XENIA CITY COUNCIL
MEETING AGENDA
NOVEMBER 24, 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** — Robin Robbins, Hope Rising/MAX

(1) PLEDGE OF ALLEGIANCE — Councilwoman Faith Sorice

(2) CALL TO ORDER — 5:00 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 — November 12, 2026 Regular Meeting

(5) SPECIAL PRESENTATION(S) — None

(6) AUDIENCE COMMENTS — The public may also submit comments and/or questions for Council consideration by emailing the City Clerk's Office at xeniacityclerk@cityofxenia.org by 2 p.m. on 11/24/2026.

(7) OLD BUSINESS — None

(8) NEW BUSINESS

A. ORDINANCE 2026-42 (Introduction) — AMENDING SECTIONS 1220.09(b), 1226.01(b)(3), 1228.02, 1228.03(a), AND 1228.04 OF THE CITY OF XENIA LAND DEVELOPMENT CODE *(City Manager)*

B. RESOLUTION 2026-062 — ACCEPTING THE ANNEXATION OF 55.5843+/- ACRES OF LAND IN BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP, LOCATED SOUTH OF UPPER BELLBROOK ROAD, TO THE CITY OF XENIA, OHIO (MANNARINO WEST ANNEXATION) *(City Manager)*

C. RESOLUTION 2026-063 — AUTHORIZING ACCEPTANCE OF THE FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT AND THE STATE VICTIMS' ASSISTANCE ACT (SVAA) GRANT FOR 2027 *(Law Director)*

D. RESOLUTION 2026-064 — AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE LEASE WITH KEYBANK NATIONAL ASSOCIATION TO ESTABLISH FAIR MARKET RENT UNDER THE LEASE FOR THE NEXT SUCCESSIVE TEN-YEAR PERIOD (APRIL 1, 2028, TO MARCH 31, 2038) *(Finance Director)*

E. <u>RESOLUTION 2026-065</u> AUTHORIZING THE PURCHASE OF A MOTOROLA SOLUTIONS COMMANDCENTRAL AXS CONSOLE PLATFORM FOR THE EMERGENCY COMMUNICATIONS DIVISION PURSUANT TO OHIO REVISED CODE SECTION 125.04(C) *(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
NOVEMBER 12, 2026

SPECIAL SESSION

(1) CALL TO ORDER: President Smith called the Special Session to order at 5:00 p.m. at the City Administration Building, 107 E. Main Street, Xenia.

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

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

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

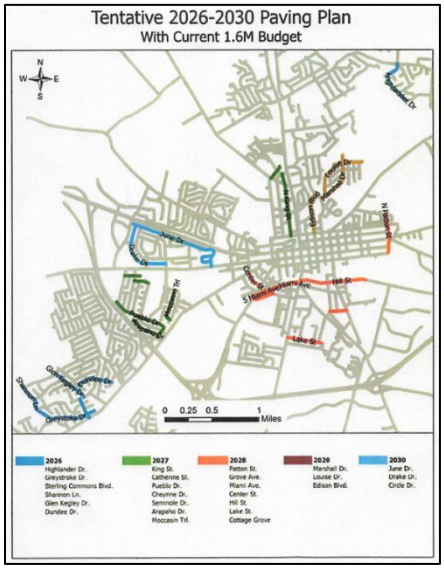
Staff Present: City Manager Brent Merriman, Assistant City Manager Eric Henry, Finance Director Ryan Duke, Law Director Donnette Fisher, Public Service Director Chris Berger, and City Clerk Amy Brown.

(3) DISCUSSION:

2027 Operating Budget and Capital Improvement Plan Review: Mr. Merriman stated they would be discussing a high-level review of some key and prominent projects lending to some decision points regarding the Capital Improvement Plan (CIP) moving forward to 2027 and beyond. The implications were significant and the portion of the CIP relating to transportation outlined a number of projects, some of which Council was already aware of due to them being grant-funded projects, multi-years in the planning. Staff was trying to be responsive to feedback from Council in terms of continuing to recommend prioritizing thoroughfares and that general traffic flow was in good condition. Also, concerns had been discussed about the feeder streets into the neighborhoods, as well as the neighborhood streets themselves. The deeper they got into the smaller roads, particularly in the older neighborhoods, the greater the utility refurbishment need would be. There was some difficult conversation between staff and Council about the need for water rate increases and Council did not love it; but, tentatively, staff wanted to apply that additional utility refurbishment capacity, and pair it with the street program. Staff wanted to come up with something that would be more comprehensive, and what would practically and politically receive attention for what could be accomplished when things were properly funded.

Mr. Merriman distributed a handout showing the tentative 2026-2030 paving plan. He noted this plan was based on discussions last year, and Council more or less adopted this approach in terms of the specific roads and neighborhoods where street paving would occur. This was estimated and based on current cash flow, and this plan could be accomplished over the five-year period. He recommended essentially following this plan with some modifications to accommodate additional

water and storm work in some of these neighborhoods. In 2027, they would continue the plan to pave all of King Street, Catherine Street, W. Harbine Avenue, Pueblo Drive, Seminole Drive, Arapaho Drive, and Moccasin Trail. In 2028, the plan would continue with Patton Street, Grove Avenue, Miami Avenue, Center Street, Hill Street, Lake Street, and Cottage Grove. However, staff would look at making some modifications in 2029 with a pause on the street paving. With the proposed water rate increase that had been previously discussed, that would facilitate an infusion of resources and would allow staff to do a comprehensive replacement of the existing bad water mains in these historic neighborhoods. In 2030, as part of this original plan, June Drive, Drake Drive, and Circle Drive were all listed, and were in the area that happened to have the highest concentration of water main breaks in the City. He suggested in terms of the large project infrastructure, to start work on the water and storm sewer in 2028 and dig those roads up to replace water main and storm where needed, and then pave those three roads in 2029, which would move them up from 2030. They could do the entire neighborhood over the ensuing four years by doing storm sewer where needed, which much of that was concrete. There would be a comprehensive water main replacement, and they would do as much concrete as they could afford. Again, this plan would be maintained, other than the streets in 2030 would be done in 2029, and in the ensuing years outside of the five-year CIP, staff would continue to focus on the entire neighborhood. There would be more value because when a concentrated area was done, the asphalt mobilization fee tended to be less since they only had to mobilize in one spot.



Mr. Merriman stated staff evaluated cost-effective ways to complete the water main replacement. Traditionally, a better value could be had by looking at third party contractors, but staff looked at the costs of developing that capacity in-house. Staff looked at the costs of hiring additional staff, obtaining additional equipment, and the costs of materials in comparison to what the costs had been for King Street and Sheelin Road, for instance. There had been significant increases in the water portion of the cost for those two projects over historic norms. Based on what could be expected, staff felt there was a substantial savings if they shifted to an in-house approach. He suggested staff would go through a process toward the end of 2027 to identify the best people for this task and form a team that would be charged with exclusively doing water projects and water distribution infrastructure. Those positions would be backfilled, so there would be a net increase in staffing along with some additional necessary equipment costs. Then, in 2028, they would start doing the utility infrastructure on June Drive, Circle Drive, and Drake Circle over the course of the summer in anticipation of paving those streets in 2029. In 2029, that crew would begin on the next section of the neighborhood, and they would do four, five, or six streets a year over the next four years to complete the whole neighborhood. Typically, they could contract that work out and get better rates, but that had not been the case recently. The escalating costs with this type of utility work was alarming, and staff had run the numbers so they thought there was some value at looking at an in-house approach.

Mr. Duke noted staff was surprised at where the rates came back on King Street, because it was $400,000 more than what had been projected and budgeted for, and there had been a similar dynamic on Country Club Drive. Staff did a test run on Sheelin Road in that staff actually did all the water and storm sewer work on Sheelin a couple years ago. It went well, but it did take longer since they were not specifically focused on that project, and it took them a year to do that portion. Staff discussed employing a similar tactic and had conversations about what a crew would look like, what kind of equipment would be needed, and storage needs for that equipment. When they incorporated all of those costs, and what that crew could accomplish in a year, there was about a 35% savings over contracting the work out based on what the costs had been per linear foot on current projects. He could not say why there was such a significant difference between what staff was projecting and what the contractors had been submitting on their bids. It could be their profit margin or other overhead costs these contractors had. Since they had been through the process on Sheelin, they had a good idea of what that crew needed to look like as well as the costs of material per foot, so he was confident in the numbers. Mr. Merriman noted 8% was probably the contractor's profit margin, but most of these firms would not do all the work, so they would sub some of the work out. There would be a profit margin for the sub plus a management fee for the primary contractor. Staff had spent hours evaluating this, and they did not want to bring it to Council unless there was a reasonable degree of confidence this would be more value to the taxpayers. Honestly, this plan would put more work on staff since it meant more oversight and project management internally. But, this approach also meant a construction inspector would not have to babysit a project site since the project would be done in-house. Also, if this crew was going to be paid through water rate increases, they would be dedicated to that purpose. But if there was an emergency, like a snowstorm, there would be a deeper crew in Public Service to be able to respond to events. But, for the months of March through October or November, this crew would be dedicated to finishing these water projects. Staff estimated that if they went neighborhood to neighborhood fixing everything, that was 15 to 20 years' worth of work. This was not the only way to do this, and staff could look at contractual services to do the utilities portion, but he was not sure they could do it as aggressively and in the established timeframe. They would get more bang for their buck per year in terms of linear footage that could be replaced versus a contractual method on the numbers staff had seen.

Mr. Merriman stated this plan would concentrate in one neighborhood to focus on comprehensively updating the infrastructure. Mr. Duke concurred, and said it was a slightly different approach by moving up June Drive, Drake Drive, and Circle Drive to 2029. Mr. Merriman said a map that he had previously distributed to Council showed a tremendous concentration of water main breaks in this area, which was why it paired nicely with what was already in this street paving plan. If they were going to concentrate additional resources on water, they needed to go where the problems were the worst, which was probably the Laynewood neighborhoods based on the volume of main breaks. Councilman Rubio asked if these streets were set. Mr. Merriman replied they were set in that this was the approach that last year's Council informally adopted and incorporated it into the five-year CIP. Councilman Rubio noted Cornwall Drive was horrible, but a lot of the streets were. Mr. Merriman said he had a conversation with Mayor Reynolds about Cornwall, and once they did Cornwall, there would be another Cornwall. At the end of the day, staff could go in the direction that Council wanted, but they were limited by the amount of money for street dollars. Then, it needed to make linear sense in terms of aligning the utility work with the street program. Mayor Reynolds stated he liked the idea of focusing on Laynewood. He asked

how much it would cost to do Cornwall. Mr. Berger had no idea, but it was a long street, so it would eat up a lot of money. Vice President Crawford said based on today's conversation, looking at this plan in the CIP, they had $4 million scheduled all the way out to 2031 per year starting in 2027. He asked if there was some kind of stabilization fund because they would be doing less and less each year as costs rose. Mr. Duke replied some of that was assumed because a lot of those dollars were grant funds. Mr. Merriman said they would not have that much cash on hand. Mr. Duke noted a lot of those grants were through the Ohio Department of Transportation (ODOT), and ODOT did have an inflationary factor. Councilman Rubio said staff ran the bid numbers, and he asked what the average cost per linear foot was. Mr. Duke said he did not have that, but he could get that number. Councilman Rubio said he would like that. It sounded like staff had factored in equipment, and he asked if the City already had that equipment. Mr. Merriman said no, that was why they needed 2027 to ramp up. Staff had discussed that this would be a special assignment with this crew, and they would not just put anyone there that wanted to do it. There would be some kind of selection process and some modifications would have to be made to the Collective Bargaining Agreement (CBA), which was up for renewal next year. Also, to maximize efficiency, this crew would work four 10-hour days. Councilman Rubio said the costs would have to come under the average of the linear foot cost, including pay and benefits. Mr. Merriman said pay, benefits, additional fleet, equipment, materials, and additional storage were all factored in. Councilman Rubio asked if the average linear foot included materials. Mr. Duke said yes, a fixed cost per year was based on labor and equipment. He assumed they would have to debt service some of that equipment because some of it was expensive. There were items that would be static year to year, but there would be variable costs, such as the linear feet each year, and he had numbers that he could provide to Council to show the details of what they were projecting in-house as well as from the private contractors for comparison.

