreement. Except as otherwise provided here, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties unless authorized in accordance with law and reduced in writing and signed by them.

7. **Miscellaneous.**
   (a) No Waiver or Relinquishment of Right to Enforce Agreement. Failure of either party to insist upon the strict and prompt performance of the terms, covenants, agreements, and conditions contained in this Agreement imposed upon the party shall not constitute a waiver or relinquishment of that party's right to subsequently enforce the term, covenant, agreement or condition, but the term,

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covenant, agreement or condition shall continue in full force and effect.

(b) Section Headings and Subheadings. All section headings or other headings in this Agreement are for general aid of the reader and shall not limit the plain meaning or application of any of the provisions under the headings whether covered or relevant to such heading or not.

(c) Entire Agreement. This Agreement merges all of the oral negotiations, representations, discussions, and understanding between the parties and their legal counsel, agents, and representatives and contains the entire Agreement of the parties with respect to the subject matter herein. All documents related to this Agreement and/or attached hereto as exhibits or addendums shall be incorporated into this Agreement by reference as if fully set out at length herein.

(d) Governing Law; Severability. This Contract and all rights and obligations of the parties hereunder shall be construed and governed by the laws of the State of Ohio. To the extent that any provision of this Contract is held to be invalid, that provision shall be deemed deleted from this Contract and the remaining provisions shall remain in full force and effect unless the provision deleted renders the remaining provisions meaningless in light of the intention of this Contract.

(e) Authorization to Execute. The officers of the City executing this Agreement warrant that they have been lawfully authorized by the Xenia City Council to execute this Agreement on behalf of the City, and the officers of ODNR executing this Agreement warrant that they have been lawfully authorized by the ODNR Boards of Trustees to execute this Agreement on behalf of ODNR.

(f) Electronic Signatures. This Agreement shall be signed with the use of electronic signatures, which shall be deemed valid and binding upon the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement by and through their duly authorized representatives.

ODNR

By: _____
Glenn Cobb
Chief of Parks and Watercraft

Date: _____

CITY OF XENIA, OHIO

By: _____
Brent W Merriman
City Manager

Date: _____

Approved as to form:

_____
Donnette A. Fisher, Esq.
Director of Law

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XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:
Presentation & Vote: March 12, 2026
Effective Date: March 12, 2026

Agenda Item: **Resolution 2026 – 015**
AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH BEF FOODS, INC., FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE PROPERTY AT 640 BIRCH ROAD

Submitted By: Chris Berger, Public Service Director
Presented By: Brent Merriman, City Manager

Summary: Following the annual industrial user inspection with Public Service Department staff in 2025, the Ohio EPA observed that the BEF Foods, Inc. facility at 640 Birch Road is receiving water and sanitary sewer services from the City without a formal agreement authorizing enforcement of waste discharge compliance under Xenia City Code Chapter 1016. Since the facility lies outside the City's corporation limits, the City lacks jurisdiction to enforce its regulations on a property situated in Xenia Township. Establishing a formal Exterritorial Utility Service Agreement (EUSA) between the City and BEF Foods, Inc. is therefore recommended as an appropriate resolution.

The City has informed the Ohio EPA it will require BEF Foods, Inc. to enter into an EUSA to address regulatory concerns and avoid a future Notice of Violation (NOV) for this issue. The Law Director has prepared the attached EUSA for review and execution by BEF Foods, Inc., which provides for continued water and sewer sanitary services in 2026 with automatic yearly renewal thereafter. Per Xenia City Code § 1031.04(c), any nonresidential entity outside the City's corporation limits seeking access to City utilities must first secure Council authorization and enter into an EUSA with the City. Per Xenia City Code Chapter 1031, all extraterritorial utility service customers are required to pay surcharge fees of 50% and must agree to annex the property if the property becomes contiguous to the City, and such annexation is requested by the City. The proposed EUSA with ODNR being presented for Council's approval is the standard EUSA the City uses for all nonresidential customers.

