

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, April 20, 2023

Riverside, OH

CALL TO ORDER: Mayor Williams 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.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Frank Robinson, Police Chief; Dan Stitzel, Fire Chief; Kathy Bartlett, Public Service Director; Kim Baker, Finance Administrator; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: No members were absent.

ADDITIONS OR CORRECTIONS TO THE AGENDA: An amended agenda was presented adding Resolution No. 23-R-2841.

APPROVAL OF AGENDA: Mr. Joseph moved, seconded by Mr. Maxfield, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Williams led the pledge of allegiance.

MINUTES: Deputy Mayor Lommatzsch moved, seconded by Mrs. Franklin, to approve the minutes of the April 6, 2023, council business meeting. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated that any citizen wishing to speak should fill out a petition form and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Police Department – Chief Robinson stated that Officer Brookshire gave a presentation at St. Helen's school to all classes and parent-teacher conferences on Internet Safety, E-cigs, and dab safety issues for tweens. There have been some recent issues, and they wanted to get safety information out as soon as possible. He stated that Officer Toscani went to Merrytime Daycare to do some safety training including camera placement and lots. A physical assessment was given this past Saturday to two officer candidates, one passed, the other did not. There is also one lateral officer in the process. They will be doing interviews next Thursday. Their candidate numbers are low right now, but Huber Heights is experiencing the same thing. There is a resolution tonight for a donation of a pick-up truck by Germain Ford for use by the School Resource Officer. Major Jackson and Officer Toscani spearheaded getting this. He stated that

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there is a drug box in the police lobby year round; they are participating in the DEA drug takeback this Saturday from 10 am – 2 pm. Anything dropped off during that time on Saturday, the police will drop off to the DEA themselves. All the others that are collected cannot be given to them as this is just a one day takeback done in pounds. He explained that pills are hard to get rid of as they are not easy to destroy. He stated they are working on the Flock cameras. Two are already installed with 13 more to go. He stated that he has had a great time working with Chief Stitzel and wishes him well.

Deputy Mayor Lommatzsch stated there has been expressed concern about the speeding on Spinning Road as it is an alternate route to Woodman, which is currently under some construction. She stated that is a neighborhood and people are trying to back out of their driveways, but cars are flying down the hill. She stated she watched cars coming down the hill at fast speeds at Marblehead and Spinning. She is concerned someone will get hurt. Chief Robinson stated he and the city manager have already discussed this and have a plan in place. They already have the counter out there that also keeps track of speeds. They will then determine the best time for patrol to be out there. They also have a speed trailer they can put out. He reminded them that they only have three people working each shift. There are four shifts with three people working each one; they average over 50 calls each day. He stated he is not making excuses just that it is not easy to get police out there. They are going to use the STEP grant to bring officers in to do some overtime and extra patrol. Deputy Mayor Lommatzsch stated it would be nice to issue some tickets along there and get people's attention because someone will get hurt. As they come over the hill with that grade, drivers who don't normally travel that area may not realize they are in a neighborhood where people are trying to exit their driveways.

Mayor Williams stated he was appreciative of Officer Brookshire coming out to the school. All three of his sons received a talk from him and got three different topics. The message is one they need to hear. Kids may tune out their parents, but Officer Brookshire did a wonderful job connecting with the kids. He stated he was glad Officer Toscani became the school resource officer and is an ambassador for the city in the schools reaching young people. Officer Brookshire is another officer that shows people in our community how they help. It is great for kids to hear from other adults that they trust. Officer Brookshire has earned that trust in a very short time. He thanked the city manager and police chief for making that talk happen at St. Helen's in response to things happening in the world. Chief Robinson stated that both Officer Toscani and Officer Brookshire connect very well with the students.