Mr. Merriman said they could assume there would be a certain number of linear feet they could accomplish in the first year or two. As that crew became more proficient, their productivity should increase over years three, four, and five. He noted the entire Laynewood neighborhood could have new storm sewer, water main, roadway, and as much curb and gutter as they could afford by the end of 2032. Councilman Rubio asked what the lead time was on materials, and if they would have those on hand. Mr. Berger did not think they would carry all that inventory, and with the water main, they would need extra storage facilities. He did not see a backlog as far as materials, but equipment like dump trucks had been harder to obtain. Mr. Merriman concurred, and said what used to be six to eight months to get some of the larger fleet, now took 12 to 18 months. Councilman Rubio asked if leasing was better than buying. Mr. Duke said no, and staff had kind of abandoned the leasing strategy. In the end, it was more beneficial for the City to own that equipment, especially since a lot of the equipment was being used for many years.

Vice President Crawford said since this crew would be union employees, he asked if they would bid on these positions based on seniority. Mr. Merriman said no, they would go through some type of process to identify the best people, and they would have to want to do it. This specific issue was not addressed in the CBA, but he thought this would be considered as a special assignment. Mr. Merriman said because there was a CBA, working an atypical schedule would have to be factored in. Working four 10-hour days would be in the best interest to minimize the impact to the public, while maximizing efficiency. There would have to be some adjustments made to the CBA, and they typically would start negotiations next September. If Council wanted to move forward

with this plan, staff might move the negotiations up to have it done before the 2028 season. Staff tried to systematically go through all the needs and pitfalls, because they understood the gravity of this recommendation. In order to fix these roads as quickly as possible, he thought this was the best way to go into an area and have a comprehensive restoration of that area. If over the next few years, they could demonstrate to the public what could be done with proper resources and systematically change the face of a whole neighborhood, he was hopeful that would change the sentiment of the community about funding.

President Smith asked if this crew would have to be paid more money than what they were making now. Mr. Merriman did not know; it might be something they had to have a conversation about. President Smith said there was a benefit to working four days instead of five. He liked the idea of having more people to plow roads, and he asked if there were trucks to accommodate those drivers. Mr. Merriman said this plan would add both people and equipment. Whether it was plowing streets or responding to a storm, they were limited right now just by the people they had on payroll. This crew would not be used outside of the water work, unless it was an emergency, like a snow emergency. Mr. Merriman said they talked about that increase in water rates, and it could be applied two ways: they could pay contractors, or they could go this in-house route. There would probably be a 25-30% productive value in-house versus a contactor based on what staff had seen with the last couple of big projects. Councilman Mackiewicz asked what the top risk would be. Mr. Merriman thought that finding the labor force and maintaining it was his biggest concern. He also thought materials would be available, but hoped their estimations on escalating costs were good. Mr. Berger added the variability in prices for materials were kind of an unknown. Councilman Mackiewicz pointed out that would be the same for a contractor. He stated he was generally in favor of this; the more they could stretch their dollar was a good thing. Vice President Crawford asked if they could contractually hire an outside firm if needed. Mr. Merriman concurred, and said they retained that right if they wanted to do another project through a contractual resource. He noted they would also have to address after hours water main breaks in the CBA since this group would be the most proficient in dealing with water main issues. Councilman Rubio asked how many guys would be on this crew. Mr. Duke replied seven, which would include two equipment operators and five maintenance workers. There was a brief discussion concerning the schedules, after hours calls, and overtime, which would have to be addressed in the CBA.

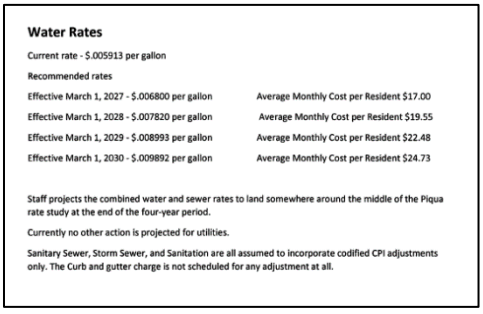
Mayor Reynolds pointed out three precincts covered that area, and the last levy was lost by 78 votes. Over 60% of the vote was concentrated in these three precincts, and if they invested in this area, these voters might show up favorably if a future levy was requested. Mr. Merriman noted they could go anywhere in the City where roads needed to be done. In this area, there was a concentration of water main issues, so there was utility justification, but it was also an area where this pilot program could be done in a reasonable amount of time with the ability to demonstrate what could be done. It would have a transformative effect on the entire neighborhood aesthetically, as well as through property values. He admitted this was an extraordinarily consequential decision, because it was setting a trajectory for the future of the street program, and would require the water rate increase they talked about. Staff was trying to find as creative a solution as possible to expand the mileage they could get in terms of infrastructure replacement. He reiterated staff had a lot of discussion, and he could not say it was foolproof because there was risk with every decision made. Out of everything staff had evaluated, this was a means to get more value, both practically and

aesthetically. Vice President Crawford asked if they were being conservative with the 30% savings number. Mr. Duke said 35% was really where they landed as far as the cost savings. They were being conservative, but they also built in increases into all the material costs, as well as estimations for employees having family insurance instead of just single insurance. President Smith noted everyone in public service would have to buy into this and be productive. Mr. Merriman said that was a great point, and it could be something they reiterated as they negotiated with the union. If Council was willing to take this risk, staff had to do their part to have a productive result. Mayor Reynolds asked how many guys were in Public Service at the garage. Mr. Berger said just at the garage, there were 30. Mr. Merriman said they would look through the entire staff to determine who had the best work ethic, skill set, and motivation to get a good crew that worked efficiently. Mayor Reynolds stated he was okay with this plan, and Councilwoman Huffman agreed. Mr. Merriman understood this was a weighty political and financial decision, and noted it was a departure from what they had been doing. Vice President Crawford said this plan was well thought out and well planned. Mr. Merriman appreciated that, and thought this would also have good political and aesthetic value, as well as financial value for that neighborhood. He did not need a decision tonight, but he just needed to start the conversation. Mayor Reynolds thought this was the right way to go. They had to earn people's trust back if they were ever going to have a hope of passing a levy that could provide additional road money. Mr. Merriman said as staff became more proficient with the utility work, the limiting factor would be how much pavement they could pave the following year. Also, they probably would not be able to do all the concrete work in this neighborhood that was needed because through early estimations, almost every driveway apron would need to be repaved. There were also dozens of ADA ramps that needed updating, and had not been updated since they were originally installed.

Mr. Merriman said another big hot-button issue concerned playgrounds. Public Service staff and City Planner Brian Forschner had gone out with the City's insurance company, PEP, and they did a park-by-park assessment of all of the park playground equipment, and the results were not good. Essentially, an insurance company would always take a cautious risk management approach, so they would point out flaws to minimize risks to safety. However, they found that there was playground equipment at six parks that needed to be eliminated immediately, with the worst being Ridgebury and Lexington Parks. There were holes in slides, uncovered rusted metal material, failing joints, and a range of obvious safety issues. Councilwoman Huffman asked if they would no longer insure the equipment. Mr. Merriman said they were not saying that now, but if there were issues, the City's premiums would go through the roof. They did not say they would not insure it, but if there were reports that were now part of the public record that stated the problems, and someone got hurt and the City was sued, that would be Exhibit A. There had been a lot of conversation among staff and Council about improving amenities in parks, so staff recommended replacing equipment at five of the six parks by borrowing the money and paying a debt service annually. Mayor Reynolds asked if that would be about $2 million. Mr. Duke replied it would be around $500,000 per park, which came to about $2.5 million. Mr. Merriman did not know if they made one large purchase, if that would bring some of the unit pricing down. Staff did not want to get that far into it until they received a blessing from Council. Councilman Mackiewicz asked which parks would receive the replacement equipment. Mr. Merriman said there would be equipment removal at six locations, and a replacement of equipment at five locations. They were looking at Lexington, West Side, Franklin, Ridgebury, Sterling Green, and Beverly Hills Parks. Staff recommended not replacing the equipment at Franklin since Cox Elementary was a half a

block away with newer equipment, and West Side Park was two blocks in the other direction. He added he did not have a recommendation of what could be backfilled at Franklin Park once that equipment was removed. Vice President Crawford asked if they had an idea of how many utilized that park. Mr. Merriman said they could probably find that out. Mayor Reynolds stated people had previously commented online about no one ever going to Franklin Park, and he never saw anyone there because they were all at the school. Councilman Mackiewicz asked how long the term would be for the debt service. Mr. Merriman replied ten years, and noted they already had the replacement of equipment in two parks in the prior CIP for 2027 and 2028. He added Council had been receiving complaints about Sterling Green and Lexington Parks, and when the insurance company identified this equipment as being a safety liability, that was not something they could ignore. He did not know the lead time for obtaining this amount of equipment, but the existing equipment would probably remain in place for much of next season, with removal toward the end of next season. Then, installation could begin during the colder weather months. He estimated it would be at least a 12-month cycle to get this done, with much of it happening concurrently. Mayor Reynolds asked if there would be any sensory park equipment. Mr. Merriman said yes, they would be sensitive to being handicapped accessible. President Smith asked if this could be installed in-house by staff. Mr. Merriman said typically, to minimize the risk issues for these companies, part of the contract was that they install the equipment so it would be installed correctly. He noted the equipment at West Side and Lexington Parks were old sets from Xenia Community Schools, and during the assessment, staff learned that equipment should never be moved because of the stress on the joints and they could not be reset properly. Mayor Reynolds said he was good with approving this. Councilman Mackiewicz said for new families, which was the best demographic to bring into the City, it was a big advertisement for subdivisions in the City. Mr. Merriman agreed, and said it was a very visible investment for families. President Smith stated there were a lot of competent local construction companies, and he asked if one of them could build playground equipment. Mr. Merriman said staff could explore that. Councilman Rubio said they might not insure it. President Smith said the playground in Beavercreek, Owen's Place, was locally done. Mr. Merriman said most of these were fairly large regional or national firms, and they had teams to fabricate and install the equipment because for any kind of warranty, they wanted to know the installation was done correctly. Mr. Berger said this was a specialized area, and those companies had the expertise and knowledge. Councilman Rubio asked if they would all be the same models. Mr. Merriman said no, but he thought that was to be determined. Staff was looking at having some character in the different parks, and they could do some outreach in those specific neighborhoods. He stated he was hearing some tentative support from Council. Mayor Reynolds said he was cool with it, and the other Councilmembers agreed. Mr. Merriman said staff was cognizant of any time they were borrowing money, but they felt like this was an urgent need that could not be neglected.

Mr. Duke distributed a handout showing the water rates and the recommended changes from staff in 2027, 2028, 2029, 2030, effective March 1st. This showed the average cost to the resident per month for the water portion, and showed the price per gallon with staff's recommendations in each of those years. This change would put the City somewhere in the middle of a survey that Piqua compiled from a water and sewer rate combination, as far as cost. Staff was not projecting any other items that would need



Water Rates

Current rate - $.005913 per gallon

Recommended rates

Effective March 1, 2027 - $.006800 per gallon	Average Monthly Cost per Resident $17.00
Effective March 1, 2028 - $.007820 per gallon	Average Monthly Cost per Resident $19.55
Effective March 1, 2029 - $.008993 per gallon	Average Monthly Cost per Resident $22.48
Effective March 1, 2030 - $.009892 per gallon	Average Monthly Cost per Resident $24.73

Staff projects the combined water and sewer rates to land somewhere around the middle of the Piqua rate study at the end of the four-year period.

Currently no other action is projected for utilities.

