XENIA CITY COUNCIL
MEETING AGENDA
OCTOBER 22, 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** — Kevin Poole, Cornerstone Bible Church

(1) PLEDGE OF ALLEGIANCE — Councilman JD Mackiewicz

(2) CALL TO ORDER — 6:00 p.m.

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

(4) APPROVAL OF MINUTES — October 8, 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 3 p.m. on 10/22/2026.

(7) OLD BUSINESS

A. ORDINANCE 2026-38 (Public Hearing) — AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN APPENDIX A OF THE CITY GOVERNMENT CODE, TO REDUCE VENDOR FEES AT CITY-SPONSORED COMMUNITY EVENTS, *introduced by Mayor Reynolds on October 8, 2026*

B. ORDINANCE 2026-39 (Public Hearing) — ENACTING SECTION 240.10 OF THE CITY'S ADMINISTRATIVE CODE, TITLED "COMMUNITY RESOURCES PROGRAM", *introduced by Councilwoman Huffman on October 8, 2026*

(8) NEW BUSINESS

A. RESOLUTION 2026-058 — APPROVING THE 2027 CITY EMPLOYEE INSURANCE PROGRAM AND AUTHORIZING THE RENEWAL OF THE CITY'S AGREEMENTS WITH THE JEFFERSON HEALTH PLAN, CUSTOM DESIGN BENEFITS, AMERICAN HEALTH HOLDINGS (TELEDOC), AND ENROLLMENT MANAGEMENT SERVICES *(City Manager)*

B. RESOLUTION 2026-059 — AUTHORIZING THE EXECUTION OF THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH ODOT FOR THE S. DETROIT STREET (MIAMI AVENUE TO THE CITY'S SOUTHERN CORPORATION LIMITS) REHABILITATION PROJECT *(City Manager)*

C. <u>RESOLUTION 2026-060</u> WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF AN APEX SOLUTION 9-1-1 CALL HANDLING SYSTEM FROM CARBYNE, INC., FOR THE EMERGENCY COMMUNICATIONS DIVISION *(City Manager)*

(9) APPOINTED OFFICIALS' REPORTS

(10) COUNCIL COMMENTS & REPORTS

(11) EXECUTIVE SESSION Personnel matters to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee per ORC §121.22(G)

(12) ADJOURNMENT

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

XENIA CITY COUNCIL
REGULAR MEETING
OCTOBER 8, 2026

REGULAR SESSION

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

(1) PLEDGE OF ALLEGIANCE: All present remained standing and recited the Pledge of Allegiance led by Councilman Jesse Rubio.

(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.

President Smith thanked Pastor Reffitt, and said he knew Pastor Reffitt had a congregation here in Xenia, but he asked him how far away he lived. Pastor Reffitt said he and his wife, Kim, resided in Englewood, and for the last five years he had pastored Victory Life Christian Center on Route 68 south. He enjoyed being involved, whether it was City Council, the Commissioner's office, or the Sheriff's office. He noted tomorrow was the Mayor's Prayer Breakfast event, and he was looking forward to taking part in that. It was 40 minutes from his home to Xenia, and it was a small price to pay to be involved and build bridges, relationships, and trust. President Smith thanked Pastor Reffitt.

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

Staff Present: City Manager Brent Merriman, Assistant City Manager Eric Henry, Finance Director Ryan Duke, Law Director Donnette Fisher, Public Service Director Chris Berger, City Clerk Amy Brown, Fire Chief Mike Bogan, and Police Major Matt Miller.

(4) APPROVAL OF MINUTES: President Smith called for a motion on the minutes of the September 24, 2026, Regular Meeting.

Motion by Councilwoman Sorice, seconded by Mayor Reynolds, to approve the September 24, 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, Sorice, 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.

Curtis Symonds, Fairfax, Virginia, said he had been working with Mr. Brady regarding Lexington Park, and he thanked Council for moving forward with some things for Lexington Park. They had

made some great strides the last three years, and they were moving in the right direction to reconstruct Lexington Park. He had always said that park had a lot of history. He was not sure if everyone had heard that one of the greatest players in Xenia, Mark Muterspaw, had recently passed away. He was one of the legends at Xenia High School who had played at Lexington Park. He thanked Council for their support, and he hoped they could continue the great work.

Clayton Brady, 370 Hollywood Boulevard, thanked Council for what they were doing and about to do not only for Lexington Park, but for the City of Xenia. His heart was heavy because of the passing of Mark Mutterspaw, and he had prayer with Pastor Reffitt. His main focus was the youth athletic development of the kids in Xenia, and he was working on getting certified to be a non-profit group. He was waiting on a memorandum of understanding from the City, and he hoped there would be money in the budget next year for Lexington Park. He knew Council had a job to do, and whatever they could do, he would appreciate it.

Elliott Bittle, 837 McDowell Street, said it was his first time at a Xenia Council meeting. He worked in Greene County as an Assistant Prosecutor, and he was interested in hearing more about the juvenile curfew item on the agenda. He believed there was a need and a concern for the youth going forward and how youth needed to be handled after a certain hour, especially in the parks. He felt there was a lot of congregation there that led to crime, whether minor or major, especially in dealing with past situations like arson. He was a juvenile prosecutor until he moved to the felony division, and he thought it would be important to hear how to address these issues.

(7) OLD BUSINESS:

A. President Smith presented **ORDINANCE 2026-36 AMENDING CERTAIN SECTIONS, AND ENACTING SECTION 422.18, OF THE CITY OF XENIA TRAFFIC CODE TO BE CONCURRENT WITH STATE LAW THROUGH OCTOBER 6, 2026,** introduced by Councilwoman Rachel Huffman on September 24, 2026. President Smith asked Ms. Fisher for a brief summary of this item. Ms. Fisher said there were a number of amendments being made based on changes that were made to state law. Items that were covered traffic-wise in state law were considered general laws of the state, and the City had to comply with those. There were a number of changes that would bring the City's traffic code concurrent with state law through October 6, 2026. The state had not kept the state law up to date as far as the different types of electric devices like electric bikes, electric unicycles, etc., and staff had heard concerns from citizens and Council over the past several months. Some of these children riding e-motos did not know traffic laws, and there were concerns about safety and children being hurt. One of these changes would add a definition for e-motos, which were basically electric motorcycles or electric dirt bikes. The difference between an e-bike and e-moto was an e-bike had pedals that could be operated by human power, but an e-moto had pegs or footrests. E-motos currently fell under the state law definition of motorcycle, and the added definition of e-moto to the City code would make it clear to parents that children had to be licensed drivers to operate an e-moto on the street. One of the other issues that had come up were e-unicycles, which would fall under the definition of low-speed micromobility devices. Except for under the state law definition, to be a low-speed micromobility device, it had to have handlebars. In her research, some electric unicycles had those, and some did not. She suggested adding to that definition that low-speed micromobility devices would also include any device less than 100 pounds, without handlebars, propelled by an electric

motor, and went no more than 20 mph. This would include things like electric unicycles, and they would be allowed on streets that were posted 45 mph and under. They would be allowed on sidewalks, bike lanes, and shared use paths, unless otherwise posted, but not hiking paths. Another big change she was recommending was the enactment of Section 422.18 regarding impoundment. This would not require, but it would specifically authorize the impoundment of any bicycle, e-bike, motorized bike, or mobility device by the Police Division. If Police found an adult or child riding one of those in a reckless manner, they now had the ability to impound it, but it would also set up a process where the adult or parent of a minor child could reclaim that device. Also, one of the complaints Council heard earlier this year was regarding unlicensed vehicles parked on the streets. Currently, there was legislation on the books that prohibited leaving unlicensed vehicles parked on the street. If a license was not valid or validly registered, it could not be parked on the street. They were currently seeing a problem with people parking inoperable vehicles with valid tags. She suggested amending Section 452.17 to add language that would prohibit leaving or parking an inoperable vehicle on the street. Inoperable meaning the vehicle could not be started and driven away. This had been a concern, and this added language would give Police more to work with to get those vehicles off the streets. She suggested these changes based on the concerns she heard from Council, and she was happy to answer any questions.

President Smith opened the public hearing at 6:15 p.m. and invited those wishing to speak for or against amending certain Sections and enacting Section 422.18 of the City of Xenia Traffic Code to come forward.

Luis Sanchez Alcazar, 422 E. Church Street, reached out to the Law Director in terms of concerns with riding unicycles. One of his major concerns was there were no regulations or policies pertaining to riding his unicycle. He appreciated being given the opportunity to speak, and his concerns being taken seriously when he first brought the issues forward. He was not looking to gain any special treatment, rather he wanted to have the same rights as other users of these paths and facilities. When riding his unicycle, he had people approach him to ask if he was allowed on the paths because he did not have a handlebar or pedals. He wanted to see policies for people to hold each other accountable, and he wanted to respect those laws as a law-abiding citizen in Xenia. He used his unicycle as a means of transportation and to remain healthy. He was a professor of psychology, so he understood how important the brain was, so he always wore a helmet. The units had different safety features and tracking features to track and limit speed. He presented his unicycle to Council, and acknowledged an electric unicycle might sound like a novelty or toy, but they were actual transportation devices. He could get to Dayton and back on about one charge with some percentage remaining. He noted there were brake lights on the unicycle, and they were body powered. In order to stop, he had to lean back, and to move forward, he would lean forward. He had very good control of the unit, and he used it to transport himself to Sinclair Community College, as well as throughout Xenia. There were a lot of riders of unicycles coming in from Beavercreek and Vandalia, and they wanted to benefit from what Xenia had to offer. He was sometimes concerned about the penalties in terms of law enforcement and other riders that shared the trails. Allowing this item to move forward would be an opportunity to hold each other accountable, hold themselves accountable, and be respected members of the community.

Vice President Crawford asked the average cost of an electric unicycle. Mr. Alcazar said these units were relatively expensive, but a used one could range from $500 to $1,000. A new one could

be anywhere from $3,000 to $4,000. Councilman Rubio asked about their speed. Mr. Alcazar noted there were units that went 18-50 mph, but the speed also depended on the weight of the rider. Just like any other bike, these could be adapted to go faster. Councilwoman Sorice asked if there were signals on the unicycle. Mr. Alcazar said he used hand motions, but there were some units that would allow someone to signal as they turned their body. President Smith thanked Mr. Alcazar for coming prepared, and added he had good information.

Carlos Alcazar stated he was the brother of Luis Sanchez Alcazar, and he currently resided in Beavercreek. He actually used the trails to visit his brother on a day-to-day basis with his own electric unicycle. Speed limits were a concern, because these devices did not have fixed speed limits; it was actually based on weight. A heavier rider would be able to ride slower than a lighter rider, and to have a certain speed limit, some riders would not even be able to hit that speed limit. These electric unicycles required a lot of balancing, so casual riders would not be going 35-40 mph regularly; they mostly stayed between 15-20 mph. There were some riders that liked to ride fast, but that was the minority.

President Smith closed the public hearing at 6:23 p.m. and entertained a motion on Ordinance 2026-36.