B) Fire Department – Mr. Rauch stated this is Chief Stitzel's last report for the city. Chief Stitzel stated he is working to get everything transitioned over to the battalion chiefs, so nothing falls through the cracks. He stated it was a hard decision and that he was not looking for this opportunity; it was presented to him. After discussion with his family, they decided it was what would be best for them. He starts in a week. He will

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miss all of them and appreciates all they have done and supported the fire department. The crews are also appreciative. He stated the crews are completing their annual EMS protocol evaluations. As mentioned last year, Engine 6 needs its pump rebuilt and parts have come in so it will be out of service for a couple of months. They knew this was coming so they prepared for it financially and encumbered funds to cover it. The new Medic 5 chassis has been delivered to Horton, and they will start to build on it in two weeks. It will be delivered to them in mid-August. Once that is in, the medic fleet will be more resilient and stronger. The other medic and generator that council has approved have been ordered. He is trying to get as many things cleaned up, so there is not a lot to do. He is assigning things to the right battalion chiefs so there aren't any interruptions.

Mr. Maxfield thanked Chief Stitzel for his service and wished him well. Other council members added their thanks. Mr. Denning thanked Chief Stitzel for all he has done in taking the fire department to the next level. Chief Stitzel stated it has been an honor and privilege to serve this community. Mr. Joseph expressed his appreciation and stated that the City of Franklin is getting a huge asset to their city. Mayor Williams stated that he took office right before Covid hit, and what public service and public safety had to encounter and the way they navigated through is nothing short of amazing. It was reflected in the way the community feels about both Chief Stitzel and Chief Robinson and how they run the safety services and how they asked the voters to increase their taxes to support their services. It was overwhelming and an endorsement of what they have done and continue to do. That type of result comes from good leadership. He added the City of Franklin is getting a first class individual and firefighter.

C) Public Service Department – Ms. Bartlett stated they started the right of way acquisition process for one parcel on the Spinning Phase 2 Project at the intersection of Burkhardt and Spinning. They did the final inspection of the US 35 widening finished up last fall. They had a part to make it make sure it was acceptable since it is now the responsibility of Riverside to maintain. She attended the MVRPC Technical Advisory Committee this morning. She stated that contractors have been working on punch list for items on Lynnhaven and Meyer. School zone flashing lights are now fully installed and activated on Valley Street. She added that they have hauled 86 truck loads of salt to Dayton for storage for the summer. They are running the street sweeper in the northern half of the city. She stated that the asphalt box is back as it had been out for repair. They have gotten a little behind on pothole patching because patching with Permapatch®, the cold patch, is not economical and does not last. The box is back, and they can get hot asphalt. They put over eight tons of asphalt on the streets just this week. They will continue with that and maybe work some overtime to get caught up.

Deputy Mayor Lommatzsch stated they are doing a great job with keeping the parks looking wonderful.

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D) City Manager Report – Mr. Rauch stated he attended the DDC Fly-In to Washington D.C. earlier this week. He feels it was productive and was acquainted with Senator Vance's staff. They were able to discuss the road projects that wanted to do near the base. He built some close relationships with colleagues regionally and neighboring cities. They will see what happens over the next couple of months. He will continue to build those relationships as they are a player at the table when it comes to the region and the base. He stated that Chief Stitzel was a real asset when he came on as city manager during a time that was pivotal to the city. He stated Dan has been forthcoming and stated they all work together as a team. He thanked him for his service and stated he knows he will do great things there. He has left a golden standard for what they need to look for in a fire chief.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated that no one turned in a form to speak on agenda items.

OLD BUSINESS

A. ORDINANCES

- I) **Ordinance No. 23-O-824 – An ordinance approving the Plan Of Operation and Governance for the Sustainable Ohio Public Energy Council ("SOPEC") Electric Aggregation Program, for the purpose of jointly establishing and implementing an Electric Aggregation Program. (2nd reading, public hearing, adoption)**

Mr. Denning moved, seconded by Mrs. Franklin, to approve the second reading of Ordinance No. 23-O-824. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:24 pm. No one came forward to speak. Mayor Williams closed the public hearing at 6:25 pm.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

- II) **Ordinance No. 23-O-825 – An ordinance approving the Plan Of Operation and Governance for the Sustainable Ohio Public Energy Council ("SOPEC") Natural Gas Aggregation Program, for the purpose of jointly establishing and implementing a Natural Gas Aggregation Program. (2nd reading, public hearing, adoption)**

Mr. Denning moved, seconded by Mr. Joseph, to approve the second reading of Ordinance No. 23-O-825. The clerk read the ordinance by title only.