Sanitary Sewer, Storm Sewer, and Sanitation are all assumed to incorporate codified CPI adjustments only. The Curb and gutter charge is not scheduled for any adjustment at all.

to come back to Council in the near future. Obviously, if there was some catastrophic issue with the water system, sewer system, or storm sewer, anything could change. But what was in the projections now was just this water increase, assuming no other changes than what was codified as far as Consumer Price Index (CPI) adjustments for storm, sanitary sewer, and sanitation. Vice President Crawford asked what these increases would get the City. Mr. Duke said it would give staff the funding to achieve what was presented today and adding those employees. Mr. Merriman stated, in addition to other items in the CIP that had not yet been discussed. Mr. Duke concurred, and said there were a lot of other items in the CIP they did not get to today. Mr. Merriman said the plan was to have this discussion now, go to Regular Session, Executive Session, and then come back to finish this CIP discussion tonight, and there were about three or four other items to discuss. There was some sensitivity to this because if the water rate increase was not on the table, the rest of this would go by the wayside. Mr. Duke concurred, and said staff would like to get this in front of Council to approve later this fall or winter to be effective on March 1st, so they would love to have these implemented. Mayor Reynolds noted March 1st was when they normally implemented them anyway. Mr. Merriman said staff would then have from March into the fall with the additional revenue to ramp up the additional capacity, start the negotiation conversation with the union, begin the hiring process, and look at acquiring the fleet of equipment in order to start the plan during the 2028 construction season, beginning in Laynewood.

(4) ADJOURN: Motion by Mayor Reynolds, seconded by Councilman Mackiewicz to adjourn the Special Session. No discussion followed. The Roll on this was the following:

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

REGULAR MEETING

President Smith asked everyone to stand; Pastor Todd Martin, Chaplain, Greene County Sheriff's Office, provided the Invocation.

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

(2) CALL TO ORDER: 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, Councilman JD Mackiewicz, 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 from tonight's meeting due to work obligations. No comments followed. The Roll on this was the following:

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

Staff Present: City Manager Brent Merriman, Assistant City Manager Eric Henry, Finance Director Ryan Duke, Law Director Donnette Fisher, City Planner Brian Forschner, Public Relations Coordinator Lydia Henry, City Clerk Amy Brown, Fire Chief Mike Bogan, and Police Chief Chris Stutes.

(4) APPROVAL OF MINUTES: President Smith called for a motion on the minutes of the October 22, 2026, Regular Meeting.

Motion by Mayor Reynolds, seconded by Councilwoman Huffman, to approve the October 22, 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, Mackiewicz, Huffman, Rubio, Reynolds, Smith
Nays: None motion carried.

(5) SPECIAL PRESENTATION: None

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

Thomas Scrivens, 725 Lexington Avenue, congratulated the City of Xenia, the people, the electorate, the distinguished Law Director, the Council President, and Council on the successful passage of the charter amendments. They made a milestone in the City, and they were now on board with the state, so no one could equivocate anymore in writing. The people had spoken and ratified the amendments. He congratulated each member of Council for having the courage to stand up and promote these amendments that were passed by the electorate, and they did a great job.

President Smith noted Council welcomed audience comments and emails. They lived in a country where people could voice their opinions, whether it was right or wrong, and he appreciated that. He thanked the Charter Review Commission, and noted there were a couple of those members out in the audience. He thanked them for the efforts they put forth in that Commission, for helping the City get the charter up to date, and he thanked Law Director Donnette Fisher. Ms. Fisher said it was very welcome to see those amendments passed. The voters guaranteed for themselves the right of recall, and set forth procedures for initiative and referendum decisions. It was wonderful to see the voters vote in favor of their own rights and democratic processes. She extended many thanks to the Charter Review Commission, and added they put in so much work. President Smith agreed, and noted he never knew that they did not have a recall procedure. He confirmed that these would go in effect January 1st. Ms. Fisher stated these would go into effect, basically the minute the election was certified, so they would be effective as of November 7th. The City had typically followed, and had language in the charter regarding the statutory procedure for recall. But there was a case out of the Ohio Supreme Court earlier this year that said that was not good enough to give Charter City residents the right of recall. That was one of the reasons the Commission wanted to make sure to get that in, and Council agreed that was a basic right of the voters, so that was wonderful to see.

(7) OLD BUSINESS: None

(8) NEW BUSINESS:

A. ORDINANCE 2026-41 AMENDING ORDINANCE 2026-40 TO PROVIDE 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. President Smith asked Mr. Duke for a brief summary of this item. Mr. Duke said staff was requesting appropriations for a few different reasons this evening, the first being related to the Residential Economic Development District (REDD) grant that was awarded to the City, which was a $1,000,000 grant. He was requesting that those dollars be appropriated, and as they were spent they would be reimbursed. It was a very positive development, but they needed to appropriate those dollars in order to take advantage of that grant. Staff was also asking for $104,609 to be appropriated related to the W. Second Street sidewalk project. This was, again, mostly grant funded, and the City portion of that additional appropriation would be $23,360.90, so that was an important project. This project had been in the Capital Improvement Plan (CIP) for several years, and it was a grant-funded project, but additional dollars were needed. Staff was also requesting $22,000 to be appropriated in the unclaimed funds fund. These were dollars that had never been claimed; and after a five-year period, those dollars could be moved back to the general fund. This was not actually an expenditure; it was appropriating dollars in the 902 Fund for unclaimed funds so those dollars could be moved back to the general fund and used for any public purpose. Staff was also asking for an additional $30,000 to be appropriated to cover credit card fees. The number of credit card transactions and the amount of revenue received had exceeded what had been expected. While staff was requesting additional funds to pay for those credit card fees, that meant more revenue was being received through a variety of types of transactions received via credit card. More and more people were using this method to make payments, primarily utility billing, but also building permit fees. Staff asked for additional dollars to be provided and appropriated for that purpose. Those items were the four different appropriations staff was requesting this evening, and he was happy to answer any questions.

President Smith entertained comments or questions from Council. Mayor Reynolds said regarding the unclaimed funds, he asked if those were items that people had overpaid or if they were penalties. Mr. Duke said it was a variety of things. Somebody may have had a utility account and they closed their account, so a refund check would be sent. If they never cashed the check, staff would typically send several letters to that person, and if a response was never received, that money would be put in the unclaimed funds fund. After a five-year period, if it was not claimed, it would be moved back. Mayor Reynolds asked if one last letter could be sent before they moved it back. Mr. Duke said staff did not send a letter at the end of the five-year period. If it was Council's desire, they could sent another last letter, but at that point, he was unsure how likely it would be they would even have a good address for those people. This process actually was longer than five years because it was left on the books for a year-long timeframe, and then a letter was sent. After five years, then it would be put in unclaimed funds, so a lot of these were five-and-a-half or six-year-old checks that had never been cashed. Mayor Reynolds asked if they had a listing on the City's website where people could find out if they had a refund. Mr. Duke said they did not, but he could speak with the Law Director about whether they could put names out there on a list. Mayor Reynolds noted the state currently had a website where people could type in their name and find out if they had a refund. Mr. Duke said they could look into maybe having a list of people on

the website without listing any details. Mayor Reynolds said that would be a good way to do it. Vice President Crawford asked if there would be another set of unclaimed funds that they would talk about next year. Mr. Duke said each year, they would roll funds into the general fund that were unclaimed, but this year there were more funds than what had been budgeted, so more than what was typical. Next year, this may not come to Council, but it would be dependent on whether there was enough money appropriated for that purpose or not. The amount that needed moved into the general fund this year was more than what had been budgeted, and a certain amount was budgeted every year. Hearing nothing further, President Smith entertained a motion on Ordinance 2026-41.

Motion by Councilman Mackiewicz, seconded by Councilwoman Huffman, to adopt Ordinance 2026-41 as presented. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

B. 2027 OPERATING BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PLAN. President Smith asked Mr. Merriman for his comments on this item. Mr. Merriman said pursuant to City Charter Section 9.04(c)(2), it was custom to provide an opportunity for public comment. Staff had provided to Council, and made available publicly, the proposed 2027 operating budget as well as the 2027-2031 five-year CIP this evening, so this was the opportunity for Council to accept public comments.

At 6:18 p.m., President Smith entertained public comments and invited those wishing to speak on the 2027 operating budget and five-year CIP to come forward. Nobody came forward. Hearing nothing further, President Smith closed the opportunity for public comments at 6:18 p.m.

C. RESOLUTION 2026-061 ACCEPTING THE DEDICATION OF PUBLIC LAND SHOWN ON THE GRANDSTONE TRACE SUBDIVISION, SECTION 3, FINAL PLAT AND AUTHORIZING THE EXECUTION OF A SUBDIVIDER'S AGREEMENT WITH GRANDSTONE TRACE, LLC. President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said this Resolution involved the third and final phase of the Grandstone Trace subdivision. Section 3 was a 21.5506-acre subdivision consisting of 60 single-family home lots and three open-space lots. The proposed subdivision would extend Sierra Trail from the Fairmoor Heights subdivision to the Grandstone Trace subdivision, Section 2, which would complete a connection to Grapewin Drive and Hollywood Boulevard and would establish three new culs-de-sac. It would also add 3.4662 acres to the private open space maintained by the Homeowner's Association (HOA) in the Grandstone Trace subdivision. This addition would complete a greenway with a bike path along the subdivision's eastern boundary and would provide space for a retention pond near Fairground Road, as was required by code. The greenway was positioned to connect to Beverly Hills Park if land to the north was annexed and developed. In the agenda packet, the staff report was provided that had been issued to the Planning and Zoning Commission, as well as the recorded plan for additional details and analysis. As part of the report process, the Planning and Zoning, Engineering, and Fire and EMS divisions had all reviewed these plans, and determined they conformed to City requirements. The applicant had subsequently obtained the City Engineer's approval of the road and utility construction plans associated with

this plat, except for the plans required for water and sanitary main extensions along Fairground Road. Those plans remained under review by the City Engineer and County Engineer. A provision had been added to the subdivider's agreement to ensure approval of the plans for the Fairground Road water and sewer mains and inclusion of those mains among the required public improvements. The Planning and Zoning Commission voted to approve this final plat, and the final plat came to Council specifically for acceptance of rights-of-way and easements this evening. Staff recommended approval of Resolution 2026-061 to allow for the acceptance of those easements and rights-of-way.

President Smith entertained comments or questions. Councilman Mackiewicz said regarding the described bikeway, he asked if there were plans to connect Moran Drive with the asphalt, since there was a gap of gravel there. Mr. Merriman stated staff had discussed that and were trying to find a means to facilitate that. He asked Mr. Forschner to address that question. Mr. Forschner said staff had to get an easement agreement with two private property owners there in order to extend that roughly 20 feet of bike path. That easement agreement was underway; they currently had verbal agreements from the property owners, but a document was needed. Hearing nothing further, President Smith called for a motion to pass Resolution 2026-061 as presented.

Motion by Vice President Crawford, seconded by Mayor Reynolds, to pass Resolution 2026-061 as presented. No comments followed. The Roll on this was the following:

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

(9) APPOINTED OFFICIALS' REPORTS

President Smith asked the Finance Director for his comments. Mr. Duke said he had nothing to report this evening.

President Smith asked the Law Director for her comments. Ms. Fisher said she had emailed Council last week, and sent them a copy of a proposed joint representation and informed consent agreement. As the Finance Director explained at the last meeting, the Community Improvement Corporation (CIC) has asked that she represent them on matters involving the Xenia Market District. That was a conflict as the CIC was actually a separate, stand- alone entity. She noted her employment contract required Council approve any outside engagement, and they did that at the last meeting. But, there was still the issue of a potential conflict of interest, so this agreement would recognize her obligations under the Ohio Rules of Professional Conduct as an attorney. It also specifically set forth that if a conflict would arise between the City and the CIC, her first duty was to the City, and the CIC would then have to engage their own counsel. She did not anticipate any such conflict, but she was still ethically required to inform Council of those. She wanted to share this agreement with Council, and it had also been shared with the CIC. If it was okay, she would ask that Council do a Procedural Motion to authorize the City Manager to sign the agreement on behalf of the City, and it would be a three-party agreement between the City, the CIC, and herself.