Motion by Councilwoman Huffman, seconded by Councilman Mackiewicz, to adopt Ordinance 2026-36 as presented. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

B. President Smith presented **ORDINANCE 2026-37 AMENDING SECTION 648.10, TITLED "JUVENILE CURFEW," OF THE XENIA CITY CODE,** introduced by Councilwoman Rachel Huffman on September 24, 2026. President Smith asked Ms. Fisher for a brief summary of this item. Ms. Fisher gave a lot of credit to Police Major Matt Miller, who worked with her on this to make sure this would be something the Police Division would be able to use. The City actually had a juvenile curfew that had been on the books since 1965, but the last time it was updated was in 2006. It was time to take another look at this, particularly with some of the issues of kids congregating in the parks. There was currently one curfew for kids of any age from 11:00 p.m. to 6:00 a.m. Sunday to Thursday, and midnight to 6:00 a.m. Friday and Saturday. She recommended a curfew based on age. For juveniles under 13, curfew was dusk to dawn. And for juveniles between 13 and 18, she suggested keeping the same times currently on the books, which was 11:00 p.m. to 6:00 a.m. Sunday to Thursday, and midnight to 6:00 a.m. Friday and Saturday. She included a list of exceptions for the older juveniles like a football game or a job to recognize those civil or work commitments that might keep an older juvenile out later. The current juvenile curfew stated if the Police found a juvenile out after hours, they were to tell that juvenile to go home, and a letter would be sent to the parents to let them know the juvenile was out. She suggested a change to give Police the ability to cite that juvenile into juvenile court if a Police Officer felt that was needed. She also tried to beef up the section about the responsibility of parents. There would not be any jail time, as it would be an unclassified misdemeanor. She recommended a graduated scale for penalties, as penalties would increase based on the number of violations. If a parent allowed their child to violate a curfew over and over, the penalties for the parent would

increase with the number of violations. In working with the Police Division on this item, she thought it was important they have the ability to cite those juveniles and follow the juvenile court process as established in state law.

President Smith opened the public hearing at 6:28 p.m. and invited those wishing to speak for or against amending Section 648.10 of the Xenia City Code to come forward.

Elliott Bittle, 837 McDowell Street, stated he was in favor of this. He believed in order to help curb the crimes committed by juveniles, there had to be some responsibility taken, in part, by the parents. Too often, juvenile courts usually faulted the child, and it did not seem like there was a way to put responsibility on a parent, which led to repetition and constant issues. Then, a child would have a long juvenile record, which made their future more difficult than it needed to be. In terms of age, they started to see more crime with juveniles in the 13 to 17 age range, which could escalate into something that could be a serious problem for the City. He thanked Council for addressing this issue, and putting some responsibility on parents.

President Smith closed the public hearing at 6:29 p.m. and entertained a motion on Ordinance 2026-37.

Motion by Councilwoman Huffman, seconded by Councilman Rubio, to adopt Ordinance 2026-37 as presented. President Smith entertained comments or questions. None were presented. The Roll on this was the following:

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

(8) NEW BUSINESS:

A. ORDINANCE 2026-40 AMENDING ORDINANCE 2026-24 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 this item was a last-minute addition, and staff was requesting an appropriation for one purpose. The City was awarded a $25,000 grant from CenterPoint Energy, which was a weatherization grant. These dollars had to be spent in a certain census tract, which happened to be one of the census tracts impacted by flooding locally. Staff thought it would be appropriate, given some of the permissible uses of these dollars, to assist some of the property owners who may have had some loss as a result of the flooding for things like repair or replacement of HVAC systems and water heaters. Because they were entering a season where the temperature was starting to drop, there was some urgency to get this item on the agenda so these issues could be quickly addressed. The purpose of the appropriated dollars would be to assist a few families who were in need of HVAC or water heater replacement. These dollars would not go far, but it would mean a lot to a few families who were in need.

President Smith entertained comments or questions. Councilman Rubio asked if there was a list of people that were in need. Mr. Duke thought the Development Department had compiled a list of people they thought would be well suited for assistance. He said Mr. Merriman and his staff could

provide that list to Council. Mr. Merriman concurred, and said staff would also attempt to fast track resources to those owner-occupied residents. There were some additional bureaucratic steps that would be required. Because this was a floodplain and flood zone, staff was obligated under certain federal regulations to do some additional assessments and potentially some additional work at some of these locations. He hoped to send a memo to Council tomorrow to update them on the response to the flood event. As of today, staff was sending out letters to all of the affected residents advising them of what the next steps would be.

Mayor Reynolds asked if this would cover a furnace replacement. Mr. Merriman said, yes. Mayor Reynolds asked that staff reach out to 281 S. West Street. Mr. Merriman confirmed that address was already on the list. Vice President Crawford asked if there was a committee set up to decide where the money would go. Mr. Merriman said, no. The utilization of this grant program for this purpose was not necessarily how it was originally envisioned. This program with a local natural gas provider was intended to look at replacement of appurtenances like a furnace or hot water heater to improve energy efficiency. Given the unique situation here, and the fact the grant money had to be used within specified census tracts, it just happened that this affected area was an eligible census tract, so the dollars could only be used for residences within a qualifying census tract. In terms of how staff would vet the dollars, he thought focus would be on owner-occupied rather than rentals. They would try to make some sort of evaluation as to need and urgency given the conditions of those residences. There was no grant requirement in terms of the vetting process; it was at the discretion of the City, but the focus would be on real need. President Smith noted any time they had an emergency Ordinance, it was an emergency measure necessary for public health, safety, and welfare. An emergency action from the Council was basically to move the Ordinance forward without a second reading; it was not because the City was in a financial situation or emergency financial crisis. Ms. Fisher stated appropriations Ordinances were always going to be emergency Ordinances because that was what was required under the City charter.

Hearing nothing further, President Smith called for a motion to adopt Ordinance 2026-40 as an emergency.

Motion by Mayor Reynolds, seconded by Councilwoman Sorice, to adopt Ordinance 2026-40 as presented. No comments followed. The Roll on this was the following:

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

A. Introduction of **ORDINANCE 2026-38 AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN APPENDIX A OF THE CITY GOVERNMENT CODE, TO REDUCE VENDOR FEES AT CITY-SPONSORED COMMUNITY EVENTS.** President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said each year, the City of Xenia hosted the downtown Red, White & Blue Block Party before the fireworks at Shawnee Park. Earlier this year, Council approved a permit process for food and beverage vendors and arts, crafts, and retail vendors at City-sponsored events, authorized the City Manager to issue permits, and established fees for both permit types. The City administered vendor registration internally for the first time this year and considered the process successful. However, after reviewing the event and receiving feedback from participating and prospective vendors, staff recommended reducing both permit fees. One key finding was a concern over the permit expenses

given the limited time for sales because vendors had to set up and tear down within a short amount of time. As a result, staff recommended reducing both permit fees by $50.00, and if implemented, would make the food and beverage fee $150.00 and all retail fees $50.00. This was an attempt to be competitive with what other cities would charge for a similar duration of event. He assumed Council would not have issues with reducing fees, but it was necessary to have Council approval on this item, and he asked for an introduction to this Ordinance.

President Smith entertained comments or questions. Mayor Reynolds thanked staff. Councilwoman Sorice asked if this was commiserate with what other cities had. Ms. Fisher noted the fees were really low. Mr. Merriman said the event in its totality lasted from late afternoon until around 11:00 p.m., but the downtown portion really only lasted about four hours. Staff thought about the revenue that had to be generated to cover fees, and they wanted it to be fair. President Smith asked what the fees would be for non-profits. Mr. Merriman said there would be no fees for non-profit organizations.

Hearing nothing further, President Smith called for the introduction of Ordinance 2026-38 as presented.

Mayor Reynolds introduced ORDINANCE 2026-38 AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN APPENDIX A OF THE CITY GOVERNMENT CODE, TO REDUCE VENDOR FEES AT CITY-SPONSORED COMMUNITY EVENTS.

B. Introduction of **ORDINANCE 2026-39 ENACTING SECTION 240.10 OF THE CITY'S ADMINISTRATIVE CODE, TITLED "COMMUNITY RESOURCES PROGRAM".** President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said incorporated into the 2026 operating budget was funding for a new position titled "Community Resources Coordinator." The position was created to supplement standard public safety services by providing more in-depth, longer-term assistance and referrals to persons who frequently utilized public safety services. As of June, the Community Resources Coordinator position had been filled by an Ohio-licensed independent social worker. Over the past few months, the coordinator had worked with the City Manager's office and the Law Director to define the program's scope, service-delivery approach, documentation requirements, liability protections, and other core elements. Beyond these administrative determinations, it was appropriate for Council to formally establish the Community Resources Program in the City's code. Because the Program was intended to be an extension of public safety services and would operate in close coordination with them, it was appropriate to incorporate the program into the City's Public Safety Department. The enactment of §240.10 would constitute Council's formal authorization of the Program under the Public Safety Department, without creating the Program as a stand-alone Division. Staff was prepared next Thursday to have a Public Safety Committee meeting of Council, and for those Councilmembers on that Committee, there would be an update on that program, along with the paramedicine program. He asked for an introduction of this Ordinance to integrate this service and establish it into City code.

President Smith entertained comments or questions. Councilwoman Huffman said for Section B under 240.10, she would not limit it to just a licensed, independent social worker. They could also have a licensed professional clinical counselor who had the same scope of practice; she suggested not limiting that licensure. Mr. Merriman said when this was originally posted, it was with a fairly

nonspecific set of credentialing that would be required because staff was not sure what kind of response there would be. There was a more robust set of qualified candidates than anticipated, and with the type of licensing of this employee, the guidelines were oriented to work in that direction. He agreed with Councilwoman Huffman in that they did not need to shoehorn themselves into a certain area, but he thought this worked well for now. They could modify that position in the future, and it could be amended at that time.

Councilwoman Huffman said with a licensed social worker who was dependently licensed, they would not want that person to be the sole individual in this program because they would need someone to supervise them. Keeping it as an independent licensure would be good. Ms. Fisher said the Program guidelines were written around the employee's license and what was required of her. She agreed that as that employee would leave, they would not only need to change this, but recraft the guidelines as well. Mr. Merriman asked Councilwoman Huffman if she had a recommendation in terms of tweaking the language. Since this was an introduction, Council could entertain a motion to amend. Ms. Fisher noted they could also table this item. Councilwoman Huffman stated she could give the amended language now. Ms. Fisher said they could make a motion to amend now.

Councilwoman Huffman made a motion to amend Ordinance 2026-39 to include language to include someone who is licensed in Ohio as an independent social worker or a licensed professional clinical counselor, or LPCC, seconded by Mayor Reynolds. With no further discussion, the Roll on this was the following:

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

President Smith asked Councilwoman Huffman if she would like to introduce the amended Ordinance 2026-39, and she agreed.

Councilwoman Huffman introduced ORDINANCE 2026-39 ENACTING SECTION 240.10 OF THE CITY'S ADMINISTRATIVE CODE, TITLED "COMMUNITY RESOURCES PROGRAM".