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Mayor Williams opened the public hearing at 6:26 pm. No one came forward to speak. Mayor Williams closed the public hearing at 6:26 pm.

Roll call: Mr. Denning, yes; Mr. Joseph, yes; Mrs. Franklin, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

- I) **Ordinance No. 23-O-826 – An ordinance amending Chapter 1109 Zoning Development Standards of the Unified Development Ordinance (UDO) of the City of Riverside, Ohio. (1st reading)**

Mr. Rauch stated this ordinance is recommended by the Planning Commissions and contains patch work with respect to the UDO and minor text adjustments to help them move forward.

Deputy Mayor Lommatzsch moved, seconded by Mr. Denning, to approve the first reading of Ordinance No. 23-O-826. The clerk read the ordinance by title only.

Roll call: Ms. Lommatzsch, yes; Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

- II) **Ordinance No. 23-O-827 – An ordinance to repeal Ordinance No. 23-O-819, passed February 16, 2023, and declaring an emergency. (1st and 2nd reading, public hearing, adoption)**

Mr. Rauch stated this ordinance repeals the Table of Organization as an exhibit in the ordinances. The principle reason for the emergency request is to hire a human resources manager, which is a critical need for the organization, and it is in the best interest to do so as quickly as possible. He cannot do that until the Table of Organization is either repealed or amended.

Mr. Denning moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 23-O-827. The clerk read the ordinance by title only.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

Mrs. Franklin moved, seconded by Mr. Denning, to suspend the rule that dictate the number of days between the first and second readings.

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Roll call: Mrs. Franklin, yes; Mr. Denning, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

Mr. Maxfield moved, seconded by Mr. Joseph, to approve the second reading of Ordinance No. 23-O-827. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:30 pm. No one came forward to speak. Mayor Williams closed the public hearing at 6:31 pm.

Roll call: Mr. Maxfield, yes; Mr. Joseph, yes; Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Williams, yes. **Motion carried.**

III) Ordinance No. 23-O-828 – An ordinance amending the annual salary for the Mayor and Council Members of the City of Riverside, Ohio. (1st reading)

Mr. Joseph moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 23-O-828. The clerk read the ordinance by title only.

Ms. Fry stated that she is planning to vote no. The basis of her reservation is that while it is a fair salary, the timing is just off. She is aware that they don't have a road levy for residential roads and from her perspective that anything done that might undercut the faith of the citizens in council. She believes the timing could be better.

Roll call: Mr. Joseph, no; Mrs. Franklin, yes; Mr. Denning, no; Ms. Fry, no; Ms. Lommatzsch, no; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion failed.**

A. RESOLUTIONS

I) Resolution No. 23-R-2838 - A resolution declaring miscellaneous Public Service Department equipment to be surplus and no longer needed for city purposes and authorizing its sale by sealed bid, a broker, direct sale to a public entity, or auction.

Deputy Mayor Lommatzsch moved, seconded by Mrs. Franklin moved, to approve Resolution No. 23-R-2838.

All were in favor. **Motion carried.**

II) Resolution No. 23-R-2839 – A resolution authorizing the city manager of the City of Riverside, OH, to enter into preliminary consent legislation with the Ohio Department of Transportation for the rehabilitation of Spinning Road Phase 2 (Eastman to Burkhardt).

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Deputy Mayor Lommatzsch moved, seconded by Mr. Joseph, to approve Resolution No. 23-R-2839.

All were in favor. **Motion carried.**

III) Resolution No. 23-R-2840 – A resolution authorizing the City to join the Sustainable Ohio Public Energy Council ("SOPEC").

Mr. Rauch stated this resolution is the final piece they need in order to actually join SOPEC. The ordinances establish the aggregation program; this resolution allows them to become members of SOPEC as an organization.

Mr. Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 23-R-2840.

All were in favor. **Motion carried.**

IV) Resolution No. 23-R-2841 – A resolution authorizing the city manager to enter into an agreement with Germain Ford for the temporary donation of a F-150 for a period of four years for the use of the School Resource Officer.

Mr. Joseph moved, seconded by Mrs. Franklin, to approve Resolution No. 23-R-2841.