Motion by Mayor Reynolds, seconded by Vice President Crawford, to authorize the City Manager to sign a joint representation and informed consent agreement on behalf of the City. No comments followed. The Roll on this was the following:

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

President Smith asked the City Manager for his comments. Mr. Merriman said first, it was brought to his attention by a couple members of Council concerning questions raised online about a measure that Council took at the last meeting. This was in regards to the Carbyne call answering system that staff sought approval to implement. The system in place today, Motorola CallWorks, had been in place for six or seven years. And when it was implemented, it was billed as a Next Generation 9-1-1 (NG911) compliant system. However, at that time, the overall configuration for Ohio's NG911 had not been completed. While it was billed as being compliant, it was not necessarily NG911 ready. In order for the City to be fully compliant and ready with Motorola CallWorks, additional equipment would have to be purchased because the system in place today was not configured for what had since been adopted by the State of Ohio in terms of NG911. CallWorks was a Motorola product, and much of the backbone in Greene County for the 9-1-1 network was a Motorola series of products. Because the state had an exclusive agreement with Motorola for its Multi-Agency Radio Communications System (MARCS), the City went with that product. It was not necessarily because staff wanted it, but because they thought it would best work with the system. He noted staff had not been very happy with the system over the last few years because they had encountered a number of issues. Staff felt like a replacement system would be more reliable and the user interface would be better for the dispatchers. Additionally, the new system included provisions that allowed staff to take those units and make them mobile, which was not something that could be done with the current CallWorks system. For instance, if there was a critical failure in the Justice Center, staff could take those units on the road and set up in an alternate location, which was an important factor for continuity of operations for the 9-1-1 Dispatch. They did have a ways to go to truly have an acceptable continuity of operations plan, but this would be a step in that direction.

Mr. Merriman stated this project was currently being pursued by waiver of competitive bidding because staff was able to piggyback off of a competitively bid state contract. A state contract was identified for these products, and it was not just applied because a five-year term rate guarantee was needed. That exceeded what was on the books with the state. Essentially, staff was able to use that as a launching point, and Carbyne agreed to honor those state rates for a term outside of what was legally required with the state contract. Staff locked in that pricing for a longer term outside of what the state contract said, extending that savings beyond what was obligated by the vendor. Also, staff was implementing this now because the cost of this equipment continued to escalate year to year. This project was being paid for by 9-1-1 cell phone proceeds that were collected by the State of Ohio, and then distributed to Greene County. This was not local tax dollars, but 9-1-1 fees from the county that were redistributed back, and the City had been saving that money for a number of years. There were two large projects on the horizon, which was the NG911 capability as well as console replacement, and staff was able to use certain functions by charter to waive competitive bidding while using terms and price points that were competitively bid at the state level.

Mr. Merriman stated a question was also raised about Central State University (CSU) and what they were paying. The Greene County 9-1-1 Review Committee had adopted, at the City's and county's recommendation, a comprehensive new approach in terms of cost distribution for 9-1-1

Dispatch for Xenia Greene Central Communications. Part of that included CSU and Wilberforce University, basically a continuation of the fees they were currently paying. At this point, what was charged in the various jurisdictions was not under the City's exclusive control because it came to the 9-1-1 Committee. CSU continued to pay a portion of the workload that was created for 9-1-1. Staff hoped to come back to Council at the next meeting to recommend the additional expenditure for the replacement of the consoles. Part of the apparatus at each of the Dispatch stations was a computer-aided dispatching system that the dispatchers used, and staff was looking at replacing those next year. Again, money had been saved up for this purpose. However, as staff began putting together the CIP, they identified the pricing this year would be going up by about $150,000 if they waited until next year. Staff would be coming back to Council with a recommendation at the next meeting to make a decision if they would like to move forward. That would be about a $500,000 to $600,000 expenditure. And, again, that was money that had been saved in the 9-1-1 fund. Then, staff would try and pair the console replacements as well as the NG911 compatibility upgrades together to make it easier on the dispatchers. The Dispatch Center was extremely important and a valuable service to the public, which was provided not just to Xenians, but 14 agencies across Greene County. It was an enormous responsibility that was taken very seriously, and he would put that staff up against anybody. Staff wanted to be good stewards and transparent, and they wanted to do the best they could with the resources provided. But, a lot of this was driven by state regulations in that they had to be NG911 compliant, and they had to have the equipment to do that. President Smith said since this was an unfunded mandate by the state, he asked if they could request funds from the county to help. Mr. Merriman noted that the county had some additional 9-1-1 dollars they had been sitting on awaiting the NG911 transition. The county was looking to distribute those additional funds, and he thought around $150,000 to $200,000 in additional 9-1-1 dollars would be coming to the City as a result. The state legislature did increase the 9-1-1 fee on cell phone bills about a year ago so there would be more resources at the state to be able to pay for these types of things. The City would be using those funds to put back into the infrastructure for the delivery of those emergency services.

Mr. Merriman reminded everyone that leaf collection season was officially underway from November 9th to December 11th. The City was divided into two zones for collection. Zone 1 was areas north of Main Street, including Main Street. Zone 2 was areas south of Main Street. The first round for Zone 1 ran November 9th to November 13th, and Zone 2 ran November 16th to November 20th. There would be no collection during the week of Thanksgiving. The second round of pick up for Zone 1 was November 30th to December 4th, and Zone 2 was December 7th to December 11th. Residents should rake their leaves to the curb before Monday of their scheduled collection week, and ensure the piles contained only leaves. No cars should be parked along those areas because the equipment could not get to it. All of this information was available on the City's website and social media.

Mr. Merriman stated staff did plan to have an additional budget review session beginning at 5:00 p.m. prior to Council's next Regular Session on December 10th. They covered the capital portion of the budget tonight, and they would cover questions and issues with the operating budget at the meeting on the 10th. He reminded everyone that Council's next Regular Session would be on Tuesday, November 24th at 5:00 p.m. He noted they celebrated Veterans' Day this past week, and he was enormously thankful for the veterans. His dad was a Vietnam veteran, and he just picked up his son from marine boot camp last week. It meant a lot when someone had a veteran close to

them. There were veterans in the audience, including Mr. Henry, who continued to be a reservist. He was thankful to those that adhered to that call, and thanked them for their service.

Vice President Crawford asked about the downtown construction near Main and Detroit Streets. Mr. Merriman said National Energy, which was the successor gas company to Vectren, was completing a gas main replacement project that was supposed to be done this summer. For various reasons, they were delayed, and wanted to start in November. He was not very happy because residents had endured a lot of utility work in this community, and while the investment was appreciated, it had been a rough year. To start another project in November was not ideal, and after some negotiation with them, they agreed to bring in two extra crews. They were running three crews a day to get the project done, which he believed would be done this week. He apologized for the inconvenience, and he knew it was not good for those businesses. He understood the frustration, and they were trying to expedite the completion of that work.

(10) COUNCIL COMMENTS & REPORTS:

Councilman Mackiewicz thanked the Xenia voters for supporting the charter amendments. It was a testament to the hard and productive work of the Charter Review Commission and the Law Director. He congratulated the White Seahorse Antique Mall for their grand opening on Detroit Street; he and his wife attended and found some items for purchase. He attended the Greene County Regional Planning and Coordinating Commission, and it was great to meet with local leaders across Greene County to discuss issues mostly pertaining to the townships. He noted that New Life Christian Assembly at 436 E. Main Street had a new giving and blessing box, which was the first blessing box in the east end of Xenia. If someone was in need of food in that area, or if they would like to donate there, that box was available on the street.

Councilwoman Huffman had nothing this evening.

Councilman Rubio had no comments this evening.

Vice President Crawford was glad the elections were over. This election cycle was a bit different and unique, and he was glad it was done and in the past. He thanked the veterans for their service and noted his dad served for 21 years. It was a great experience to be a son raised up under the strictness of a drill sergeant. He was excited the charter amendments passed, and he thanked the voters for their support in what Council was trying to accomplish. He reported Bridges of Hope would be having a breakfast tomorrow morning at 7:30 a.m., and if anyone would like to attend, to let him know.

Mayor Reynolds thanked voters for passing the charter amendments. He thanked Council for their support and the Charter Review Commission for their work. He attended the inauguration of Dr. Holley to the Payne Theological Seminary, and it was a great event. There was an X-REC meeting this past Tuesday, and Xenia's Hometown Christmas would be on December 4th downtown. There would be a Santa house and carriage rides, and he thanked the downtown merchants as well as the county. He asked members of Council and audience members if they minded that he used them for an example, and they were all in agreement. He searched the Ohio Department of Commerce website, and found that President Smith, Vice President Crawford, Councilman Rubio, and two audience members had money coming to them according to the state's

unclaimed funds website. He encouraged everyone go to the Ohio Department of Commerce website to search for unclaimed funds.

President Smith said they would be going into Executive Session shortly, and then they would come back into a Work Session to finish their budget discussion. He stated this year's Beggar's Night had some of the best weather they had seen in a long time. He said "Who Dey", and noted the Bengals were 6-2. He attended a home game on November 1st, and down the row from him were people from Xenia, so that was exciting. He added Joe Burrow was unstoppable right now. He thanked City staff for all of their work, and thanked them for promoting the leaf collection service in the City.

(11) EXECUTIVE SESSION: President Smith said an Executive Session was needed this evening for personnel matters to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee per ORC §121.22(G); purchase or sale of property per ORC §121.22(G); and general legal advice per Charter §13.03C.(1).

Motion by Mayor Reynolds, seconded by Councilman Mackiewicz, to go into Executive Session at 6:46 p.m. for personnel matters to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee per ORC §121.22(G); purchase or sale of property per ORC §121.22(G); and general legal advice per Charter §13.03C.(1). No discussion followed. The Roll on this was the following:

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

The Council convened in Executive Session with the same members present. Councilwoman Sorice entered the Executive Session at 8:05 p.m. At 9:18 p.m., President Smith reconvened the Regular Meeting.

WORK SESSION

(12) WORK SESSION: Due to the extended period of time for the Executive Session, Councilmembers determined to continue the Work Session budget discussion at a later date.

(13) ADJOURNMENT: Motion by Mayor Reynolds, seconded by Councilwoman Sorice, to adjourn the Regular Meeting at 9:18 p.m. No discussion followed. The Roll on this was the following:

Ayes: Crawford, Sorice, Mackiewicz, 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:

Reviewed by PZC:	November 4, 2026
Introduction:	November 24, 2026
Public Hearing & Vote:	December 10, 2026
Effective Date:	January 9, 2027

Agenda Item: **ORDINANCE 2026 – 42**
AMENDING SECTIONS 1220.09(b), 1226.01(b)(3), 1228.02, 1228.03(a), AND 1228.04 OF THE CITY OF XENIA LAND DEVELOPMENT CODE

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

Summary: These proposed amendments to the Land Development Code clarify language created by Ordinance 2026-16 ("Zoning Update 2026"), which substantially updated the Code's standards for residential uses and districts. The clarifications primarily reinforce policies in place before Zoning Update 2026 concerning the Alternative Equivalent Review process and procedures, and the dimensional requirements that apply to single-family homes in the A-1 Agricultural District and nonresidential buildings in residential districts. See the attached staff report to Planning and Zoning Commission (PZC) for a more in-depth analysis.

The PZC voted to initiate these amendments on October 7, 2026, and held the required public hearing on November 4, 2026. At that meeting, the PZC also voted to recommend to Council approval of the proposed amendments.

Cover Memo Attachments: Staff report to PZC for November 4, 2026, meeting.

Budgetary Impact: N/A

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

Recommendation: It is the recommendation of Planning & Zoning Division staff and the PZC that Council adopt Ordinance 2026-42 to make the proposed Land Development Code text amendments.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 42

AMENDING SECTIONS 1220.09(b), 1226.01(b)(3), 1228.02, 1228.03(a), AND 1228.04 OF THE CITY OF XENIA LAND DEVELOPMENT CODE

WHEREAS, Ordinance 2026-16 ("Zoning Update 2026"), passed by this City Council on May 14, 2026, significantly updated the Land Development Code's standards for residential uses and districts based on recommendations in neXtPlan, the City of Xenia's Comprehensive Plan, and public input;

WHEREAS, the Xenia Planning and Zoning Commission initiated an application (PZC Case #2026-17) to amend the Land Development Code to clarify unintended ambiguities created by Ordinance 2026-16 and reinforce policies in place before Zoning Update 2026 concerning the Alternative Equivalent Review process, and the dimensional requirements that apply to single-family homes in the A-1 Agricultural District and nonresidential buildings in residential districts;

WHEREAS, the Xenia Planning and Zoning Commission held the required public hearing on PZC Case 2026-17 at their November 4, 2026, meeting and voted to recommend that City Council adopt the proposed amendments;

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

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

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

Section 1. §§ 1220.09(b), 1226.01(b)(3), 1228.02, 1228.03(a), and 1228.04 of Xenia City Code, Part Twelve – Land Development Code are hereby amended, as shown in the attached Exhibit A.

