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ITEM 1: CALL TO ORDER: Mayor Flaute called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ITEM 2: ROLL CALL: Council attendance was as follows: Ms. Campbell, present; Mr. Curp, present; Deputy Mayor Denning, present; Ms. Fry, absent; Ms. Lommatzsch, present; Mr. Teaford, absent; and Mayor Flaute, present.

Staff present was as follows: Mark Carpenter, City Manager, Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Chief Frank Robinson, Police Department;; Kathy Bartlett, Service Department; Tamara Ennist, Zoning Department; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS: Mr. Curp motioned to excuse Councilmembers Fry and Teaford. Ms. Campbell seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

ITEM 5: APPROVAL OF AGENDA: Deputy Mayor Denning motioned to approve the agenda. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 6: WORK SESSION ITEMS:

A) RITA or CCA Determination - Mr. Carpenter: Mr. Garrett and I have had some internal discussions and I know Mr. Garrett has reached out to some communities that have switched from RITA to CCA and he can expound on what he found out during that conversation. Mr. Garrett: The memo I gave you before the council retreat said there are I think six jurisdictions in the immediate Dayton area that use CCA and there is another three including us with RITA right now. Anyway, I called four of the jurisdictions about their experience having recently gone with CCA and it was mostly pretty favorable comments. I think council specifically wanted to know their revenue experience whether it had gone up or down. Most said it seems to have gone up; one community said it went down for a little while, and then this year it is going very well. Most of them made the comment that CCA seemed to be a little firmer and more, I don't know if I want to use the word aggressive, but firmer and more energetic in doing the collections than maybe they had experienced from their previous administrators. They were all generally pretty favorable. There had been a few little minor glitches that Clayton reported; I don't have all of the details for those, but still they were satisfied. I guess if we have specific questions, maybe we can come up with more.

Deputy Mayor Denning: Was the transition fairly smooth and seamless for no better word? Mr. Garrett: Yes, all of the municipalities said the transition seemed to go very well. CCA did a lot of effort in advertising that change. CCA sends letters; most of the jurisdictions, of course, put it on their website and their newsletter and posted it around to try and get the word out. Deputy Mayor Denning: My concern is that we don't have as many issues with this transition as we had with the Republic transition. That is my biggest concern is how that transition is going to be. If that is smooth and it increases our revenue that's great. If it increases our revenue and it is across a super, bumpy road then you have to weigh if it is worth it or not. Mr. Garrett: I think the issue is going to be just the individual tax payers knowing where to file. The actual database hand over to CCA seemed to go pretty well. Deputy Mayor Denning: So we own the database that RITA has of our constituents, of our taxpayers, and they transfer that to CCA. Mr. Garrett: I'd let Ms. Gordon talk about that. Deputy Mayor Denning: CCA has a good starting point and can send the letters to the right places so that now my employer sends it to them instead of sending it to RITA; is that

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reasonable? Ms. Michelle Gordon: Yes, that is correct. We work directly with RITA to get the database and that process would start pretty quickly after you have entered into a contract. The most important thing to us is to make sure we have the database secured and that we have identified all taxpayers so we can start notification early. Making sure it is a smooth transition is extremely important for your cash flow. It is important to make sure everybody knows where they need to file and pay so that is a very important part of the process. We also would set up some times here in your government building on some Saturdays and during the week for taxpayers who want to come and want to know how does this change impact me; can you show me your website; where do I file; who will provide me with some help. That is all part of the educational process that would happen through the fall into the winter so that as this happens and is effective 1/1/20, your residents will have a really good idea of what is happening and will have been notified and in some cases have come in and talked to us. Deputy Mayor Denning: So part of the confusion factor will probably be that first year of 2020 when they still have to file with RITA for 2019. Ms. Gordon: No, they will file with us. Any payment and any return on or after 1/1/20 will come to us. In that database of information we receive, we already know every taxpayers payment that has been made; everything that happens is all transferred over into our system. So, effective 1/1/20, they're only dealing with one agency. They don't have to file with one and transfer things to another; we take care of all of that for them. Deputy Mayor Denning: Excellent, okay, that makes me feel a lot better because I was concerned that folks would be confused that first year and then that may continue year after year. The answer would be if we made this transition, if we agreed to make that contract, then on that first day of January not only does my employer start sending the payments for 2020, you know what was paid to RITA and all of that for 2019 and everything goes through you. Ms. Gordon: That is correct. Then the filings will all come directly to us. Everything, every activity after 1/1/20 would be handled just by one agency.

Ms. Lommatzsch: I just want to talk about that we would get more revenue; explain to me how that is going to happen. Mr. Garrett: Nobody can say for sure; the reason we might go up is that CCA might be a little bit more energetic or because of our advertising, people might be more aware, but it is the same administration either RITA processing returns or CCA doing it. CCA might be a little more energetic to following up on some people. Mayor Flaute: That is what other communities have found is that...Ms. Lommatzsch: I haven't heard from other communities. Mayor Flaute: Well, I have heard from other communities and they have said it has gone up. Mr. Gordon: One of the things we would do that seems to be the desire of council is that we would do a business canvas after the first tax filing season. As a matter of fact, we are just concluding a business canvas in Obez this week. Obez came on with us 1/1/19 and our team is in their distribution facilities and in their JEDZ working on identifying businesses and looking for withholding money that has not been coming in. So, getting a really good grip on the businesses in the community, having an opportunity to go in and talk with them and make sure their accounts are set up and they know where they should be making payments, and to identify businesses maybe that were confused and had a Dayton mailing address and didn't realize they were actually in Riverside. We can identify those situations and make sure they are taken care of as well. Ms. Lommatzsch: I just don't know why there is any reason to put the community through this. I'm not sold on the advantages.

Mr. Carpenter: During the business meeting I would like to ask council how they would like staff to proceed. Mayor Flaute: So you don't want a motion now? Mr. Carpenter: Well, we could do a motion now, but my understanding was to have it formal during the business meeting versus the work session. Mr. Garrett: We just thought there would be more questions or discussion on the points. Basically, most services are very similar. They do the same kinds of things; you are just mailing your forms to a different address. Deputy Mayor Denning: And they have fewer municipalities to do in general so they might pay a little more attention. Mayor Flaute: It is my understanding their forms are easier. Ms. Lommatzsch: Have you seen one? Mayor Flaute: No I haven't, but I understand that it is. Like I said, I have talked to others that have changed and it has been a positive experience

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for them and CCA does have a closer office, in Hamilton. It is still a little ways away. As I said before at the Mayor's Convention, RITA said they were looking for an officer here in the Dayton area, but I don't know if that is true or not.

Deputy Mayor Denning: Was RITA invited to be here tonight? Mr. Garrett: No, we haven't spoken with RITA lately. We had them here about a month ago and each of them made...Deputy Mayor Denning: To my point, CCA has a representative here that took the initiative to see that they were going to be on our agenda and showed up to answer any questions. Mr. Garrett: Well, we didn't specifically discuss with RITA; they knew in general terms that we were reviewing our relationship. Deputy Mayor Denning: I'm okay with that, I'm just making the point that CCA made the effort and RITA didn't. Mr. Curp: How did you find out about this discussion being on the agenda this evening? Ms. Gordon: I inquired to make sure I knew when it would be on the agenda in case there were any additional questions so I could be available. Mr. Curp: Okay, how long ago was that? Ms. Gordon: A couple of weeks ago.

B) Street Levy/Revenue - Mr. Carpenter: We put this on the work session just in case we needed further discussion from the topic from our retreat. If any further discussion is necessary, we do have a resolution on the agenda to move forward with a street levy to get the valuation. Deputy Mayor Denning: So this is the first step to find out what valuation is before we put the next step would be to put it on the ballot. Mr. Carpenter: We will send it down, it takes them about a week to turn it around then we will have the first reading on the 20th of July and then the second reading on August 1st, and then it needs to be to the board of elections by 4:00 p.m. August 7th.

C) Charter Amendments - Mr. Carpenter: The charter amendments, we have the draft of the amendments. There was discussion during the work session where the charter review committee made their presentation. There is a summary of notes at your dais. I think the one topic that came up during our retreat was for Section 4.05; there was some conversation back and forth about the number of days. The draft at your dais has 45 days and that is with council shall appoint if someone was to step down from their term, council would appoint. The only other things added, there was conversation about how many signatures were necessary to get nominations that would be item number six on the notes. I just added that. We didn't talk about that before, but I just wanted to put where the language comes from and where it is found in the charter. If council wishes to discuss that further or consider maybe drafting an amendment. Staff is looking for which amendments we want to put on the ballot and in a similar time line we want to have the first reading on July 20 and then second reading August 1, then get it down to the board of elections.

Deputy Mayor Denning: At the council retreat, you were going to check and see what other municipalities were; did you have time to do that? Mr. Carpenter: I have not. I don't have a good...no I don't. I don't have a good comparison for cities our size. Ms. Lommatzsch: Does the law director have any input to that question? Mr. Carpenter: I am not sure she is familiar with this one. Ms. Grandjean: I am not sure of the context here. Ms. Lommatzsch: How many signatures are required; our charter has 100 and we talked at the workshop about lowering that number do you have any idea what some of our neighboring cities have? Everyone seems to think ours is pretty high. Ms. Grandjean: I could certainly find that out, but I don't today. I wasn't aware that was an issue. Mayor Flaute: Do we still have time to wait? Oh, we do, until August. Deputy Mayor Denning: Well, we only have one meeting in July, then August 1. Mr. Carpenter: We have a special meeting July 11, as well.

Ms. Grandjean: Would council want that addressed at the special meeting in July, because then, of course, it needs to be on the agenda. Ms. Lommatzsch: Well, I think we need to lower the number. Deputy Mayor Denning: The bottom line is, I just needed that as a measuring stick, but if we wanted to make it 50, I wouldn't have a problem at all with that. Ms. Lommatzsch: I wouldn't have a problem with that. Mayor Flaute: I have no problem with that. Deputy Mayor Denning: What about you Mr. Curp? You were the one that

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brought this up at the retreat that is why I curious if you had a number in mind. Mr. Curp: Just a discussion point because I never have any difficulty getting 100. Deputy Mayor Denning: I haven't had any difficulty either. Mayor Flaute: It is time consuming, but it is good because you get to talk to everybody, but it is just so time consuming. Ms. Lommatzsch: It makes no difference to me. I can go either way. Mayor Flaute: Okay, well then at this time we will just let it be until the July 11 meeting. Deputy Mayor Denning: Will that give you enough time to find out some of the other municipalities? Mr. Carpenter: Yes, I will have more information what other municipalities are doing by then.

Mayor Flaute: Okay, what about the other charter amendments are we all okay with them moving forward and being on the ballot? Everybody alright with it? Ms. Lommatzsch: Yeah, I want to see you out in the community explaining all this. Mayor Flaute: That was going to be my point. Last time, I think the voters didn't know about it and when they got in there, there was a lot of reading to do and I think that is why some of the charter amendments fail. I think it is important that we do a better job of explaining the charter amendments this time and hopefully maybe some of the folks on the charter commission would be willing to come in and do a YouTube or Facebook type of presentation to the community to say this was what our thinking was. I think last time we didn't have enough information going to the voters. Mr. Carpenter: The way I see it is like another fact sheet, the facts of the charter amendment changes much like we will do for the street levy. We will have a fact sheet that will be in the mailing also when we do a community meeting it can be part of the discussion as well. Then we will video tape it and put it on our social media.

Mayor Flaute: Last time we discussed the part where if council doesn't find a replacement for someone who leaves we left it hanging that there was no one to make that happen. Have you any thoughts on that, Madam Law Director, or do you think it is okay to leave it hanging like the charter commission asked us to. Ms. Grandjean: It seems to me there needs to be...Mayor Flaute: A drop dead date. Ms. Grandjean: No, because stuff happens or stuff doesn't happen and right now it defaults to the mayor if it is not done. Perhaps council would like to suggest to me that I draft something additional to provide for replacement if it is not done within 45 days; if nothing is done then it will be open until the next election. Deputy Mayor Denning: Is that the fallback? Let's say something happens around Thanksgiving and with the holidays there is not a lot, we don't have enough members to be able to take a vote because of...and we have to start through the process. We get to the 30 day mark and the decision hasn't been made. I don't necessarily see that happen. I think if we have a deadline we will meet it one way or another, but if it wasn't met for whatever reason, then the seat is left open automatically until there is an election. Ms. Grandjean: Right, but there could be a provision in here that would allow council to extend that time period. You would simply be adding a sentence. Ms. Lommatzsch: The whole thing is getting nebulous. I don't know; if it ain't broke don't fix it. Mayor Flaute: We have never had a problem like that. Ms. Grandjean: No, never having had a problem doesn't mean there won't be a problem; I'm not sure there is really any down side to allowing for council to decide they need additional time. That is done in cases all the time. There is a deadline, but you could ask the court for an extension and it is invariably granted. And of course, council would be the one granting itself the extension. It is a little different. You aren't going to put it to a popular vote. Mayor Flaute: I'd say just leave that part off, leave it the way it is now. Ms. Lommatzsch: I don't think it will pass anyway. If you put it on the ballot, they are not going to study it enough to know what they are voting on. Mayor Flaute: I don't know about that. I'm thinking we just don't put that part on there. Ms. Grandjean: You mean leave it as it is as here. Deputy Mayor Denning: We don't change that section at all? Ms. Grandjean: We don't change the section recommended by the commission or we don't change the existing section? Mayor Flaute: We are on Section 4.04...Ms. Grandjean: 4.05. Mayor Flaute: See what they wanted, the commission is concerned about and they want to have on there the candidate who receives the highest number of votes at the most recent election, but was not elected as determined by the board of elections. So...Ms. Lommatzsch: It's an automatic. Mayor Flaute: Yes, it would be

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automatic. Then I guess what we could say is if no such candidate exists council shall appoint an elector from the City of Riverside within 30 days...Deputy Mayor Denning: Within 30 days of what? Mayor Flaute: It says here the vacancy will be filled within 30 days of the seat being vacated. Mr. Carpenter: The 30 was the original recommendation, then council had discussion and it went to 45, proposed 45. Mayor Flaute: So if we just stop at where it says council shall appoint an elector from the City of Riverside. Ms. Grandjean: And no time line? Mayor Flaute: We would keep the timeline that we currently have. Ms. Grandjean: No, no, 4.05 repeals existing Section 4.05. We replace it with this language. You can add something back, but right now as it reads, it eliminates existing 4.05. Ms. Lommatzsch: It means the next person on the ballot automatically gets a seat. You think you like that? Ms. Lewallen: Unless they choose not to accept it. Ms. Lommatzsch: Exactly. But why would you run and not accept it? Ms. Lewallen: Mike made the case last time if someone moves out of the area or say it is six months later and had a life changing event. There could be a number of reasons why someone might turn it down. Deputy Mayor Denning: When does the clock start? Does it start from the day of the resignation or...let me finish my thought, we start the clock and we don't figure out that this person either won't do it or is not able to do it or whatever at the 20 day point, it takes us that long because we have to go to the board of elections and find the next candidate. Then we have to contact them and see if they are willing to and if they don't then if we are 20 days down the road now we got 10 days to make a decision, or 25 days. That makes it a little intense. Ms. Grandjean: It could be addressed by adding a clause that says, right now it says, "...within 45 days of the seat becoming vacant", which would be when the existing council member announces or within 45 days of the determination that the above referenced candidate is not eligible. Some language to that effect. Once that determination is made either the candidate refuses the appointment or is ineligible for the appointment within 45 days of that date. Either way you have 45 days from the trigger of it needing to be filled by council rather than automatically. Mayor Flaute: It doesn't really say that. Ms. Grandjean: No, it doesn't say that, it would have to be added. Mayor Flaute: In either case the vacancy will be filled within 45 days of the seat becoming vacant. Are we assuming that is the council that is going to do that or is there some language above here that the council is going to do that? Ms. Grandjean: There's two ways the seat will be filled. One automatically if there is a candidate who ran for office and is eligible that is automatic and the other is council fills it because that candidate is not qualified, not eligible, or rejected. Mayor Flaute: It doesn't say that, but we can assume that, I guess? Ms. Grandjean: Well... Mayor Flaute: It says in either case the vacancy will be filled in 45 days of the seat becoming vacant. Ms. Grandjean: If no such candidate exists, council shall appoint. Mayor Flaute: What is council's pleasure? I guess the silence says we will go ahead with it. Put it to the vote. Ms. Grandjean: Put it to the vote of council; at this point you aren't putting it on the ballot.

Mr. Carpenter: I do have one other topic to bring up that is related to the charter and that is the passage of ordinances. What brought it to light is the emergency ordinance. The way that we have recently interpreted it is that it requires a public hearing so with the recent events with the tornadoes and had we, in my mind, if we had greater destruction and we would need to immediately enact an emergency within three days, we wouldn't be able to pass the legislation until at least seven days because we would have to have the public hearing published for seven days. It seems like they are not aligned and I would like to talk about the language of the emergency, passing an emergency ordinance, and how we can do that in an expedient manner. Ms. Grandjean: Right now the emergency provision only applies, only addresses when an emergency ordinance goes into effect, which means it goes into effect immediately, but it doesn't address that there can be an expedited procedure to enact the ordinance. The reason that it goes into immediate effect is because of the law that allows for referendum, citizen referendums to be filed for non-emergency ordinances. So, it only addresses that issue. Literally, it is not clear that if the rules are suspended under 5.03 (d) right now the language allows an ordinance to be adopted at one hearing, at the hearing in which it was introduced, but it does not address that the public hearing and the seven day publication requirement can also be waived. In the case of an

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emergency ordinance, you may to be able to do that. I think it can be implied, but it is not clear. Does that make sense? Ms. Lommatzsch: It makes sense, but what if somebody, not the current city manager or staff or mayor, decided they wanted to abuse that. Ms. Grandjean: It would still come to council and an emergency ordinance; it just wouldn't need to be published seven days ahead of time and have a public hearing scheduled. Ms. Lommatzsch: Isn't that a protective mechanism for the constituents. Ms. Grandjean: It is, but it could prevent council from being able to enact an ordinance that is needed to address an immediate issue. Ms. Lommatzsch: Well that's a double edge sword then isn't it? Mayor Flaute: Mr. Manager, could you give me an example of that in the recent tornado that you would need an ordinance for what? Mr. Carpenter: Sure, if these buildings were decimated and we were going to incur expenses above \$25,000 or \$50,000 whatever the dollar amount would be, I couldn't go above that limit without council's approval and then we would have to publish so it would be seven days. Deputy Mayor Denning: Wasn't Section 5.03, weren't they changing all of that so we didn't have the hearing any longer and that the ordinances could be read by title only. So, if that passes then what you are talking about right now is a moot point because it is going away. Ms. Grandjean: The proposed charter amendment merely says for the second reading at the time and place so published such ordinance may be read by title only. So it doesn't address the public hearing. Deputy Mayor Denning: But it also says the first reading would be by title only and it took out the section saying we had to have a hearing on every ordinance that was my understanding. Ms. Grandjean: No, do you have that in front of you? Deputy Mayor Denning: No, I am going from my very fuzzy memory. Ms. Lommatzsch: The example you just stated, should something that devastating happen, what kind of thing could you get accomplished in seven days. Mr. Carpenter: I don't know other than I will give you the recent example of with the tornadoes we had a tree company helping us clear some road ways and they were helping us clear the parks. Then, after further investigation we have more work that needs to be done, and we would have to stop them until we could get legislation passed. Granted, in this scenario we were able to resolve those emergencies in less than \$25,000, but they can't proceed until I get council approval. Ms. Grandjean: Let's say there is rioting and looting and the city manager recommends to council that a curfew is declared or some other measures be taken. Right now, he does not have the authority to do that; he would need council approval. Would you want to wait seven days actually it would be more than that as it isn't published seven days from the date the notice is sent so would you want seven days before you could authorize the city manager to impose a curfew or take other measures to prevent riots, looting, or other public hazards. Mayor Flaute: Our police chief doesn't have that authority now? Ms. Grandjean: No, he does not have that authority. Deputy Mayor Denning: We could call the governor and have him send in...Ms. Grandjean: He'll call right back. So, we are coming up with scenarios, but those things can happen where there are actually emergency measures that need to be taken. He is not asking that he be able to unilaterally do that, but to be able to call council, summon council and have council vote on whether he should be given the authority to address emergencies that have occurred and that he does not otherwise have the power to deal with. I don't think you want to wait seven or 10 days to address what is in fact an emergency. It could be a terrorism incident. Ms. Lommatzsch: I understand what you are saying, but at the same time how do we avoid having abuse of that power? Ms. Grandjean: Because you are the one that is going to make that decision. You are just being convened on an emergency basis. It would be your decision not his. Mr. Carpenter: Council still approves it. Mr. Curp: We approve contracts by resolution and not by ordinance so we don't have to have a public hearing on a resolution for a contract. So on the case of the tree company, we just get together and award a contract by resolution. Now the other example that you gave as far as insurrection would be something else, but maybe there is something about that that can be done by resolution as opposed to ordinance. Even going back to the original questions, I am not sure it is so much the amount of time in the ordinance process, there is also a period of time or time lines that are required for notifying council members and the news media of public meetings because that would have to be a public meeting. Now, those could be waived with the council as long as council members agree to waive it. I don't know about the news media. Under the Sunshine Law, the open meetings law, there is no such thing in

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the State of Ohio as an emergency meeting. There is only special meetings and regular meetings. You may have emergency legislation on a special meeting. You may have emergency legislation on a regular meeting, but there is nothing defined, unless they have changed the code, as an emergency meeting of a legislative body of our level. Mayor Flaute: So if we do it by resolution, we call a special meeting we can do that in two days. Mr. Curp: You can do it the same day as long as all the council members are notified that there is going to be a meeting. Deputy Mayor Denning: And you get a quorum. Mr. Curp: Because, if you can't do that, then it doesn't matter what the issue is in front of the city, the city manager and staff, if you can't get enough of us together to do the legislation you aren't going to have an emergency anything. Deputy Mayor Denning: You might only have 30 days to replace us all. Mayor Flaute: I think we will leave that one alone maybe, if that's alright. I think we need to leave it alone. Ms. Lommatzsch: If it ain't broke don't fix it. Mr. Curp: Well, I think what we could do is have it researched between now and the next time there is a ballot and put it on that ballot. We don't have to impanel a charter review commission in order to recommend a change to the charter. We can do that ourselves, anytime. Ms. Grandjean: So, are you suggesting something be drafted for your review at the upcoming meeting? Mayor Flaute: On this topic that we are discussing? No, we are going to leave it alone. Ms. Grandjean: Because if it goes on the ballot, it would be on the upcoming ballot. Deputy Mayor Denning: What he is saying let's leave it for future discussion; we'll talk about if for next year's ballot because it doesn't have to be...we can make recommendations to the charter any time. It doesn't have to be every five years. Ms. Grandjean: With regard to what is being submitted, whatever council decides it wants on the ballot, if anything, it can add provisions that were not considered by or not recommended by the commission.

Ms. Lewallen: So could I have clarity then on the emergency ordinance, the public hearing, how we are doing this? Mr. Carpenter: It sounds like we are doing seven days of being published; that's what I heard. Deputy Mayor Denning: We are staying with what we have until we have a better feel. Mayor Flaute: Does that answer your questions? Ms. Lewallen: No, it doesn't. It tells me that you are never going to pass an emergency ordinance in one meeting that is what it tells me. It tells me there will always have to be a first reading, and then there will have to be a second reading and public hearing so it doesn't really mean it is an emergency. I'm not clear. Deputy Mayor Denning: So the answer is if it comes up and it is going to be an emergency ordinance we can do the first and second, but it has to be put out to the public that there is going to be a hearing seven days prior to us putting it, showing up on our agenda. Ms. Lewallen: You would have to know the emergency seven days before it happens. Mr. Curp: Well...Ms. Lewallen: Do you get what I am asking? Mr. Curp: Yes, and I am going to speak to that because maybe we are dealing with a semantics type of issue. The reason we do an emergency ordinance is so that it goes into effect immediately. It doesn't mean it is an emergency situation, it means that we want it to go into effect immediately instead of waiting 30 days to go into effect. So, what we have asked the staff to do over the years is to plan things so that we can do the regular process of two readings at two different meetings as opposed to you can find some cities and I know one a little bit to our west that does everything by emergency ordinance. And, they are not emergencies. What the council asks staff to do is to work on the planning so that things don't come to the council at the last minute and have to be passed as an emergency items because they waited so long to get it to the council and they wanted it to go into effect right away instead of 30 days from the last vote, the second vote. We sit here talking about emergencies for situations that for most cases are not emergencies; it is just that we want them to go into effect right away. Mayor Flaute: But I think part of the question is, we've done emergencies in the past in one meeting and it goes into effect immediately. Why can't we continue to do that? Mr. Curp: We can; it is just at the time the agenda is being put together. We have an agenda calendar here. That is how our friends from CCA called and said when is it coming up, if anybody looks at our agenda calendar you can see the discussion of our income tax collection is on the agenda for tonight and we also have on the agenda for tonight a motor vehicle license, supplemental appropriations, purchasing threshold - amending Title IV. So, my point is, we have a legislative agenda; we know

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when a lot of things are scheduled to come here. At the same time, if the ordinance is being put together or has been put together we are getting ready to put it on the agenda, then notice for the hearing can be publicized at the same time. Deputy Mayor Denning: That is what I am saying, and if we have to do two readings in one night...Mayor Flaute: But it will still take 30 days. Mr. Curp: Let me go back to the situation, if the staff can't do the planning properly and waits until the last minute then shame on the staff. We just do the legislation at the next meeting until things get in order. Ms. Grandjean: I think the situation that is being sought to be addressed is where there is an emergency not because the emergency is that staff didn't get around to doing it on time. Should there be a provision waiving the seven day prior publication requirement if there is an emergency. Mr. Curp: Well, the city manager is talking about an emergency; the clerk is talking about the seven day process for an emergency ordinance. Ms. Lewallen: I wouldn't have had seven days with this because this just happened; it just came together so I didn't have seven days prior. Mr. Curp: That goes back to planning by the staff, because the city manager is dealing with emergency situations; the clerk is dealing with how to deal with the public notice and the public hearing for an emergency ordinance, which is not necessarily an emergency in the community. It is just somebody wants the ordinance go into effect at the time it is passed instead of 30 days after. There are two different situations. Ms. Grandjean: Right. Mr. Carpenter: I am just seeking a way to deal with the actual emergency and in this case...Mr. Curp: Then we pass a resolution. Ms. Grandjean: If it is not modifying an ordinance. If the emergency requires changing what is in the ordinance you can't do it with a resolution. Mr. Curp: I understand; I was going back to my original point that hiring a tree company to do emergency tree removal can be done by resolution. Ms. Grandjean: No, not here because the Chapter 139 requires that it be bid. In order to circumvent the bidding process because the services are needed now, an ordinance would be required. That is the reason. If there is an ordinance that covers the matter, but because of the emergency something different needs to happen to be proposed then an ordinance would be required and an ordinance procedure as set forth in 5.03 would need to be followed. It is in a situation where you can't do it with a resolution. Mr. Curp: We are still dealing with two separate issues. He is talking an emergency situation and the clerk is talking about the public hearing for an ordinance passed under the emergency clause.

Mayor Flaute: Let's talk about one at a time. Let's go back to the tree trimming guy. The way it reads now, you have to bid it out. Mr. Carpenter: Yes, if I am going to exceed \$25,000 I have to advertise for bid. I will just say the real world scenario, we weren't sure we were going to exceed that limit, but as we get further into this, it looks like we are going to exceed the limit or a strong possibility. So, I come to council and say can I waive the bidding because if I go through the bidding process, now I have to draft the RFP; we have to advertise the RPF and we have to get bids and read the bids so the work stays. Mayor Flaute: Madam Law Director: You are saying the only way we can do that is by emergency? Ms. Grandjean: Right, because Chapter 139 requires that it be bid, but it can be waived by council. Mayor Flaute: So we do have to address the situation. Ms. Grandjean: Now, the Chapter 139 could be amended to allow waiver by resolution and some cities have that and we don't have that right now. Right now, if it is to be waived, it is to be done by an ordinance waiving it. Otherwise, it needs to be bid. Mayor Flaute: Let me repeat back what you said. We have an emergency, call council together and in two days we have a meeting and we can put a resolution on...Ms. Grandjean: An ordinance. Mayor Flaute: We have to have an ordinance? Ms. Grandjean: Well, if it is not consistent with an ordinance that already exists. Mayor Flaute: And you say we can fix that by putting some language on the ballot that says we can do it by resolution. Ms. Lommatzsch: We can waive the requirements. Ms. Grandjean: Right now there is a concrete situation. There could be a general fix by amending the charter, but the concrete situation right now is that if the tree trimming, the debris removal is to go forward then it will have to be bid. In order to not delay the debris clean-up, an ordinance is needed that will allow that requirement to be waived. Yes, it has to be done by ordinance. Ms. Lommatzsch: Then they have to write the RFP and do all the paperwork and take bids. Mayor Flaute: Unless we put something in the charter that says we can waive that. Ms. Grandjean: Well, like I said, we need

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something now, which is not to be put on the ballot but something now for council to consider an ordinance that will waive the bidding requirement.

Mayor Flaute: Let's just talk about the ballot right now. I am in favor of putting something on the ballot that says we can waiver that by resolution. Is that agreeable to the rest of council? Deputy Mayor Denning: Is that what we need? Ms. Grandjean: That's not what we need today, but what we need for the future. Deputy Mayor Denning: What we need for the future to make this smoother. Ms. Grandjean: I think so. Deputy Mayor Denning: Or in the future do we just pass an ordinance saying we can do it by resolution? Ms. Grandjean: No, well, if you are only going to address the bidding situation, then yes, you can have an ordinance, and Chapter 139 should be amended to allow waiver by resolution, waiver of the bidding requirement by resolution. That would simplify it; that's true. If in the other emergency legislation is required, then council can consider whether the charter should be amended to allow waiver of the public hearing, notice, and publication in the specified advanced time period. Those are two separate issues. Ms. Lommatzsch: Who is going to determine what is an emergency? Ms. Grandjean: Council will determine what is an emergency? Mayor Flaute: Because we are going to have that meeting in one day. I think that is probably what we should do with that. Does everyone else agree or do we need a motion? Or we just going to put in on there and everyone would vote on this. Ms. Lommatzsch: It has to come back in writing. Mayor Flaute: At this time, let's do that. Mr. Curp: It would have been good to have had some kind of a work up on this instead of it just being dumped on us tonight. Mayor Flaute: We are not going to vote on it tonight. Mr. Curp: But you can't discuss it intelligently if you don't have a work up and it is just dumped on you like it was tonight. That is the whole reason why we said we shouldn't have emergency ordinances and that staff should plan in advance so that there are the regular two readings over the required period of time in the charter instead of having emergency ordinances. Mayor Flaute: At this time then, I request that the city manager and law director bring forth information about that so we can intelligently vote on it at the next meeting. Ms. Grandjean, It being what the waiver of the bidding requirement? Mayor Flaute: Yes. Ms. Lommatzsch: That is amending the charter. Mayor Flaute: Another charter revision. Mr. Curp: That is part of the work up, to determine whether it requires a charter revision or a change to something else. Mayor Flaute: So that we can discuss it intelligently. Deputy Mayor Denning: I think that is a work up so if we do this, then this is what happens. If we change the charter, then this is what happens. Maybe the answer is we need to do both. We need more information to make that decision. Mr. Curp: Is there something that can be done legislatively without changing the charter and if not then what would the charter change look like. Deputy Mayor Denning: There you go. Mayor Flaute: Okay, so that is how we are going to deal with that.

Mayor Flaute: Let's go back to the immediate situation we are in right now, and explain that situation to us, Mr. Manager. We have a tree...Mr. Carpenter: We have lots of tree debris that looks like it is going to exceed the bidding threshold so that is why we drafted up this ordinance to add to the agenda, but it hasn't been published; the public hearing hasn't been published. The way I understand it, we can do the first reading this evening and then we will have to advertise the public hearing and advertise the public hearing. Deputy Mayor Denning: On the 11th? Mr. Carpenter: Yes, that was going to be my recommendation. Deputy Mayor Denning: I don't want to wait until the 20th; I want to get this done. That still gives us the seven days we need. Mayor Flaute: The first reading will happen tonight, we are okay with that. Ms. Grandjean: For the first reading, yes, we don't have to have a public hearing after the first reading. Mayor Flaute: Have your questions been answered? Ms. Lewallen: Yes, the last thought in my head was if we are going to do it all in one evening and we publish to do the seven days like if we were to do it tonight and this would have been published seven days in advance, how would I have known to go ahead and publish first? That is my last question to the whole thing, how would I have had approval prior to if we were to do an evening of first reading, second reading, and public hearing; when would I have known that from council? Mr. Curp: It is from the staff, not from council. Staff is the one who does the work of putting things together and put it on

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the agenda. Ms. Lewallen: So we would just put it on and in the paper and let you know? Mr. Curp: It is like...going back to my earlier comments, this agenda calendar says on certain nights there are going to be these ordinances so I would think if you need a seven day lead time and it takes five days lead time by the newspaper so you are looking at 12 days out so 13 days out somebody on the city manager's staff should be confirming that yes that is going to happen or no it is not. It is not ask me again in a week or I will let you know when you are putting the agenda packet together on the Friday before the council meeting. It is either going to happen or it is not. And if it is not going to happen then it comes off the agenda calendar for that meeting and gets slotted for a later meeting. If staff says, "oh, gosh," and starts wringing their hands wondering what they are going to do, well, do a little different planning and get the stuff in front of the clerk and council at the right time.

Ms. Lommatzsch: So what you are telling me is everything that is on here is going to fly. Mayor Flaute: That is what we are going to be voting on when it comes before us. If you got something else in mind, you need to speak up.

ITEM 7: RECESS: Council recessed at 7:05 pm.

ITEM 8: RECONVENE: The meeting reconvened at 7:15 pm.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Flaute had Deputy Mayor Denning lead the Pledge of Allegiance.

ITEM 10: MINUTES: Consider approval of the minutes of the May 23, 2019 special Council meeting and June 6, 2019 regular Council meeting. Deputy Mayor Denning motioned to approve the minutes as presented. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 11: PROCLAMATION: Mayor Flaute invited Ms. Cassie Barlow of SOCHE, Southwestern Ohio Council for Higher Education, to come forward and talk about the issue at hand. Ms. Barlow: Thank you, thanks for having me tonight. So the issue at hand is that we would like have an intern appreciation week across the region. We would like to do that the week after July 4th, which is the 8th through the 12th, and it is basically a week across the region where we want to celebrate all of our interns across the region because during the summers is when we have the most interns working in the Dayton region. So, we are going around and asking the cities and their mayor's to proclaim that that week is Intern Appreciation Week in your city. Mayor Flaute: Can you explain SOCHE just a little bit? Ms. Barlow: Southwestern Ohio Council for Higher Education, we are a consortium of 23 universities from across the region and we are focused on professional development for faculty and staff at our universities and also work force development for all of our students. Our almost 200,000 students across the region. We believe that our future work force is here in the region already in all of our universities. We want to encourage them to stay here in our region and we think internships are one of the best ways to encourage our students to stay here in the region.

Mayor Flaute read the proclamation for Dayton Region Intern Appreciation Week.

Whereas, there are hundreds of interns working in many different industry sectors throughout the summer providing thousands of hours of dedicated service in the Dayton Region; and

Whereas, companies in the region rely on interns over the summer to contribute to their organizational missions; and

Whereas, the Dayton Region is excited to display the great assets across the region to potential new employees contemplating a position within the Dayton area; and

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Whereas, we are thankful for all the interns who come to work in the region throughout the summer months; and

Whereas, the Dayton Region looks forward to the interns coming back to seek and accept employment full-time when they graduate from school;

Now, Therefore, be it proclaimed, by the Mayor and the Council of the City of Riverside, Ohio, do hereby proclaim July 8 - 12, 2019 as Dayton Region Intern Appreciation Week and do hereby urge all citizens to join in recognition of the contributions made by interns.

Ms. Barlow: This is my first one.

Mayor Flaute invited a member of the audience who was a SOCHE intern to come forward and say a few words. Ms. Fiona Dumas: I am actually working at Wright-Patterson Air Force Base. I was a SOCHE student for a summer and a half and I got converted to a Pathways Intern, which is a government civilian intern. I am doing material research and I am studying aerospace engineering with a double major in French.

ITEM 12: ACCEPTANCE OF PRIOR MONTHS FINANCIAL REPORT: Deputy Mayor Denning motioned to accept the prior month's financial report. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 13: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS: Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 14: CITY MANAGER'S REPORT: Mr. Carpenter: I would like to take a minute to introduce our Zoning Administrator Tamara Ennist. Ms. Ennist: My name is Tamara Ennist; I have been here about six weeks, seven weeks, and I am your new zoning administrator and will be administering your regulations for zoning and property maintenance. It is a very busy city.

Mr. Carpenter: The minutes are in the packet and I would be glad to answer any questions. I would like to, however, make one comment on the council request sheet concerning the McMahan's Trailer Park, the drive-in trailer park that is the one located at 2714 Valley Street where they are putting in a new sidewalk. After a lot of the honeysuckle and shrubs were removed, it became quite the eyesore with some of the trailers located there. I did reach out to the Department of Commerce for the mobile home inspectors as that is where they are located now. I did meet an inspector on site; unfortunately, the inspector says they can't do anything about mobile homes. They can site the grounds and anything that has to do with the operation, but not the mobile homes themselves. We are reaching out to the owners of the park to see what can be done. I don't have other than maybe a rumor; I know Tamara did receive a phone call from a realtor and inquired about the zoning for that particular park. That is the latest on the park itself. Ms. Campbell: How did the county commissions do Laws last time they cleared it? Mr. Carpenter: That I don't know. Mayor Flaute: What was the question? Ms. Campbell: How did the commissioners come down and shut down Laws Trailer Park the last time when they cleared it out. Deputy Mayor Denning: That was because they had water issues and sewer issues and that unless this one has similar issues, they are going to have very little. It is not under the Health Department any longer? It is under commerce? Mr. Carpenter: Right. Deputy Mayor Denning: The county health department was in on that, too. Mayor Flaute: I think they shut the water off, they didn't repair it. Deputy Mayor Denning: They shut the water off because they had a lot of leaks. They had to fix it. Mayor Flaute: They were a couple hundred thousand dollars in arrears. Ms. Campbell: I mean this one since there is no one living there; a lot of it is vacant. Is there a problem with that? Did anybody check it out? Mr. Carpenter: When I talked to the mobile home inspector, he said you can have vacant lots within the park itself;

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he just made sure those uninhabitable trailers they are secure. They can't have broken windows; they have to cover the windows, but they can leave an uninhabitable trailer sit there on a park. Ms. Campbell: Do they pay rent for it? Mr. Carpenter: That I can't answer that is between the park owner... Ms. Campbell: Do they pay taxes on them? Mr. Carpenter: They pay their property taxes to the park itself. Deputy Mayor Denning: What were the questions the realtor was asking and did they say why they were asking the questions? Was there much conversation? Mr. Ennist: I also talked to Mr. McMahan. I talked with a real estate company; they were asking for a zoning review on the property because they have somebody that wants to buy the property and Mr. McMahan said he wants to turn the property over. He is tired. We believe it is going to change hands, but we don't know. Deputy Mayor Denning: Little houses. Mayor Flaute: Mini houses, there you go. Ms. Ennist: They just wanted to know what the zoning would allow and that is an R-4 zoning district. Mayor Flaute: And we can change it. If they have the right thing in mind, we can change it. Ms. Lommatzsch: Can we stay on top of that, please? Deputy Mayor Denning: Stay involved in that and keep us up to date because if there is something we need to do...you may want to get the economic development. Ms. Ennist: I have copied Lori in on it. Deputy Mayor Denning: If we can do something positive with that, if we have to do something to make it. Ms. Ennist: Lori, the economic development specialist, she had told me she believes she actually talked to the person who is interested in buying it. Ms. Lommatzsch: Is that property that is just to the east of there, is that of the same way, empty right now? The property that is just east of the trailer park; the people use it for parking, driving through, or turning around, or whatever. Ms. Ennist: I'm not familiar enough with your zoning map to say that without looking it up. Mr. Lohr: I believe the trailer park is zoned R-4, which is multi-family, and the property east of it has the same zoning as the McDonald's, a B-2, so commercial. Deputy Mayor Denning: So McDonalds, it, and Bob Evans are all in the same...Mr. Lohr: Correct.

Deputy Mayor Denning: How many of those, you went over there, how many of those trailers were...? Mr. Carpenter: We basically looked at the, I believe the name of it is Jupiter, it is parallel to Valley and there were four on the east end. They are all, I would consider them uninhabitable. You could see some of the roofs of them kind of caved in. Deputy Mayor Denning: My question is, in that whole, there are probably 75 trailers in the whole, how many of them were actually habitable? If you say 50 percent or so. Mr. Carpenter: I would say 50 percent. I saw cars parked back there. Ms. Campbell: They turn those trailers at an angle so you couldn't see past them. Deputy Mayor Denning: I get that. Mr. Carpenter: Yes, I did drive through. Deputy Mayor Denning: I was just curious. I know delivered food baskets to people who live there and probably shouldn't have.

A) Monthly Update Finance Department – Mr. Garrett: It is a pretty short report this month. As you know, the last month we had RITA and CCA come in to give their overview presentations. We prepared some background papers and had some discussions with that. It is an ongoing effort. Then after the tornado, of course, most of the operation stuff was the street department, and the police and the fire, but I had some involvement in helping prepare some calculations and get some numbers together so we got our preliminary cost estimate in to the county for them to assess the situation and the cost impact on our city. More details to come for that. Our auditors were in here last week; they came earlier in the year and came back so I think they are pretty much down to the end of it. I got an email today with their audit representation letter. I don't have any feel for their comments, but they are pretty close to finishing up their audit, if you will. Just today, we received grant reimbursement from the Bureau of Workman's Comp grant for the police body armor and we are adjusting the budget on the proposed supplemental later on tonight. We did already buy those bullet proof vests and now they have reimbursed the city for those. We had a big month in income tax back in May, but that is in your council packet. We have now got to mid-month of June, which is the May collections, they weren't up near as much, but it is still in a positive direction. We are about \$175,000 above our baseline, plan line and up to \$3.3 million of income tax we have received so far this year.

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B) Monthly Update Administration – Mr. Lohr: Just a few updates for you, the clerk of council and I had a demonstration of an email archival program today, which we think is very promising to help manage the large volume of emails that we have here. We are going to check out some other options, but this particular option I think is very affordable and provides us what we need so we are looking at a \$3,000 initial startup cost and then about \$1,800 a year, thereafter, which I think is well worth it for us to be able to easily access all of our emails and make sure they are there if we have a public records request. Wrapping up with MVECA with the renewal on our ESID anti-virus software for our computers. It has been a bit of a process because we switched from buying through CDO to buying directly from ESID so there has been some additional IT work that has been involved, but we did get a good deal on three years renewal for about \$1,500. That was much more affordable than what we got through CDO. We saved some money by going direct. Deputy Mayor Denning: That is for all of our computers? Mr. Lohr: Yes, for all of our computers. The new staff computers are in and I am working with MVECA on getting those set up so the staff can replace their old computers. We planned on four computers and they accidentally shipped us an additional laptop and then the code enforcement field laptop bit the dust at the same time and we decided to keep it, the one they sent us accidentally. That worked out well for us. Going back to public records, I think we discussed this in front of council; we had shredded about 300 or 350 boxes of public records a few months back after we got them approved for destruction. We still have a number of boxes upstairs on the second floor. We continue to sort through those; I've been working with Mr. Garrett and the admin assistants to try and get that all inventoried on an RC-3 form so that the public records commission can review that and vote if it is appropriate to dispose of it. We could be looking at as many as 300 more boxes when we get all through it, but I do think we are starting to see the light at the end of the tunnel for that so we can get that project wrapped up. We will be having a public records commission meeting on July 10 at 9:00 a.m. where we will take a look at our latest list and hopefully vote to get those purged. Deputy Mayor Denning: So all of our records from forever are upstairs, we have nothing left in Cincinnati, is that a true statement? Mr. Lohr: That is correct. It was last year when we got the rest of them delivered. Deputy Mayor Denning: I just want to make sure we don't have anything stored anywhere else and all of them are here and we are clearing everything we have and we don't have to continue this project. Mr. Lohr: There is quite a backlog of public records that need to be cleared, but once we get through that, we will have a much more manageable stock of public records that we can keep track of. Deputy Mayor Denning: Then my question would be, is the idea that we take what we have to keep and scan that and make it electronic so that we don't have to keep them or is there is a law that says we have to keep paper copies? Mr. Lohr: Yes, to both of those. We have a retention schedule, which the public records commission approves, and then as long as the state public records office we submit to them and they approve it. A lot of them they will say records will say 'paper purge when it is converted to electronic' and then 'electronic keep permanently'. We have some control over whether we want to keep them in paper or electronic or some other media format. Digitizing some of these records will be difficult. We are doing a lot now like our zoning permits right now are all being kept digital so that we don't have to retain the paper copies indefinitely, but I think going back and digitizing all of them would be a headache. Deputy Mayor Denning: Okay, so we are going to purge as we go; we are going to get caught up. Eventually, all paper should be gone and we should be electronic. My question is, how far out is that ten years out two years out or never? Ms. Lewallen: All your minutes, all your legislation will always be kept as paper; we can never get rid of that. There will never be a time we don't have paper. Deputy Mayor Denning: And why is that? Ms. Lewallen: That is just the way the state requires it. Deputy Mayor Denning: I'm okay with that if it is a state requirement. Mayor Flaute: For how long? Ms. Lewallen: Forever. Deputy Mayor Denning: We can't do it electronically? Ms. Lewallen: We can scan all we want, but we have to keep those paper copies. I do know that about our minutes and our legislation. Deputy Mayor Denning: That seems insane. Ms. Lewallen: It does, but I have a fireproof vault should this building come down; we will have it. Deputy Mayor Denning: Or it could all be on a USB drive. Ms. Lewallen: You are right. Deputy Mayor Denning: What I really need to do is work on the legislators to change

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that law so that in this day and age we should be able to have it electronically instead of 1921 law. Ms. Lommatzsch: There are a whole lot of other things you need to work with them about. Mr. Curp: We can have it electronically also so that when we want to access stuff we can get to electronic searches as opposed to going through the vault. Deputy Mayor Denning: I get that, still if you got it that way it doesn't make sense to have the paper. Mr. Lohr: There are advantages to keeping as much as we can in a digital format rather than paper. One last thing, I have Mega City Fire Protection replacing duct smoke detectors on the other building, 5100, \$2,400 to get that done. We have recurring false fire alarms over there due to these smoke detectors for apparently a number of years. We think that if we change those out and get new and get those replaced our attendants over there will not have to deal with fire alarms and standing outside in the cold when they don't need to. Deputy Mayor Denning: Is it the smoke detectors or do we need a duct cleaning? Mr. Lohr: That is a good question; I don't know about having the ducts cleaned. We do know the detectors themselves are original to the building so they are over 30 years old so they need to be replaced. Deputy Mayor Denning: I am not against that, but I think that having a duct cleaning would be a life saver eventually and keep you from having...because, the new ions detectors are probably much more sensitive than the old ones so if it is a dust problem or a duct cleaning problem then you may have more problems than less. Mr. Lohr: I will talk to our HVAC contractor about that.

Mr. Curp: Public records are we able to determine whether we are still working on sifting through the records that came from the old village or have we handled all those records. Mr. Lohr: No, we actually have quite a few records that are from the township and the village. There are quite a few of them we are setting aside for historical purposes. We want to have the historical society look at those and think about preserving those for the future. Mr. Curp: That is all well and good, part of my reason for asking that was because the impetus for going through and examining these and determining what should be kept and what should be disposed of is because we are trying to determine whether back in the village or township days there were a kind of waiver or approvals given to certain business properties or properties operating as businesses on Byesville Blvd. Mr. Salmons property and operations and Mr. Stumpf's property and operation. We received from the county at the time of the merger all the files they had or the properties that were in the township under county planning and zoning. Whether they granted variances or waivers or anything would be a subject of looking through those records. Same thing with the village because there were annexations that took place of some of that property off of Springfield Street in the Floral Park neighborhood. I want us to specially be mindful of looking for those records as we are going through and not haphazardly throwing out stuff that seems old and not germane today because it still is germane. Computer, everybody has their computers, we don't have any that are outstanding? Mr. Lohr: They are delivered. I have the Microsoft Office licenses as of today so they are not in people's physical offices, but they are here and will be there soon. Mr. Curp: Archiving minute's software, we are just now looking at those packages? The reason I ask, it is not a trick question, I brought this up some time ago and was told we were already doing this because I suggested all the council members provide to some central repository operated by city staff all of our emails so that when there are a request for emails the clerk doesn't have to come out to each one of us and ask for these sets of emails or those sets of emails. I was told we were already doing that, but apparently we are not. It's okay if we aren't, it's just...Mr. Lohr: We are not archiving our emails right now. I am not sure who would have told you that we were. Mr. Curp: Smoke detectors for our buildings are they wired into communication lines that go to say the fire department or 9-1-1 dispatch, anything like that? Mr. Lohr: Yes, they run into the main panel for the building and that is connected to a central station. Mr. Curp: I'm aware of a situation somewhere else where they changed the electronics for the telephone systems and it created an incompatibility with the alarm system and it caused false alarms to occur for a while until they got the proper boards and interfaces. This might be something to consider looking at. Mr. Lohr: Hopefully that is not the case; it seems to be okay as they worked on it a bit today. We will keep that in mind.

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C) Monthly Update Economic Development – Mr. Carpenter: I will start with as a result of the tornadoes; we did submit to the Dayton Chamber of Commerce that we had space for businesses that may need space. We did get one company in Dayton; Gold-n-Touch Landscaping that is using one of our suites as his office was impacted. He is doing it for three months until his office gets renovated. We did have another company inquire, but they felt it was too far away from their clients so they backed out. Also, Ms. Minnich, as part of a Business First event, she participated with other members when they did a disaster relief business walk on June 17, they did the walk up in Vandalia so it was a nice effort from the community going out to talk to businesses and trying to get their feedback on what challenges they faced as a result of the impact of the tornadoes. We do have a lot of things taking place here at the Wright Point buildings. Ms. Minnich had advertised our space on the Yardi Commercial Café and we did get one hit from a company out of Texas. They have inquired about some space. This company currently has a small office in Beavercreek and they were looking to expand so they inquired about spaces here at our buildings. SPGlobal did get moved successfully over to the fifth floor on the 5100 building and now we are continuing discussions with CDO on their expansion on the third floor of this building. We have UTC as a tenant in one of our buildings they did merge with Raytheon so UTC is looking to move into another space. They think initially they will get at least one more employee as a result of this merger so we are talking with them on some other space. Tenet3 is doing well and looking at expansion as well into the 5100 building. Ms. Minnich and I met with Doug Harnish to talk about some economic development within the city; he has an independent firm, the Metrics Firm, they talk about what businesses are ideal for certain communities so we had some conversations with him and get some ideas. We continue to work with Tudor Biscuit World and see if we can have them locate here in the city as well as we have reached out to Frito-Lay to see if they will be looking for space in Riverside, but I haven't really haven't heard back from them as far as that goes.

ITEM 15: PUBLIC COMMENT ON AGENDA ITEMS: Mayor Flaute invited Alan Fletcher to speak about 19-O-696 and to keep his comments to three minutes. Mr. Fletcher: I mainly just wanted to come up and address concerning the 558 Ketcham house before I do that I just like to say Ellen and I haven't been around that much for a while. We know most of you, but we want to thank you for all of your service and realize that we are still here in the city and we still do love the city even though we travel quite a bit. As far as the Ketcham house is concerned, we just wanted to bring a few things to your attention that maybe you know, maybe you don't know. We have addressed most of them in a letter we have put in your hands and I will read some of the content of the letter leaving out the actual dollar figures off there. It says, "Dear Mayor, City Council, and Manager, on June 6 we made an offer for 558 Kethcam Street and then on June 10, the City of Riverside countered that offer. Today, after an extensive six hour detail assessment that we made last Saturday, we walked the grounds, we evaluated the retaining wall, the carport, the exterior building, fences, trees, house structure, assessed the roof condition, the attic, examined electrical, plumbing, heating, ceiling, floors; we tried to do the best we possibly could with whatever kind of knowledge we had there. I don't know if you have been to the house or not, but it is not in the greatest shape." Anyway, we came up with this sheet, which is our assessment of what is required to bring that property not to pristine condition, but back up to the normal condition for the houses around it and etc... You can look at that in detail as that might be helpful to you. We just wanted to make an assessment for ourselves that would bring it back up to the basic standards. There really has been no updating to the house since 1957 when it was built. It has been vacant for four years; there are holes in the ceiling and roof. The attic is filled with animal feces; electrical wiring and gas has not been turned on. There's been no insulation that has happened over a period of time. There have been squatters living there. There are many, many unknowns, especially since it is a slab foundation. Total flooring needs to be done; electrical outlets are charred, etc... Based upon all that, we wanted to revise our option, which we are giving you and you will take into executive session, but we wanted to encourage you that we do have the heart and the intent if you accept that we would bring that condition back up to good standard conditions

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and put the money and effort into it that would be required to bring it back up. Turn it from a place of maintenance burden and constant neighborhood complaint to beautify it from being an eyesore. Part of our drive and reasoning is we have a family that has three young girls that need a place. They like the Riverside community and the school system so they are looking for a place. That is our driver and why we are even thinking of doing anything. Just so you know what our intentions are and we wanted to make that clear. School begins pretty soon for the kids and they need to act so we can't delay this. I know you are going to have an executive session and make some kind of decision, but we need from our standpoint some kind of decision by tomorrow, accepted or not.

Ms. Ellen Fletcher: Basic standards, honestly, for any females around here and gentlemen that might want to think about this; we aren't even talking about backsplashes in the kitchen, not even talking about handles on the cupboards, just basic.

Ms. Lommatzsch: You have listed here sweat equity, so you are planning to contract part of it and do part of it yourself? Mr. Fletcher: Yes, and the reason we did that is because we realize there is a lot of cash output that is needed and we realize that we and others, we have some others who said they would help the family and community people some friends who do painting...Ms. Lommatzsch: So it would be a team effort. Mr. Fletcher: Yes, a team effort. Ms. Lommatzsch: Some of the things will require contractors. Mr. Fletcher: Yes, definitely. The HVAC, a lot of stuff requires contractors. Ms. Lommatzsch: Starting with a new roof; I can't see you doing a roof. Mr. Fletcher: Well, the roof is actually one of the best conditions of the house. Even though it has a few holes in it, the shingles are not in a shape where they need to be replaced; those holes can be patched. Does that answer your question?

ITEM 16: OLD BUSINESS:

A. ORDINANCES

I) Ordinance No. 19-O-695 levying a Municipal Motor Vehicle License Fee pursuant to Section 4504.173 of the Ohio Revised Code as authorized by House Bill 62 and to amend Title Seven, Chapter 185 of the City of Riverside Codified Ordinances. (2nd reading, public hearing, and consideration of adoption)

Mr. Carpenter: This ordinance is to levy a motor vehicle license fee increasing the fee by \$5.

Ms. Lommatzsch motioned to read Ordinance No. 19-O-695 for the second time by title only. Deputy Mayor Denning seconded the motion. The clerk read the ordinance by title only.

Mayor Flaute: I just wanted to mention that I contacted the Ohio BMV requesting that somebody attend the meeting, hopefully on July 18, to explain how the distribution of the taxes that we receive goes. I talked to a guy by the name of Jeff Rush, and he put in contact with a Melissa Tennant, who will be getting back with me. I wanted them to come and explain to us how they decide this money that we are talking about gets distributed because at this time I asked a whole bunch of questions and no one could answer them. I am hoping that we will have somebody who can tell us about this and how it is done and what we need to do to make sure the money gets divided up the way it should.

Mayor Flaute opened the public hearing for Ordinance No. 19-O-695. No public comments were made. Mayor Flaute closed the public hearing.

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All were in favor; none opposed. **Motion carried.**

ITEM 17: NEW BUSINESS

A. ORDINANCES

- I) Ordinance No. 19-O-699 amending Title Five, Chapter 139, Contracts and Purchasing, Sections 139.03, 139.04, 139.09, 139.18 and 139.19 and repealing the existing Chapter 139, Sections 139.03, 139.04, 139.09 and 139.18 of the Administrative Code of the City of Riverside, Ohio. (1st reading)**

Mr. Carpenter: This ordinance is amend Title Five, Chapter 139 for Contracts and Purchasing basically increasing the threshold for requiring bids; it would be increased from \$25,000 to \$50,000, but we would also maintain the council approval at \$25,000. I just wanted to point out there was on typo in the changes in the Exhibit 'A' under Section 139.18, Exceptions, it would be Exception C 'materiel' should be 'material'.

Deputy Mayor Denning motioned to read Ordinance No. 19-O-699 for the first time in its entirety. Mayor Flaute seconded the motion.

Ms. Lewallen read the ordinance in its entirety.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, yes; Mayor Flaute, yes; Ms. Campbell, no; Mr. Curp, no; and Ms. Lommatzsch, no. **Motion failed.**

- II) Ordinance No. 19-O-697 making supplemental appropriations for current expenses and other expenditures of the city of Riverside, State of Ohio, for the period January 1 through December 31, 2019. (1st reading)**

Mr. Carpenter: This ordinance is making supplemental appropriations for current expenses and other expenditures of the City of Riverside for January 1 through December 31, 2019. The reason for this request is that one of our lawnmowers is broken down and we had budgeted for a bucket to be added to the tractor and the greater need is to replace the lawnmower so we are asking to use the funds that were targeted for the bucket where we sold some items on GovDeals and use that money as well to make the purchase of the tractor. We need to appropriate those dollars.

Ms. Lommatzsch motioned to read Ordinance No. 19-O-697 for the first time in its entirety. Deputy Mayor Denning seconded the motion.

Ms. Lewallen read the ordinance in its entirety.

All were in favor; none opposed. **Motion carried.**

- III) Ordinance No. 19-O-698 authorizing the city manager to proceed with tree removal and related services with contractor without competitive bidding and declaring an emergency to facilitate clean-up from the Memorial Day weekend tornadoes.**

Mr. Carpenter: This ordinance is authorizing the city manager to proceed with tree removal and related services with the contractor, Tree Care Inc., without the competitive bidding

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and declaring an emergency to facilitate the clean-up from the Memorial Day weekend tornadoes.

Deputy Mayor Denning motioned to read Ordinance No. 19-O-698 for the first time in its entirety. Ms. Lommatzsch seconded the motion.

Ms. Lewallen read the ordinance in its entirety.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, yes; Ms. Lommatzsch, yes; Ms. Campbell, yes; Mr. Curp, yes; and Mayor Flaute, yes.

Mr. Curp motioned to suspend the rules that dictate the number of days between successive readings. Ms. Lommatzsch seconded the motion.

All were in favor; none opposed. **Motion carried.**

Deputy Mayor Denning motioned to read Ordinance No. 19-O-698 for the second time by title only. Ms. Lommatzsch seconded the motion.

Ms. Lewallen read the ordinance by title only.

Mayor Flaute opened the public hearing for Ordinance No. 19-O-698. No public comments were made. Mayor Flaute closed the public hearing.

All were in favor; none opposed. **Motion carried.**

B. RESOLUTIONS

I) Resolution No. 19-R-2485 declaring the necessity of assessing numerous streets between certain termini in the City of Riverside, Ohio, for various types of street lighting for one year, beginning January 1, 2020.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2485. Mr. Curp seconded the motion. Deputy Mayor Denning asked if this was the yearly resolution. Mayor Flaute confirmed there were no additions or changes from last year. All were in favor; none opposed. **Motion carried.**

II) Resolution No. 19-R-2488 requesting the auditor of Montgomery County to certify the total current tax valuation of the City of Riverside, entirely located in Montgomery County, and the dollar amount of revenue that would be generated by an 8.00 mill continuing additional levy for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges, as authorized by Section 5705.19(g) of the Ohio Revised Code.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2488. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 18: PUBLIC COMMENT ON NON-AGENDA ITEMS: Mayor Flaute invited Mr. Frank Smith to discuss his issue. Mr. Smith: Good evening council, I'm bringing the same issue I have brought before. I've asked at several meetings about the no thru truck signs to be put back up that are missing. I don't know when they got taken down, but I do know it has been three or four months or longer that I brought this issue up and they still haven't been put back up. I don't know; they are still missing. One other thing that

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I would like to bring and I don't have the email, but I heard through that when I applied for that permit to put my guard rail up the comment was made that why would I apply for the permit to put that up when I don't own the property. I want it known that I do own my property and I paid for it, but it is paid for; it belongs to me. The person that made that comment is wrong, but I do own my property. I just want it known when I applied for the permit to put that up that I am not putting it up on somebody else's property; the property belongs to me.

Mayor Flaute invited Ms. Jan Pitzer to come forward and discuss her issue. Ms. Pitzer: My first one is regarding your retreat, special meeting on June 15; I'm questioning why we feel the need that we have to go out into another venue. This was a public meeting, special meeting, call it a retreat, whatever, but it was open to the public. I'm sure there is no video, audio of this meeting from the Eintracht, and are there going to be minutes from this meeting? Any comments? Seeing none, I will go on. Second is code enforcement. Last year, there was and still is a swimming pool at the corner of Bayside and Spinning. They were cited last year for an above ground pool with no enclosure. It is back up, yet again, this year. I called the city, was told on June 5 the first letter was given. They had until today's date, June 20. On my way here this evening, the pool I still up. There is a tarp over it; however, it is not enclosed. This is not somebodies grass being too high; this is public safety having an above ground pool with no enclosure. Thank you.

ITEM 19: COUNCIL MEMBER COMMENTS:

Deputy Mayor Denning: InCrowd, Monday night at Las Margaritas. Mayor Flaute: I will be in Michigan; everyone else is encouraged to attend.

Mayor Flaute: I did five weddings in the last two weeks. I also finished my year as president of the Mayors of Ohio Association, and we had our annual conference and it was a good conference. It was an honor to be serving as the president of that association and I hope that in the future we can keep our relationship with that association very strong.

Deputy Mayor Denning motioned to go into executive session for the reason listed on the agenda at 8:21 p.m.

Ms. Lommatzsch: In the morning there is coffee with a cop at the McDonald's on Valley from 8:00 - 9:00 a.m.

Mr. Curp seconded the motion. Roll call was as follows: Deputy Mayor Denning, yes; Mr. Curp, yes; Ms. Campbell, yes; Ms. Lommatzsch, yes; and Mayor Flaute, yes. **Motion carried.**

Mayor Flaute commented that they will not be meeting on the 4th of July. That would be their regular meeting night, but they are having a special meeting on July 11, and the next regular council meeting will be on July 18.

ITEM 20: EXECUTIVE SESSION:

- A) Section 13.01 (d)(7) To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information confidentially received from an applicant:
 - C. Production techniques and trade secrets.

ITEM 21: RECONVENE:

Council reconvened at 8:47 pm.

ITEM 22: NEW BUSINESS:

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A. ORDINANCE

II) **Ordinance No. 19-O-696 declaring city property located at 558 Ketcham Street to no longer be needed for municipal purposes and to be surplus and authorizing the city manager to execute documents necessary to sell said property.**

Deputy Mayor Denning motioned to read Ordinance No. 19-O-696 for the first time in its entirety. Mr. Curp seconded the motion.

Ms. Lewallen read the ordinance in its entirety.

All were in favor; none opposed. **Motion carried.**

Mr. Curp motioned to suspend the rules that dictate the number of days between successive readings. Ms. Lommatzsch seconded the motion.

All were in favor; none opposed. **Motion carried.**

Mr. Curp motioned to read Ordinance No. 19-O-696 for the second time by title only. Deputy Mayor Denning seconded the motion.

Ms. Lewallen read the ordinance by title only.

Mayor Flaute opened the public hearing for Ordinance No. 19-O-696. No public comments were made. Mayor Flaute closed the public hearing.

All were in favor; none opposed. **Motion carried.**

B. RESOLUTION

I) **Resolution No. 19-R-2486 authorizing the city manager to enter into a lease agreement renewal with Gold-n-Touch Landscape Contractor, Inc.**

Ms. Lommatzsch motioned to approve Resolution No. 19-R-2486. Deputy Mayor Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

Mr. Carpenter: We discussed briefly in the work session about RITA and CCA, staff needs to submit a letter of notification before July 1 so I'd like to know council's pleasure if they wish to issue the letter.

Deputy Mayor Denning motioned to make a letter of notification to RITA. Ms. Campbell seconded the motion.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Lommatzsch, no; and Mayor Flaute, yes.

Mr. Carpenter: I did have one piece of news and I apologize for not mentioning it earlier. Mr. Jeff Hoagland of the DDC was recently visiting the base with some state officials that work at the State of Ohio in the Department of Development Services and after driving along Springfield East and he later sent me an email asking when we were going to make some repairs. I gave him the dates and the project costs and then he forwarded that email up to Development Services at the State of Ohio and I spoke with a Mr. John Workman and shared with him all of our projects we have around the base and they were very enthusiastic about trying to help us out financially with that project. Mayor Flaute: Any

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action items that you need from us? Mr. Carpenter: No, I just wanted to share that information.

Deputy Mayor Denning: There was another resolution in here. Ms. Lewallen: That did get pulled. You had already had it, but it wasn't on the agenda. Deputy Mayor Denning: It was in my packet so that is why I am asking. Ms. Lewallen: It was originally on it, but when we revised the agenda that got removed that was the doctor? Mr. Carpenter: Yeah, that was the other business that was considering locating here, but felt their clients were too far away. Deputy Mayor Denning: They changed their mind. I'm okay with that. I wanted to make sure if you needed it, we didn't skip it. Do we need to have a meeting with the state people and all of that? Mr. Carpenter: Not yet, the email from Mr. Workman was the director of his department was out of town this week so once they get back we will make contact and discuss what they have in mind and I can share more information. Deputy Mayor Denning: Let's not lose the footing that we have; if they don't call us we call them because we need to keep this ball rolling. The fact that it is going to cost us \$2.0 million our portion, maybe they can put their shoulder into the state money to help us lower that amount by hopefully quite a bit. Then maybe they can also get into that FLAP money or get us other places to get funding. Ms. Lommatzsch: Is the meeting with the base people still on? Ms. Lewallen: I gave her weeks and dates and the last thing Marie sent me was she will try to match it up with Col. Sherman's calendar. It would have been last week. Deputy Mayor Denning: Well, call her again tomorrow. The other thing, I will call our state representative.

ITEM 23: ADJOURNMENT

Deputy Mayor Denning motioned to adjourn. Mr. Curp seconded the motion. All were in favor; none were opposed. The meeting adjourned at 8:55 pm.

William R. Flaute, Mayor

Clerk of Council