Ms. Fry thanked the city manager and the law director for reviewing the memorandum and embedding it. She would not be comfortable with a large donation to the police department without the parameters that have been included. It allows them to accept this graciously. Discussion was held on how it will be identified as both a police vehicle and a donated Germain Ford vehicle.

All were in favor. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one came forward to comment.

COUNCIL MEMBER COMMENTS: Ms. Fry stated there is a blood drive on Monday. She stated they are low on registered donors as many people are on spring break or vacation. There are four more spots to hit the goal, but it would be nice to go above and beyond to replenish the blood supply. Anyone can sign up by going to donortime.com and search for City of Riverside. She added that April is Child Abuse Awareness and Prevention month, Sexual Assault Awareness and Prevention month, and Autism Acceptance month. She stated they all point to violence in the community, violence against children, in relationships, violations of the person, and with regards to autism a lot of the acceptance points to the kind of aggression directed towards people who are different. It is important that when thinking of child abuse or sexual assault, people tend to think of extreme cases. However, violence begins in the home with very little things.

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Evidence points to the violent actors in the community started in the home. They should take a moment to think of the small ways that may have been inherited on ways of dealing with children or the opposite gender and look for ways to move the violence from everyday actions. The more they can make people less tolerant of violence, the more they can move the needle on these issues.

Deputy Mayor Lommatzsch stated for the first time in 20 years in donating blood she received an email from them thanking her and telling her where her blood went, Kettering Medical Center. She thinks that is wonderful knowing where it went.

Mayor Williams encouraged everyone who is able to vote to do so; the school levy, Issue 12, is on the ballot. Early voting is open now. There are a number of polling stations in the city and where to vote can be found on the Montgomery County Board of Elections website. He stated this has been something he is personally involved in and thanked the people who invited him to be a part of the effort. There is a need for strong schools in the community as Mad River Local is the largest school district in the community as well as largest employer in the community. Everyone benefits by supporting the schools whether they have a child in school or not. He stated the community is getting a lot of things done with roadways getting done, new businesses, a new Kroger. It would be a shame to not continue that momentum with Issue 12. The last levy the Mad River schools passed was in 2011. It was to last only five years, but they were able to through good financial stewardship continue that level until now. It is time to ask the community for support. Mad River Local spends less per pupil than the state average, and they pay less on staff than the state average. He encouraged everyone to vote if they can on May 2, 2023, and to vote early, if possible. He stated that April is also the month of the military child. Earlier this month, Beverly Gardens had a special visitor celebrating military children, the First Lady. He found out last week that St. Helen's is the newest purple star school in the state of Ohio. That means in Riverside every one of the Mad River Local Schools, every grade school, middle school, and high school is purple star status. St. Helen's has joined those ranks and Carroll high school is in those ranks. He stated this community supports military families through their schools better than any community in Ohio. It is a credit to how the community values these families. It isn't just a person who serves; it is the family that serves. He is glad they are in a city where those children's needs are being met academically and socially. This sets Ohio apart from many other parts of the country. This does not go unnoticed.

Mr. Denning motioned, seconded by Mrs. Franklin, to bring back Ordinance No. 23-O-828 for reconsideration. He stated they are allowed to bring back legislation as long as it is from a person who was on the prevailing side.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, no; Mr. Joseph, no; Ms. Lommatzsch, no; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

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Mr. Denning motioned, seconded by Mrs. Franklin, to approve the first reading of the reconsidered Ordinance No. 23-O-828. The clerk read the ordinance by title only.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, no; Mr. Joseph, no; Ms. Lommatzsch, no; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

EXECUTIVE SESSION: Mr. Denning moved, seconded by Mrs. Franklin Mr. Denning, to go into Executive Session for the following: 103.01(1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official; and 103.01(3) Conferences with any attorney representing the City as counsel, concerning disputes involving the City, its council, boards, commissions, officials and employees that are the subject of pending or imminent court action or discussions of any matters which are properly covered under the attorney-client privilege as recognized by the law of Ohio. Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. Council went into executive session at 6:54 pm.

RECONVENE: Council reconvened at 7:13 pm.

ADJOURNMENT: Mrs. Franklin moved, seconded by Mr. Denning, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 7:13 pm.



Peter J. Williams, Mayor



Clerk of Council