Section 2. Existing §§ 1220.09(b), 1226.01(b)(3), 1228.02, 1228.03(a), and 1228.04 are hereby repealed.

Section 3. Any reference in the Land Development Code to the sections amended by this Ordinance shall be corrected.

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 and that all deliberations resulting in this formal action occurred in meetings open to the public, in compliance with all legal requirements, including ORC § 121.22.

Section 5. This Ordinance shall become effective on January 9, 2027.

Introduced: November 24, 2026
Adopted:

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

1220.09 ALTERNATIVE EQUIVALENT REVIEW.

(b) Applicability. The alternative equivalent review procedure shall be available only for the following sections of this code:

(1) Section 1226.05, "Outdoor Lighting Standards";
(2) Chapter 1228, "Detailed Development Standards," **excluding Lot Standards, Building Setbacks, Building Height, Floor Area, and Building Width and Depth**;
(3) Chapter 1232, "Landscaping and Buffering";
(4) Chapter 1234 "Parking, Access, and Mobility"; and
(5) Any design standards that apply to development in a nationally or locally designated historic district or on nationally or locally designated historic properties.

1226.01 MEASUREMENT AND BASIC PROVISIONS.

(b) Basic Provisions.

(3) *Lot Size, ~~and~~ Width, and Setbacks*:

A. ~~A-1 District minimum lot size: Five Acres~~
~~B.~~ **A-1,** SN, SCN, CN-1 and CN-2 Districts –
i. Minimum lot size and width for residential uses shall be as specified in Section 1228.03.
ii. Minimum lot sizes and width for nonresidential uses and vacant land without an identified use shall be the same as House in the **A-1,** SN and SCN Districts, Narrow House in the CN-1 District, and Multiplex Small in the CN-2 District.

B. ~~C.~~ Other Zoning Districts – There shall be no minimum lot size or width requirement but the lots should be sized appropriately to accommodate all the requirements of this code including, but not limited to, off-street parking, landscaping, buffering, setbacks, etc.

C. ~~D.~~ Larger lot areas may be required by the City or by Greene County Public Health when there is no access to a public sanitary sewer system.

D. ~~E.~~ Building setbacks shall be as specified in Chapter 1228. No building may be built across a parcel line except where the parcel line divides attached Twin House, Duplex or Townhouse units.

1228.02 APPLICABILITY.

(a) New construction of all principal buildings in the A-1, SN, SCN, CN, NB, D and RB Districts shall be subject to the standards of this chapter.

(b) Standards for nonresidential buildings in a residential zoning district shall be subject to Section 1228.04, "Standards for Nonresidential Districts and Nonresidential Development in Residential Districts."

(c) For the purposes of this section, nonresidential buildings shall include any mixed-use buildings.

(d) **New construction of buildings in a historic district shall additionally be subject to a COA review pursuant to Section 1220.08, "Certificate of Appropriateness (COA)".**

(e) Expansions and Remodeling.

(1) Where a principal building that is not subject to a COA review is to be resided or remodeled without expansion, any new siding materials shall be similar in appearance to the materials

being replaced (not including color considerations) or follow the building materials requirements for principal building new construction in Section 1228.03 for residential buildings and 1228.04 for nonresidential buildings.

(2) Where a principal building that is not subject to a COA review will be expanded, the expansion shall contain materials and proportions similar to the façade that is being extended (i.e. if the side façade of a dwelling is constructed of brick and will be extended, the expanded area shall contain brick).

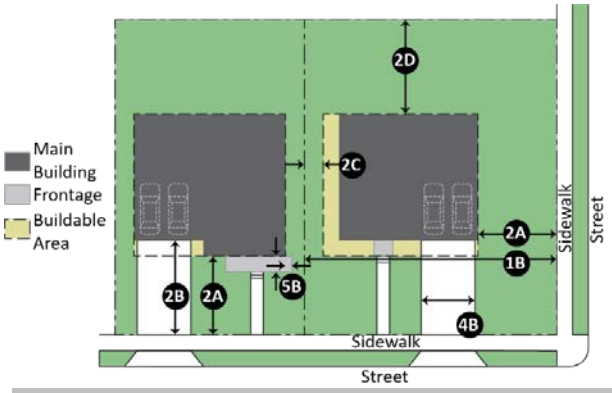
(3) Expansions and remodeling that are subject to COA review shall comply with the standards and guidelines specified in Section 1220.08(g), "Standards and Guidelines." If the expansion or remodeling is related to a building that the applicable review body finds is not significant (See Section 1220.08(f), "Determining the Significance of a Structure") to the district or historic designation, the expansion or alteration shall comply with the remainder of standards in this Section 1228.02(d).

(f) ~~(e)~~ Standards for PUDs. All development in a PUD shall be subject to the standards of this chapter unless otherwise modified through the PUD review and approval process.

1228.03 STANDARDS FOR RESIDENTIAL BUILDINGS.

(a) House Standards.





(1) *Lot and Density Standards*:	**A-1**	**SN**	**SCN**
A. Min Lot Size [1]	**5 acres**	5000 **sf**	
B. Min Lot Width (ft)[1]	**400**	40	
C. Max Dwelling Units per acre in subdivision or Preliminary Plat	**N/A**	4	5
(2) *Minimum Building Setbacks* (ft):			
A. Front Setback	**50**	20	
B. Front Setback, attached garage[2]	**50**	25	
C. Side Setback[3]	**50**	5	
D. Rear Setback	**40**	30	
(3) *Building Size and Massing*:			
A. Max Height (ft)	**35**	30	
B. Max Height (stories)	**N/A**	2.5	
C. Min Floor Area (sf)[3]	**N/A**	1,400	1,200
(4) *Off-Street Parking Required*:			
A. Min spaces per dwelling unit	**2**	2	
B. Max Driveway Width (ft)	**30**	30	
C. Max front-facing attached garage door width (ft)	**N/A**	18	
D. Max front-facing attached garage parking spaces	**N/A**	3	

(5) *Building Frontage and Orientation*:	
A. Required Frontage Types	Porch or Stoop
B. Max Frontage Encroachment into Setback (ft)	Front: 5 Side: 2
C. A building's main entrance shall face a street, bike path and/or park or shared private open space.[4]	

(6) *Building Materials*:

A. Where vinyl is the predominant siding material, the front façade shall contain the following:

i. Front porch and/or min eight-inch-wide molding, trim feature and/or window adjacent to the main entrance door.

ii. Min six-inch-tall frieze at the top of the façade, and/or band molding, awning, canopy or roof between the floors of a two-story building.

iii. Brick or stone base extending at least two feet from grade.

B. Permitted siding materials include wood, vinyl, brick, stone, fiber cement, and stucco.

(7) *Windows and Doors*:

A. Windows are required on all street-facing facades.

B. Each window and door on a street-facing facade shall have surrounding molding, a shutter pair, and/or a lintel and sill.

[1]See Section 1228.03(j)(1).
[2]See Section 1228.03(j)(2).
[3]See Section 1228.03(j)(3).
[4]See Section 1228.03(j)(7).

1228.04 STANDARDS FOR NONRESIDENTIAL DISTRICTS AND NONRESIDENTIAL DEVELOPMENT IN RESIDENTIAL DISTRICTS.

The standards of this section apply to new construction of all nonresidential principal buildings unless otherwise stated.

(a) ~~Requirements for New Construction.~~

~~(1) New Construction in Historic Districts: New construction of buildings in a historic district shall be subject to a COA review pursuant to Section 1220.08: Certificate of Appropriateness (COA).~~

~~(2)~~ Standards for Nonresidential and Mixed-Use Buildings in the D District.



Illustration of Setback, Window Percentage and Horizontal and Vertical Variation

Street Frontage	Main or Detroit Street	Other Streets
(1) *Building Setbacks (ft)*:		
A. Min Front Setback	0	5
B. Max Front Setback	10	
C. Min Side and Rear Setback:		
i. Adjacent to Nonresidential Use or District	0	
ii. Adjacent to Residential District	10	
D. Min Distance Between Buildings	0	5
(2) *Building Size and Massing*:		
A. Max Height (ft)	75	45
B. Max Height (stories)	6	4
C. Min Floor Area per unit (sf)	500	
D. Max Main Body width (ft)	200	120
E. Max Main Body depth (ft)	N/A	100
F. Horizontal variation. Front and street-facing facades that exceed 60 feet in width shall incorporate a change in façade material or color, a wall offset, a pilaster or a change in building or parapet height at a minimum of every 30 feet of façade width.		

(5) *Building Frontage and Orientation*:

A. Buildings shall generally be parallel to the street they front, unless an alternate orientation is consistent with existing adjacent development.

B. A building's main entrance shall face a street, bike path and/or park or shared private open space.

(6) *Building Materials*:

A. 66% of a street-facing façade area shall be sided with brick, stone, lapped wood or fiber cement.

B. Prohibited siding materials include exposed concrete masonry units or poured-in-place concrete above basement levels, and metal siding that is corrugated or has exposed fasteners.

C. Vinyl siding on principal buildings shall not comprise more than 25 percent of any single façade.

(7) *Windows and Doors*:

A. Min street-facing façade transparency:
i. Ground floor: 65%
ii. Each upper floor façade: 35%

G. Vertical Variation. Front and street-facing facades shall utilize a distinct horizontal band, cornice, awning or canopy at the top of the ground floor. The top of the building façade shall contain a parapet with a three-dimensional cornice.

B. A maximum of 20 percent of the required façade transparency area may consist of opaque glass such as spandrel glass.

(3) *Parking Required*:		
A. Min spaces per dwelling unit[1]	0	1
B. Max Driveway Width (ft)	20	
C. Parking shall be located to the side or rear of principal buildings.		

(8) *Roof Design*:

A. All buildings shall utilize a flat roof design.

B. All roof-mounted mechanical equipment shall be screened from view from adjacent public rights-of-way and residential districts or properties.

[1]See Section 1228.03(j)(4).

(b) ~~(3)~~ Standards for Mixed-Use and Nonresidential Buildings (except D, I-1 and I-2 Districts).





(1) *Building Setbacks (ft)*:	**A-1**	**SN, SCN**	**NB, CN-1, CN-2**	**RB**	**P-1**
A. Min Front Setback	**50**	**25**	15	0	25
B. Min Side Setback adjacent to:					
i. Nonresidential Use or District	**50**	**5**	5	0	15
ii. Residential District	**50**	**10**	10	15	30
C. Min Rear Setback adjacent to:					
i. Nonresidential Use or District	**40**	**30**	15	0	15
ii. Residential Use or District	**40**	**30**	25	30	50
(2) *Building Size and Massing*:					
A. Max Height (ft)	**35**	**35**	35	45	70

B. Horizontal variation. Front and street-facing facades that exceed 60 feet in width shall incorporate at least one of the following features for every 40 feet of façade width:
- i. Change in façade material
- ii. Wall offset of at least 2 ft in depth
- iii. Pilaster at least 1 ft wide and deep
- iv. Change in building or parapet height

(5) *Building Frontage and Orientation*:

A. Buildings shall generally be parallel to the street they front, unless an alternate orientation is consistent with existing adjacent development.

B. A building's main entrance shall face a street, bike path and/or park or shared private open space.

C. Buildings with a footprint that exceeds 25,000 square feet shall include at least three of the following features at the main entrance:
- i. Canopy/portico/roof overhang above the entrance;
- ii. Entry recess/projection;
- iii. Arcade that is physically integrated with the entrance;
- iv. Raised corniced parapet above the entrance;
- v. Gabled roof form, arch or other architectural feature above the entrance;
- vi. Outdoor plaza adjacent to the entrance with a minimum depth of 20 feet, containing seating and/or landscaping;
- vii. Display windows that are directly adjacent to the entrance;

(6) *Building Materials*:

C. Vertical Variation. The top and bottom eight to 20% of every façade's height shall be distinguished from the remainder of the façade through changes in color, material, pattern, profile, or texture.	A. A combination of materials, textures, colors, and finishes shall be utilized to create visual interest on principal buildings.
(3) *Roof Design:*	B. Prohibited siding materials include metal siding that is corrugated or has exposed fasteners.
All roof-mounted mechanical equipment shall be screened from view from adjacent public rights-of-way and residential districts or properties.	C. Vinyl siding on principal buildings shall not comprise more than 25 percent of any single façade.
(4) *Parking Required*:	(7) *Windows and Doors*:
See Section 1234.02(d)(2).	A. Min front façade transparency **in NB and RB Districts only**: 25%
	B. A maximum of 20 percent of the required façade transparency area may consist of opaque glass such as spandrel glass.