Cover Memo Attachments: Draft Extraterritorial Service Agreement with BEF Foods, Inc..

Budgetary Impact: None, as BEF Foods is already an extraterritorial customer.

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

Recommendation: Pass Resolution 2026-015 to authorize the execution of an EUSA with BEF Foods, Inc. for the continued provision of water and sanitary sewer service to the property at 640 Birch Road, subject to the terms and conditions as approved by the City Law Director.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 015

AUTHORIZING THE EXECUTION OF AN EXTRATERRITORIAL UTILITY SERVICE AGREEMENT WITH BEF FOODS, INC. FOR THE PROVISION OF WATER AND SANITARY SEWER SERVICES TO THE PROPERTY AT 640 BIRCH ROAD

WHEREAS, BEF Foods Inc. has operated a facility at 640 Birch Road in Xenia Township and has received City water and sanitary sewer services for many years;

WHEREAS, BEF Foods, Inc. was not required to execute an extraterritorial utility service agreement (EUSA) when the City first began providing utilities to its facility, but the Ohio EPA has since required the execution of an EUSA in order to assure the City can enforce its industrial waste regulations;

WHEREAS, Xenia City Code § 1031.03 requires any extraterritorial property owner who cannot annex to the City prior to tap-in to a municipal utility must execute an EUSA with the City prior to the provision of services; and

WHEREAS, per Xenia City Code § 1031.04(c), all requests for EUSAs for nonresidential uses must be approved by City Council, by resolution,

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

Section 1. The City Manager is hereby authorized to execute, on behalf of the City, an Extraterritorial Utility Service Agreement with BEF Foods, Inc. for the continued provision of water and sanitary sewer services to its facility located at 640 Birch Road (Greene County Parcel ID M36000020030000020) upon such terms and conditions as are approved by the Law Director.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 3. This Resolution shall become effective upon its passage.

Passed: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

City Of Xenia, Ohio
EXTRATERRITORIAL UTILITY SERVICE AGREEMENT

This Extraterritorial Utility Service Agreement ("Agreement") is entered into by and between the **City of Xenia**, **Ohio**, an Ohio municipal corporation whose mailing address is 107 E. Main Street, Xenia, Ohio 45385 ("City"), as approved by the Xenia City Council by Resolution 2026-**, passed on ***, 2026, and **BEF Foods, Inc.**, an Ohio for-profit corporation, whose mailing address is 8200 Walton Parkway, New Albany, Ohio 43054 ("BEF"), herein collectively referred to as "the parties."

RECITALS

I. BEF has requested the City provide water and sanitary sewer utility services ("the Utilities") to BEF's property at 640 Birch Road, Xenia, Ohio 45385 (Greene County Parcel ID M36000020030000020), containing 52.95 acres, more or less, and as shown the map attached hereto as Exhibit A, which lies outside the City's corporate limits (the "Property").

II. The Xenia City Council has determined that the provision of Utilities to the Property meets the purposes of the City's laws regarding the provision of extraterritorial utility service, as set forth in Xenia City Code Section 1031.01.

WITNESS, that for and in consideration of the mutual promises and covenants contained herein, the parties hereby agree as follows:

1. **Infrastructure.** BEF agrees that it will be solely responsible for the installation and maintenance of all necessary water and sanitary sewer infrastructure, from the City's existing water and sanitary sewer mains to the Property, and all costs associated therewith, including applicable tap-in fees. Once BEF has installed any necessary water main and/or sanitary sewer infrastructure, in accordance with City standards, the City agrees to provide the Utilities to the Property.

2. **Extraterritorial User Fees.**
   (a) BEF agrees that the Utilities provided by the City to the Property under this Agreement, as an extraterritorial user, will be charged at a rate at least fifty percent (50%) higher than the normal City rate for such utilities, in accordance with Section 1031.05 of the Xenia City Code (including any future amendments to said Xenia City Code), until the Property is annexed into the City.