C. RESOLUTION 2026-053 AWARDING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH CUSTOM LANDSCAPE CONTRACTORS FOR THE 2026 URBAN FORESTRY PROJECT. President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said in July 2024, the City received grant funding from the U.S. Department of Agriculture (USDA) to remove dead trees and undergrowth, primarily in the City's East End, and plant 316 new trees in the HUB District and East End neighborhoods. The City pursued the grant to improve the neighborhoods' overall appearance and encourage reinvestment and redevelopment. The Engineer's estimate for the Project was $240,880, and on September 30, 2026, the City received three responsive bids for the Project, which were included in Council's agenda report. Based on the review of those bid submittals, review of references, and past poor performance, it was staff's recommendation that Council award the bid to Custom Landscape Contractors as the lowest and best bidder. The City used a "lowest and best" bidder standard – meaning Council did not have to pick the cheapest price but had the legal discretion to award the contract to a bidder who offered the best overall value, combining a competitive price

with proven skill, ability, integrity, and past performance. The City's documented policy also granted Council the right, in its sole discretion, to reject the lowest bid and award the contract to the next lowest bidder when Council determined that the lowest bidder was not the "best" bidder. The apparent low bidder, Evans Landscaping, could not demonstrate a satisfactory record of integrity or past performance based on staff review. Specifically, Evans served as the general contractor for the City's 2011 W. Main St. Enhancements Phase II Project. Evans' overall performance on that project was unsatisfactory, as Evans failed to adequately maintain the landscaping installed as required by the project's specifications. Both City Council and the public commented on this lack of maintenance by Evans at that time. Additionally, there had been a number of federal and state actions brought against Evans or its leadership over the last 10 years, which demonstrated an unsatisfactory record of integrity. Thus, staff recommended that Council exercise its discretion to award the contract to the next lowest bidder, Custom Landscape Contractors. They had demonstrated a satisfactory record of past performance, with a past City project, as well as multiple projects for the cities of Columbus, Washington Court House, Marysville, and Fairborn, all with positive references. As the next lowest bidder, Custom's bid was only $8,880 dollars higher than the low bidder, and its bid still fell below the Engineer's estimate of $240,880. He recommended Council authorize the Resolution as presented to allow the contract to be awarded to Custom Landscape Contractors at the amount specified.

President Smith entertained comments or questions. Mayor Reynolds asked if the places had been determined in the East End where trees would be cut down, and if they were on private properties. Mr. Merriman said they were all in the public right-of-way, and staff would be doing some public outreach so people would be aware of it. The trees that had been identified were safety or infrastructure issues. Staff would be planting far more trees than they were removing, with 33 trees being removed, and over 300 planted. Vice President Crawford asked if they were looking at Lexington Park, and the public right-of-way on the east end of town. Mr. Merriman said they were select locations on tree lawns, all on City property. Vice President Crawford noted the historic graveyard was in pretty bad shape in terms of the need for tree removal. Mr. Berger listed the streets where trees were being planted:

- Cincinnati Avenue, from Second to Grove
- Miami Avenue, from Cincinnati to Xenia Station, along the bike path
- W. Third Street, from Cincinnati to S. Detroit
- W. Second Street, from Cincinnati to S. Detroit
- E. Church, E. Market, E. Main, E. Second, E. Third, Park, Radar, and Fair Streets

Vice President Crawford said it was a good step in a good direction, but it did not fix some of the problems they already knew about when talking about the east end of town. Mr. Merriman agreed, and thanked Community Development Coordinator Ryan Baker for his work on this grant. This was an unusual grant, and staff had worked hard to get this to Council. This had good financial value to the City, but there was more work to be done. It was a step in the right direction to help remove some liabilities and attach some value through some new tree canopy, but there was plenty more to do. Councilman Mackiewicz asked if they were expecting a lot of these trees to be between the street and sidewalk. Mr. Berger concurred. Councilman Rubio asked if this was a one-time grant. Mr. Merriman said as of right now, that depended on the success of this program. Over seven trees were removed in Xenia Station, and the rest were scattered in various locations on E. Main, E. Second, and E. Third streets. Mr. Berger added most of the tree removals were on E. Market and E. Main streets. Mayor Reynolds asked if any of the trees removed were in the tree

lawn on E. Third Street, near his house. Mr. Merriman said there was one on E. Third. Councilman Rubio asked if any of these trees to be removed involved any additional work regarding water lines or pipes. Mr. Merriman did not think the selection was based on any adverse conditions with utilities, just more aesthetic or potential danger.

Hearing nothing further, President Smith called for a motion to pass Resolution 2026-053 as presented.

Motion by Councilman Rubio, seconded by Councilwoman Sorice, to pass Resolution 2026-053 as presented. President Smith confirmed this grant paid for everything. Mr. Merriman concurred. The Roll on this was the following:

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

D. RESOLUTION 2026-054 AUTHORIZING THE TERMINATION OF THE LEASE OF 94 W. MARKET STREET FROM THE XENIA COMMUNITY IMPROVEMENT CORPORATION. President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said staff recommended approval of Resolution 2026-054, which would authorize the termination of the lease at 94 W. Market Street, and would revert full rights back to the Community Improvement Corporation (CIC). The intent would be to have the CIC immediately execute a master lease agreement for the strip center at 94 W. Market Street with Dillin Development Group. This would be followed up by the Dillin Group making new leases with Sherwin Williams and UHR, including provisions for relocation of those businesses within the strip center, as well as extending lease terms with new lease rates. These steps were critically necessary to get these businesses moved as quickly as possible to allow for the demolition of the western portion of that strip center to accommodate construction of a new hotel anticipated at that site. Staff anticipated the next transition of the site would occur yet this fall by the end of the year with the sale of lots 3 and 4 to the Dillin Group, which were essentially the strip center and the adjoining open space. As staff had discussed with the Economic Development Committee before tonight's meeting, this was part of a very complicated process in dealing with the lease situation at Market District. It was by far the most complicated part of the entire project. The City inherited these leases from a prior private owner, and it had been an extraordinary process trying to get these individual businesses to work with staff on relocations. Staff felt like this Resolution was a necessary step to facilitate this process.

President Smith entertained comments or questions. Vice President Crawford knew how hard staff had worked on this, and he knew the importance of what they were facing as far as the need of this development and being behind schedule. He asked what staff's position was on eminent domain. Mr. Merriman suggested that conversation could be had offline, but as discussed with the Economic Development Committee, all options were on the table. Councilman Mackiewicz asked the length of the new leases. Mr. Duke thought it was a 15-year extension on Sherwin Williams, and a 10-year extension on UHR, but he did not remember for sure. Mr. Merriman said those would incorporate higher lease rates in the out years to be more appropriate as to what the space should be by market rates. Ms. Fisher said the tenants had the right to renew the current leases up through 2033. Mr. Duke noted that Family Dollar had a much longer lease term, and anything being negotiated was within the timeframe of that Family Dollar lease. They were not negotiating

anything going beyond when they could potentially eliminate all those leases in the future. They were trying to align the business interest at that particular site with the longest of the leases.

Hearing nothing further, President Smith called for a motion to pass Resolution 2026-054 as presented.

Motion by Vice President Crawford, seconded by Councilman Mackiewicz, to pass Resolution 2026-054 as presented. No comments followed. The Roll on this was the following:

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

E. RESOLUTION 2026-055 AUTHORIZING THE CITY'S PARTICIPATION IN THE MIAMI VALLEY COMMUNICATIONS COUNCIL'S GOVERNMENTAL ELECTRIC AGGREGATION PROGRAM; AMENDING AND RESTATING THE CITY'S PLAN OF OPERATION AND GOVERNANCE FOR GOVERNMENTAL ELECTRIC AGGREGATION BY ADOPTING THE MVCC'S PLAN OF OPERATION AND GOVERNANCE; AND AUTHORIZING THE NECESSARY ACTIONS TO IMPLEMENT THE REGIONAL AGGREGATION PROGRAM. President Smith asked Mr. Duke for a brief summary of this item. Mr. Duke said the City's Residential Aggregation Program's current contract would end in December of this year. Staff evaluated different options, including continuing to contract individually with suppliers, potential partnerships with the county, and a couple of councils of governance. One council of governance was the Sustainable Ohio Public Energy Council (SOPEC), and the other was Miami Valley Communications Council (MVCC). The City already had a relationship with MVCC, which aggregated electric for City facilities, and Palmer Energy was the consultant as it related to aggregation. After evaluating different options, staff believed participating in the MVCC aggregation program was the best option. There were fewer and fewer suppliers willing to respond to some of these bids, and larger buying power helped to bring down rates to some extent. He believed MVCC would recommend an extension through December of 2029. Unfortunately, the rates from an electric standpoint were not projected to decrease, and he thought the rate would land somewhere in the neighborhood of 0.11 per kilowatt hour. The City's aggregation program had been very successful over the last many years, saving residents millions of dollars in comparison to the AES price. That did not guarantee future success, but Palmer Energy did believe this was the best of the bad options for the City. Everyone would love energy prices to return where they were three to four years ago, but unfortunately, that was not happening in the foreseeable future. Staff believed this was the best option, and partnering with MVCC would lock in a rate that benefitted customers in comparison to the standard AES price. He recommended Council authorize this Resolution to authorize a partnership with MVCC to administer the City's aggregation program.

President Smith asked if this was for residents and businesses. Mr. Duke said businesses could participate within certain parameters. There were thresholds on how much energy could be consumed to participate in the program, but he did not remember the number. A lot of small businesses could potentially qualify for the program within those parameters. President Smith asked if this locked in the current price until 2029. Mr. Duke said, yes. He believed the group of communities participating agreed that 2029 would be ideal. However, the prices had not been locked in yet. With the energy market moving every day, they had a set of quotes from three days

ago, but they would get a quote on the specific day they planned to lock things in. Mayor Reynolds asked if constituents could opt out. Mr. Duke said yes, and noted this plan would maintain that opt-out option if prices were to drop substantially. Residents could opt out of the program and go on the Ohio Energy Choice website and enroll in their own plan or go back to AES. This did not lock in residents to something they could not get out of, but it did provide a ceiling as far as expenditures, so they would know those rates for the next three years. Mayor Reynolds had seen rates go up drastically, and the City's rates had stayed lower. Mr. Duke concurred, and stated the City's plan had stayed well below the AES price, and residents saved money over that period of time. It was possible that could happen again, and he was hopeful they did not see rates climb a lot, but if they did, they would have a cap on it. President Smith asked if residents could shop around now. Mr. Duke said yes, residents could go out on their own, unless they had already locked in with another supplier. The Ohio Energy Choice website was a great tool to see all of the different suppliers and their available rates and plans. Mayor Reynolds noted it was typically more expensive to be outside the aggregation than inside the aggregation. Mr. Duke concurred, and said sometimes people could find good deals for six months, but at the end of that six months, that plan went away, and the rate kind of jumped, so it was hard to find long-term savings. Vice President Crawford asked if everyone was automatically enrolled. Mr. Duke said yes, and if someone had not signed a contract with an outside supplier, they would automatically be enrolled. When this program started in December, residents would get a letter will the rate and plan, and they would be given the opportunity to opt out. President Smith thanked staff for the opportunity to help people save money. He knew City staff worked diligently to help pass that savings on to residents. He had been a part of the aggregation program in the past, and it had worked for both gas and electric. There were times it did not pan out, but at least it was an attempt for some savings.

Hearing nothing further, President Smith called for a motion to pass Resolution 2026-055 as presented.