(c) ~~(4)~~ Standards for Industrial and Other Nonresidential Buildings and Uses in the I-1 and I-2 Districts.

(1) Min Building Setbacks (ft)	
A. Front Setback	25
B. Front Setback across street from residential district	50
C. Side and Rear Setback adjacent to a Nonresidential Use or District	15
D. Side Setback adjacent to Residential District	30
D. Rear Setback adjacent to Residential District	50
(2) Building Size and Massing	
A. Max Height (ft)	70
(3) Parking Required	
See Section 1234.02(d)(2).	

STAFF REPORT
XENIA PLANNING AND ZONING COMMISSION

ITEM:	Land Development Code Text Amendment
CASE NUMBER:	PZC2026-17
REPORT DATE:	October 28, 2026
MEETING DATE:	November 4, 2026
APPLICANT NAME:	Planning and Zoning Commission
PROPERTY ADDRESS:	Citywide
GREENE COUNTY PARCEL IDENTIFICATION NUMBER(S):	Citywide
ORDINANCE SECTION(S):	Amend Sections 1220.09, 1226.01, 1228.02, 1228.03(a), and 1228.04
ZONING:	A-1 and Residential Districts

A. Action Requested

Hold a public hearing and vote whether to recommend that City Council approve amendments to the above Land Development Code (LDC) sections to clarify standards for single-family homes in the A-1 District and nonresidential uses in residential districts, following changes from Zoning Update 2026.

B. Background

Zoning Update 2026 was a sweeping text amendment that made significant organizational and content changes to the City's standards for residential uses and districts. These changes unintentionally created confusion for a handful of infrequent development scenarios, including:

- Single-family homes in the A-1 Agricultural District
- New or expanded non-residential buildings in the A-1 District and residential districts (SN, SCN, CN-1, CN-2)

Additionally, the Alternative Equivalent Review procedural section was not sufficiently updated to maintain its limited scope in addressing exceptions to architectural and landscape standards (not setbacks, lot size, and other similar development standards, which have always been addressed through the variance process).

Staff identified these gaps in the code, and they have not impacted any development applications.

Below is an overview of the proposed changes, shown in the attached draft ordinance:

1. **1222.09 Alternative Equivalent Review**
   (a) Add language excludes lot standards, building setbacks, building height, floor area, and building width and depth from the Alternative Equivalent Review process. Exceptions from these standards will require Variance approval, which is consistent with past practice.
2. **1226.01(b)(3) Lot Size, Width, and Setbacks**
   (a) Delete requirements for the A-1 District and move them entirely to Section 1228.03, as previously done with residential districts.
3. **1228.02 Applicability**

(a) Move requirement for a Certificate of Appropriateness to this section from 1228.04, because it is required for all new construction, not just nonresidential buildings.

4. **1228.03(a) House Standards**
   (a) Added A-1 standards for lot size/width, setbacks, building height, and off-street parking, consistent with requirements prior to Zoning Update 2026.
   (b) Per 1226.01(b)(3), these minimum lot size/width standards will also apply to nonresidential uses and vacant land in the A-1 District.
5. **1228.04 Standards for Nonresidential Districts and Nonresidential Development in Residential Districts**
   (a) Eliminate an unnecessary outline level in order to improve readability and direct access from the Table of Contents bookmark links in the pdf version.
   (b) Add standards applicable to the A-1, SN and SCN Districts to subsection (b) Standards for Mixed-Use and Nonresidential Buildings (except D, I-1 and I-2 Districts), comparable to standards in place prior to Zoning Update 2026.
   (c) Limit front façade transparency to the NB and RB Districts, as this is a requirement that is best-suited for retail-oriented districts, not the mostly institutional buildings that may be built in residential districts and the P-1 District

C. Staff Analysis

Staff reviewed the proposed Text Amendment application against the review criteria specified in Section 1220.03(e) of the Land Development Code:

Criteria	Analysis
(1) The proposed amendment is consistent with the comprehensive plan, other adopted City plans, and the stated purposes of this code as established in Section 1218.01: Purpose.	**Satisfied** The amendments are a continuation of Zoning Update 2026, which implemented a series of neXtPlan recommendations.
(2) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.	**Satisfied** Zoning Update 2026 responded to dramatic changes in the local and regional/national housing market that included price inflation, reduced household sizes, and an aging population.
(3) The proposed amendment, if amending the zoning map, is consistent with the stated purpose of the proposed zoning district.	**Satisfied** The proposed amendments are consistent with the intent of the affected A-1, SN, and SCN Districts. The A-1 District is intended primarily for agricultural uses but recognizes that the land may be developed for non-agricultural uses in the near to long-term. The SN and SCN Districts, though primarily intended for residential uses, do accommodate carefully planned recreational and institutional uses.
(4) The proposed amendment, if to the zoning map, follows lot lines or the centerlines of streets, railroads, or other rights-of-way.	**Not Applicable** This is a text amendment that does not impact the Zoning Map.

Criteria	Analysis
(5) The proposed amendment 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** This amendment merely clarifies existing standards and procedures.
(6) The proposed amendment will not constitute spot zoning where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances.	**Not Applicable** This is a text amendment that does not impact the Zoning Map.
(7) The proposed amendment is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract.	**Not Applicable** This is a text amendment that does not impact the Zoning Map.

D. Staff Recommendation

Staff recommends that PZC recommends that City Council approve these text amendments. City Council will introduce the ordinance for these amendments at their November 24, 2026, meeting, and hold a public hearing/vote at their December 10 meeting. If approved, the amendments will go into effect on January 9, 2027.

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Annexation Petition Filed:	August 10, 2026
City Statement of Services:	August 27, 2026 (Resolution 2026-048)
City Zoning Buffer Statement:	August 27, 2026 (Resolution 2026-049)
Petition Approved by County:	September 10, 2026
County Files Received by Clerk:	September 14, 2026
Presentation & Vote:	November 24, 2026
Effective Date:	November 24, 2026

Agenda Item: **RESOLUTION 2026 – 062**
ACCEPTING THE ANNEXATION OF 55.5843+/- ACRES OF LAND IN BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP, LOCATED SOUTH OF UPPER BELLBROOK ROAD, TO THE CITY OF XENIA, OHIO (MANNARINO WEST ANNEXATION)

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

Summary: Mannarino Family Partnership, Ltd., the property owner, filed an expedited type 2 petition to annex 55.5843+/- acres from Beavercreek Township, Spring Valley Township, and Xenia Township to the City of Xenia. The property is located on the south side of Upper Bellbrook Road (Greene County Parcel IDs B04-0002-0050-0-0066-00, B04-0002-0050-0-0065-00, and K28-0001-0007-0-0019-00). If Council accepts the annexation, Grand Communities (affiliated with Fischer Homes) intends to acquire the property and develop a subdivision containing an estimated 222 single-family and two-family homes. The subdivision will require City of Xenia water and sewer services. Following annexation approval, the developer's next steps will be to submit a rezoning application, followed by subdivision plat applications.

City staff's fiscal impact analysis estimates that General Fund operating revenues will exceed General Fund service costs for the proposed development. The analysis assumes that the development is approved and completed over seven (7) years and excludes water and sewer funds. The following table shows estimated annual revenues and costs, along with annual and cumulative net revenues.

YEAR	UNITS BUILT	TOTAL REVENUE	TOTAL COSTS	NET REVENUE (ANNUAL)	NET REVENUE (CUMULATIVE)
2027	5	$10,965	$9,459	$1,506	$1,506
2028	30	$65,787	$56,753	$9,034	$10,540
2029	67	$146,925	$126,749	$20,176	$30,715
2030	112	$245,605	$211,879	$33,727	$64,442
2031	157	$344,286	$297,009	$47,277	$111,719
2032	202	$442,967	$382,138	$60,828	$172,547
2033	222	$486,825	$419,974	$66,851	$239,398

Cover Memo Attachments: None.

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

Recommendation: Based on the City's availability to serve the annexation territory, and positive fiscal impact analysis, staff recommends that City Council accept this annexation.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 062

ACCEPTING THE ANNEXATION OF 55.5843+/- ACRES OF LAND IN BEAVERCREEK TOWNSHIP, SPRING VALLEY TOWNSHIP, AND XENIA TOWNSHIP, LOCATED SOUTH OF UPPER BELLBROOK ROAD, TO THE CITY OF XENIA, OHIO (MANNARINO WEST ANNEXATION)

WHEREAS, on August 10, 2026, a petition was filed with the Greene County Board of Commissioners pursuant to Ohio Revised Code (ORC) § 709.021 and § 709.023, for the annexation of 55.5843 acres, more or less, located on the south side of Upper Bellbrook Road, in Beavercreek Township, Spring Valley Township and Xenia Township (the "Territory"), which Territory is owned by Mannarino Family Partnership, Ltd.;

WHEREAS, on September 10, 2026, the Greene County Board of Commissioners approved and granted, by Resolution 26-9-10-5, the petition to annex the Territory to the City of Xenia;

WHEREAS, on September 14, 2026, the Clerk of the Greene County Board of County Commissioners provided the Xenia City Clerk with a certified copy of the annexation proceedings, which have been on file with the City Clerk for the sixty (60) days required under ORC § 709.023;

WHEREAS, pursuant to ORC § 709.04, the City Clerk has placed before City Council the resolution of the Greene County Board of Commissioners granting the petition, the petition, and the accompanying map/plat; and

WHEREAS, this Council is authorized under ORC § 709.04 to accept or reject the petition for annexation within one hundred and twenty (120) days of placement of the petition before it,

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

Section 1. The petition for annexation of +/-55.5843 acres (Greene County Parcel IDs B04-0002-0050-0-0066-00, B04-0002-0050-0-0065-00, and K28-0001-0007-0-0019-00) from Beavercreek Township, Spring Valley Township, and Xenia Township, Greene County, Ohio, to the City of Xenia, Ohio, filed by the Mannarino Family Partnership, Ltd. on August 10, 2026, and granted by the Greene County Board of Commissioners on September 10, 2026, is hereby accepted. The petition and accompanying map/plat and legal description are attached hereto as Exhibit A, which depicts and describes the territory that is the subject of the annexation.

Section 2. In accordance with ORC § 709.06, the City Clerk is hereby directed to make three (3) copies of this Resolution, to each of which shall be attached the petition for annexation, the map accompanying the petition for annexation, the transcript of the proceedings of the Board of County Commissioners of Greene County, Ohio, any resolutions and ordinances related to this annexation, and a certificate as to the correctness of each copy. The certificate shall be signed by the Clerk, in the Clerk's official capacity, and shall be authenticated by the seal of the City of Xenia, Ohio. The Clerk shall then deliver one (1) copy to the Greene County Auditor; one (1) copy to the Greene County Recorder; and one (1) copy to the Ohio Secretary of State on or after the effective date of this Resolution.

Section 3. The City Clerk shall also file notice with the Greene County Board of Elections within thirty (30) days of the effective date of this Resolution and shall do all other things required by law.

Section 4. The annexation accepted herein shall become effective as of the effective date of this Resolution.

Section 5. It is found that all formal actions of this Council concerning and relating to the passage of this Resolution were conducted in an open meeting and that all deliberations resulting in this formal action occurred in meetings open to the public, in compliance with all legal requirements, including ORC § 121.22.

Section 6. This Resolution shall become effective immediately upon its passage.

Passed: November 24, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

RECEIVED - GC BOCC
'26 AUG 10 AM10:27

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

TO THE BOARD OF COUNTY COMMISSIONERS
OF GREENE COUNTY, OHIO

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

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

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

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

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

Mannarino Family Partnership Ltd.