   (b) BEF hereby agrees and acknowledges that the provision of Utilities under this Agreement are subject to the Utility Billing provisions, rules, and regulations of the City and the City may suspend or discontinue the Utilities for any delinquencies in BEF's payment of the required User Fees.

3. **Application of Xenia City Code.** BEF hereby agrees and acknowledges that the provision of the Utilities by the City to the Property shall be subject to the provisions of the Streets, Utilities and Public Services Code of the Xenia City Code, especially Chapter 1016 regarding discharges into wastewater treatment plants, Chapter 1030 regarding utility billing, and Chapter 1031 regarding extraterritorial customers, and any and all rules and regulations promulgated pursuant to the Streets, Utilities and Public Service Code.

4. **Annexation.** As a condition of providing the Utilities under this Agreement, BEF hereby agrees to petition for annexation of the Property to the City of Xenia at such time as the Property becomes contiguous to the City and such annexation is requested by the City. The Parties agree that BEF's failure to abide by this condition shall give the City the right, in its sole discretion, to discontinue the Utilities to the Property.

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5. **Existing BEF Water Distribution and Sanitary Sewer Systems.** As a condition of providing the Utilities under this Agreement, BEF shall comply with the following terms and conditions:
   (a) Ownership. Beginning at their connection to the City's mains, all current and future water distribution and sanitary sewer collection systems on that Property ("the Systems"), shall remain in the ownership of BEF and shall not be deemed public infrastructure or be deemed to be owned by the City.

   (b) Laterals. BEF's Systems and laterals shall only be used for the provision of the Utilities to the Property and BEF shall not permit or allow any other person or property to tap-in/tie-in to the Systems or laterals at any time without the express, written permission of the City.

   (c) Notification of Breaks or Overflows. BEF commits to and will notify the City of any breaks or overflows in its Systems or laterals as soon as practical and never later than same day of awareness. The City will provide and maintain an emergency notification procedure and contact list including names, phone numbers, and email addresses of appropriate personnel to be notified.

   (d) Access by City Personnel. BEF agrees that City personnel will have access to the Property for emergency situations when such access is required in order to ensure compliance with OEPA regulations and/or to limit damage to infrastructure and risk to public safety because of system failures, sabotage, acts of God or other unforeseen circumstances which may compromise the safe and effective functioning of the City's utility systems. The City shall, when possible, provide advance notice of the City's need for access; provided, however, that BEF has provided the City with a 24/7 emergency contact for such purposes.

6. **Term; Binding Effect; Amendment.**
   (a) Term. This Agreement shall be effective from January 1, 2026, to December 31, 2026, and thereafter shall automatically renew for additional one (1) year terms. Either party may terminate this Agreement upon six (6) months written notice to the other party.

   (b) Continuity of Obligations. Notwithstanding any provision of this Agreement to the contrary, BEF shall at all times during the term of this Agreement remain liable to City for the faithful performance of all obligations imposed upon it by this Agreement until the obligations have been fully performed or until the City, at the sole discretion of the City Council, has otherwise released BEF from any or all of the obligations.

   (c) Binding Effect. This Agreement shall inure to the benefit of and be binding upon the assignees and successors in title of BEF, and upon successor corporate authorities of the City.

   (d) Amendment. This Agreement sets forth all the promises, inducements, agreements, conditions and understandings between the City and BEF relative to the subject matter of this Agreement, and there are no promises, agreements, conditions, or understandings, either oral or written, express or implied, between them, other than those that are set out in this Agreement. Except as otherwise provided here, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties unless authorized in accordance with law and reduced in writing and signed by them.

7. **Miscellaneous.**
   (a) No Waiver or Relinquishment of Right to Enforce Agreement. Failure of either party to insist upon the strict and prompt performance of the terms, covenants, agreements, and conditions contained in this Agreement imposed upon the party shall not constitute a waiver or relinquishment of that party's right to subsequently enforce the term, covenant, agreement or condition, but the term,

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covenant, agreement or condition shall continue in full force and effect.

(b) Section Headings and Subheadings. All section headings or other headings in this Agreement are for general aid of the reader and shall not limit the plain meaning or application of any of the provisions under the headings whether covered or relevant to such heading or not.

(c) Entire Agreement. This Agreement merges all of the oral negotiations, representations, discussions, and understanding between the parties and their legal counsel, agents, and representatives and contains the entire Agreement of the parties with respect to the subject matter herein. All documents related to this Agreement and/or attached hereto as exhibits or addendums shall be incorporated into this Agreement by reference as if fully set out at length herein.

(d) Governing Law; Severability. This Contract and all rights and obligations of the parties hereunder shall be construed and governed by the laws of the State of Ohio. To the extent that any provision of this Contract is held to be invalid, that provision shall be deemed deleted from this Contract and the remaining provisions shall remain in full force and effect unless the provision deleted renders the remaining provisions meaningless in light of the intention of this Contract.

(e) Authorization to Execute. The officers of the City executing this Agreement warrant that they have been lawfully authorized by the Xenia City Council to execute this Agreement on behalf of the City, and the officers of BEF executing this Agreement warrant that they have been lawfully authorized by the BEF Boards of Trustees to execute this Agreement on behalf of BEF.

(f) Electronic Signatures. This Agreement shall be signed with the use of electronic signatures, which shall be deemed valid and binding upon the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement by and through their duly authorized representatives.

BEF FOODS, INC.

By: _____
*****

Date: _____

CITY OF XENIA, OHIO

By: _____
Brent W Merriman, City Manager

Date: _____

Approved as to form:

_____
Donnette A. Fisher, Esq.
Director of Law

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XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:
Presentation & Vote: March 12, 2026
Effective Date: March 12, 2026

Agenda Item: **RESOLUTION 2026 –016**
AWARDING THE BID AND AUTHORIZING EXECUTION OF A CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR THE 2026 SEWER PIPELINE REHABILITATION PROJECT

Submitted By: Chris Berger, Public Service Director
Presented By: Brent Merriman, City Manager

Summary: Every two years, the City allocates $500,000 to slip line sanitary sewers, restoring them at much less cost than full replacement of the lines. Slip lining repairs and seals cracks and joints, reducing groundwater intrusion and illegal connections. For 2026, approximately 5,200' of 8" and 900' of 10" vitrified clay (VC) sewer pipes between W. Ankeney Mill Road and W. Church Street, mainly in rear yards along N. King Street and N. Galloway Street will be slip lined. The Engineer's estimate for the project was $442,280.

On Wednesday, February 18, 2026, the City received two (2) bids from qualified contractors to complete the Project. The results of the bids were as follows:

Contractor	Bid
Insituform Technologies, LLC	$346,505.00
United Survey, Inc.	$359,559.00

As Insituform Technologies, LLC has successfully performed on previous years' sewer lining contracts, and because it submitted the lowest and best bid, City staff supports an award of the bid to this firm.

Cover Memo Attachment(s): Bid Summary dated 02/18/26

Budgetary Impact:

Account	Amount
665-1332-55599-100007	$346,505.00

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

Recommendation: Pass Resolution 2026-016 to award the bid to and authorize the execution of a contract with Insituform Technologies, LLC for the 2026 Sewer Pipeline Rehabilitation Project.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 016

AWARDING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR THE 2026 SEWER PIPELINE REHABILITATION PROJECT

WHEREAS, in anticipation of the significant public improvements to be made along N. King Street between W. Ankeney Mill Road and W. Church Street over the next two (2) years, the City intends to rehabilitate sanitary sewers within that N. King Street corridor;

WHEREAS, bids for the 2026 Sewer Pipeline Rehabilitation Project ("Project") were opened on February 18, 2026, in accordance with the Notice to Bidders;

WHEREAS, it is determined by Council that the bid from Insituform Technologies, LLC is the lowest and best; and

WHEREAS, this Council has authorized this Project and the expenditure of funds for said contract through the appropriation of funds in the City's operating budget,

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

Section 1. It is hereby determined by Council that the total Bid submitted by Insituform Technologies, LLC is the lowest and best bid submitted for the 2026 Sewer Pipeline Rehabilitation Project.

Section 2. The contract for the 2026 Sewer Pipeline Rehabilitation Project is hereby awarded to Insituform Technologies, LLC (Entity #1021775), 580 Goddard Avenue, Chesterfield, Missouri, 63005, in the total amount of Three Hundred Forty-Six Thousand Five Hundred Five Dollars ($346,505), in accordance with the Notice to Bidders, Instructions to Bidders, General Conditions, Specifications, Drawings/Plans, Wage Rates, and other documents contained in the bid packet upon which the bid was received.

Section 3. The City Manager is hereby authorized to execute, on behalf of the City, a contract with Insituform Technologies, LLC for said Project, in accordance with the Notice to Bidders, Instructions to Bidders, General Conditions, Specifications, Drawing/Plans, Wage Rates, and other documents contained in the bid packet upon which the bid was received. The costs of the contract shall be paid out of the funds appropriated for it in the City's operating budget.

Section 4. It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 5. This Resolution shall become effective immediately upon its passage.

Passed: March 12, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

2026 SEWER PIPELINE REHABILITATION PROJECT (N. KING ST. AREA) Bid Opening 2-18-26								
					United Survey		Insituform	
Item	ODOT#	Description	QTY	Units	Unit Price	Total	Unit Price	Total
1	201	REMOVAL OF 22" MANHOLE CASTING AND LID	5	EA	$ 1,000.00	$ 5,000.00	$ 1,055.00	$ 5,275.00
2		COMPLETE INSTALLATION OF 24" MANHOLE CASTING AND LID, PER STD. DWG. 202	5	EA	$ 1,750.00	$ 8,750.00	$ 2,222.00	$ 11,110.00
3		10” CURED-IN-PLACE (CIPP), 6mm DESIGN THICKNESS	871	LF	$ 45.00	$ 39,195.00	$ 50.00	$ 43,550.00
4		CLEAN 10” SANITARY SEWER MAIN	871	LF	$ 8.00	$ 6,968.00	$ 4.00	$ 3,484.00
5		CAMERA 10” SANITARY SEWER MAIN	871	LF	$ 2.00	$ 1,742.00	$ 4.00	$ 3,484.00
6		8” CURED-IN-PLACE (CIPP), 6mm DESIGN THICKNESS	5,166	LF	$ 34.00	$ 175,644.00	$ 31.00	$ 160,146.00
7		CLEAN 8” SANITARY SEWER MAIN	5,166	LF	$ 8.00	$ 41,328.00	$ 4.00	$ 20,664.00
8		CAMERA 8” SANITARY SEWER MAIN	5,166	LF	$ 2.00	$ 10,332.00	$ 4.00	$ 20,664.00
9		8” DIAMETER POINT REPAIR LINER (2’-4’ SEGMENT)	2	EA	$ 4,250.00	$ 8,500.00	$ 5,555.00	$ 11,110.00
10		REINSTATE MISMARKED SANITARY TAP	3	EA	$ 450.00	$ 1,350.00	$ 61.00	$ 183.00
11		MANHOLE LINING (CEMENTITIOUS)	50	LF	$ 345.00	$ 17,250.00	$ 522.00	$ 26,100.00
12		BYPASS PUMPING	1	LUMP	$ 3,500.00	$ 3,500.00	$ 4,835.00	$ 4,835.00
13	614	TRAFFIC CONTROL	1	LUMP	$ 15,000.00	$ 15,000.00	$ 30,000.00	$ 30,000.00
14	624	MOBILIZATION	1	LUMP	$ 25,000.00	$ 25,000.00	$ 5,900.00	$ 5,900.00
		TOTAL				**$ 359,559.00**		**$ 346,505.00**