Motion by Vice President Crawford, seconded by Councilwoman Huffman, to pass Resolution 2026-055 as presented. No comments followed. The Roll on this was the following:

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

F. RESOLUTION 2026-056 ACCEPTING A $1,000,000 REDD PROGRAM GRANT FROM THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE XENIA MARKET DISTRICT REDEVELOPMENT PROJECT. President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said while this Resolution probably was not technically required, it was a million-dollar project, and because people opined about this, it was appropriate to explain what this was and how it applied. In January, Council authorized an application for Ohio's new Residential Economic Development District Grant Program (REDD), which provided funding to support residential projects creating at least 100 housing units within a 20-mile radius of a "major economic development project". As defined in Council's agenda report, there were various projects in the region that qualified as within a 20-mile radius under the major economic development project definition. While the City was unsuccessful with the initial application earlier this year, staff resubmitted for the REDD grant funding to support the residential phases of the Xenia Market District (XMD) redevelopment. Staff was notified on September 11, 2026, that the Ohio Department of Development announced Xenia was awarded a $1,000,000 REDD grant for

residential development within XMD. The grant set no specific housing-affordability standard and required no local match. Also, the City had a fair amount of discretion in terms of how those funds would be utilized to help make the site ready for residential development and reduce other costs. Staff submitted in the application that the electric line would have to be relocated in the residential zone of the site, as well as a water line that had to be addressed or relocated. Those would be the two top priorities, but beyond that, staff anticipated a substantial portion of the grant dollars could be used for various other aspects, which might include other utility connections. There was some roadway resurfacing on Market Street that was not part of the initial program at the site, and various other things around the periphery that would be necessary to make it completely site-ready. This would be adding value to the project at no local cost, and was not a subsidized housing program as some people had speculated. It was adding cash value to the project, and would help advance the residential component. He applauded staff's efforts for doing this, and it was an acknowledgement of the value of this Market District project, as viewed at the state level. The funds would be used for housing development, infrastructure, and site preparation costs. This evening, he was asking for Council's authorization to accept and move forward with this item. It was a tight turnaround, and once staff received the grant agreement, they had 10 days to execute the agreement. He anticipated some of the work beginning at the site on the relocations probably no later than the first quarter of next year. There was some design work that had to be done and determinations about how the balance of the dollars would be spent over the remainder of 2026. He expected to see full construction on these things as they got into fair weather season next spring, and everything needed to be complete by next October. He requested Resolution 2026-056 be approved this evening to move forward.

President Smith entertained comments or questions. Mayor Reynolds extended a special thank you to Ohio Representative Adam Matthews, who alerted them to this grant, and Ohio State Senator Michele Reynolds, who sponsored the bill. He thanked Ohio Governor Mike DeWine, Ohio Lieutenant Governor Jim Tressel, and Ohio Department of Development Director Lydia Mihalik, who were all a part of making this happen. He noted without Representative Matthews, who was not even the City's representative, they would not have been able to apply, so he was greatly appreciative.

Hearing nothing further, President Smith called for a motion to pass Resolution 2026-056 as presented.

Motion by Councilwoman Sorice, seconded by Mayor Reynolds, to pass Resolution 2026-056 as presented. No comments followed. The Roll on this was the following:

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

G. RESOLUTION 2026-057 SUPPORTING OHIO HOUSE BILL 798, TITLED "THE PRIVACY PROTECTION ACT". President Smith asked Mr. Merriman for a brief summary of this item. Mr. Merriman said the State of Ohio lacked definitions and standards in state law concerning access to and use of sensitive and private spaces in public facilities. Locally and across the state, this lack of a legal standard had given rise to conflicts concerning the use of private spaces. House Bill 798 would establish a legal baseline in state law and give local governments the ability to enforce common-sense standards intended to protect vulnerable citizens and their

privacy. This proposed Resolution supported House Bill 798, except for the proposed language in § 9.071(C) and (G), which would impose an affirmative duty on, and create a cause of action against, local governmental entities.

President Smith entertained comments or questions. Hearing none, he called for a motion to pass Resolution 2026-057 as presented.

Motion by Councilwoman Huffman, seconded by Mayor Reynolds, to pass Resolution 2026-057 as presented. No comments followed. The Roll on this was the following:

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

H. Procedural Motion for One Appointment to the Xenia Public Art Commission (X-PAC). President Smith asked Councilwoman Sorice to comment on this item since she was the Chair of the Xenia Public Art Commission. Councilwoman Sorice said Ms. Sherry Gassaway was appointed to the Xenia Public Art Commission on October 10, 2024, and had successfully served since that time, also being appointed as the Vice Chair of the Commission. Her term was due to expire on October 10, 2026. Ms. Gassaway had expressed her interest to continue serving on the Xenia Public Art Commission for a four-year term. She respectfully recommended her reappointment to a four-year term expiring on October 10, 2030. No comments followed.

Motion by Councilwoman Sorice, seconded by Councilwoman Huffman, to reappoint Ms. Sherry Gassaway to the Xenia Public Art Commission. President Smith thanked Ms. Gassaway for her willingness to serve, as well as all volunteers that served. These were unpaid, citizen-led positions, and he appreciated their support. The Roll on this was the following:

Ayes: Crawford, Sorice, 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 this evening, but he would be happy to answer any questions, and no one had any questions.

President Smith asked the Law Director for her comments. Ms. Fisher said she had no items, but for the Executive Session, she asked that the motion include general legal advice under §13.03C(1). Based on conversations in the Executive Session at the last meeting, she had some updates for Council.

President Smith asked the City Manager for his comments. Mr. Merriman reminded everyone that City administrative offices would be closed next Monday, which was Columbus Day. Staff had an annual tradition to do an in-house training day that day, so they would be participating in an emergency response exercise. An after-action report would be completed after the training, which he would share with Council in the near future. He reiterated he was working on a memo that he hoped to provide to Council tomorrow or Monday to give an update on the flood response. He stated Council authorized funding in this year's budget for a replacement emergency generator for the City Administration Building, which had been needed for a few years. The current generator

was 10 years old and had outgrown its capacity, essentially only covering emergency functions in the building. In the event of an extended power outage, this building would need to be more functional. As they had probably seen in the back parking lot, they had been in the process of working with contactors to get prepared to set the generator in place. He advised Council that in order to fully connect that generator, it was an involved process which required the power to this building to go completely down. Right now, it appeared the best date to do that was Friday, November 6th in order to try and minimize adverse impacts to City services. It would take that Friday, Saturday, and Sunday to completely install and test the generator. The network, which was housed in this facility, would have to go down for a brief period to go through the process of connecting to a temporary generator and bringing all those systems back online. There would be no heat, etc. in the building, so the building would likely be closed to the public on November 6th. As those details came into play, he would share those with Council and also publicize it to the general public. This was a one-time thing, and it was taking quite a bit of coordination to ensure this was done satisfactorily and comprehensively. He reported Oktoberfest, which was sponsored by Devil Wind Brewing this year, would occur this Saturday, October 10th, from 11:00 a.m. to 10:00 p.m. As a result, S. Detroit Street would be closed at Main Street down to Third Street. There would be a car show in the early part of the day, along with entertainment and live music. Unfortunately, there might be remnants of a hurricane coming through the area this weekend, but he wished them success on the event. Councilwoman Sorice confirmed the City building would be closed on November 6th. Mr. Merriman concurred, and said the plan currently was the IT Division would come in overnight from November 5th to the 6th and systematically shut the network down. The power would be cut and immediately switched over to the generator power. Systematically bringing up all server systems in sequence back online would shut some of the network functions down for about a 30 to 90-minute period. They would still have public safety services, etc., as they were on a separate system, but it would affect the functions in this building. In doing this, there would not be enough backup power to run the rest of the building, so they would be on the partial generator for the network center. This would take Friday and Saturday, with final testing into Sunday. The goal would be to have everything complete no later than 8:00 p.m. on Sunday to allow time from 8:00 p.m. that night to 8:00 a.m. the next morning for the building to heat back up and everything to properly come back online. The building should be back open for business that following Monday.

(10) COUNCIL COMMENTS & REPORTS:

Councilman Mackiewicz said he had the opportunity to eat at Tik Takos in the Hub District, which was in one of the newer buildings in that district, and it was very exciting. He encouraged the School Resource Officers to begin teaching students about the new e-transportation devices so they would know the difference between an e-moto and an e-bike. He thanked the audience for remaining at tonight's meeting through the long agenda. He enjoyed seeing the e-unicycle this evening, and he appreciated Council and the Law Director for coming up with balanced, practical laws for e-transportation devices. Some cities had made news recently for overreacting and banning these devices, which were becoming crucial transportation methods for work and various errands. He thanked staff for working on the tree grant, and added trees were amazing for cities – they provided shade, increased property values, and made the City more livable among all the asphalt and concrete.

Councilwoman Sorice said she also ate at the grand opening of Tik Takos, and it was a very nice and beautiful building. They also had homemade ice cream, and it was always exciting when a new, fresh business came to town. She wished them the best of luck.

Councilwoman Huffman said she also enjoyed the tacos.

Councilman Rubio said he did not eat any tacos.

President Smith noted all of Council was invited to the Tik Takos grand opening, and they did sit at separate tables.

Vice President Crawford enjoyed the event at Tik Takos; it was worth going to, and he would be taking his wife. It was a cool place, and very impressive for the community. He reminded everyone about early voting, and he could not express how important it was for everyone to get out and vote.

President Smith asked if the changes to the charter would be publicized ahead of the election. Ms. Fisher said it would be published in the Xenia Gazette. The required deadline for the first publication date was October 19th, so it could be published on October 12th and 19th or October 19th and the following Monday. The full text would be publicized, and she noted the City's Public Relations Coordinator could use the amendments with the rationale to publicize that information within the next couple of weeks. Mr. Merriman added his office received a call from Cheryl Marcus from the United AME Church regarding an invitation to their candidate and issue night. There had been discussion among staff that Ms. Fisher might have been best positioned to attend, but she would be out of town. He asked Council if they would like to have someone present, and he thought it would be best to have either the Councilmember that participated in the Commission, which was Councilwoman Sorice, or possibly a Commission member. He was open to suggestions if they would like to have someone there. Councilwoman Sorice said she would be willing to attend. President Smith noted she could have someone else go with her, and Councilwoman Sorice stated that would be great.

Mayor Reynolds presented a proclamation for the Violence Free Futures event at the Greene. He attended the Heritage Ohio Annual Awards Banquet, and reported Xenia won two awards. The Nesbitt House, with co-owner John Zeller, won the Best Residential Restoration Award, and competed against Tipp City, Troy, and Elyria. Xenia Shoe and Leather won the Best Mixed-Use Development Award, and they competed against Kent and Cuyahoga Falls. He also shared he attended the Tik Takos grand opening, and it was excellent. He added the staff there was great.

President Smith noted he was not able to chair the Planning and Zoning Commission yesterday evening, so he would give a report at the next meeting. He welcomed Tik Takos to Xenia, and said it was very delicious. As Vice President Crawford stated, early voting had started, and he encouraged citizens to participate and educate themselves on the issues and candidates.

(11) EXECUTIVE SESSION: President Smith said an Executive Session was needed this evening for general legal advice, per Charter §13.03C(1), and not personnel matters as listed on the agenda.

Motion by Mayor Reynolds, seconded by Councilwoman Sorice, to go into Executive Session at 7:29 p.m. for general legal advice, per Charter §13.03C(1). No discussion followed. The Roll on this was the following:

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

President Smith stated they would be in Executive Session quite a while, as there were four items Council had to go over with the Law Director, but he did not anticipate coming back with any legislative action. He also commented there would be a need for an Executive Session at the next Council meeting as well.

The Council convened in Executive Session with the same members present. At 8:19 p.m., President Smith reconvened the Regular Session.

(12) ADJOURNMENT: Motion by Mayor Reynolds, seconded by Councilwoman Sorice, to adjourn the Regular Meeting at 8:19 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:

Introduction:	October 8, 2026, by Mayor Ethan Reynolds
Public Hearing & Vote:	October 22, 2026
Effective Date:	November 21, 2026

Agenda Item: **ORDINANCE 2026 – 38**
AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN APPENDIX A OF THE CITY GOVERNMENT CODE, TO REDUCE VENDOR FEES AT CITY-SPONSORED COMMUNITY EVENTS

Submitted by: Karly French, Executive Assistant to the City Manager
Presented by: Brent Merriman, City Manager

Summary: Each year, the City of Xenia hosts the downtown Red, White & Blue Block Party before the fireworks at Shawnee Park. Earlier this year, Council approved a permit process for food and beverage vendors and arts, crafts, and retail vendors at City-sponsored events, authorized the City Manager to issue permits, and established fees for both permit types. The City administered vendor registration internally for the first time this year and considers the process successful. However, after reviewing the event and feedback from participating and prospective vendors, staff recommends reducing both permit fees. Because the event lasts only four (4) hours on a single day, lower fees would still help offset the City's administrative and operational costs while encouraging broader vendor participation. This change would better support community engagement and local economic and civic activity while maintaining transparency and fiscal responsibility.

Cover Memo Attachments: None

Budgetary Impact: The amendment would reduce event fee revenue; however, the remaining revenue would help offset the City's administrative and operational costs for sponsored community events.

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

Recommendation: Adopt Ordinance 2026-38 to amend Table P8.2. of the City's Fee Schedule to reduce the fees for vendor permits at City-sponsored community events.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 38

AMENDING TABLE P8.2. OF THE CITY'S FEE SCHEDULE, AS CONTAINED IN APPENDIX A OF THE CITY GOVERNMENT CODE, TO REDUCE VENDOR FEES AT CITY-SPONSORED COMMUNITY EVENTS

WHEREAS, the City sponsors and supports community events that provide opportunities for residents, businesses, nonprofit organizations, and community groups to participate in activities that promote community engagement, economic activity, and quality of life;

WHEREAS, participation by local vendors contributes to the success and vibrancy of City-sponsored community events;

WHEREAS, vendor permit fees offset costs incurred by the City including staff time, processing, inspections, and compliance activities related to City-sponsored community events, but must remain low enough to encourage vendor participation; and

WHEREAS, the City Council recognizes the importance of encouraging vendor participation and desires to amend the City's fee schedule to reduce vendor fees to encourage participation in City-sponsored community events,

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

Section 1. Table P8.2. of the City's Fee Schedule, as contained in Appendix A of the City Government Code, is hereby amended, as shown in the attached Exhibit A.

Section 2. Existing Table P8.2. of the City's Fee Schedule is hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting 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 Ordinance shall take effect November 21, 2026.

Introduced: October 8, 2026
Adopted: October 22, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

Table P8.2

Xenia Code Section	Chapter 810: Carnivals, Circuses & Other Exhibitions	Fee
810.03(b)	Cash bond	$1,545
810.03(c)	Carnivals, circuses and other exhibitions	$321 per day
810.07(c)	City-Sponsored Community Events	
	Food or Drink Vendors	~~$200~~ **$150**
	Art & Craft or Other Retail Vendors	~~$100~~ **$50**

(Ord. 97-08. Adopted 02/27/97; Ord. 06-62. Adopted 09/28/06; Ord. 08-32. Adopted 05/22/08; Ord. 12-09. Adopted 03/22/12; Ord. 2021-04. Adopted 02/11/21; Ord. 2023-38. Adopted 12/28/23; Em. Ord. 2024-01. Adopted 02/08/24; Ord. 2024-02. Adopted 02/22/24; Ord. 2026-05. Adopted 02/26/26; Ord. 2026-38. Adopted **/**/26)

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Introduced, as amended: October 8, 2026, by Councilmember Rachel Huffam
Public Hearing & Vote: October 22, 2026
Effective Date: November 21, 2026

Agenda Item: **ORDINANCE 2026 – 39**
ENACTING SECTION 240.10 OF THE CITY'S ADMINISTRATIVE CODE, TITLED "COMMUNITY RESOURCES PROGRAM"

Submitted & Presented by: Brent W Merriman, City Manager/Public Safety Director

Summary: Incorporated into the 2026 operating budget was funding for a new position titled "Community Resources Coordinator." The position was created to supplement standard public safety services by providing more in-depth, longer-term assistance and referrals to persons who frequently utilize public safety services. Services performed by the Community Resources Coordinator are intended to complement, not replace, other existing external social services. Because it was unclear what types of professionals the position and offered compensation would attract, the Community Resources Program's full scope and guidelines were left undefined until recruitment was complete.

As of June, the Community Resources Coordinator position had been filled by an Ohio-licensed independent social worker. During the summer, staff began defining the program's scope, service-delivery approach, documentation requirements, liability protections, and other core elements. Guidelines for the Program were developed based on the professional and licensing requirements applicable to a licensed independent social worker. Beyond these administrative determinations, it is appropriate for Council to formally establish the Community Resources Program in the City's Code. Because the Program is intended to be an extension of public safety services and will operate in close coordination with them, it is appropriate to incorporate the Program into the City's Public Safety Department. The enactment of § 240.10 will constitute Council's formal authorization of the Program under the Public Safety Department, without creating the Program as a stand-alone Division.

Cover Memo Attachments: Community Resources Program Guidelines

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: Adopt Ordinance 2026-39 to enact § 240.10 as a part of Chapter 240, Department of Public Safety, of the Xenia City Code to formally establish the City's new Community Resources Program.

CITY OF XENIA, OHIO
ORDINANCE 2026 – 39

ENACTING SECTION 240.10 OF THE CITY'S ADMINISTRATIVE CODE, TITLED "COMMUNITY RESOURCES PROGRAM"

WHEREAS, the persistent misuse and abuse of public safety services, including 9-1-1 emergency call services, place undue additional burdens on first responders and divert critical capacity away from actual public safety emergencies;

WHEREAS, many of the individuals misusing and abusing 9-1-1 emergency call services and public safety services have legitimate needs for assistance, but those needs are more oriented toward accessing social services and related care coordination;

WHEREAS, City Council authorized the creation of the Community Resources Coordinator position to operate a Community Resources Program, which is intended to complement existing public, private, medical, behavioral-health, social-service, and community resources;

WHEREAS, the Community Resources Coordinator position has been filled by an Ohio-licensed independent social worker, and it is thus appropriate to legislatively define the Program within the scope of the Coordinator's professional license standards and service requirements; and

WHEREAS, this Council finds it to be in the best interests of the health, safety, and welfare of the City and its residents to enact § 240.10 of the Xenia City Code to formally create the City of Xenia Community Resources Program to provide professional social-work services and related care coordination to individuals who have ongoing social-service needs beyond those addressed by public safety services,

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

Section 1. Section 240.10, to be titled "Community Resources Program," is hereby enacted as a part of Chapter 240, "Public Safety Department," of Title Six: Administrative Code, of Part Two – City Government Code, of the Xenia City Code.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting 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 Ordinance shall become effective on November 21, 2026.

Introduced: October 8, 2026
Adopted: October 22, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

240.10 COMMUNITY RESOURCES PROGRAM.

(a) Establishment. The Public Safety Director is hereby authorized to establish a Community Resources Program to provide professional social-work services and related care coordination to residents of the City who have ongoing social, behavioral-health, health-related, functional, or other needs that may benefit from services beyond those ordinarily provided by the Public Safety Department's first responders. The Program shall complement, and not replace, existing public, private, medical, behavioral-health, social-service, and community resources.

(b) Community Resources Coordinator. The Community Resources Program shall be operated by a Community Resources Coordinator who is licensed in Ohio as an independent social worker ("LISW"), social worker ("LSW"), or licensed professional clinical counselor ("LPCC"). Program services provided by the Coordinator shall be performed within the scope of the Coordinator's professional license, education, training, experience, and demonstrated competence and in accordance with applicable law and professional standards.
(Ord. 2026-39. Adopted **/**/26)

CITY OF XENIA, OHIO
COMMUNITY RESOURCES PROGRAM

PROGRAM GUIDELINES

A. GENERAL.

(1) Purpose: The City of Xenia Community Resources Program (the "Program") provides professional social-work services and related care coordination to residents of the City of Xenia and Greene County who have ongoing social, behavioral-health, health-related, functional, or other needs that may benefit from services beyond those ordinarily provided by first responders.

(2) Intent: The Program is intended to complement, and not replace, existing public, private, medical, behavioral-health, social-service, and community resources. The Program may assist individuals who have experienced inadequate or incomplete transitions from emergency or other public-safety services and who require ongoing professional assistance navigating health-care, behavioral-health, social-service, housing, benefits, transportation, and other systems.

(3) Coordinator: The Program is operated by a Community Resources Coordinator who is licensed as an independent social worker in the State of Ohio ("LISW"). Services provided by the Coordinator shall be performed within the scope of the Coordinator's professional license, education, training, experience, and demonstrated competence, and in accordance with applicable law and professional standards.

(4) Services: The Program is intended to provide individualized assessment, care coordination, advocacy, support, referral, and other appropriate social-work services designed to assist clients in identifying goals, addressing barriers, connecting with appropriate resources and providers, and improving continuity of care.

B. PROGRAM SERVICES.

The Community Resources Coordinator may provide services including, but not limited to, the following:

(1) Assessment and Care Planning: Conducting appropriate social-work assessments and identifying client needs, strengths, risks, barriers, goals, and available resources; collaborating with clients to develop, implement, and periodically review individualized service or care plans.

(2) Ongoing Support: Providing professional social-work support and follow-up services consistent with the client's needs, the Coordinator's scope of practice, and the Program's available resources.

(3) Benefits and Administrative Assistance: Assisting clients with applications and paperwork relating to public assistance, benefits, local aid, identification and other government documents, and other programs for which the client may be eligible.

(4) Advocacy: Providing client-centered advocacy and assistance in obtaining appropriate housing, food, transportation, health care, behavioral-health services, benefits, and other resources.

(5) Referral and Care Coordination: Identifying and coordinating appropriate referrals to medical, behavioral-health, substance-use, social-service, housing, transportation, governmental, and other community providers and facilitating communication among providers when appropriate and authorized.

(6) Gap Support: Providing limited, individualized assistance intended to address identified gaps between the client's immediate needs and the availability or initiation of services from an appropriate provider. Gap support may include temporary assistance with coordination,

communication, transportation arrangements, appointment coordination, benefits navigation, medication-related coordination, and other non-emergency services within the Coordinator's professional competence and the Program's scope.

(7) Medication and Prescription-Related Assistance: The Coordinator may assist clients with medication organization, medication-related education within the Coordinator's professional competence, medication adherence support, prescription-refill coordination, pharmacy communication, and communication with prescribing or treating providers. The Coordinator shall not prescribe, dispense, administer, alter, or discontinue prescription medication unless separately authorized by applicable law and within the scope of a separate professional credential or authority held by the Coordinator.

(8) Fall Prevention and Geriatric Support: Providing social-work assessment, education, advocacy, care coordination, and resource assistance relating to fall prevention, mobility concerns, aging in place, home-safety resources, transportation, caregiver support, assistive services, and other needs of older adults. The Coordinator shall not perform medical, nursing, physical-therapy, occupational-therapy, or other services requiring a separate professional license unless separately authorized to do so.

(9) Community Resource Development: Establishing and maintaining relationships with local service providers and maintaining current information concerning available community resources.

(10) Community Outreach and Education: Conducting preventive community outreach and educational activities concerning the Program, available resources, and methods of accessing appropriate services.

The services identified above are illustrative and not exhaustive. The Coordinator may provide other social-work or care-coordination services when appropriate, provided that the services are within the Coordinator's lawful scope of practice, professional competence, and the purposes and limitations of the Program.

C. **ELIGIBILITY AND PARTICIPATION.**

(1) Eligibility: Residents of the City of Xenia and Greene County may be considered for participation in the Program when they present with ongoing needs that may appropriately be addressed through the Program. The Program is voluntary and non-emergency in nature. Participation is not guaranteed.

(2) Participation: Potential Program participants may include, without limitation:
   (a) Frequent users of emergency services;
   (b) Isolated or vulnerable older adults;
   (c) Individuals with a history of falls or mobility concerns;
   (d) Individuals experiencing difficulty obtaining food, housing, transportation, or other basic needs;
   (e) Individuals experiencing barriers to mental-health, substance-use, addiction, or other health-related services; and
   (f) Individuals experiencing other social determinants of health or circumstances that may benefit from professional social-work intervention or care coordination.

(3) Authority of the Coordinator: The Coordinator shall use professional judgment to determine whether a referral is appropriate for the Program and whether the Program has sufficient resources and capacity to provide safe and appropriate services. A referral may be declined, deferred, suspended, or terminated when, in the Coordinator's professional judgment:
   (a) The client's needs are outside the scope of the Program or the Coordinator's professional competence;
   (b) The client's needs are more appropriately addressed by another provider or service;
   (c) The Program lacks sufficient resources or capacity to provide appropriate services;
   (d) Continued services would create an actual or potential conflict of interest or multiple relationship;
   (e) The client presents a safety concern to the Coordinator, City personnel, the client, or another person;
   (f) The client engages in threatening, abusive, violent, or otherwise inappropriate conduct;
   (g) Continued services would otherwise be inconsistent with applicable law, professional standards, or the best interests of the client; or
   (h) Other legitimate professional, ethical, operational, or safety considerations warrant discontinuation.

(4) Nondiscrimination: Eligibility and service decisions shall be made without discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability, consistent with applicable law.

(5) Referrals: When services are declined, suspended, or terminated, the Coordinator shall consider the client's circumstances and, when reasonably appropriate and consistent with professional obligations, make reasonable efforts to provide appropriate referrals and facilitate continuity of care.

D. REFERRAL PROCESS. Referrals to the Program may be made when a resident presents with needs that exceed the scope of emergency response personnel or require ongoing social-work services or care coordination.

(1) Xenia Police Division Referrals: Police Division personnel should obtain the individual's consent to be contacted by the Coordinator and a reliable method of establishing future contact, such as a telephone number, email address, or mailing address. Referral information shall be transmitted to the Coordinator through the City's designated secure referral mechanism. Police Division personnel shall provide only information reasonably necessary to facilitate the referral and shall identify the referring officer.

(2) Xenia Fire & EMS Division Referrals: Fire & EMS Division personnel should obtain the individual's consent to be contacted by the Coordinator and a reliable method of establishing future contact. Referral information shall be transmitted through the City's designated secure referral mechanism or, when appropriate, through the Emergency Networking mechanism associated with the Community Paramedicine Program. Fire & EMS Division personnel shall provide only information reasonably necessary to facilitate the referral and shall identify the referring employee.

(3) Community Provider Referrals: Community organizations and service providers may refer residents to the Program when the referring organization determines that the resident has a need that would benefit from professional social-work services or care coordination not available through the referring organization. The referring organization should obtain the individual's consent to be contacted by the Coordinator and provide a reliable method of establishing future

contact. Referral information shall be transmitted through the City's designated secure referral mechanism. Referring organizations should provide only information reasonably necessary to facilitate the referral.

(4) Self-Referral: Residents of the City of Xenia and Greene County may self-refer through the Program's published referral mechanism or by directly contacting the Coordinator.

(5) Referral Review: The Coordinator shall review each referral and determine the appropriate response based upon the information available, professional judgment, the client's circumstances, Program eligibility, available resources, and the Coordinator's scope of practice. The Coordinator may contact the referring party when additional information or coordination is reasonably necessary and legally permissible.

E. PROFESSIONAL SERVICE DELIVERY.

(1) Intake and Informed Consent: Before providing ongoing professional services, the Coordinator shall complete appropriate intake procedures and obtain informed consent consistent with applicable law and professional standards. Consent shall be documented in the client's record. The client shall be informed of:
- (a) The nature and purpose of the Program and services;
- (b) The professional role of the Coordinator;
- (c) The anticipated scope and limitations of services;
- (d) The voluntary nature of participation;
- (e) The client's right to refuse or withdraw consent;
- (f) Applicable limits on confidentiality;
- (g) Circumstances in which information may be disclosed without or notwithstanding the client's consent;
- (h) The expected duration or review period of services; and
- (i) Other information reasonably necessary for the client to make an informed decision concerning participation.

(2) Initial Assessment: The Coordinator shall conduct an initial social-work assessment appropriate to the client's circumstances and the services being considered. The assessment may address, as appropriate, the client's stated concerns, strengths, functioning, safety, social supports, living circumstances, health-related and behavioral-health needs, access to resources, barriers to care, and other matters relevant to the provision of professional social-work services. The Coordinator shall not represent that an assessment performed for Program purposes constitutes a medical diagnosis or other professional assessment outside the Coordinator's scope of practice.

(3) Individualized Service or Care Plan: When ongoing services are appropriate, the Coordinator shall collaborate with the client to identify goals and develop an individualized service or care plan appropriate to the client's needs. The care plan shall be reviewed and modified when reasonably necessary based upon changes in the client's circumstances, goals, needs, risks, or available resources. The plan should identify, as appropriate:
- (a) Client-identified goals;
- (b) Identified needs and barriers;
- (c) Proposed interventions or support;
- (d) Referrals and community resources;
- (e) Coordination with other providers;
- (f) Anticipated follow-up;
- (g) Circumstances warranting reassessment; and

(h) Anticipated discharge or transition criteria.

(4) Ongoing Services and Follow-Up: Follow-up services shall occur as reasonably necessary based upon the client's needs and the Coordinator's professional judgment. Services may include social-work intervention, advocacy, care coordination, resource navigation, monitoring of progress toward identified goals, communication with other providers, assistance with benefits and services, and other appropriate activities within the Coordinator's scope of practice.

(5) Coordination With Other Providers: The Coordinator shall seek to avoid unnecessary duplication of professional services and, when appropriate and authorized, coordinate with other professionals involved in the client's care. When a client's needs exceed the Coordinator's competence or scope of practice, the Coordinator shall make an appropriate and timely referral. The Program does not replace or supersede the professional judgment, treatment, or services of a physician, nurse, psychologist, psychiatrist, therapist, pharmacist, physical therapist, occupational therapist, attorney, or other appropriately licensed professional.

(6) Emergency Situations: The Program is not an emergency-response service. The Coordinator shall not be expected to provide emergency response or remain available on a twenty-four-hour basis. Clients experiencing an emergency shall be directed to 911, an emergency department, a crisis service, or another appropriate emergency resource. Nothing in these Guidelines limits any duty imposed by law or applicable professional standards when the Coordinator becomes aware of circumstances requiring action, including applicable mandatory reporting obligations.

(7) Discharge and Termination: The Program generally anticipates a period of participation of approximately ninety (90) days, but the duration of services shall be determined by the client's circumstances and professional needs rather than by an inflexible time limit. Services may be concluded when the client's identified goals have been substantially addressed, appropriate ongoing services have been established, the client no longer requires Program services, the client withdraws consent, the client cannot be located after reasonable efforts, or continued services are otherwise inappropriate. The Coordinator shall consider the potential effect of termination on the client and, when appropriate, provide reasonable notice and referrals to facilitate continuity of care.

F. PROFESSIONAL BOUNDARIES AND LIMITATIONS.

(1) Limitations: The Program is non-emergency and voluntary in nature. The Coordinator shall obtain written consent from the client or the client's legal guardian or representative before including any client in the Program.

(2) Coordinator's Service Provision: The Coordinator shall provide services only within the scope of the Coordinator's LISW license, education, training, experience, and demonstrated competence. The Coordinator shall not:
   (a) Prescribe or independently alter prescription medications;
   (b) Provide medical diagnosis or treatment;
   (c) Perform nursing, physical therapy, occupational therapy, or other licensed professional services for which the Coordinator lacks the applicable credential;
   (d) Provide emergency medical or emergency behavioral-health response except to the extent otherwise authorized and appropriate under applicable law;
   (e) Make representations concerning services or treatment that exceed the Coordinator's professional competence;
   (f) Continue providing services when the client's needs exceed the Coordinator's scope of practice or competence without making an appropriate referral;

(g) Engage in conduct that constitutes exploitation of a client;
(h) Engage in inappropriate multiple relationships or conflicts of interest; or
(i) Use the Program or the Coordinator's professional position for personal, financial, political, or other improper benefit.

(3) Professional Standards: The Coordinator shall comply with all applicable professional standards governing independent social workers, including standards concerning competence, informed consent, confidentiality, professional boundaries, recordkeeping, termination, and mandatory reporting.

G. CONFIDENTIALITY AND INFORMATION SHARING.

(1) Client Information: Information obtained by the Coordinator from or concerning a client in the course of professional services shall be treated as confidential and shall be disclosed only as authorized or required by law, applicable professional standards, valid client consent, or other lawful authority. The Coordinator shall discuss with clients the nature and limitations of confidentiality at the beginning of the professional relationship and as reasonably necessary thereafter.

(2) Authorized Disclosure: Client information shall be shared with City employees, public safety personnel, community organizations, family members, caregivers, health-care providers, or other persons only when the disclosure is authorized by the client or legally permitted or required.

(3) Release: When a release of information is appropriate, the release should identify the information to be disclosed, the recipient, the purpose of the disclosure, and any applicable expiration or limitation. Information transmitted electronically, including by email, electronic referral systems, telephone, or other technology, shall be handled using reasonable and appropriate safeguards.

(4) Nothing in these Guidelines creates an entitlement to disclosure of confidential information or authorizes disclosure of information otherwise protected by law.

H. CLIENT RECORDS AND RECORDKEEPING.

(1) Client Records: The Coordinator shall maintain a professional record for each client receiving ongoing Program services. Records shall be maintained in a secure location and shall be accessible only to persons authorized by law, City policy, or the Coordinator's professional responsibilities. Documentation shall be timely, accurate, objective, and limited to information directly relevant to the provision of services.

(2) Compliance with Ohio Law: The Coordinator shall comply with applicable Ohio recordkeeping requirements and City policies concerning the retention, security, custody, and disposition of client records. Records shall be maintained following termination of services in a manner that permits reasonable future access and continuity of care.

(3) City Records: Because the Program is operated by the City, the City shall establish and maintain an appropriate records-custodian and records-retention process for Program records consistent with applicable law. The fact that Program records are maintained by the City does not relieve the Coordinator of her professional obligations concerning the accuracy, confidentiality, security, and appropriate content of those records.

I. CLIENT RIGHTS AND RESPONSIBILITIES.

(1) Clients' Rights: Clients have the right to:

(a) Receive information concerning the nature and limits of Program services;
(b) Participate voluntarily;
(c) Provide or withhold informed consent as permitted by law;
(d) Refuse or withdraw from services;
(e) Receive services without unlawful discrimination;
(f) Receive services consistent with the Coordinator's professional competence and applicable standards;
(g) Have confidential information protected as required by law;
(h) Receive appropriate referrals when their needs exceed the scope or competence of the Program; and
(i) Ask questions concerning the Program or the professional services being provided.

(2) Clients' Duties: Clients are responsible for providing reasonably accurate information, participating in decisions concerning their goals and services, informing the Coordinator of significant changes in circumstances, and communicating with other providers concerning services being received.

(3) Client Retains Decision-Making Authority: A client retains the right to make the client's own decisions concerning whether to accept a referral, treatment recommendation, service, or other assistance, except where applicable law provides otherwise.

J. NO ENTITLEMENT TO PROGRAM SERVICES.

(1) No Entitlement: The establishment and operation of the Program do not create a legal right, entitlement, contractual right, property interest, or other enforceable right to receive services from the Program or the Coordinator. No person is entitled to participate in the Program merely because the person meets a general eligibility criterion, has been referred to the Program, or previously received Program services. Nothing in these Guidelines creates a contract between the City and a prospective or current client.

(2) City's Reservation of Rights: Subject to applicable law and professional obligations owed to an existing client, the City reserves the authority to modify, suspend, limit, or discontinue the Program, in whole or in part, and to establish reasonable eligibility, caseload, scheduling, resource, and operational limitations.

(3) Coordinator's Professional Duty: Nothing in this Section shall be construed to eliminate, diminish, or alter any professional duty owed by the Coordinator to an individual with whom the Coordinator has established a professional relationship.

K. THIRD-PARTY SERVICES.

(1) Relationship with Third-Party Providers: The Program may refer or connect clients with independent public and private providers. Unless expressly stated otherwise, those providers are not employees or agents of the City and the City does not control their professional judgment, availability, qualifications, policies, services, treatment decisions, or outcomes. The Coordinator may facilitate communication and coordination among providers when appropriate and authorized, but each provider remains independently responsible for services provided within that provider's professional scope.

(2) No Guarantee: A referral does not constitute a guarantee or representation that a provider will accept the client, provide services, approve an application, provide funding, or achieve a particular result. The Program does not guarantee the availability, quality, suitability, or outcome of services provided by third parties.

L. NO GUARANTEE OF OUTCOME. The City and the Program do not guarantee that participation will resolve a client's needs or result in the provision of housing, food, transportation, medical care, behavioral-health care, substance-use treatment, financial assistance, benefits, or any other service. The Coordinator's professional assessment, care plan, referral, advocacy, or recommendation is based upon information available to the Coordinator at the time and may change as circumstances change.

M. LIABILITY, IMMUNITY, AND ASSUMPTION OF RISK.

(1) Assumption of Risk; Waiver: Participation in the Program is voluntary. Clients acknowledge that social-work services and care coordination involve professional judgment and that circumstances may change after an assessment, referral, recommendation, or care plan is developed. To the extent the City elects to obtain an assumption-of-risk, release, or other acknowledgment from clients, it shall not be construed to waive the Coordinator's professional obligations to the Client, nor shall anything in these Guidelines shall be construed as a release or waiver of liability for conduct for which a waiver is prohibited by law.

(2) Liability: To the fullest extent permitted by law, the City shall not be responsible for the acts or omissions of independent third-party providers or for services that a third-party provider declines or fails to provide. The City does not warrant or guarantee the accuracy, availability, suitability, or outcome of any service, resource, referral, treatment, provider, or program identified through the Program.

(3) Immunity: Nothing in these Guidelines, any intake document, consent form, referral, care plan, communication, or other Program material shall be construed to waive, expand, diminish, or otherwise alter any immunity, defense, limitation of liability, or other protection available to the City, its officers, employees, agents, or representatives under the Ohio Constitution, the Ohio Revised Code, including Chapter 2744 of the Revised Code, or other applicable law. All statutory immunities and defenses are expressly reserved.

N. PROFESSIONAL ETHICS AND CONFLICTS OF INTEREST. The Coordinator shall comply with applicable ethical and professional requirements governing independent social workers, and shall avoid multiple relationships and conflicts of interest that could impair professional judgment, exploit a client, or otherwise be inconsistent with the client's best interests. When an unavoidable multiple relationship or conflict of interest is identified, the Coordinator shall take appropriate professional precautions, including discussion with the client, consultation when appropriate, and documentation in the client record. The Coordinator shall not use the professional relationship to obtain personal, financial, political, or other improper benefit.

O. MANDATORY REPORTING AND OTHER LEGAL DUTIES. Nothing in these Guidelines limits any mandatory reporting or other legal obligation imposed upon the Coordinator by federal or Ohio law. The Coordinator shall comply with applicable mandatory reporting requirements, including those concerning suspected child abuse or neglect, abuse, neglect, or exploitation of adults where applicable, and other reporting obligations applicable to the Coordinator's professional practice. The Coordinator shall also comply with applicable legal requirements concerning confidentiality, privileged communications, court orders, subpoenas, and disclosures required by law.

P. PROGRAM ADMINISTRATION. The Program Coordinator shall administer the Program consistent with these Guidelines, applicable City policies, applicable law, and the Coordinator's professional obligations. The Public Safety Director shall have administrative authority over the Program, including staffing, budget, scheduling, facilities, technology, and operational resources. Administrative supervision shall not be construed to authorize any City official or employee who is not appropriately licensed to direct the Coordinator to violate professional standards, exceed her scope of practice, breach client confidentiality, falsify or alter professional records, or otherwise engage in conduct inconsistent with applicable law or professional obligations.

Q. PROGRAM REVIEW AND MODIFICATION. The City may periodically review these Guidelines and modify them as necessary to address changes in law, professional standards, available resources, community needs, or Program operations. No modification of these Guidelines shall be construed to eliminate or diminish any professional duty imposed upon the Coordinator by applicable law or the rules governing her professional license. The Program may be suspended or discontinued by the City, subject to applicable law and the professional obligations owed to clients who are receiving services at the time of suspension or discontinuation.

Approved By Public Safety Director: _____

Effective Date: _____

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Presentation & Vote:	October 22, 2026
Effective Date:	October 22, 2026

Agenda Item: **RESOLUTION 2026 – 058**
APPROVING THE 2027 CITY EMPLOYEE INSURANCE PROGRAM AND AUTHORIZING THE RENEWAL OF THE CITY'S AGREEMENTS WITH THE JEFFERSON HEALTH PLAN, CUSTOM DESIGN BENEFITS, AMERICAN HEALTH HOLDINGS (TELEDOC), AND ENROLLMENT MANAGEMENT SERVICES

Submitted By: Jackie Potter, Administrative Services Director
Presented By: Brent Merriman, City Manager

Summary: Health Insurance Renewal: The City's Insurance Committee reviews claim costs, health insurance plan options, and annual renewal quotes, then recommends competitive, sustainable benefits to Council. For 2027, with the concurrence of the City Manager and Finance Director, the Insurance Committee recommends renewing the City's health insurance with the Jefferson Health Plan Consortium (JHP) and renewing the agreement with Custom Design Benefits (CDB) for third-party administration services.

The City joined JHP in 2022. JHP covers more than 24,000 employees at nearly 200 government agencies. As a self-funded consortium, JHP allows the City to control plan design and benefits while pooling claims experience with other members to moderate rate fluctuations and costs. Participation in JHP has helped stabilize and moderate the City's annual rate increases, preventing dramatic spikes. Under JHP, renewal rates are based on the medical cost trend as well as the specific claims costs of the City and JHP. "Medical cost trend" is the projected percentage increase in the cost of providing healthcare benefits, including pharmacy costs, contracted costs with providers, and the overall cost of health services. For 2027, the medical cost trend was projected at 9%; however, the City's renewal rate increased by only 3%, which is lower than expected and only one-third of the projected medical cost trend.

Jefferson Health Plan Annual Increases:

2023	2024	2025	2026	2027
5%	7.15%	9.25%	4.5%	3%

Actual premium costs are listed in the table below:

Option	2027 HSA Monthly Premium	2027 True Cost Monthly Premium
Single	$1,160.56	$1,025.48
EE & Spouse	$2,437.14	$2,153.47
EE & Child(ren)	$2,205.08	$1,948.41
Family	$3,481.71	$3,076.43

As part of the City's overall health insurance benefit, the Committee also recommends that Council increase the maximum Health Reimbursement Arrangement (HRA) amounts for employees who opt out of City insurance coverage, with maximums of $10,000 for single coverage and $20,000 for family coverage. The HRA provides an additional layer of coverage for employees who opt out, but limited utilization reduces the City's exposure.

American Health Holdings (Teladoc): The Insurance Committee also recommends renewing American Health Holdings for Teladoc telemedicine services. Teladoc gives employees and their household members 24/7 access to physicians by phone or video for common and acute conditions that do not require an office visit. Benefits include convenient, timely care, lower claims costs for employees and the City, and an alternative to emergency rooms or urgent care when physician offices are closed. Through August 2026, 40 visits generated more than $20,000 in claims savings. Renewal of Teladoc will keep the cost at $3.00 per employee per month for all employees, including those who waive health insurance coverage.

Vision, Dental, and Life Insurance: The National Vision Administrators plan will continue without a rate increase under its four-year guarantee through plan year 2030. Superior Dental and UHC group life insurance also remain rate-guaranteed, with no changes for plan year 2027.

Enrollment Management Services (EMS): For nine years, the City has partnered with EMS to help employees evaluate their healthcare options. About 110 employees participate in the City's health insurance opt-out program through partial or full waivers. The benefit covers 100% of employees' costs under an alternative employer plan. Accordingly, the Insurance Committee also recommends renewing the agreement with EMS.

Cover Memo Attachment(s): None

Budgetary Impact: A 3% increase for health insurance will be budgeted in the 2027 personnel budget.

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: The Insurance Committee and staff recommend the passage of Resolution 2026-058, which will authorize:

1) Renewing the City's health insurance with JHP at a 3% rate increase;
2) Renewing the CDB contract for third-party administration services and authorizing the City Manager to sign single-case agreements that CDB negotiates for the City;
3) Renewing the American Health Holdings contract for Teladoc services;
4) Renewing the Enrollment Management Services contract;
5) Maintaining annual Health Savings Account contributions of $1,500 for single plans and $3,500 for all other plan tiers, with contributions paid in equal monthly installments to meet IRS requirements;
6) Maintaining the current working-dependent surcharge of $200 per pay period;
7) Maintaining maximum compensation in lieu of benefits (opt-out) at $10,000 for single plans and $20,000 for family plans under integrated plans, and $4,500 for single plans and $8,500 for family plans under nonintegrated plans;
8) Continuing to offer HRAs of $2,000 for single plans and $4,000 for family plans for employees enrolled in the True Cost Plan; and
9) Continuing to offer HRAs to employees who "opt out," covering claims above $2,000 for single plans and $4,000 for family plans, with maximums increased to $10,000 and $20,000, respectively.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 058

APPROVING THE 2027 CITY EMPLOYEE INSURANCE PROGRAM AND AUTHORIZING THE RENEWAL OF THE CITY'S AGREEMENTS WITH THE JEFFERSON HEALTH PLAN, CUSTOM DESIGN BENEFITS, AMERICAN HEALTH HOLDINGS (TELEDOC), AND ENROLLMENT MANAGEMENT SERVICES

WHEREAS, the City's Insurance Committee, the City Manager, and the Finance Director have recommended to this Council that the City renew the City's agreements with the Jefferson Health Plan Consortium, Custom Design Benefits, and American Health Holdings (Teladoc) for the 2027 plan year;

WHEREAS, the City's Insurance Committee, the City Manager, and the Finance Director have further recommended to this Council that the City maintain the yearly contribution to employees' Health Savings Accounts (HSAs) at current rates; maintain working dependent surcharges at current rates; maintain and continue the opt-out program through Enrollment Management Services; and maintain Health Reimbursement Arrangements (HRAs) for employees enrolled in the True Cost Plan;

WHEREAS, the City's Insurance Committee, the City Manager, and the Finance Director recommend increasing the maximum Health Reimbursement Arrangement (HRA) amounts for employees who opt out of City health insurance coverage, not to exceed $10,000 for single and $20,000 for family; and

WHEREAS, this Council finds it to be in the best interests of the City to accept the recommendations of the Insurance Committee, the City Manager, and the Finance Director for the 2027 City Employee Insurance Program,

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

Section 1. The City Manager is hereby authorized to execute, on behalf of the City, a membership agreement with the Jefferson Health Plan Consortium for the provision of health insurance to the City's employees and any associated agreements necessary to accept the renewal rates and maintain the City's membership in the Jefferson Health Plan, upon such terms and conditions as are approved by the Law Director.

Section 2. The City Manager is hereby authorized to execute, on behalf of the City, an agreement with Custom Design Benefits for the continuation of third-party administration services and any necessary associated agreements, upon such terms and conditions as are approved by the Law Director. The City Manager is further authorized to execute, on behalf of the City, any single-case agreements negotiated by Custom Design Benefits on behalf of the City.

Section 3. The City Manager is hereby authorized to execute, on behalf of the City, any agreements necessary to maintain and continue services with Enrollment Management Services and American Health Holdings (Teladoc), upon such terms and conditions as are approved by the Law Director.

Section 4. The 2027 City Employee Insurance Program, to begin on January 1, 2027, as recommended by the City's Insurance Committee, the City Manager, and the Finance Director, is hereby approved and authorized, including:

(a) Maintaining annual Health Savings Account contributions of $1,500 for single plans and $3,500 for all other tiers, paid in equal monthly installments to meet IRS requirements;
(b) Maintaining the current working-dependent surcharge of $200 per pay period;

(c) Maintaining maximum compensation in lieu of benefits (opt-out) at $10,000 for single plans and $20,000 for family plans under integrated plans, and $4,500 for single plans and $8,500 for family plans under nonintegrated plans;
(d) Continuing to offer HRAs of $2,000 for single plans and $4,000 for family plans to employees enrolled in the True Cost plan; and
(e) Continuing to offer HRAs to employees who opt out, covering claims above $2,000 for single plans and $4,000 for family plans, with maximums increased to $10,000 and $20,000, respectively.

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: October 22, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Procedural History & Timeline:

Approval of STP Grant Application:	September 28, 2023, by Resolution 2023-050
Presentation & Vote:	October 22, 2026
Effective Date:	October 22, 2026

Agenda Item: **RESOLUTION 2026 – 059**
AUTHORIZING THE EXECUTION OF THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH ODOT FOR THE S. DETROIT STREET (MIAMI AVENUE TO THE CITY'S SOUTHERN CORPORATION LIMITS) REHABILITATION PROJECT

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

Summary: In October 2023, the City applied for and received $985,832 in federal Surface Transportation Program (STP) funding through MVRPC to rehabilitate S. Detroit Street (S.R. 380) from Miami Avenue to the southern corporation limits near Ledbetter Road. This project will complete the resurfacing of Detroit Street between the City's northern and southern corporation limits. Construction is scheduled to begin in 2028, at an estimated total cost of $1,471,391. The STP grant will cover 67% of the cost, and the City will provide the remaining $485,559, or 33%. Before the project can be advertised for bids in 2028, the City must execute a Local Public Agency ("LPA") agreement with ODOT, as required for projects receiving MVRPC grant funds.

Cover Memo Attachments: None

Budgetary Impact:

228-5102-55508-300028		$200,000 (Local)
361-1441-55508-300028		$285,559 (Local)
361-1441-55508-300028		$985,832 (Grant)
	TOTAL:	$1,471,391

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 2026-059 to authorize the execution of the required LPA Federal Local-Let Project Agreement with ODOT for the S. Detroit Street (Miami Avenue to the City's Southern Corporation Limits) Rehabilitation Project.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 059

AUTHORIZING THE EXECUTION OF THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH ODOT FOR THE S. DETROIT STREET (MIAMI AVENUE TO THE CITY'S SOUTHERN CORPORATION LIMITS) REHABILITATION PROJECT

WHEREAS, the federal Surface Transportation Program ("STP") provides federal funding to states and localities for the purpose of rehabilitating deteriorated streets within their jurisdictions;

WHEREAS, the Ohio Department of Transportation ("ODOT") administers STP federal funding for local communities;

WHEREAS, the City applied for and received STP funds for the S. Detroit Street (Miami Avenue to the City's Southern Corporation Limits) Rehabilitation Project (PID Number 121587); and

WHEREAS, this Council must, by legislative action, authorize the execution of an LPA Federal Local-Let Agreement with ODOT for said Project,

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

Section 1. The City Manager is hereby authorized to execute the LPA Federal Local-Let Project Agreement with ODOT for the S. Detroit Street (from Miami Avenue to the City's Southern Corporation Limits) Rehabilitation Project (Agreement Number 40986), attached hereto as Exhibit A, and is further authorized to sign all documents necessary to complete the City's portion of the Project.

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: October 22, 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: October 22, 2026
Effective Date: October 22, 2026

Agenda Item: **RESOLUTION 2026 – 060**
WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF AN APEX SOLUTION 9-1-1 CALL HANDLING SYSTEM FROM CARBYNE, INC., FOR THE EMERGENCY COMMUNICATIONS DIVISION

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

Summary: Ohio's 9-1-1 system has remained largely unchanged since the 1980s. Next Generation 9-1-1 is a statewide initiative and mandate to modernize the system. Improvements will include more reliable connectivity, greater interoperability, and support for a broader range of digital emergency communication applications. Ohio is coordinating county-by-county transitions into the statewide network according to a predetermined schedule. The State has established a statutory deadline of 2030 for statewide conversion, and Greene County is actively completing the transition requirements on the State's schedule.

As this local conversion approaches, the phone system currently used by the Emergency Communications Division (operating as the Xenia-Greene Central Communications Center) is nearing the end of its service life and is no longer actively supported. In addition to meeting the Next Generation 9-1-1 mandate, the call handling system must upgrade promptly to keep pace with rapidly advancing call-receiving and processing technology. After reviewing potential systems that will properly integrate with the State's system and requirements, staff recommends the purchase of a Next Generation 9-1-1 compliant APEX Solution Call Handling System from Carbyne, Inc. The proposed purchase will include the deployment and configuration of the APEX system on up to nine dispatch workstations. The purchase will include the execution of a five-year service contract, which will include all necessary licenses, translation and transcription services, third-party hardware, required connectivity services, and customer support.

The APEX system from Carbyne, Inc. is currently available through the ODAS Cooperative Purchasing Program; meaning the State chose Carbyne's APEX System through a competitive bidding process. While Carbyne, Inc., currently has the state contract for Next Generation 9-1-1 compliant call handling systems, that state contract expires on March 31, 2028. Staff believes it will be in the City's best interest to execute a contract directly with Carbyne so that comparable pricing can be locked in for a longer, five-year term. Thus, rather than make this purchase through the ODAS Program, staff is requesting that Council waive competitive bidding pursuant to City Charter § 9.08(B)(6) as it would be in the best interest of the City to do so.

Funding for the upgrade is included in the 2026 Capital Budget and will come from 911 fee revenue provided by the State of Ohio. Executing the contract now will secure fixed pricing and terms for five years, which will reduce the City's future costs.

XENIA CITY COUNCIL
LEGISLATIVE COVER MEMO

Cover Memo Attachment(s): None.

Budgetary Impact: Account #250-1226-55305 $193,739.74 Year 1 + One-Time Set Up Fees
$94,200.00 a year for Years 2-5
Five-Year Total: $570,539.74

Vote Required for Passage: The affirmative vote of at least four (4) members of Council, per Charter § 9.08(B)(6).

Recommendation: Pass Resolution 2026-060 to authorize the purchase of a Next Generation 9-1-1 compliant APEX Cloud-Native Call Handling System from Carbyne, Inc., for the City's Emergency Communications Division and authorize the City Manager to execute a five-year service contract with Carbyne, Inc., for implementation of that system.

CITY OF XENIA, OHIO
RESOLUTION 2026 – 060

WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF AN APEX SOLUTION 9-1-1 CALL HANDLING SYSTEM FROM CARBYNE, INC., FOR THE EMERGENCY COMMUNICATIONS DIVISION

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 9-1-1 call handling system with a Next Generation 9-1-1 compliant call handling system;

WHEREAS, the City Manager/Public Safety Director and Emergency Communications Administrator have recommended the purchase of an APEX Solution 9-1-1 Call Handling System from Carbyne, Inc., and the execution of a five-year contract with Carbyne for licenses and services necessary to implement the new system;

WHEREAS, the purchase amount of the new call handling system exceeds the competitive bidding threshold established by Xenia City Code § 214.01, and competitive bidding is required unless one of the exceptions set forth in City Charter § 9.08(B) applies;

WHEREAS, the APEX Solution 9-1-1 Call Handling System from Carbyne, Inc., is currently available under the Ohio Department of Administrative Services Cooperative Purchasing Program, but the state contract expires on March 31, 2028, and contracting directly with Carbyne, Inc., would lock in comparable pricing for a longer term, thereby reducing the City's future costs; and

WHEREAS, pursuant to § 9.08(B)(6) of the City Charter, this Council may determine that a waiver of the competitive bidding requirement is in the best interest of the City;

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

Section 1. In accordance with § 9.08(B)(6) of the Xenia City Charter, Council hereby determines that it is in the best interests of the City to waive competitive bidding on the purchase of a Next Generation 9-1-1 compliant call handling system for the Emergency Communications Division, as a waiver of bidding will allow the purchase to be made upon similar terms to the ODAS Cooperative Purchasing Program contract but upon a longer term, thereby reducing the City's future costs.

Section 2. The City Manager is hereby authorized to execute, on behalf of the City, a five-year contract with Carbyne, Inc., 45 W. 27th Street, 2nd Floor, New York, NY 10001, for the purchase of an APEX Solution 9-1-1 Call Handling System and the necessary licenses and services to implement and maintain the system, in the total amount of Five Hundred Seventy Thousand Five Hundred Thirty-Nine Dollars and Seventy-Four Cents ($570,539.74), upon such terms and conditions as are approved by the Law Director.

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 become effective immediately upon its passage.

Passed: October 22, 2026

Wesley E. Smith
Xenia City Council President

Attest:

Amy E. Brown
City Clerk