By: _____

Christina Lenahan - General Partner

Name/Title

DATE: June 30th, 2026

Address:
1905 Wickersham Hollow
Cumming, GA 30041

Date: May 1, 2026

Description: 55.5843 Acres
To Be Annexed

Location: Beavercreek Township,
Spring Valley Township,
Greene County, Ohio

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

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

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

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

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

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

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

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

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

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

A

STH
6.18.2026

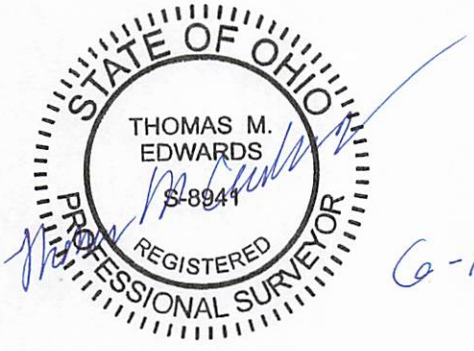
agreements of record. Being 4.8806 acres out of Parcel Number B04-0002-0050-0-0066-00, being a 5.014 acres of which are out of Beavercreek Township, being 43.8037 acres out of Parcel Number B04-0002-0050-0-0065-00, being a 50.0769 acres total of which are out of Beavercreek Township, being all of (0.03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

Basis of Bearings: Ohio State Plane NAD83 (2011)

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

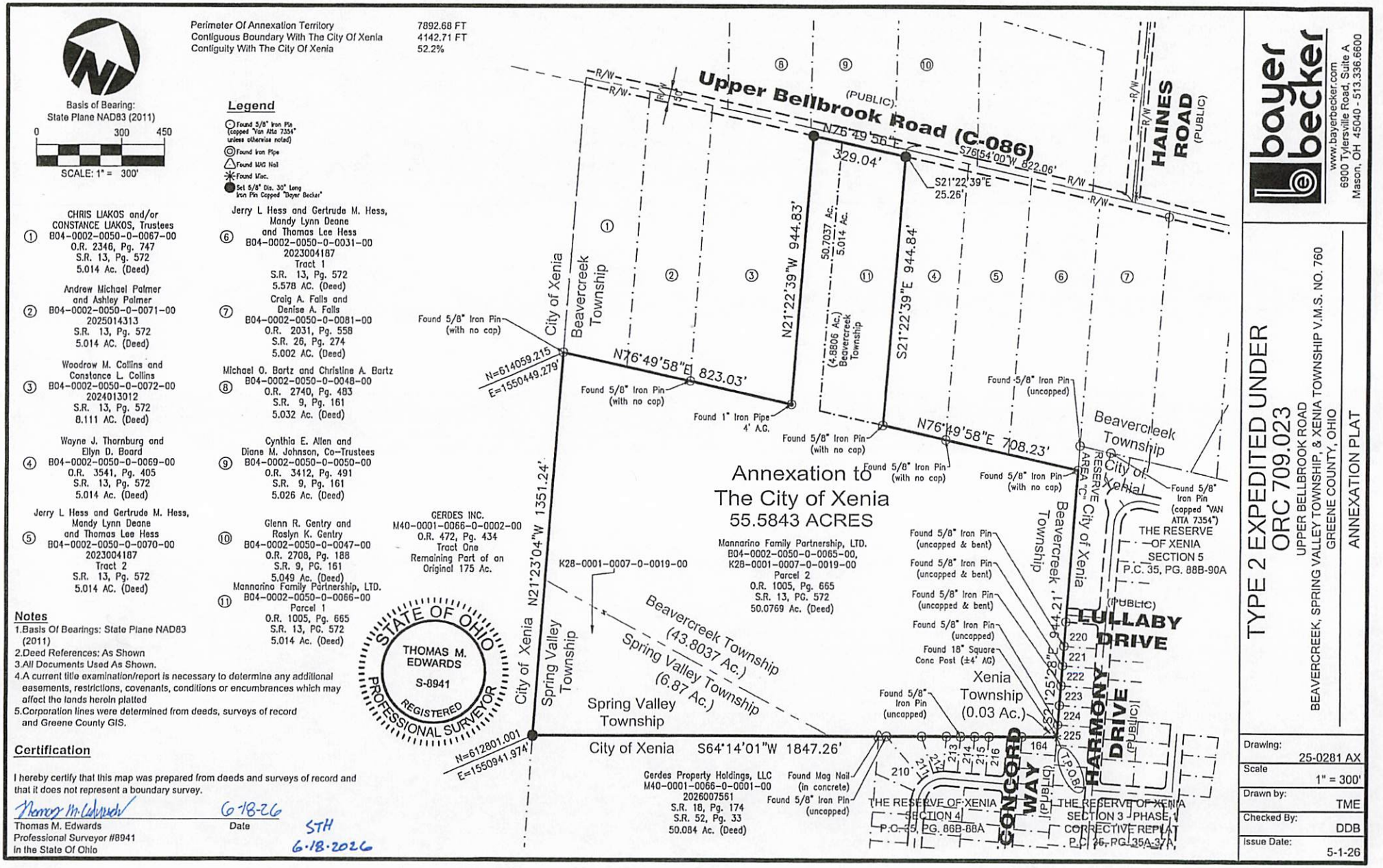
All set iron pins are 5/8" diameter x 30" long in size with plastic cap stamped "Bayer Becker"

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



6-18-26

B



Notes

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

Certification

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

Thomas M. Edwards — Date 6-18-26

Thomas M. Edwards
Professional Surveyor #8941
In the State Of Ohio

STH 6.18.2026

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

TYPE 2 EXPEDITED UNDER ORC 709.023

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

ANNEXATION PLAT

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

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Presentation & Vote: November 24, 2026
Effective Date: November 24, 2026

Agenda Item: **RESOLUTION 2026 – 063**
AUTHORIZING ACCEPTANCE OF THE FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT AND THE STATE VICTIMS' ASSISTANCE ACT (SVAA) GRANT FOR 2027

Submitted & Presented By: Donnette Fisher, Law Director

Summary: The Victim Advocate Division provides necessary services to victims in cases prosecuted through the Law Department, from the offender's arrest through final sentencing, and ensures the Law Department complies with all constitutional and statutory requirements regarding victims' rights. In November 2017, Ohio voters passed Marsy's Law, giving Ohio's crime victims specific constitutional rights in the criminal justice process. House Bill 343, enacted in 2023, clarified these constitutional rights and added numerous statutorily mandated notice requirements for victims, increasing the Law Department's responsibilities. Division personnel are also trained through the National Organization of Victim Assistance to respond to mass community crisis events and are qualified to assist the Ohio Crisis Response Team when requested.

The federal Victims of Crime Act (VOCA) grant and the State Victims' Assistance Act (SVAA) grant supplement the Law Department's budget to help fund the Victim Advocate Division. This is the fifth year the division has not seen a reduction in awarded funding. Since 1998, the division has applied for and received VOCA funding. In 2019, all victim advocate programs across the country experienced substantial reductions in federal VOCA funding. The Law Department remains hopeful that federal grant funding will return to pre-2019 levels.

This resolution authorizes acceptance of the 2027 VOCA grant award of $75,148, the same amount received last year. The grant requires a local match of $18,787, representing 20% of the combined federal award and local match. The combined amount is calculated by dividing the federal award by 80% ($75,148 ÷ 80% = $93,935). Multiplying that amount by 20% gives the required local match ($93,935 × 20% = $18,787).

This resolution also authorizes acceptance of the 2027 SVAA grant award of $4,145 for office supplies and printing. The SVAA grant requires no local match.

Budgetary Impact: The City will receive $75,148 in VOCA funds (253-5345), with a local match of $18,787, and $4,145 in SVAA funds (253-5335) to support the Law Department's Victim Advocate Division.

Recommendation: It is recommended that Council pass Resolution 2026-063, authorizing the acceptance of the VOCA and SVAA Grants for 2027.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 063

AUTHORIZING ACCEPTANCE OF THE FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT AND THE STATE VICTIMS' ASSISTANCE ACT (SVAA) GRANT FOR 2027

WHEREAS, the Law Department's Victim Advocate Division has, on behalf of the City of Xenia, applied for and received an award from the State of Ohio's Attorney General Office of a Federal Victims of Crime Act (VOCA) grant and State Victims Assistance Act (SVAA) grant for the Fiscal Year 2027;

WHEREAS, the VOCA and SVAA are annual grants that help to support salary, benefits, and other administrative and operational costs of the Law Department's Victim Advocate Division, allowing it to provide constitutionally and statutorily mandated services to crime victims on cases prosecuted in the Xenia Municipal Court by the Law Department; and

WHEREAS, this Council finds and determines that it is in the best interest of the residents of the City of Xenia to accept the aforementioned grants, as the City has done since 1998,

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

Section 1. The City Manager, Finance Director, and Law Director are hereby authorized to execute any documents necessary to accept the award of the 2027 VOCA grant from the Ohio Attorney General's Office in the amount of $75,148, with a local cash match of $18,787.

Section 2. The City Manager, Finance Director, and Law Director are hereby authorized to execute any documents necessary to accept the award of the 2027 SVAA grant from the Ohio Attorney General's Office in the amount of $4,145, with no match required.

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

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

Passed: November 24, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:
Presentation & Vote: November 24, 2026
Effective Date: November 24, 2026

Agenda Item: **RESOLUTION 2026 – 064**
AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE LEASE WITH KEYBANK NATIONAL ASSOCIATION TO ESTABLISH FAIR MARKET RENT UNDER THE LEASE FOR THE NEXT SUCCESSIVE TEN-YEAR PERIOD (APRIL 1, 2028, TO MARCH 31, 2038)

Submitted & Presented by: Ryan Duke, Finance Director

Summary: On March 8, 1979, the City executed a 75-year land lease with Citizens First National Bank for the parcel at 120 N. Detroit Street. The lease set annual rent at $100 for the first twenty-five years, until 2004. For each successive ten-year period, annual rent was to equal the property's "fair market rental," as negotiated by the parties. In 2004, Key Bank, the successor to Citizens First National, and the City negotiated the first lease amendment, setting annual fair market rent at $15,000 for 2004–2014. In 2008, Key Bank and the City negotiated a second lease amendment, establishing fair market rental rates for a twenty-year period as follows:

4/1/2008 to 3/31/2013 - $15,000.00
4/1/2013 to 3/31/2018 - $16,500.00
4/1/2018 to 3/31/2023 - $18,150.00
4/1/2023 to 3/31/2028 - $19,965.00

In May, Key Bank notified the City that it wished to negotiate rental rates for the next ten-year period, 2028–2038. The negotiations resulted in the following proposed rates:

4/1/2028 to 3/31/2033 - $29,947.50
4/1/2033 to 3/31/2038 - $32,942.16

These rates represent a 50% increase in 2028 and an approximately 10% increase in 2033. Finance Department staff believe these are fair rental rates that reflect the improving market value of land in the Xenia Market District area. Among lessees under the remaining active 1979 leases, Key Bank is the only one currently paying fair market rent for the land it leases.

Cover Memo Attachments: None.

Budgetary Impact: $29,947.50 in annual revenue for the first five years.
$32,942.16 in annual revenue for the second five years.

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

Recommendation: Pass Resolution 2026-064 to authorize execution of the Third Amendment to Lease with KeyBank National Association establishing rental rates for April 1, 2028, through March 31, 2038.

CITY OF XENIA, OHIO
RESOLUTION 2026 - 064

AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE LEASE WITH KEYBANK NATIONAL ASSOCIATION TO ESTABLISH FAIR MARKET RENT UNDER THE LEASE FOR THE NEXT SUCCESSIVE TEN-YEAR PERIOD (APRIL 1, 2028, TO MARCH 31, 2038)

WHEREAS, on March 8, 1979, the City of Xenia executed a seventy-five-year land lease with Citizens First National Bank for the parcel at 120 N. Detroit Street, providing for annual rent of $100 for the first twenty-five years and fair market rental, as negotiated by the parties, for each successive ten-year period;

WHEREAS, the City and KeyBank National Association, successor to Citizens First National Bank, amended the lease in 2004 and 2008 to establish fair market rental rates, and KeyBank has requested negotiations for the next ten-year period, April 1, 2028, through March 31, 2038;

WHEREAS, the parties have negotiated proposed annual rental rates of $29,947.50 for April 1, 2028, through March 31, 2033, and $32,942.16 for April 1, 2033, through March 31, 2038, which reflects fair market rentals for the land; and

WHEREAS, the parties desire to establish these rates, and to amend the notice provisions, by a Third Amendment to Lease.

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 the proposed Third Amendment to the 1979 Lease with KeyBank National Association, attached hereto as Exhibit A, on behalf of the City of Xenia.

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

Section 3. This Resolution shall become effective immediately upon its passage.

Passed: November 24, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

PID 2086
Xenia Central
Xenia, OH

THIRD AMENDMENT TO LEASE

THIS THIRD AMENDMENT TO LEASE (this "**Third Amendment**") is made and entered into as of _____, 2026 (the "**Effective Date**"), by and between **THE CITY OF XENIA**, an Ohio municipal corporation ("**Landlord**"), and **KEYBANK NATIONAL ASSOCIATION**, a national banking association, having offices at 127 Public Square, Cleveland, OH 44114-1306 ("**Tenant**").

RECITALS

WHEREAS, Landlord and Tenant (as successor in interest to Citizens First National Bank of Greene County, Xenia, Ohio) are parties to that certain Lease dated March 8, 1979, as amended by the Amendment to Lease dated as of April 4, 2004 (the "**First Amendment**"), and the Second Amendment to Lease dated as of April 28, 2008 (as amended, the "**Lease**") for Property located at 120 N. Detroit Street, Xenia, OH 45385, as more particularly described in the Lease (the "**Property**");

WHEREAS, the basic term of the Lease will expire on March 31, 2054, and is subject to renewal options as set forth in Section 1.B. the Lease; and

WHEREAS, as required by Section 1.C. of the Lease, the Landlord and Tenant have reached agreement upon the fair market rental ("**Annual Base Rent**") of the Property for the next successive ten-(10-)year term of the basic term of the Lease (from April 1, 2028, through March 31, 2038), and now wish to memorialize the Annual Base Rent for this period herein, and to otherwise amend the Lease upon the following terms and conditions.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and obligations of the parties contained herein and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, and intended to be legally bound, the parties hereby agree as follows:

A. **Recitals Incorporated/Defined Terms.** The foregoing recitals are incorporated herein by this reference as if set forth herein. Unless otherwise defined herein or unless the context clearly requires a different meaning, the capitalized and non-capitalized words and phrases defined in the Lease which are used in this Third Amendment shall have the same meaning ascribed to them in the Lease. For the purposes of this Third Amendment, wherever herein the word "Landlord" is used, it shall also be deemed to mean "Lessor," and wherever herein the word "Tenant" is used, it shall also be deemed to mean "Lessee."

B. **Rent Payable for the Next Successive Ten-Year Term.** During the next ten (10) year term of the basic term of the Lease, commencing April 1, 2028, and expiring March 31, 2038, Landlord and Tenant agree that the Annual Base Rent of the Property shall be as follows:

Period	Annual Base Rent	Monthly Base Rent
4/1/2028 – 3/31/2033	$29,947.50	$2,495.62
4/1/2033 – 3/31/2038	$32,942.16	$2,745.18

Subsequent to March 31, 2038, the Annual Base Rent for the Property shall be determined as set forth in Section 1.B. of the Lease.

Tenant shall pay the Annual Base Rent in twelve (12) equal monthly installments on the first day of each month and continue to pay the rent in the same manner as immediately preceding this Third Amendment. Notwithstanding the foregoing, in the event a physical payment needs to be sent, rent shall be delivered to: City of Xenia, 107 E. Main Street, Xenia, OH 45385, ATTN: Finance Department, or such other address as Landlord may designate in writing from time to time.

C. **Notices.** Section 3 of the First Amendment (amending Section 15 of the Lease is hereby deleted in its entirety and the following substituted in place thereof:

"15. Notices. All notices and demands to be given by one party to the other party under this Lease shall be given in writing, mailed or delivered to Landlord or Tenant, as the case may be as follows:

If to Tenant:

If by US Mail:	KeyBank National Association Attn: Portfolio Analyst—PID 2086 P.O. Box 94839 Cleveland, Ohio 44101-4839
If by courier:	KeyBank National Association Attn: Portfolio Analyst—PID 2086 4900 Tiedeman Road, 2nd Floor Mailcode OH-01-49-0257 Brooklyn, Ohio 44144
Notices of default, or any notices requiring Tenant to sign any instrument also shall be sent to:	KeyBank National Association (PID 2086) Attn: Law Group 127 Public Square, Mailcode OH-01-27-0200 Cleveland, Ohio 44114
Correspondence/questions re: billing, invoicing, or minor communications should be emailed to:	KeyBank Lease Administration *Lease_Administration@keybank.com*

If to Landlord:

If by US Mail or courier:	City of Xenia, Ohio 107 E. Main Street Xenia, Ohio 45385 Attn: Finance Director
With a copy to:	Xenia Law Department 101 N. Detroit Street, First Floor Xenia, Ohio 45385 Attn: Law Director
Correspondence/questions re: billing, invoicing, or minor communications should be emailed to:	Xenia Finance Director *rduke@cityofxenia.org*

or at such other address as either party may hereafter designate. Notices shall be delivered by hand or by United States certified or registered mail, postage prepaid, return receipt requested, or by a nationally recognized overnight courier service. Notices shall be considered received upon the earlier to occur of actual receipt or three (3) business days after posting in the United States mail or one (1) business day after deposit with a national recognized overnight courier service (provided, a signed receipt is obtained)."

D. **Ratification of Lease.** This Third Amendment shall be deemed to form a part of and shall be construed in connection with and as part of the Lease and any prior amendments thereto. Except as expressly amended herein, all the other terms, covenants and conditions contained in the Lease shall continue to remain unchanged and in full force and effect and are hereby ratified and confirmed. Landlord hereby affirms that to the best of its knowledge on the date hereof no breach or uncured default by Tenant has occurred with respect to the Lease and that the Lease is in full force and effect. Unless specifically provided herein to the contrary, the modifications to the Lease provided for in this Third Amendment shall be made effective as of the Effective Date. To the extent that any of the terms of the Lease are inconsistent with the terms of this Third Amendment, this Third Amendment shall govern and control, and the Lease shall be deemed amended to conform to the terms of this Third Amendment.

E. **Binding Effect.** Each of the provisions of this Third Amendment shall extend to and shall, as the case may require, bind or inure to the benefit of Landlord and of Tenant, and to each of their respective successors and permitted assigns.

F. **Representation.** The parties hereby represent and warrant to each other that (a) each of them has the legal power and due authority to execute and deliver this Amendment; (b) the individual(s) executing this Third Amendment for each party has been duly authorized to execute and deliver the same and bind such party with respect to the provisions hereof; and, (c) this Third Amendment constitutes a valid and binding obligation upon such party in every respect.

G. **Governing Law.** This Third Amendment and all rights and obligations of the parties hereunder shall be construed and governed by the laws of the State of Ohio.

H. **Severability.** In case any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions of this Third Amendment, but this Third Amendment shall be construed as if such invalid, illegal or unenforceable provisions had not been contained herein.

I. **Counterparts.** This Third Amendment may be executed in multiple copies and multiple counterparts, each of which shall be deemed an original, but all of which together shall be and form one and the same instrument. Upon the request of either party, each party shall deliver original executed counterparts to the other parties.

J. **Electronic Signatures.** This Third Amendment may be executed with the use of digital or electronic signatures, which shall be deemed valid and binding upon the parties, in accordance with Ohio Rev. Code Section 1306.06.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Landlord and Tenant have caused this Amendment to be executed by and through their duly authorized representatives on the dates given.

LANDLORD: **THE CITY OF XENIA, OHIO**

By: _____ Date: _____
Brent W Merriman, Xenia City Manager

TENANT: KEYBANK NATIONAL ASSOCIATION

By: _____ Date: _____
[Name], [Title]

Approved as to form:

_____
Donnette A. Fisher, Esq.
Xenia Law Director

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:
Presentation & Vote: November 24, 2026
Effective Date: November 24, 2026

Agenda Item: **RESOLUTION 2026 – 065**
AUTHORIZING THE PURCHASE OF A MOTOROLA SOLUTIONS COMMANDCENTRAL AXS CONSOLE PLATFORM FOR THE EMERGENCY COMMUNICATIONS DIVISION PURSUANT TO OHIO REVISED CODE SECTION 125.04(C)

Submitted By: Tricia Balonier, Emergency Communications Administrator
Presented By: Brent Merriman, City Manager/Public Safety Director

Summary: The Emergency Communications Division, operating as the Xenia-Greene Central Communications Center, needs to modernize its dispatch consoles to maintain long-term support for mission-critical voice processing and fallback capabilities. After reviewing requirements that use the existing Ohio MARCS ASTRO Trunking system, staff recommends upgrading to Motorola Solutions, Inc.'s CommandCentral AXS console platform. The purchase would convert six (6) MCC7500 console positions to the CCHubAXS platform, replace the conventional site controller with a Next Generation DSC 8000 Site Controller, and include comprehensive implementation, training, and warranty services.

The console system is available through the Ohio Department of Administrative Services Cooperative Purchasing Program (STS #564328) for $558,647. However, Motorola Solutions, Inc., the state-contract vendor, has quoted the City a direct price of $378,647, which includes a $180,000 promotional discount if the purchase is finalized by December 13, 2026. Under Ohio Revised Code § 125.04(C), the City may purchase from a third party without competitive bidding, rather than through a cooperative purchasing program, if the purchase offers equivalent terms, conditions, and specifications as the State contract but at a lower price.

Capital Budget funding is available for this upgrade, supported by public safety communications revenue allocations. Executing the agreement before the December deadline secures the lowest available capital cost for this critical infrastructure upgrade.

Cover Memo Attachment(s): None.

Budgetary Impact: Account #250-1226-55305 $378,647.00

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

Recommendation: Pass Resolution 2026-065 to authorize the purchase of a CommandCentral AXS Dispatch Console System Upgrade from Motorola Solutions, Inc., for the City's Emergency Communications Division and authorize the City Manager to execute a contract with Motorola Solutions, Inc., in the amount of $378,647.00.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 065

AUTHORIZING THE PURCHASE OF A MOTOROLA SOLUTIONS COMMANDCENTRAL AXS CONSOLE PLATFORM FOR THE EMERGENCY COMMUNICATIONS DIVISION PURSUANT TO OHIO REVISED CODE SECTION 125.04(C)

WHEREAS, this Council finds it necessary, upon the recommendation of the City Manager/Public Safety Director and Emergency Communications Administrator, to replace the Emergency Communications Division's (Xenia-Greene Central Communications Center) existing dispatch console infrastructure with a modern, browser-based, Next Generation CommandCentral AXS platform to preserve mission-critical communications capabilities;

WHEREAS, the needed new console system is available through the Ohio Department of Administrative Services (DAS) Cooperative Purchasing Program (STS #534628);

WHEREAS, Ohio Revised Code § 125.04 authorizes third-party purchases, without competitive bidding, rather than through the Ohio DAS Cooperative Purchasing Program, when that purchase can be made upon equivalent terms, conditions and specifications, but at a lower price;

WHEREAS, the console system is available through the Ohio DAS Cooperative Purchasing Program and can be purchased upon equivalent terms, conditions, and specifications directly from Motorola Solutions, Inc., at a lower price than is available on the Ohio DAS Cooperative Purchasing Program; and

WHEREAS, § 214.01 of the City's Legislative Code requires Council's approval for any expenditure over $79,568, even if competitive bidding is not required pursuant to City Charter,

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

Section 1. Pursuant to Ohio Revised Code § 125.04, the City Manager is hereby authorized to execute, on behalf of the City, a contract with Motorola Solutions, Inc., 500 W Monroe Street, Ste 4400, Chicago, IL 60661, and for purchase of a CommandCentral AXS Console Platform in the total amount of Three Hundred Seventy-Eight Thousand Six Hundred Forty-Seven Dollars ($378,647), 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 passage of this Resolution were conducted in an open meeting and that all deliberations resulting in this formal action occurred in meetings open to the public, in compliance with all legal requirements, including ORC § 121.22.

Section 3. This Resolution shall become effective immediately upon its passage.

Passed: November 24, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk