

Thursday, April 19, 2018

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; Mr. Denning, present; Ms. Fry, present; Mr. Fullenkamp, present; Deputy Mayor Lommatzsch, present; and Mayor Flaute, present.

Staff present was as follows: Mark Carpenter, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Bob Murray, Economic Development; Brock Taylor, Planning and Program Management Department; Frank Robinson, Police Chief; Daniel Stitzel, Fire Chief; Jay Keaton, Service Department; and Brenna Arnold, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS:

All members were present.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:

The agenda was revised prior to the start of the meeting.

ITEM 5: APPROVAL OF AGENDA:

A motion was made by Deputy Mayor Lommatzsch to accept the agenda as revised. Mr. Denning seconded the motion.

Mr. Fullenkamp: So what is the executive session about? Deputy Mayor Lommatzsch: Personnel. Mayor Flaute: It says it on there. Mr. Fullenkamp: Personnel, what about personnel? We don't know? Mayor Flaute: We do know, but are we allowed to reveal that? Mr. Denning: We will talk about it in executive session. Mayor Flaute: There are some personnel issues we need to discuss.

There was no further discussion on the motion.

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

ITEM 6: WORK SESSION ITEMS:

- A) Valley Street Sidewalk Project Update with Craig Eley, Choice One Engineering, Dwight Caudill, ODOT, and Paul Arnold, MVRPC

Mr. Carpenter: Thank you, Mayor. Today I invited some guests to come and kind of review the Valley Street Sidewalk Project and where we are and how we got here and the current status. I would first like to introduce Craig Eley to start with his presentation.

Mr. Eley: Good evening. Thank you for inviting me. I think most of you know me, but I just wanted to say good evening. I'm here to kind of present to you a little bit of the Valley Street Project and kind of where we are at and the update and kind of go over a little bit of the background information with the project.

The project funding was the City of Riverside applied for the funding in 2013. They actually received the funding in 2014. The project was kind of put on hold for a couple years until we got on board, but basically that's the main gist here is that it was awarded in 2014. The whole point of this project was the City of Riverside put together a Safe Routes to School Plan and you applied for the funding based on that. It was really to install sidewalks where sidewalks were missing and to try to get people to the school. Valley Street is kind of right there by the school and there are kids that can come up from Hypathia and walk down Valley Street and go to school.

Thursday, April 19, 2018

The original proposed project funding was \$236,000.00 for construction and then there was \$76,000.00 in right of way and roughly \$30,000.00 in construction engineering. The \$218,000.00-219,000.00 was from MVRPC and that money was capped at that amount, so the City had approximately 37.63% funding.

Mr. Fullenkamp: Craig, I have a quick question. What was the scope of that project? That project went from Hypathia to Spicewood. Mr. Eley: It did. The scope of it went to Spicewood and later on here when we look at it, but what ended up happening was we ended up cutting that piece out, that little piece from the school to Spicewood because of the project funding. The right of way that was going to be. Mr. Fullenkamp: I wanted to make sure everybody understood that.

Mr. Eley: The original estimate here I just wanted to point out to you. Most of it was they had money in excavation and embankment and basically what they had planned on doing was putting the sidewalk on the ditch and just kind of grading back into the ditch. In the original estimate, it kind of included design, but that money was put under for the CE, the construction engineering. Another thing here that I want to point out to you is the project was originally intended to be built in 2017, so these numbers here there is a number in here called inflation and you inflate the projects up so much for every year. We are already working against the inflation a little bit because we are two years behind and we will be selling the project in January of 2019.

Mr. Fullenkamp: Why are we two years behind? Mr. Eley: The project was awarded in 2014, but it did not get programmed until 2016. Mr. Fullenkamp: So the City would be responsible for any inflation? Mr. Eley: From the original application, that money was capped. You are capped at that \$218,000.00 or \$219,000.00 and the inflation was basically included in that for 2017 construction. Mr. Fullenkamp: The project was awarded when? Mr. Eley: In 2014. Mr. Fullenkamp: And the amount of money was established when? Mr. Eley: Well for the application in October of 2013. Mr. Fullenkamp: So those four years of inflation, there is no increment to cover those four years of inflation? Mr. Eley: Now you have six years of inflation. Mr. Fullenkamp: Okay. Mayor Flaute: And it was included in the number you said. Mr. Eley: It was included in the original number for four years. Mr. Fullenkamp: For the first four years. Alright, go ahead. I'm sorry.

Mr. Eley: So the timeline and just to go back over it real quick, you applied for the funding in October 2013, in March the project was awarded and then the project go programmed in roughly August or September of 2016. We came on board in 2016 and that was one of the first projects that the City wanted to get us going on and we got going on it. In the summer of 2016, that's when we identified that the project costs were going to be quite elevated before we actually got the project programmed and got it going. So when we got to looking at it we thought maybe we can take that piece out from Spicewood and save a little bit of money and it actually did save us about \$80,000.00, about \$40,000.00 of that was construction, but the big part that it saved was right of way and having to take right of way to get the sidewalk in. We went ahead and worked with MVRPC and the City and they allowed us to reduce the project scope. Mr. Fullenkamp: But the right of way was always the responsibility of the City? Mr. Eley: Yes, it would have always been your responsibility.

Then January of 2017, we completed just kind of where we are at and completed what we call Stage I plans. We got the comments back and then we got through all the comments and we submitted Stage II and in that process there right of way gets authorized so they can start buying the right of way and Stage II plans are complete. We completed in April of 2017. From there right now where we stand, Stage II is complete, so we are at Stage III right now. Stage III was completed in December of 2017. The right of way is going on through this whole process the purchasing of the right of way is going on. The Maybell property was the first property that was needed to buy and that was roughly that \$5,000.00 that you see. That was in 2018 here early. The plans are actually due to the district by September, so what they call final tracings which is ready to be filed to go out for sale. That's really our next big date other than kind of making sure that right of way gets purchased and we get the utilities all worked out.

Thursday, April 19, 2018

We have right of way certification and the date for that now is in October, so they are working on finishing that up. The one thing that I do want to let you know on that is the McDonald's property will probably go to what they call acquisition or appropriations. That will be where the City will have to put the money out there and it kind of sits in a core and we go ahead and do the work and then eventually it will get settled. I just really want you to know that this is not uncommon for big companies like Speedway and the McDonald's and everything because their right of way people are somewhere else, they are not here in Ohio sitting in front of us and doing their thing. Appropriations is not something that is uncommon in a project at all. Dwight, on the appropriations?

Mr. Caudill: Appropriations are pretty common with the larger companies like he was saying Speedway, McDonald's, and Wendy's and places like that. They have corporate offices, so it is very hard to work with them and get that settled and purchased in the timeframe of the projects. It's a very simple process. Whatever the FMVE is, the Fair Market Value Estimate, on that parcel and I don't know what it was on. Mr. Eley: It was around \$2,700.00. Mr. Caudill: Of that \$2,700.00, that's what the estimate was for payment to McDonald's. That money would get filed with the court and at that point allows you to take possession of that piece of property that you needed in order for the project to move forward. It doesn't change anything with McDonald's or their rights as far as negotiating if they want more money than that or if they think their land is worth more, it doesn't change anything there. They still get their day in court, but also that money is there for them to take at any time if they would like. It's just a way to allow you to get the property, move on with the project, meet your goals here as far as your dates, and sometimes those things happen where they are settled before a court date ever comes up, they may get settled between lawyers in two or three weeks. Mr. Denning: So it's like an escrow account? Mr. Caudill: Almost. Sometimes it takes two years.

Mr. Fullenkamp: What happens if they insist on more money and dispute the fair market value of the land? Mr. Caudill: If they do that, again I'm not an attorney, but if they do that through this process you have a certified appraisal of that property and how you came to that dollar figure or fair market value. At that point, it will be between the lawyers to show to the judge where they came up with those dollar figures. Mr. Fullenkamp: Is this an imminent domain process? Mr. Caudill: No. Mr. Fullenkamp: No? I don't quite understand. Mr. Eley: Actually it is a temporary right of way. Mr. Caudill: In this instance, it would just be McDonald's presenting why they think their land is worth a little bit more. Mr. Fullenkamp: And the Judge will decide and he will arbitrate this situation? Mr. Caudill: Yes. Most of the time, I would say out of all the appropriate cases or filings that happen, I would say probably 90% of them are settled before it ever goes to court. Mr. Fullenkamp: And McDonald's agreed to go to this appropriation approach? Mr. Caudill: Well, they don't have to agree to go to it. Mr. Fullenkamp: So the City can do that? Okay. Mr. Caudill: Yes and if you didn't have that, it is good that Ohio has that because if you didn't it would stagnate projects and would hold up projects. This was you can stay on top of it. Mr. Fullenkamp: So that's in lieu of imminent domain? Mr. Caudill: Yes, that's a good way to put it.

Mr. Taylor: Dwight, could you introduce yourself and tell everyone what you do at ODOT? Mr. Caudill: I'm Dwight Caudill and I'm with ODOT District 7 and I'm the LPA Liaison Officer there. Mr. Eley: And Right of Way Specialist. Thanks a lot for working with us here to get this project done. Now you are kind of brought up to speed there of where we are at with the right of way. Once the project sells here in January, then we will be building it. The project will then be awarded in February. Usually there is about 30 days there where you get the project awarded.

Where we are at right now and our most recent estimate is \$488,000.00 for construction. On that really with the original estimate things have changed so much over time and there's just like in the clearing and grubbing, there is extra money in there for that. There is some missing grading with the ditches. There is more storm water extension. There was curb, but there wasn't enough curb for what we really need. The unit prices inflated themselves, so they are actually higher today in today's dollars. We are selling in 2019. The inflation is kind of getting us too. We got all the

Thursday, April 19, 2018

inflation in there and then we do have a wall that we are putting up because of the ditch, so we don't have to grade back and take more right of way that we really can't afford in the project. There were some water things missing in the original estimate and then there were some asphalt pieces that were missing too. We really need the asphalt to do the work and I will kind of show you that here in a little bit.

Mr. Fullenkamp: Can you just say why would an engineering firm miss things like that when they provide an estimate which is the basis for the City to go hunt for grant money? Mr. Eley: A lot of times that is they are higher level and you don't have the detailed design that you need to do the project. Mr. Fullenkamp: I know you weren't the engineer for the original estimate, but they seemed to have missed it by a lot. Mr. Eley: Let me just show you a little bit more here and we can kind of look at where some of the issues occurred. I think a lot of it was primarily in the ditch area. Deputy Mayor Lommatzsch: Are you talking about these pictures and all that you are going to go through? Mr. Eley: Yeah, I will go through these pretty quick.

This is where we are at. We originally had a construction budget of \$239,000.00 or \$237,000.00 and so we have a difference of I think about \$240,000.00 for construction in that ballpark. In the project, on the top line where we are at here is where we are starting the project. There is sidewalk to the west already, so we started the project at the drive and this pavement right here in order to meet ODOT standards we had to take that pavement out. Those standards have changed because of ADA compliance now and back when the original estimate was done we probably wouldn't have even thought we had to do this. We have to have the right slope on the pavement to do it. We ended up having to grind all this out and fill it in with asphalt. Then along here, we have the trailer court right here. I'm on the bottom bar then. This is kind of the project where we are at. We are doing the south side of the road and putting in a sidewalk. We have installed a wall here and the reason being is because of the trailers. This is all wall, this has storm in it and we have an outlet that is right here down on the bottom bar. That's all wall that runs along there because of the ditch and the trailers. Deputy Mayor Lommatzsch: Are you talking about a wall that's like further back in this packet? That's what you are calling a wall. Mr. Eley: It's a retaining wall. I should point that out.

That part of that section right here is all wall and then we come back to regular sidewalk and then the last piece of it we had to fix this area right here at the McDonald's because the project has to go to Harshman Road. I know there is sidewalk in there now, but we still have to fix it to meet today's ADA standards. Mr. Fullenkamp: We have to tear out McDonald's sidewalk and do it again? Mr. Eley: We have to do a little correction there, yeah. Mr. Fullenkamp: A little correction is you have to tear it out and replace it? Mr. Eley: Yeah. The ADA standards when we do a project, we have to conform to them. Mr. Fullenkamp: So we should have scoped the project just to McDonald's rather than making it go all the way to Harshman. Mr. Eley: You can't because you also have to have logical termini on a project. Deputy Mayor Lommatzsch: Gotta have who? I understand the word termini, but what's logical? Mr. Eley: Usually it's the closest intersection that fills the path. Mr. Fullenkamp: So is that the right of way that we are acquiring and we are tearing up McDonald's sidewalk? Mr. Eley: Yes and it is basically temporary right of way through there at that drive, which temporary means we borrow it to do the work and then we give it back. It doesn't even become our right of way. We have to have the right of way to do the work.

Mr. Curp: Is the wall on the inside or outside? Mr. Eley: Can I show you? Mr. Curp: Well you can just tell me if it is on the inside or the outside. Mayor Flaute: It's coming up. Mr. Eley: We use the wall to stay out of the right of way. The wall will be built in the right of way. We didn't have to purchase any right of way at the trailer court and I can show you more here. Mr. Curp: Earlier you said in your statement the wall was to protect against the trailer court. Mr. Eley: If I said that, it was to stay out of the right of way of the trailer court so we didn't get into the trailers. Mr. Denning: Is the high point at the street or are you building up from the ditch? Mr. Eley: We are building up the ditch. Mr. Denning: So the wall part is actually close to the trailer court? Mr. Eley: Yes. Mr. Denning: And you are making the sidewalk level with the street or the curb. Mr. Eley: Yes. Mayor Flaute: And you are going to talk about that a little bit. Mr. Eley: Yeah, I have that coming up here.

Thursday, April 19, 2018

The obstacles like we were just talking about where the trailer court and I think you are all aware of that. They are very close to the right of way fence. All the trailers are along this whole stretch right through here and there are roughly seven of them. Then when you look at this there is a lot of shrub here and you can't really tell where the ditch is at and then here is a picture of the outlet and you can kind of see how low it is compared to the roadway. The one thing is here is the side overview of where we are talking about for the wall. This is not the whole piece, but it gives you the idea of where we are at. This is actually out of our drawings.

Let me just go over Option 1 real quick. Option 1 was the grading of this area. If you can see on your screen, I want to point a few things out to you. The actual right of way is right here. This is the right of way. The actual right of way is right here, so what we had in that ditch area that you can't really see and where the trailers are at and everything, we had areas that were somewhere between 1-4 feet below the grade of the road and that's where the ditch was set as of right now. I didn't know if you could see the ditch line in there or not, the existing ditch. You see it is kind of a blue line, that is the existing ditch right now. You can see what the grading would have to be and all this fill that would have to go in and here is our right of way line, so we would have had to push that ditch clear out here passed the existing right of way line and take that right of way. With that, that meant that this white line right here is where the grading would have had to go back to. You can see we impacted and you would have to impact and take right of way from quite a few trailers through here, which would have been a huge expense. The right of way and the property owner's would have been eligible for us buying them out and finding a place for them to live. It would have been very expensive. Not only that, it really threw up a tremendous amount of red flags because when you do a project like this, you have to watch impacting that many people. I think there was going to be a big environmental impact, let alone we would be purchasing roughly seven of those properties. We estimate \$100,000.00 and that's probably not enough. Just alone in that piece right there to do the grading piece of it, we would have needed another \$700,000.00.

Another option would have been like a poured concrete wall. We could have done a poured concrete wall, but when we looked at it and we have looked at this in the past the concrete wall could have fit in there and could have fit into the right of way. The work most likely could have been done with a little temporary right of way. The wall itself as you can see, here is the wall and it is basically the same footprint as our modular wall we will be talking about here in a second. We have the ditch and we can make that ditch work in there and most of the water anyway runs back to the roadway and into the catch basins. This option did give us the option to stay within the right of way. We kind of looked at that and with that option you are probably looking at about \$130,000.00 to do that.

The third option was this retaining wall or this modular retaining wall that we are putting in. That wall is a wall we have done before in the past. It was in Versailles and it has actually worked out very well. This is a picture of it here that you can see. Mayor Flaute: And that's what you are proposing? Mr. Eley: That's what we are proposing to use. This modular wall right now we have it in the cost in our estimate with the inflation at \$97,000.00. That's kind of where we are at. It's quite a bit cheaper than doing a concrete and forming that all up and everything.

In conclusion here what I would like to say is this project is quite a lot of money, but it does meet the project's goals. It meets the goals of the original project and scope. Do you have a question now? Ms. Campbell: It's in regards to where the trailer park is. I'm coming from the other end of town like this way and once you pass the end of the trailer park there down alongside there is a big dip in there. Did you know that? When I was little we used to cut through there to go to Mad River School. The trailer park had a gate. It's not on Valley. It is between where our property is and their property starts. They have a big chain link fence there. On the outside of the fence is that going to cause that trailer park to flood because that is a pretty good dip there all the way down. Can you go back there and look? Mr. Eley: We have it all surveyed. Can you show me on a map and can we look at it? I can finish and then I can pull the plans and maybe you can show me where you are talking about. Ms. Campbell: Okay. Mr. Eley: Is it where our outlet is? Mr. Keaton: It is close by the natural flow. Mr. Taylor: That's where the storm drain will be. Mr. Eley: That's where our storm is

Thursday, April 19, 2018

going to be outletted. Ms. Campbell: So no water is going to flood the trailer park? Mr. Eley: No, it should be outletted in that ditch where it is now. That ditch right there does run straight back right? Ms. Campbell: Is that close to Valley? Mr. Eley: It's on Valley. Ms. Campbell: No, this isn't on Valley that I'm talking about. It is way down alongside all the way back into the properties. They used to have a gate. Mr. Taylor: I think the question is you are concerned about additional storm water coming in there and flooding that and I believe since we are adding curb and gutter and we are increasing storm along that project, the majority of that storm water is going to go into the storm sewer and then this outlet that we have acquisition for will actually approve this outlet and it shouldn't have any more flow that it currently has. Mr. Eley: No, it shouldn't have any more. All the water should run to the storm we are putting in.

Ms. Campbell: That pipe you are showing there, where does that start and this is ending? I'm not sure of the section you are talking about here. Mr. Taylor: It is just passed the trailer park. It's back in the black and white ones. Mr. Eley: So that is right here where that pipe is. Mr. Taylor: Which is just where that trailer park ends and that vacant lot begins. Mr. Eley: There is a ditch here that goes all the way back to the school. We've been in here and walked this. Ms. Campbell: Where is the driveway that goes in back of the restaurants that always went over to Bob Evan's? Mr. Eley: It's over here. Ms. Campbell: It's not that far. Mr. Eley: Yeah, none of that will be affected by water shed. Ms. Campbell: It's not that I'm talking about. It's not over here. It is more this way. There's like woods there and right in that mess of woods is where that gutter goes. It is not on Valley now, it goes back alongside the trailer park. Mr. Eley: Right. That's where that is at. Right there. That's where our outlet is and it will follow that ditch all the way back where it goes now.

Conclusions, so I just want to let Council know we have done our very best to keep the prices and the costs down with what we had and what we are working with. I think really this modular wall is the way to go. It is the most economical way to go. It keeps us out of the right of way. We worked really hard with the district and they were very helpful with us to let us do it in that small footprint of right of way we are going to have left. It will look nice and it will function very well. You can see here what it looks like. Just so you know too the handrail will look like this. It is nothing fancy, it is just aluminum tube.

Deputy Mayor Lommatzsch: My concern is why wouldn't that be on the street side? Mr. Eley: We don't want them to fall off the edge here. Deputy Mayor Lommatzsch: It will be on the street side the rail or on the property side? Mr. Eley: On the property side where the wall is high. Deputy Mayor Lommatzsch: Oh, not falling off the wall. Mr. Eley: Yeah, that's what we don't want them to do. Deputy Mayor Lommatzsch: I was more concerned about them falling into the street. Mr. Eley: Well there is curb there now. There will be curb.

Mr. Curp: Will you go back to this schematic that shows the poured concrete wall? The way I read this is that is all below ground then the rail is above ground. Mr. Eley: Yeah, to stabilize that wall and to take that pressure you have to go below ground and build a footer. Mr. Curp: Okay. So what changes then with the modular wall? Don't you still have the have the same footer? Mr. Eley: The modular wall doesn't need it because it is at a slight angle and the way it is built and the way it is packed with dirt around it and stuff around it. I can show you how it is keyed. This wall here has been in for I want to say at least 7-8 years, something like that. It's functioned very well. These bricks here are 90 lbs. each; each modular brick is 90 lbs., so it is very sturdy.

Mr. Denning: So this \$488,447.75, is that the \$97,000.00? Is that Option 3, the total price with Option 3? Mr. Eley: Yeah, that includes that. Mr. Denning: But that also includes all the right of way acquisitions? Mr. Eley: The right of way is already done. Mr. Denning: Right, but is that included in the price? Mr. Eley: No. Mr. Fullenkamp: What is included in this price? Mr. Eley: That is construction. Mr. Fullenkamp: Total construction? Mr. Eley: It's total construction. If you go back. Mr. Denning: Minus \$218,000.00 we will get. Anything over the \$218,000.00 we have to cover. Mr. Eley: Yes. Mr. Denning: Okay, so \$260,000.00. Mr. Eley: For construction.

Thursday, April 19, 2018

Mr. Carpenter: I would like to say we also have to appropriate some additional right of way for the McDonald's property. Mr. Denning: But that's not in this price. Mr. Carpenter: That's right. Mr. Denning: We will have to put \$260,000.00 in next year's budget to cover our portion of the construction. Mr. Carpenter: Yes. Mr. Denning: I'm okay. I'm just trying to get the numbers straight.

Mr. Eley: Just so you know though too. These are construction estimates. We are going to sell this thing in January, which is probably about the best time to sell it because the contractors are usually ready to bid out projects, they are ready to get them and start getting their work for the spring. I'm crossing my fingers that we get a really good price on this one when it goes out to bid. Just with that being said, you know cost estimates. The one thing about the early cost estimates just so Council knows we really put a lot of effort into them when we do them. You have to go out there and walk it, you have to look at it, and you have to know what you are up against. It's really hard to estimate a project to the tee.

Mr. Fullenkamp: The question I have is we have escalated construction costs from \$235,000.00 when we passed the resolution for the staff to go ahead and get the grants up to \$480,000.00. Mr. Eley: A lot of it is in the wall, it's in some asphalt. Mr. Fullenkamp: And this is a scaled back project. Mr. Eley: But it does connect a link. Mr. Fullenkamp: I just want to make it very clear that the cost of this project has escalated construction by a factor of two for a scaled back project. Mr. Eley: And the scaled back just to clarify too for you, the scale back really wasn't a whole lot because there is not much for the other piece. Mr. Fullenkamp: You don't have to sell me on that, but it is a scaled back project. I don't know. We haven't estimated how much you scaled it back. By \$50,000.00-100,000.00? I don't know. Mr. Eley: It was roughly \$80,000.00 is what we cut off of it. Mr. Denning: Plus right of way. Mr. Eley: But \$40,000.00 of that was right of way. That's always the tough thing.

Mr. Fullenkamp: But that would have been on us. So when we go and we scope a project and we go to grants to MVRPC and he will be up next and we make this a long term project and then we under scope the project, we underestimate the project. There is a real risk for a City. When we signed onto this deal, I'm talking to the wrong person and I hope the guy over there is listening. We signed on to 20% of a \$230,000.00-240,000.00 project. Mr. Eley: 37%. Mr. Fullenkamp: Yeah, so now we are getting MVRPC telling us if we pull back on this they are going to penalize us. Even though maybe the value of the project compared to the cost has changed. Mr. Eley: Maybe Paul can talk about that in a little bit. You know from their side of the thing too, they have the funding out there and they want these projects to sell, they want them to go. We go into these things knowing that and I can't say enough for making sure that estimate is the right number. Mr. Fullenkamp: That's right. Mr. Eley: The estimate has got to be up there. You don't know until you get into detailed design really what you have to run up against.

Mr. Fullenkamp: How can you out for grants if you don't know what you need? Mr. Eley: The estimates have to be and that's why I've been talking to our people and we like to almost bring it to a conceptual drawing before we even throw an estimate at it. That's how we are trying to approach these things because stuff can happen and it does happen. Mr. Fullenkamp: It has happened in this case. We put the cart before the horse here and now the City is on the hook for about \$300,000.00 if we can't get any other external funding. That wasn't the deal that anybody signed on Council. We signed on a \$250,000.00 deal with a 20% contribution. About a \$50,000.00 investment on our part and it didn't work out that way. Anyway, that's not your fault. I'm just hoping in the future. Mr. Eley: We are working our tails off to make sure that doesn't happen. We don't want that to happen for the City. Mr. Fullenkamp: That's my point to you. Thank you. Mr. Eley: The last thing there is just the higher costs.

Deputy Mayor Lommatzsch: Can I also say that projects linger on like this? Look at 35. When I started talking about 35 in the 90's and what it is at five times as much as it was. When things linger on like this from 2013 to now we are going to do it in 2019 and maybe get it done by 2020. The price goes up. Your milk goes up. Your bread goes up.

Thursday, April 19, 2018

Mr. Curp: You mentioned this dollar figure is for construction costs and then the question or I think the City Manager brought up there is still right of way acquisition at McDonald's. My question is what other expenses are there in addition to this yet to come? For example, engineering firm oversight of the project, that sort of thing. Mr. Eley: I know ODOT is letting this project for you, so you have already paid that in that CE money, in the construction engineering money. That money has already been paid, so you won't have that come up. Mr. Curp: My question is using that as an example, what are the things we don't know that we should know that are still out there? Mr. Eley: The only thing I can think of that you have left yet is you do have the McDonald's property and there is one pole that needs to be moved as far as the utilities part of the real estate. We've had a hard time getting them to contact us back. We are working on that right now.

Mr. Curp: Which utility is that? Mr. Eley: I think it is AT&T that is out there by the trailer court. I don't think it is DP&L, it's the lower lines. There's one pole that needs to be relocated just a little bit. Mr. Curp: So is it because they don't return phone calls or text messages? Mr. Eley: We sent an email of the plans and tried to have them contact us back. I just wanted to leave you with as of this week, we are on that. I don't even know. I'm not sure. I think that cost has to come back to the project, but I'm not sure yet. I just want to make you aware it's not a big electric line that needs to be moved. It is a smaller telephone type line. Then there is the McDonald's property that we need to settle and there is the two Turner properties and I think we got one of them done. We have the other one still to do. I think that is it.

Mr. Fullenkamp: What if the bids come in high? Mr. Eley: Well then. We are selling it in January and our hope is that will not happen. Mr. Fullenkamp: I'm just saying what if.

Mayor Flaute: Are there any other questions or comments? Seeing none, thank you sir. Mr. Eley: I want to thank Council.

Mr. Curp: I have one other question. If the Council decided they didn't want a wall, what would be the options? Mr. Eley: The wall has to go in or the sidewalk really can't go in. You either have to take the wall or you have to take the property that we talked about earlier. Mayor Flaute: Which would cost \$100,000.00. Mr. Eley: It would be \$700,000.00-800,000.00 and that's probably light because we would have to buy all that right of way to get that ditch in there. Deputy Mayor Lommatzsch: And move the trailers. Mr. Eley: It's really something we really don't want to think about tackling that. The environmental piece of it alone would cost us \$100,000.00. Mayor Flaute: Alright, thank you sir. We appreciate it. Next we are going to hear from Mr. Arnold. Mr. Arnold, if you would please come forward and give us some good news.

Mr. Arnold: Good evening ladies and gentleman. I'm Paul Arnold with Miami Valley Regional Planning Commission. As you know we are the provider for the federal funds for this project. Most of what I will talk about this evening will be about the costs of the project and how the money works. At any point, feel free to stop me as far as our policy is applied to these projects, the application process, the development process, and so forth. Basically, as you all know and we've met with your staff several times over the years since this application has been submitted to us. The cost went up significantly and pretty early on. We have known about this for some time. First and foremost as the provider for the funds, we never want to see a project fail. One we have committed funding to, we want to make sure they get built. No one wants to see a project fall apart.

With that in mind, I spoke with my Executive Director before I came here this evening and it is really an 11th hour sort of thing and a lost grasp at an option that we can throw out there and hope it is some good news for you. As you know the original application from the City of Riverside to us was about \$218,000.00 and that was an 80% number and you were required to provide a 20% local match, which was about \$54,000.00. The numbers I will be talking about will be similar to what Craig presented to you, but they will be a little bit different because I'm going to be talking about construction and CE, which he said part of which you have already dealt with, but I combined the numbers for our purposes. Based on the current project estimate according to ODOT right now in their system, this project is showing about

Thursday, April 19, 2018

\$547,000.00 for construction and CE. Of that \$218,000.00 is provided by MVRPC federal funding and the balance is \$328,000.00, so that's what the City is basically on the hook for right now based on the current estimates.

The source of funding when we committed this project is called TA funding or Transportation Alternatives and based on MVRPC's Policies and Procedures we can put up to \$350,000.00 into a project of the federal funds. The City requested \$218,000.00, that's what we committed to back in 2014. Again thinking about this a little bit more and I spoke with my Executive Director before I came, we discussed the option and he wants me to offer this to you of committing up to the \$350,000.00 in federal funds. What this would essentially do would be to reduce your local out of pocket for construction and CE from the \$328,000.00 down to \$197,000.00. This would save you \$130,000.00 of local funding for this project. Our hope is that would be enough for the City to see the project through and it would be contingent upon the commitment of the City to see this project through that we would increase our federal match by \$130,000.00. This isn't something we do very often. This is a pretty rare case, but we see the importance of the project and we understand the issues that have arisen from it.

Also speaking of the penalties that would be incurred to the City, that is true. That's partly in our policy and partly because of ODOT. For each source of federal funds that we control, we are only allowed to carry over from one year to another "x" amount of dollars. If this project is cancelled or delayed, the region not just MVRPC would risk losing the \$218,000.00 that we have sat on for five years for this project. Because of that and because of the importance of the future applications that we do expect from the City, we are willing to advance if the City would commit to this the extra \$130,000.00 and reduce your local match by that amount. With that said, I would be happy to answer any questions you have.

Ms. Campbell: Do add in there that it's a safety issue for kids to walk to school and sometimes they put in more. Mr. Arnold: Well it is an important project and always has been. Early on as they have mentioned, the scope of the projects was reduced or the limits of the project were reduced, by we always maintained our overall commitment to the project. A lot of times when jurisdictions ask to reduce the length of the project, we reduce the federal funds by that amount. In this project, we didn't. We always maintained our original commitment to it. Ms. Campbell: You might add that in. Mr. Arnold: Absolutely.

Deputy Mayor Lommatzsch: So does this have to go to the vote or is this action that Brian is? Mr. Arnold: We would have to take it through and it would have to be suggested by the TAC for the Board to approve it. I would assume they would. We are still keeping within our policies because we are not willing to go beyond the \$350,000.00 that our policy allows, but we are willing to increase what the original cap was and that's something that doesn't often happen. We will still be 80/20 money. The \$350,000.00 will be matched by \$20,000.00. Again this is based on the current estimates and often times the estimates come down when it sells and they often come in lower. Right now you would be looking at \$197,000.00 local instead of \$328,000.00. Deputy Mayor Lommatzsch: Just be sure I'm at that meeting. Mr. Arnold: Absolutely. Again, we offer this with the commitment from the City that you do see the project through from this point. We can't sit on the money any longer and then there be a chance of it being backed out of later. If this is the direction the City wants to go, I think an email to Brian requesting that we follow this path and we could get this on. We just had TAC for April, so we would get it on the May TAC and the June Board for a TIP amendment.

Mr. Fullenkamp: What day would that be? Mr. Arnold: The June Board would be the first Thursday in June. Mr. Fullenkamp: So can you provide us like your spec sheet and all the estimates that you have showing the \$193,000.00 City contribution? That doesn't prohibit us from going out and trying to get additional funding from outside sources. Mr. Arnold: Absolutely not if there is another source of local funds. To use federal fund, there has got to be a local match, but it doesn't matter what that local match is, you can't match federal funds with federal funds. If you have general revenue funds or you go out and get CDBG money that is all considered local sources. Mr. Fullenkamp: Ohio funds are also considered local sources. Mr. Arnold:

Thursday, April 19, 2018

If it is not federal. Mr. Fullenkamp: If it is not a federal program, so all those things are available to us. Mr. Arnold: Yes. You just cannot match federal with federal.

Deputy Mayor Lommatzsch: When will we get this in writing? Mr. Arnold: If you are to send an email to Brian requesting we follow this path, he would respond to that and that would be our commitment and we would take it through our Board process. Mr. Fullenkamp: But what if the Board doesn't approve? Mr. Arnold: The Board has the final say. I would expect them to approve. I can't speak for them, but I would expect rather than the region losing the money I would think we would be losing more money by investing the smaller amount. I think it would make sense to them to increase the cap on this project. Deputy Mayor Lommatzsch: Can we get copies of your figures? Mr. Arnold: Sorry. It's not very fancy. I really did this on the way out the door as last minute effort.

Mr. Fullenkamp: I have a couple questions since we are talking about this. When you look at proposals like this for funding, do you do any engineering or do you check on the engineering estimates at all? Mr. Arnold: We are not engineers. We do require a certified engineer's estimate as part of the application process. That's what our basis is on. We have started tracking final construction costs and in a few years we are going to have something in place where we can kind of monitor the engineer's estimate to see if it makes sense based on actual projects that have sold. Truly as Craig mentioned, when we get the early estimates because our funds are usually available five years out and those early estimates are never spot on. Mr. Fullenkamp: I wouldn't expect them to be spot on. Mr. Arnold: This one is out a little bit more than what we usually see. Mr. Fullenkamp: We know who this is and I don't know for instance different engineering firm's records are when it comes to bringing these in because it kind of traps the City. That's kind of what this has been. I need a little time to think about what the new offer is because it has just been thrown up there.

Mr. Arnold: I don't need an answer right now. I'm passing the message along. I think the sooner we know the better from our perspective because if the City of Riverside is not going to move forward with this project, we have to scramble to deal with the shortfall. When you are talking about the development of projects taking five years, State fiscal year 2019 starts in July and that really doesn't leave us a lot of time to deal with this issue. Mr. Fullenkamp: I want you and MVRPC to understand we are in deficit spending now as a City. We are not fiscally very sound right now and that's where this concern is coming from. When you say \$300,000.00, that's about how much money we budgeted just to maintain residential streets and to say you are going to spend \$300,000.00 to build a sidewalk it doesn't add up to residents and it doesn't add up to me where the value is here. Now I need to see the entire workup of what our total investment from start to beginning is going to be and I'm not sure if you have that. Mr. Arnold: What is not in there is whatever you have already spent on engineering and the right of way costs. This is just the construction and the construction engineering only. That's what you are looking at here.

Mr. Fullenkamp: Mr. City Manager, we need to see really how this changes our total outlay for this project. Mr. Denning: It changes by \$130,000.00. Mr. Fullenkamp: I want to see the number. I don't want to base it on the difference. I want to see the number. Mr. Carpenter: As I understand it, the final construction cost would be \$197,000.00. Mr. Fullenkamp: But the total cost. Mr. Carpenter: The total for the project. Mr. Arnold: The total construction and CE costs is still \$547,000.00 and again that was based on what ODOT has as their last estimate. If you choose to accept our offer of \$350,000.00, that would be covered by federal funding. Mr. Fullenkamp: So \$550,000.00 for 1,400 feet of sidewalk? Mr. Carpenter: Plus I guess the right of way. Mr. Fullenkamp: Alright, I would like to see everything broken out. Mayor Flaute: Thank you. Are there any other questions or comments? Deputy Mayor Lommatzsch: Thank you Paul.

Mr. Denning: This is actually to Brock and Craig. So when we put in that wall, we are going to clear out all that honeysuckle along that fence? Mr. Eley: Yeah, all that has to be grubbed out to do it. Mr. Denning: So that will all be gone, so the only thing that will be there is the fence. Are we going to tear down that fence and put it back up? Mr. Eley: No, the fence stays during construction. Mr. Denning: Okay. We are going to take it out. Are we going to grub that out enough so that it is not going to

Thursday, April 19, 2018

come back and then are we going to be able to make them keep it clear? Because putting a sidewalk in all that stuff is almost growing out to the street. I have walked down through there a couple of times with Dan and we have cleaned out and it's just a big place to catch trash. Mr. Taylor: This will be an excellent opportunity to hold them accountable and to keep that clean. Mr. Denning: Once you get that cleared, it is going to stay clear and that stuff won't grow over top of our sidewalk. Mr. Eley: It will be cleared. Deputy Mayor Lommatzsch: It will be up to us to keep it clean. Mr. Eley: Yeah because it is all in the right of way. Mr. Denning: It is up to you to make sure the trailer court keeps it clean.

Mr. Fullenkamp: So in essence, this \$197,000.00 is equivalent to what the total project was going to cost from the original bid for the entire length. Oh, I didn't include CE. Got it. Thanks.

A motion was made by Deputy Mayor Lommatzsch to officially request information from Brian Martin at MVRPC. Mr. Denning seconded.

Mr. Fullenkamp: I don't know what the motion means. Deputy Mayor Lommatzsch: I want to get the information officially from MVRPC that's where we are. Mr. Fullenkamp: This is not a motion to move forward, this is a motion to get information. Deputy Mayor Lommatzsch: This is to get all the information. Mayor Flaute: We said stop and I think this motion says to keep going. Mr. Fullenkamp: No, it doesn't say that at all. It says to get the information, correct? Deputy Mayor Lommatzsch: Get the information to confirm that we will move forward. Mr. Fullenkamp: No, you want the information or you want to move forward? Mayor Flaute: I think both. Deputy Mayor Lommatzsch: I want to move forward. I want the information so we can decide to move forward. Mr. Fullenkamp: Okay, you want the information. She wants the information. Deputy Mayor Lommatzsch: I want to see it official from Brian. It's not that I don't trust you, Paul. Mr. Denning: We trust you, Paul, but all we have is. We want something signed from Brian that says this is the deal.

Mayor Flaute: Alright, is everybody clear on the motion? Mr. Fullenkamp: We want the information, is that the motion? Mayor Flaute: Yeah. Ms. Arnold: That's what I wrote down. Mr. Fullenkamp: That doesn't mean we are agreeing to move forward. It is saying we want the information. Mayor Flaute: But we are agreeing we are taking back what we said to stop. Mr. Fullenkamp: No, we are not saying that at all. Mayor Flaute: But we said to stop. Mr. Denning: No, we will vote on moving forward at the next meeting. Deputy Mayor Lommatzsch: That's my motion. Mr. Curp: I don't why we need a motion we just give him direction and move on.

Ms. Arnold: Can I just ask that if this is the case, I'm not sure who will be sending an email to Brian. Mayor Flaute: Mr. Manager. Ms. Arnold: Mark, I will tell Brian in the morning how this went and he will respond to it.

There was no further discussion on the motion.

A roll call vote was as follows: Deputy Mayor Lommatzsch, yes; Mr. Denning, yes; Ms. Campbell, yes; Mr. Curp, no; Ms. Fry, yes; Mr. Fullenkamp, yes; and Mayor Flaute, yes. **Motion carried.**

There were no further questions or comments.

B) Clerk of Council Evaluation

Mayor Flaute: Just quickly, I wanted to talk about the Clerk of Council's evaluation process. As you know her anniversary is May 23rd. Is that right? So we need to do an evaluation. We saw Mr. Fullenkamp sent some possible things. I am recommending we use the same form that we use for all our Department Heads and for our City Manager. That is starting the discussion if you would like to talk. Ms. Arnold: This is the City's.

Mr. Fullenkamp: Mr. Mayor, the only thing I want is every one of us to do a review separately. I don't want to be in a room and do a consensus thing. I want everybody to do a review of our Clerk as they perceive it. Mayor Flaute: We have tried it both

Thursday, April 19, 2018

ways and I don't have one love for the other. Mr. Fullenkamp: Well I think it is a better way and that each Council persons' review is given to her, so the Clerk knows what the different Council member's expectations whether they rate her highly in some areas or rate her low in some areas so she knows what the perception is. Then we can sit down and we can have another discussion after that, but I think it is important. I don't like group pressure impacting on how people review things. I like independent interviews. I like independent reviews, performance reviews. I think it allows people to form their own opinion rather than being under some group situation. Mayor Flaute: The problem is everyone's review becomes public knowledge. Mr. Fullenkamp: That's okay. Mayor Flaute: Is that okay with everybody else?

Deputy Mayor Lommatzsch: The problem I have with it is she does not work for individual members of the Council. She works for the Council as a group of seven and I don't believe that it's fair to any one of our employees. Mayor Flaute: Or Council members. Deputy Mayor Lommatzsch: Whatever. None of us have any authority out of this room without a quorum. Mr. Fullenkamp: It's not about authority. It's about perception of performance. Deputy Mayor Lommatzsch: Well I have a problem with that. Mr. Fullenkamp: I don't need to hide behind a group. I will express my view. Deputy Mayor Lommatzsch: I'm not hiding behind anything. I've never been known to hide. Mr. Fullenkamp: But I want individuals to be able to express what they think. This is a unique situation. I'm going to do it that way in any case. Mayor Flaute: Are there any other thoughts about that?

Ms. Fry: I just wanted to point out that when you are talking about a review process a lot of the ratings can be very subjective. One Council member could rate very highly and another Council member could rate very poorly. I think that can be very confusing if you don't understand that both of those things are at play. If you get a review that says you are right in the middle, you think you are just fine and you don't change anything, but your day to day interactions suggest that there is something always wrong and having that information I think is important for improvement. Mayor Flaute: So you are saying it should be a group? Ms. Fry: No, I'm saying that if we compile it all into one review it is less instructive of what is actually going on. Mayor Flaute: Okay, so you are recommending that everybody does an individual review like Mr. Fullenkamp is saying, but then we all sit down, put it together, and put it on one piece of paper. Ms. Fry: No, I'm agreeing with Mr. Fullenkamp.

Mr. Denning: I think the answer is we review separately and bring that with us to the group and we come up with it and she ends up with 8 pieces of paper. She ends up with each one from each one of us and then she ends up with whatever the group average is. Mayor Flaute: We are not necessarily going to put our names on them. Mr. Fullenkamp: You don't have to put your names on them. We never suggested that. Mr. Denning: It's just that she needs the information from all of us. If you want to put your name on it, put your name on it. That way if she wants to come back and wants an explanation of what your comments are, I think she should be able to get that. If you don't feel comfortable with that, I think say you don't feel comfortable with that. That's fine. Mr. Fullenkamp: In this case, we can de-identify the data. I'm okay with that, but she will see a number. Let's say for decision making and problem solving, she may get two 5's, three 4's and a 2 and a 1 and she will know not everybody is in agreement. Mr. Denning: Instead of getting a 3. Mr. Fullenkamp: Which doesn't tell her much.

Ms. Campbell: Before when I was on Council, didn't they have a chart? Like everyone did their voting and then they tally up the numbers and they had a chart like to tell you what it was? I forget how that worked. Mr. Curp: Well that's basically what this is. Ms. Campbell: Well I've seen this one piece. Average performance and all this.

Mr. Curp: I think a lot of it depends on the instrument that you use because this instrument has a rating scale, but it also has a place for comments. The comments that an individual might say to the Clerk or to the City Manager in a private session should also be on the document so it is a part of the record so that an employee doesn't come back later and say all I've got is this piece of paper and I can't recall what transpired exactly in the discussion because that was 6 months ago or 9 months ago or a year ago or whatever. I understand the point, I just think that's what the

Thursday, April 19, 2018

comments section is for so that if it is done the way it has been done in the past where things are thrown together and there is a conglomerate scale or rating from the numbers, you still transcribe the comments because you have to provide some kind of feedback or should provide feedback if you are rating somebody whatever you are rating. If you rate them 5 out of 5, there should be some comments giving examples of why you are rating them 5 out of 5 so they can continue that behavior. They understand what is acceptable behavior and they continue to perform along those lines. If it is a 2 out of 5, there should also be comments that say this is an area where you need to improve and here's how we think you should go about improving your performance in this area.

Mr. Fullenkamp: But the number that an individual rates, that de-identified number that a person rates, can carry its comments with it. This person rated this person a 3 because yadda, yadda, yadda on A, B, C, and D and the same for each of those items. Now does it become a little long? Yeah. Is it more informative and does she get more information? Does the person being reviewed get more information? Yeah. It depends on what you want. Mr. Curp: In the end, if you are looking at promoting a person from one position to another, you can go back and say you had seven separate evaluations and everybody rated you a 4 or 5 in this category and a 4 or 5 in that category and they gave these glowing areas of comments and so you are still going to have seven pieces of paper that you are going to use to justify the promotion. Conversely, if things aren't going well and you just decide it is time to part ways, you are going to have seven pieces of paper where it probably says there is a bunch of 2's and a bunch of 1's and even though there are 1 or 2 5's, nonetheless there are too many 2's and too many 1's, so we are going to part ways. I understand what you want to do, but I don't think it accomplishes what you want to accomplish.

Ms. Campbell: Is there a way to go back and look at some of the old forms we used? They were so simple. Mr. Curp: I think I would rather use a different form. This form or this instrument doesn't do much for me. We have talked about this in the past and if we are going to do our own independent things, I would use a rating scale of 5, but I will write up my own performance areas because some of these either A) the Clerk doesn't do or B) we don't observe those behaviors so we don't know how to rate them and give comments in those areas. Ms. Campbell: Back when we were doing say Mary Ann or something like that because I know I made one up and they used it. I can't remember who did that other one, but it was so simple. Mayor Flaute: I don't where or know how we would find them. Actually my opinion is this is about as simple as it can get. Ms. Campbell: There are questions on there we wouldn't even know.

Mr. Curp: Item #5 Leadership, how do I rate the Clerk on leadership? I'm not around to see the Clerk exhibit leadership behaviors, not that it doesn't happen, I'm just not around to observe leadership behaviors. Project organization, I'm not around to see project organization. Budget, I'm not around to see budget. Mr. Fullenkamp: Let's look at other instruments then. Ms. Campbell: We could get a different form. Ms. Fry: I think it would be valuable to in the instrument list what our values are, what we prioritize in the job, what we want to see, and maybe some of these things in here are not things that we value highly, maybe there are things that we do value highly that aren't in here. In order to make this valuable, this is a good starting point if we don't have anything else, but I think if we really want to drive improvement and quality then we really need to state what our values are.

Deputy Mayor Lommatzsch: What expectations. I never have liked this, but I don't know and I'm not a pro in anything, but especially not in evaluation tools. I really think we lose a lot of our function because we are only a group of 5-7, we are not individuals. It should be a group evaluation and not an individual evaluation. I feel very strongly about that. Ms. Campbell: Yeah because we always went to Walnut Grove and had a meeting there. It was a group meeting and went over the paperwork. Deputy Mayor Lommatzsch: There are things in there that I don't think are part of her job.

Mr. Denning: I think it should be weighed against her job description. I think we should take the job description and then put our comments on each of those. Ms. Arnold: That's what I did last year in the second or third review that I did. It didn't

Thursday, April 19, 2018

have a scale of 1-5 on it and then there weren't comments from you all, it was just my comments was what we ended up with last year. Mr. Denning: Right. Send me your job description that you were given and that way I can use that and I can put a 1-5 on each of those things if I need to. Mr. Fullenkamp: I think we should develop a form that reflects something about the job description to make sure. Mr. Denning: I think that would be more useful to everyone than this instrument. Deputy Mayor Lommatzsch: A lot of it doesn't apply to her job and there are other things that are not on there that are her job. Mr. Fullenkamp: Let's use the job description to development an instrument and go from there. Deputy Mayor Lommatzsch: I'm okay with that. Mr. Denning: Would you be willing to do that?

Ms. Campbell: I'm going to have him go back to the last time I was on Council. Mayor Flaute: We are talking down here that we are looking at making a form completely different from any forms that we've seen. Is that what we are talking about? Ms. Campbell: This was short and sweet. Deputy Mayor Lommatzsch: Something that applies to her job. Mr. Denning: Something that applies to the Clerk based on her job description. Mayor Flaute: Is there someone that would like to do that? Mr. Fullenkamp: I will work with somebody. I will not do it by myself. Ms. Fry: I will work with you. Mayor Flaute: Alright, you two will do that. So when do we want to meet again and look at it? Do we need to have a special meeting for that? Mr. Fullenkamp: We will need some time. Mr. Denning: Let them get together and get something put together and get back with us. Deputy Mayor Lommatzsch: Let's do it in her anniversary month. Mr. Fullenkamp: So Brenna, if you could please get us your job description. I think I have it. Ms. Campbell: He's going to find one just the form and then because it was real easy and simple. Mayor Flaute: He's going to make one up that is hopefully easy. Ms. Campbell: He might get some ideas off of them. Mr. Fullenkamp: We will take care of it, Bev. Me and Brenda will. Ms. Campbell: Got ya.

Mayor Flaute: The next thing I want to talk about here is a part of the performance that we have been seeing in the past is typing verbatim minutes. Now I know I have been harping on this forever, but it's just so many resources have been wasted and so many hours and hours are wasted on verbatim minutes. If anyone wants to see exactly what went on at this meeting, it is all being recorded. I would ask that Council please reconsider having verbatim minutes and think about it. I will put it on the next agenda as an item to vote on. Ms. Campbell: And not do the paperwork you mean? Mayor Flaute: Just do the minutes like 99% of other cities in the world do. Very few cities do verbatim minutes. Ms. Campbell: Put it on the disc. Mayor Flaute: For one hour of work, it's like four hours of typing. Ms. Campbell: You know you can put it on a CD. Mayor Flaute: Yeah, you've got everything recorded. Unless somebody wants to tackle that right now, I wouldn't mind tackling that right now or I can put it as a legislative item on the next agenda.

Mr. Fullenkamp: I don't know without any discussion about this whether we want to enter into this again. We have decided over and over we don't want to change. Mayor Flaute: That was with a different Council. Okay, so it will be on the next agenda. Mr. Fullenkamp: For what? Mayor Flaute: For legislation to not have verbatim minutes at our Council meetings. Okay?

Mr. Curp: Are we also considering at the same time then that if we go from verbatim to not doing it that we are going to part time position again? Mayor Flaute: I was thinking there was enough for the Clerk to do that we wouldn't go part-time, but that is something that if we want to do we can discuss. That is going to change a lot of things though, not just not having verbatim minutes. Mr. Fullenkamp: So what you are saying is people can buy the CD and get the minutes? We are not going to have searchable minutes anymore, we don't want those. Mayor Flaute: We will have everything recorded. Mr. Fullenkamp: On an audio. Mayor Flaute: If there are minutes we want to make reference to. Mr. Fullenkamp: Not a searchable document on an audio. That's what you are saying, correct? Mr. Denning: You will still have minutes that will have everything in it. Mr. Fullenkamp: No, you won't. He's saying to go to summary minutes. Mr. Denning: I agree to summary minutes. I think we are wasting way too much time going through and typing verbatim minutes. 99% of the cities in the United States don't. Mr. Fullenkamp: But verbatim minutes are going to be BZA? Why would they need to be verbatim minutes and we don't? Mr. Denning:

Thursday, April 19, 2018

Because they are quasi-judicial. Mr. Fullenkamp: We are legislative. Mr. Denning: Exactly.

Mayor Flaute: We will have to decide the part-time/full-time after we find out how that resolution will be voted on, then we will have to decide. Mr. Denning: I think we need to see how much work is left. We've still got all the records clearing and everything else we have added to that job description that we didn't have before that I think would still keep the Clerk busy full-time. Mayor Flaute: I would think so, but the last month or two or three it has been nothing but typing. Mr. Denning: Exactly, so the other stuff hasn't been getting done. Mayor Flaute: Nothing else has been getting done. Ms. Arnold: There are still things that have been getting done, but I haven't spent hours in the records room clearing things out. I have still been handling records requests and other things.

Mayor Flaute: It has been an issue with the last Clerk, it has been an issue with this Clerk. It just continues to be an issue and I think it is time this Council gives some thoughts on changing it. The next thing, the City Manager has been on board now and he's reaching almost in July will be two years. Mr. Carpenter: In July. Mr. Denning: Was that? Mr. Carpenter: That was as acting and then September. Mr. Denning: So we've got until September would be your review. Mayor Flaute: So do we want to do a six month review? Mr. Denning: Absolutely. We were supposed to do quarterly.

Mayor Flaute: So I think we should have a special meeting for that. Do you want to schedule that right now? You can do the special meeting Thursday the 26th or we could do it the following Thursday the 10th. Deputy Mayor Lommatzsch: Thursday the 10th is the Dragon's game. Mr. Carpenter: I was going to be off on the 26th. Mayor Flaute: Thursday the 10th Mrs. Lommatzsch is saying no. Deputy Mayor Lommatzsch: The Chamber event is that night to support that Dragon's. Mr. Denning: I haven't seen that yet. Deputy Mayor Lommatzsch: Well your wife has. We talked about that today. Mayor Flaute: Do we want to do another day of the week that would be better? Deputy Mayor Lommatzsch: Well he's out the 26th he said. Mayor Flaute: We could do it Thursday the 24th. Do we want to do a Special Meeting for Thursday the 24th? Mr. Carpenter: I'm on vacation. Ms. Campbell: Isn't that our regular meeting? Deputy Mayor Lommatzsch: What's on the agenda for the next meeting? Mr. Carpenter: I'm sorry the 24th of May is what I was talking about. Deputy Mayor Lommatzsch: But you are off the 26th of April too? Mr. Carpenter: Yes, just for one day. Mr. Denning: What about the 25th Wednesday night? In April. Mayor Flaute: April 25th is First Suburbs. Mr. Denning: Are you leaving then? Mr. Carpenter: No, it's just the one day. I don't have my calendar in front of me. I could let you know before the business session. Mayor Flaute: Could we do it on April 3rd? Ms. Arnold: May 3rd. Mr. Denning: If you could go back in time and do it on April 3rd that would be great.

Mayor Flaute: Let's do May 3rd. We will put it on the agenda for May 3rd. It will be on the normal meeting night. What do we want from the Manager before that meeting? Deputy Mayor Lommatzsch: Well I think we need to have him sort of let us know what he has accomplished over the last 9 months. You don't have to spend hours on it, but encapsulate your accomplishments and where you've come and where you're going. Mayor Flaute: We will talk about if we like it or don't like it. Deputy Mayor Lommatzsch: That's what I would call an evaluation. Ms. Fry: Is his evaluation form the same as what we looked at? Mayor Flaute: We will use his old one. It's not his annual evaluation. I'm looking at it as a 6 month review. Ms. Fry: So it's informal. Mayor Flaute: That's what I was thinking. Deputy Mayor Lommatzsch: I'm okay with that. Mayor Flaute: So it's a 6 month review and no formal evaluation will come until September.

There were no further questions or comments.

ITEM 7: RECESS:

Council took a recess at 7:28 p.m.

ITEM 8: RECONVENE:

Thursday, April 19, 2018

The meeting was reconvened at 7:40 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

The Pledge of Allegiance was led by Economic Development Director, Bob Murray.

Mayor Flaute: At this time, I just want to say that on April 12, 2010 I received a call from our former City Manager saying that our Mayor was in trouble. He actually by the time I got to the hospital had passed on. Being that it was just a little bit ago, I would like to have a moment of silence for our former Johnie Doan.

ITEM 10: MINUTES:

A motion was made by Mr. Denning to approve the minutes of the January 11, 2018 special Council meeting and January 18, 2018 regular Council meeting minutes. Ms. Campbell seconded the motion.

There was no discussion on the motion.

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

ITEM 11: ACCEPTANCE OF PRIOR MONTH'S CITY FINANCIAL REPORT:

A motion was made by Mr. Denning to accept the March financial report. Deputy Mayor Lommatzsch seconded the motion.

Mr. Fullenkamp: I have a question. I'm starting to look at these numbers pretty closely. When I look down at the Contingency Reserve Fund and I understand we call that our rainy day fund or something, but when I look year to year I don't see that change at all. I'm assuming that we invest that money in some sort of account. Does that interest just accrue to the General Fund or does that interest roll back into this Contingency Reserve Fund? Mr. Garrett: Well it is true all interest is posted to the General Fund so that is true. The Contingency Reserve Fund has a required formula or a maximum that it can be. It cannot be more than 5% of the revenue collected during the previous year, so if our revenue would go down in a year the Contingency Reserve Fund would have to go down. On the other hand it is silent about any requirement to have to increase our Reserve Fund, so often we don't bother with it because that would be a resolution of Council to change the balance of the fund. Sometimes if revenue had been down, we would have to recalculate and reduce the amount of the Contingency, but I haven't really been careful about doing the calculations if we wanted to increase the Contingency Fund.

Mr. Fullenkamp: That's all revenue or just tax revenue? Mr. Garrett: That's all revenue. I will have to look back at the formula because truthfully I haven't done it in the last couple of years. Mr. Fullenkamp: So our revenue is somewhere around \$20 million a year or \$26 million, so we don't exceed the minimum. The real question was the money just accrues to the General Fund and then we spend that. Mr. Garrett: That's correct. It's just that Council would pass a resolution authorizing a specific balance in the Contingency Fund. All other monies and revenues and the interest would just be posted in the General Fund. Mr. Fullenkamp: Okay. Going forward I will be watching these numbers pretty closely, especially at the level of amount of money we have in the General Fund regarding State requirements and being put on state watch systems because I see us dropping from last year at this time to the beginning of this year and then this year I'm already seeing us slide downward. I think we are going to have to be very careful so that come 2019 we are not on a watch and we are not on a State Auditor's watch. Thanks.

Mayor Flaute: I thought we were higher than what we have been. Right now our money is higher and it's under City Manager's. Mr. Fullenkamp: All you have to do is look at the General Fund beginning year balance and the unencumbered balance. Mayor Flaute: Yeah because last year our total was. Deputy Mayor Lommatzsch: Well you are talking about tax revenue. Mayor Flaute: Yeah we are talking about income tax revenue. Deputy Mayor Lommatzsch: That's not what he is talking about.

Thursday, April 19, 2018

Mr. Fullenkamp: I'm talking about balances, the General Fund balance. Mayor Flaute: Alright. Good enough.

There was no further discussion on the motion.

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

ITEM 12: ACCEPTANCE OF WRITTEN CITIZENS PETITIONS:

Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 13: PROCLAMATION:

Mayor Flaute: We have a gentleman from the Motorcycle Awareness group. Sir, would you please come forward and explain what your mission is and why you would like for Council to pass this proclamation.

Mr. David Griffin: Good evening. I am the Director of ABATE Region 6, which incorporates this County. I've been here this is my 4th year as a matter of fact. It's been kind of nice. I just sat here and realized that it's been four years I've been coming to you. ABATE is American Bikers Aimed Toward Education. We try and do a training program for new riders and also us old folks that need to know how to ride even better. We watch the rules that come down on us, the laws and different things like that. In year's past it was the helmet law and all that.

That's what ABATE does and on May 5th we do a May Awareness Ride. We start at Sunbury, Ohio to the Harley Davidson dealership. I ride a Honda, so I can't say that real well. Anyway, we start out there about 11:00 a.m. or maybe 1:00 p.m. somewhere in that area. The Columbus Police Department actually escorts us into the State House from there, closes off the interstate 71 clear down in there, so all we have is a string of about 400 bikes usually running down through there. They go around us and close off the traffic and it's kind of nice. We had one year that we didn't get that done because President Obama came in and took the City of Columbus Motorcade from us. It wasn't a real good year for that. Anyway, it is on May 5th.

On May 19th or 20th, it's the Sunday on that weekend a couple of weeks later out at Kil-Kare Speedway we do Region 6 and I forget the other group's names but we have been helping them for a couple years, Blessing of the Bikes. We are going to do that again this year I think on the 19th or the 20th whatever the Sunday is and we will be doing a Blessing of the Bikes out there. We will be around at other events and stuff around the counties and so forth. I've got a good group in Montgomery County and they live in Fairborn, so they do a good job for me. We try and make ourselves known and what we are all about and safety and stuff like that.

Mayor Flaute: Are there any questions or comments? Mr. Denning: Is it going to be snowing on May 5th? Mr. Griffin: It could be.

Mayor Flaute read the following proclaiming May 2018 Motorcycle Awareness Month:

WHEREAS, safety is the highest priority for the highways and streets of our Villages, Cities, and State; and

WHEREAS, motorcycle riding is a popular form of transportation and recreation for over two hundred thousand people across the State and millions across the Nation; and

WHEREAS, in an effort to make motorcycling in Ohio a safer and more enjoyable sport, motorcycling organizations from around the State are now planning a collective venture to promote MOTORCYCLE AWARENESS; and

WHEREAS, all motorcycle organizations, clubs, dealerships, groups and highway safety officials in our state, should join ABATE of OHIO, INC. and the

Thursday, April 19, 2018

Motorcycle Ohio program, in actively promoting safe operation, increased rider training, improved licensing efforts, and motorist awareness; and

WHEREAS, during the month of May, all roadway users should unite in the safe sharing of the roadways throughout the State of Ohio; and

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and the Council of the City of Riverside, Ohio, that May 2018 is declared Motorcycle Awareness Month and do hereby urge all citizens to join in recognition of this significant occasion and the achievements above mentioned.

Mayor Flaute: Sir, thank you for all of your work and all that you do for our citizens.

Mr. Griffin: Thank you for putting this together for us. Mayor Flaute: You are very welcome.

ITEM 14: CITY MANAGER'S REPORT:

Mr. Carpenter: In your packet is the report and if you have any questions, myself or staff would be glad to answer them. What I would like to bring up that is not in there is about the ZonePro software. The ZonePro software is good until June and then after that it is my understanding, and if I speak out of turn Brock help me, I believe it won't be supported after that. iWorQ was the company that had purchased ZonePro and we did get some estimates. It is roughly \$5,000.00 to have the zoning piece. Also, there is a component we feel would benefit the Service Department that would be an additional \$5,000.00. It is something we would consider. I would like to provide you information. We lean toward that direction, but we understand with the budget the way that it is that we would try to find those funds within the budget and maybe trade off of doing something or another.

Mr. Fullenkamp: So how are you selecting your vendor? Mr. Carpenter: Well I'm going to let Brock speak to that. He's done some research on iWorQ and has talked to some other cities and what they are doing. Mr. Taylor: So iWorQ has purchased ZonePro and the current gentleman who had ZonePro, ZonePro Steve as we call him, he also became an employee when he sold his company out to iWorQ. ZonePro is currently not supported as it is and so in June we have paid up until June and it is my understanding that we can pay for an additional year of a program that is not supported or we can switch over to iWorQ and they give us special pricing since we are a previous ZonePro customer. iWorQ, currently Huber Heights, Jefferson Township are switching over. Fairborn, Troy, and there is one more that currently use iWorQ now. It's a relatively basic, easy program to use. For zoning it is \$4,000.00 and then an additional \$1,000.00 for a community portal which allows us to interact with citizens. Citizens could submit their permits online or they could submit their drawings online. In addition with that what it does is allows the Service Department also to come in on top of that using that community portal for doing their work orders. From there it is almost like the see, click, fix, which I think some of you have seen before. A citizen could take a picture, upload it to the community portal, it would become a work order, and then somebody on our staff would see it, they would create the work order, and send it out. That's kind of how this program works.

We have talked to some other vendors as you know in similar price points. One that we were looking at that we liked are no longer in business. iWorQ has been around for 20+ years. They have a good customer base. That's how we've looked at other things and the prices range from similar to a new startup company about the \$4,000.00-5,000.00 mark to Fairborn, they are switching over from iWorQ actually to a new program and they are spending \$600,000.00. That's kind of the price range of things you can go for out there. This is a great price, it's a good product, and it's been tested and used so it's tried and true.

Mr. Fullenkamp: How many pieces of software have you looked at and keep in mind when I asked the question what if ZonePro isn't supported and what impact does that have? Mr. Taylor: What could happen, and I'm not an IT person or anything at all, the underlying base for that program and the way it is created is really old. It is my understanding that if Microsoft updates similar to our web browsers they get outdated and you can't see what is on other people's web pages. A similar thing will happen,

Thursday, April 19, 2018

Microsoft can come out with an update and it will no longer work. Mr. Fullenkamp: But it is not browser based. ZonePro is not browser based. Mr. Taylor: Like I said, that's what has been explained to me is that one day Microsoft can update and we won't be able to use it.

Mr. Fullenkamp: I understand the dilemma we are in. I am concerned about the additional expense this year. I want to make sure we are making a good choice based on solid research and usage. Mr. Taylor: We looked at three different companies so far over the last couple of years. The pluses with iWorQ is since they already have all of our ZonePro information that data transfer is going to be really easy. I think as I have explained before a lot of our stuff in ZonePro is convoluted. We have multiple parcels and multiple permits on different. It needs cleaned up you know. There is about six different ways you can enter things and some parcels have six or seven different entries and you have to look through all of them. With iWorQ we have the ability once they export that to clean that information up and move that over seamlessly.

Mr. Fullenkamp: So you are saying this is a \$9,000.00-10,000.00 a year. Mr. Taylor: For zoning it is \$4,000.00 and then the additional \$1,000.00 for the community portal. Jay would use what we have looked at is a work order program and then it also has an infrastructure based program, which would allow us to input all of our streets, our sidewalks. Mr. Fullenkamp: What's the total cost for this entire suite? Mr. Taylor: \$9,000.00 for both departments. Mayor Flaute: Per year? Mr. Taylor: Per year. Mr. Fullenkamp: Okay, so I think we need to decide whether we want to just stick with the basic zoning program that we have or we want to expand to these other services. That's not a discussion we have had.

Mr. Denning: The question I have is if we did get the Services section and I go down Airway and I see a pothole, is that what this does I can take a picture of it, say the address of it, and it would automatically go to the Service Department, they would look at it, and that would automatically say here's where the pothole is? Mr. Taylor: On top of that, if you log in because you would have your own little log in account that you would log into our portal with, once it is fixed we would send you back hey we fixed this because we would have that inside the program and we can automatically say we fixed this. Mr. Denning: I'm going to go in there and it is going to ask me for my email address and it will get the information from me to put that information into the City's system. Mr. Taylor: Yeah and what it also does is it is connected to the GIS and then if we want to do like in our annual reports, Jay can bring up on the map and say here is every pothole that we had a complaint on that we patched. Mr. Keaton: It would populate on here and we could see the worst of the worst so we spend the most time. Mr. Denning: Even though we would be spending \$5,000.00, there would be an effective. Mr. Keaton: For capital improvement projects, absolutely. Mr. Denning: An effective increase in productivity from our folks in order to make up for that.

Mr. Fullenkamp: Why do you say that? I guess I don't understand. We've got lots of trucks on the street now that are looking at potholes and ignoring them. Mr. Keaton: We don't see any potholes at all out there. Mr. Denning: You need to get your glasses fixed. Mr. Fullenkamp: All I'm saying is yeah, I understand what you are saying, but it is like Jay asking for a crack sealing device the other day. You want more work and this is what this will give you. This will give you more work and I'm willing to give you more work. Mr. Taylor: It will also be able to track current work so you can see. Mr. Fullenkamp: If there is an accountability piece built into it then that becomes a bit of a selling point for me. Mr. Keaton: I think it would be a little bit better customer service base too. Mr. Denning: I think that too. Mr. Fullenkamp: I think they are combined.

Mr. Taylor: The big piece we missed is if we put in all of our streets and all of our estimates, we can see on the GIS map then look at it as a map and say here are these streets and we can highlight which are classified as mill and fills, reconstructs, slurry seals or whatever and we can see that in real time on a map or we can see it. As we change it as we do a street, it automatically uploads and fixes it. Mr. Fullenkamp: I guess I would feel better about this if it was part of the budget process that we performed in 2017.

Thursday, April 19, 2018

Mr. Denning: Okay, I'm going to go a little bit further, so I'm going to go back to permits. The things that I asked for earlier in the year, it would give you the ability to give me that information much simpler and it will track so if someone puts in a permit on April 17th it will track then when that permit gets issued and things like that? Mr.

Taylor: It will allow us to track a lot more matrix than we are able or capable of track. We will also be able to pull out again maps, graphs, charts from this program all in a much quicker fashion. Mr. Denning: And it is more customer friendly. Mr. Keaton: If Brock does any work on a certain parcel and say I have a permit come in that I have to go out to this place and they are doing a driveway, if Brock has already been there and he's got notes in there that this person was denied for whatever reason or they need to comply with this I will be able to see that to what he has done on that parcel. Everything is integratable. It's a very good process.

Mr. Taylor: Let me tell you what can happen in ZonePro right now. When you asked for that information and the way we pull that out, this is what could really actually happen. You asked for that information with the dates and so the two dates that are in there, I could go in there, anyone who has access could go in there, and change those dates to whatever they want and there would be no record that somebody came in there and messed with those dates. You would run that and when you look at it and say you turned these around in a day and a half because you could go through and change all of those and there is no record of tracking who logged in, what did they do, when was this changed, when was it not changed. ZonePro, I hate ZonePro. I just hate it. I'm going to tell you. It is the absolute worst. Mr. Denning: But this new stuff would make things better and more efficient is what you are telling me.

Mr. Fullenkamp: I have another question. In the City Manager's Report, we have a report of Police service information and we have a report on overtime. It is my recollection when we brought two Majors onboard that our overtime hours would be dropping and I'm seeing an increase in overtime. I don't understand what is happening and why this premonition of savings on overtime isn't being realized. Mr. Carpenter: The Chief may be able to comment further. He and I have had this discussion as well and I think some of it is due to the type of cases that we have had that have required a lot of extra investigation, so that has led to a portion of this overtime. Chief, if you would like to elaborate on some of the other. Chief Robinson: It is exactly what you were saying right there. We've had multiple big cases that have caused us to go out of state, many hours of Detective time that has cost us in overtime.

The Majors aren't working the street per se and we also have to take into consideration we have court transports and we've switched that up this year. Whereas we are doing one day for ours and one day for Huber Heights and it is creating us I would say about \$1,000.00 a week for us to do that, the transports. We get half the money back from Huber if we have one person on ours. We don't get anything back for our day, but we take out and usually have two people working because we have so many people to transport. If we have over six, we are using two people. Every time they go over there to do transports it could be 12-19 people and when that happens, we end up having to go to different courts or different counties sometimes to pick up people for Huber, not for Riverside, for Huber. That is causing a lot more hours of overtime on just those two things alone. Like I said, the murder itself of Robert Caldwell that's hours and hours and hours of multiple people doing different things including going to multiple states to do those things. That's what is causing it.

Mr. Fullenkamp: So which is it, the transports or the Detective work? Chief Robinson: Both. Let me give you an example, the transport by itself is going to end up costing I would say roughly about \$50,000.00. Mr. Fullenkamp: But that was part of the argument that was made is that this would save and we won't have to use overtime for transports and that was part of the argument that was presented to Council. Chief Robinson: I don't think that was part of the argument. I don't recollect that at all. It has nothing to do with transports. Majors don't transport anybody. No, this is a deal with Huber Heights that has been going on for 10 years or more. Mr. Fullenkamp: That's why I questioned it at the beginning, but I'm looking at the real world here. Chief Robinson: I'm looking at it too. I see it every day.

Thursday, April 19, 2018

Mr. Carpenter: the one thing I can say with the transports is because the court did change up the schedule where it is Riverside one day and it is Huber the second day where it used to be kind of a mix on both Tuesdays and Thursdays. The situation we are in is an annual contract and so we are working toward maybe changing that for 2019. The thing is we would have to supply our own vehicle, which we did have a vehicle donated, but there is going to be a cost to outfit that van and insurance and gas. The thing is we budget for what we estimate to be our overtime costs for prisoner transports and we are reimbursed by Huber Heights for when we do Huber's prisoners, but as Chief is saying the rate or the amount is greater than what we budgeted for. We are getting reimbursed for the Huber part, but it comes straight out of Chief's overtime budget. Mr. Fullenkamp: Okay, well I guess the caution here is don't make promises you can't keep. Don't make suggestions like that.

Mr. Curp: Explain to me please the overtime for going out of state and how that works. Chief Robinson: I can't tell you exactly what the numbers are exactly, but we had to have Officers go to South Carolina to interview the suspect and when you saw the press conference we had Officers in Kentucky and also two different places in Ohio as well in this area during that making arrests in both Kentucky and Ohio. We had people in multiple places. Mr. Curp: How do we compute that overtime? Is it based on an 8 hour work day? Mayor Flaute: Is driving time included? Mr. Curp: Is it overnight stay? How? Chief Robinson: They don't get paid 24 hours, no. They get paid for an 8 hour day plus the overtime. If they drove to Kentucky, they got paid for it. Mr. Curp: Okay. Mayor Flaute: Okay, so they could have a 13 hour day. Chief Robinson: Absolutely. It's like the transports. It could take us literally 8 hours or 9 hours in one day with two people doing that. You could end up paying 18 hours of overtime just for those two people going that one day for Huber Heights. It comes out of the overtime budget. Trust me I fight this all the time about the overtime budget.

Mr. Denning: But we get reimbursed for Huber Heights. Chief Robinson: We do, but it still comes out now currently then it goes in the Police Fund is my understanding and then it gets taken back. Mr. Denning: But that was in the budget originally including getting the reimbursement from Huber that was all part of the budget. Mr. Carpenter: We estimate approximately how much. Mr. Denning: But what you are telling me is your estimate was low compared to the way things are working out. Mr. Carpenter: Yes. Mr. Denning: But we are still going to get reimbursed even if their number is higher, we will get reimbursed. Mr. Fullenkamp: At the overtime rate? Mr. Carpenter: Yes. Mr. Denning: Okay. Mr. Curp: At the contracted rate. Mr. Denning: At the contracted rate. Mr. Carpenter: At our cost. Mr. Fullenkamp: But if we are paying overtime is it our cost that is the contracted rate? Mr. Carpenter: That's my understanding. Mr. Fullenkamp: Or is it a per mile charge? Chief Robinson: No, it's the per hour overtime rate. Mr. Denning: Okay. Thank you.

Mayor Flaute: Are there any other questions or comments? The only one I have is I can't remember us talking about the shelters that are being installed, the RTA shelters. Where are they being installed at and who is paying? Deputy Mayor Lommatzsch: Carroll High School. It is all right here. Mayor Flaute: We talked about it? Oh. That's the piece of information we got tonight, so you are going to talk about that later? Oh, okay. Good.

There were no additional questions or comments.

- (1) FYI Items
 - a. Council Request Sheets
 - b. Council Agenda Calendar
 - c. City Manager's Project and Activities Report
 - d. Income Tax Scorecard
 - e. Open PO Report

Thursday, April 19, 2018

- f. 2018-2019 Sourcewater Contract
- (2) Monthly Verbal Reports
 - a. Police Department

Mayor Flaute introduced Chief Robinson for the monthly update for the Police Department.

Chief Robinson: Thank you, sir. I will be short and sweet like I am every day. Mayor Flaute: Debatable, but go ahead. Mr. Denning: You are definitely short. Chief Robinson: I set you up, knock it down buddy. Mr. Denning: You got it half right. Chief Robinson: Anyway, the Property Room Custodian, Danny Brodnick, received some training regarding the handling of the safety practices involving the synthetic opiates, which are obviously still a concern for us. I will explain more of that later. Officer Jackson and his partner, Tina, did a drug sniff at Dayton Christian School per their request. Detective Cooper analyzed 14 phones this month with the Cellbrite machine, so I just want to continue to say thank you for allowing us to have that machine. It is one of the only ones in this area and we use it for a lot of folks including my next thing I was going to tell you about.

I hate to give you a Police Blotter, but there are certain things that happen in the city that I think you should be aware of and how we handle those. Seven of the phones he actually analyzed came from this particular call and that's the one from 2160 Harshman. We had a drug deal gone bad and had a young fella get shot during the commission of that crime. It's unfortunate these were from very young folks, 18, 19, and 16 years old that were involved in this. It's unfortunate that at such a young age these folks have these records a mile long, but they do and this is the things we deal with on a daily basis.

My numbers differ a little bit from the Fire Chief's. I know we went to 11 overdoses in March and we administered Narcan 4 times. I said we had 3 fatalities, but he just reminded me we actually had 4 and that's a big number for us because we hadn't had that in a while. If you look at the numbers across the county and we get that bulletin every two weeks in regard to what's going on in the whole county. The numbers have really decreased. I'm talking like 65 down to in the teens. Our numbers are low, but our fatalities were really high, which is concerning. I know that the GROW program went out I think a couple times and we visited one person during that time. We are going to continue our efforts in regard to that and hopefully you will continue to see the trend go down. I think it is going down and I think it is going to stay going down hopefully. Unfortunately in my opinion and it's only my opinion, people have the ability to get Narcan so easily now that it's easy for families to have it at home and so maybe they might not call us as quickly if they realize those issues and they use the Narcan on someone at their house. We may not be getting all the phone calls we were normally getting. That concerns me and that very well could be why we had 4 fatalities. I'm not sure about that, but that's just my opinion.

We did have a robbery at the Dollar General on Harshman. The suspect was caught within 30 minutes. They didn't have a weapon at the time. I think he just went in and stole some stuff and acted like he had a handgun, but we did catch him very close to the Dollar General.

I mentioned to you last time about the fatal crash that happened on Route 4 with the motorcycle. I just want to give you a quick update on that. The gentleman who was driving the vehicle who hit the motorcycle actually pled to all the charges that he had and he's facing 13 years in prison and a lifetime suspension. That's not a lot to me for taking someone's life, but to be honest with you whenever there is aggravated vehicular manslaughter like that it holds a 9 year sentence. I know that is very low for what one person has done in a vehicle to kill somebody when they are drunk driving, but that is the max you can get is 9 years.

I want to say this, because my fellow coworkers love when I say this, I want to end with National Nite Out. We are working hard on that still. We have many confirmed commitments with Red Cross, DP&L, the library, US Army, Metro Parks, Stebbins

Thursday, April 19, 2018

band. We will have National Nite Out. I'm not sure exactly how many things we are going to have there, but we will have it and we will have a good time doing that with the folks here in Riverside.

The last thing I want to tell you and I just wrote it down because I forgot about it. We did have an Officer get exposed to fentanyl this past week. As a precautionary measure, we took him to the hospital and he was released without any issue and actually came back to work. We had to clean his uniform though just to make sure and I was just going to let you in on a little secret that I learned this week was OxiClean and 500 ml of water together will get rid of any exposure to fentanyl. We just basically took his vest off of him and sprayed that down with OxiClean and scrubbed it for him and all those good things and we did it to the cruiser as well to make sure we didn't have any residue inside the vehicle. If you have anybody that needs that service, OxiClean does work. I hope you do not have anybody that needs that service. Thank you very much.

Mr. Denning: I would like to say I do appreciate getting the email and/or texts about things like the Officer and things like that. It keeps us up to date. Mr. Carpenter: Yes, staff has been very good about getting information and trying to turn it around as quickly as we can.

There were no additional questions or comments.

b. Fire Department

Mayor Flaute introduced Chief Stitzel for the monthly update for the Fire Department.

Chief Stitzel: In addition to what is in the PAR, there are just a few things I want to update you on. We are still working on the part-time hiring. With the increase in the wage we did see a little bit of an uptick. We have four part-time people in the process. That's the same that we had all of last year, so we are seeing an increase in some part-time people and we are hoping to be successful in that program and keep that going. We are advertising for our full-time opening that we have and planning on filling that by early July and we will go ahead and have an eligibility list established so when that date gets here as we discussed in the budget process of holding off until July 1st for that position, it will be ready to go. We are already working on that.

The crews have been working on their annual protocol qualifications and certifications. They are doing auto extrication training, if you haven't seen over in Center of Flight the cars. We have cars flipped on top of each other surrounded by the orange fence with Fire Department Training signs up to keep everybody away from it. That is going on and it should be cleared out of there in a couple of weeks and cleaned up. They also did their annual driver's certification training and the fire apparatus.

I assisted the Clayton Fire Department in interviewing for one of their Battalion Chief positions as part of an interview panel. We kind of help each other out, so they are actually going to be coming here and helping us out later this year with one of our processes also with sharing services and helping each other out.

The new medic is ahead of schedule and is actually being delivered to Ohio this week. It should be at Burgess Ambulance tomorrow and then they have a few things they need to do to it and then it goes in for striping and radio install, so we are hoping to have that actually in service within like a month. We were planning it being June-July, but it looks like we might be able to get it here in May is what we are hoping for.

I think you were advised about the Assistance to Firefighter grant for their power cots. We did not score high enough in that competitive bid process to get the grant. We are sticking with the manual cots and hopefully next year another grant opportunity will come along. That was kind of disheartening because we were counting on that.

Just to kind of tack on a couple more things about what the Chief was talking about with the GROW program. As he was talking I remembered we have actually added a

Thursday, April 19, 2018

Peer Counselor to the team through Cornerstone. Our Community Paramedic, Paula Balcom, she is beginning to oversight the GROW program on our end and she's gone through some Community Paramedicine trainings down at University of Cincinnati. One of the things she brought back is a lot of these programs have seen a great success if they have a Peer Counselor, somebody that has been through this addiction before and has been successful to come out of it, so we have somebody from Cornerstone now in junction with a regular Counselor, my Paramedic, and the Police Officer that go out and try to make these contacts. We are hoping that will make a difference in getting these people to communicate with us and accept the help that we are trying to provide them. That's another part of that program that we are really happy about seeing continue to develop.

The Community Paramedicine program is continuing to develop. We have had some great success recently getting more people enrolled and just getting a lot of great, positive feedback from that. Our Medical Director, Dr. Marriott, is taking an interest in our program and he is going to be coming in to do a ride along with us when we go out to somebody's house and sign them up to the program and kind of get an idea of what else we are able to do. The next phase of the Community Paramedicine program is going out and doing an actual medical assessment on somebody that is having a non-emergency issue and trying to get them steered into the right direction. Before it was 911, go to the emergency room. Now they can call 911 and say I really don't want to go to the hospital, I just need someone to check me out. We will go do an evaluation of them. We can take them to a doctor's office. We can take them to a health center, urgent care, or something to that effect. If we get all this approved, then we are able to start taking people to other places than just an emergency room. That's the next phase of the Community Paramedicine program we are looking to do and start transitioning to over the next couple of months. That's all I have for tonight.

Chief Robinson: Can I say one thing? I always want to give someone an atta boy when I'm doing my presentation and I want to give that out to Chief Stitzel tonight because he was the first medic on the scene at the gunshot victim and did a very fine job stabilizing that patient there on the scene. They were able to get him to the hospital and recover. Atta boy to Chief Stitzel. Mayor Flaute: Thank you, Chief. We appreciate it.

Mr. Denning: Chief Stitzel, would Ohio Workman's Comp be a place to possibly get a grant for our cots? Chief Stitzel: It is and it is pretty much a guarantee through them. We initially started to go down that path. Under the Assistance to Firefighters grant, we were able to get 4 cots at \$16,000.00 out of our money. Under the BWC grant, we would have to pay \$52,000.00 for 2 cots. It's not near the grant. Mr. Denning: I appreciate that. Chief Stitzel: That's why we did that. Mr. Denning: But if we need to get them. Chief Stitzel: Right. That's one of the backup plans because the max you can get out of the BWC is \$40,000.00 and for our population size and our payroll for our City, I think we can only apply for that grant every 3 years. We can try that, but again the max they will give us is \$40,000.00 which will pretty much buy one cot system. We would have to buy the other one to get enough money so we are looking at \$50,000.00 out of our pocket just to get two cots. Mr. Denning: And you only have \$16,000.00 in your budget. Chief Stitzel: I don't even think I have that. I was hoping to get that if we got the grant. Yeah, right now we are kind of looking for a 2019 idea. Mr. Denning: Okay.

There were no additional questions or comments.

c. Service Department

Mayor Flaute introduced Mr. Keaton for the monthly update for the Service Department.

Mr. Keaton: Good evening members of Council. How are you all doing tonight? Just highlighting some of the projects real quick, everything is ready to begin and it's at the doorstep. A quick update on Union Schoolhouse Road because of the crazy weather, the good Lord doesn't know if he wants to snow on us or bring spring and it has pushed that back about one week. There should be infrastructure out there right now onsite, pipes, pieces of equipment, but it is not there. It is scheduled to be there

Thursday, April 19, 2018

April 25th. The contractor is still expected to finish the work in the contract timeframe. They said that is very doable, so you will start to see infrastructure out there if you drive up there to Union Schoolhouse Road hopefully by the 25th of this month and a start date on the project would be about May 1st is when they will actually start breaking ground up there.

Meanwhile we do have some potholes to patch on that particular road, so we will be getting to that as well.

Just kind of going down through these, again I kind of highlighted in red some of the stuff I had sent to Mark. We put the paint striping off until around August just to make sure we got all of our paving done and anything we might pave out there is striped last.

The Brantwood Overlay is supposed to begin May 14th. There is some preliminary work being done out there as we planned on doing some partial depth and full depth base repair to some of the intermediate coarse that has been out there for several years. We've had some rough areas out there, so in order to get a good job we needed to fix the areas out there which that has been a part of the plan.

The crack seal is going to be starting in May and in talking to Bituminous Pavements they wanted to get started as quickly as they can and as soon as the weather cooperates you've got to have some dry weather and there can't be no moisture down inside the cracks, so in order to get a good job and get that stuff to stay down, we need a little bit of dry weather for a little length of time. That will be the permissive tax routes that is getting crack sealed so this will be Burkhardt Road, Harshman North, and Beatrice Drive. We are trying to preserve these newer pavements that we have out there.

The microsurface project bid opening is April 26th and we will be bringing that to you guys May 3rd is the plan for that.

You mentioned the RTA shelters. These are shelters that were preexisting that had gotten hit in car accidents, didn't they, and destroyed. According to the grant we had once we get these things built, they are ours to maintain. We have to and in some of my previous PAR reports I mentioned we go out and we are doing some assessments of these things trying to get them fixed up because some of them are a real eye sore with rusty roofs on them and things of that nature that need to be fixed up. We are kind of putting that into the plan.

The crack sealing of Route 35, you guys were able to move me some money forward with that. I will be doing most of the engineering on that and bidding it out and advertising it, holding the precon meetings and all that kind of stuff. That's coming up here soon. I'm just beginning with that.

We are beginning to haul our salt to Dayton. We had to hold it this long because we just didn't know if it was going to snow on us or not anymore. I would ask you too one of my colleagues over there, Fred Stovall, who is in my position with the City of Dayton, had a heart attack and he's been off the ventilator now for several days. It was really touch and go with him for a while and I would ask you to please keep him in your prayers. He's been a big benefit to the City of Riverside in many ways he has helped us out a whole lot and we do appreciate Fred a whole lot. I've been over at the hospital a couple times to check on him just to follow up with him and see how he is doing, but I did want to mention that to you.

We will be doing in house crack sealing. I was able to use money from last year's budget to secure a crack sealing machine and material from last year's money for this year. We are going to go out and take a look at Spaulding Road and we will be looking at our newer pavements on Pleasant Valley and Rohrer. We will also be taking a look at the Valley View plat. We don't want to let these pavements go, so we are going to do everything we can do to preserve everything that we possibly can. That's coming up.

Thursday, April 19, 2018

Mostly the crew has been doing pothole patching. It's an ongoing affair. I did put together some cost estimates for the City Manager and we just recently got that submitted to him for what it would take for us to do kind of a road stabilization project on our main thoroughfares the worst of the worst spots out there to try to keep them from further decay and a cost estimate from Booher Blacktop, who is usually our bid winner on almost all of our pavement projects, and kind of submitted that analysis to Mark so he could review that. That's what we've been doing.

Mr. Fullenkamp: So how much are we going to have to spend on Airway Road? Mr. Keaton: To pave Airway Road and this is no fluff, this is no ADA ramps, this is no curbs, this is just a strict mill and fill with a paint striping and any minor adjustments to manholes, I had one initial quote that came in at like \$850,000.00 almost \$900,000.00, so basically \$1 million. Then I had a second quote come in right at about \$.5 million with Booher Blacktop. That's just the bridge there that comes from behind where Ponderosa and that's at and tying into that little culvert bridge and go east and that's all the pavement, shoulder to curb. Mr. Fullenkamp: We haven't budgeted for that. Mr. Keaton: No, sir.

Mr. Denning: How long would we expect that to last because we are supposed to completely redo that? Mr. Keaton: We are going to do redo the west side. Mayor Flaute: That is the west side; we are not doing the east side. Mr. Keaton: We are going to do the west side and then through the intersection to about that bridge is planned for 2020 or is it 2021? Mr. Carpenter: 2020. Mr. Keaton: To be honest with you, we are not so for sure if some of the spots on Airway West will make it. This winter has just been horrible, so we are going to try and do some stabilization work even on the west side if we can do that as well.

Mr. Fullenkamp: So are we looking at grant money to do Airway or are we just doing the cash routine the City does? Mr. Keaton: No, we are looking at anyway we can. Mr. Fullenkamp: What if we don't get grant money? Mr. Taylor: There aren't a lot of grants available for a mill and fill. Again we can look at FLAP and perhaps the DAR program, but mill and fill last year MVRPC sometimes they will do a resurfacing project when they have some money left over. The problem with that last year we didn't apply because it was a 2-year planning process, so you apply and so we would have had to have done those resurfacing in 2020, which is not a good year for us budgetarily, plus all your ADA curb ramps all has to already be in place. We don't have a lot of places to do that. Really there is not a lot of grant money out there. Mr. Denning: So the only place we really have is the federal money around federal installations. Mr. Taylor: There is not a lot of money in FLAP. Mr. Fullenkamp: That's a longshot. Mr. Keaton: That's out five years, so whatever we plan today if we go the federal money route is five years down the road from now.

Mr. Fullenkamp: I mean if we have to do this project, what are we going to cut to do this project? Mr. Keaton: I think also we need to decide what do we want to do? Do we want to try to patch? There are several things we can do. Mr. Fullenkamp: Let's assume if we decide to go the \$500,000.00 route, something has got to go. We got the numbers right here tonight. We see how much money is in the General Fund. Mr. Carpenter: You are talking about patching this year. Is that what you are referencing? Mr. Fullenkamp: I'm assuming you are going to have to do something on Airway Road this year. Ms. Campbell: I thought you decided on mill and fill this year. Mr. Fullenkamp: I didn't decide on anything. Ms. Campbell: When I said slurring, you said no you can't do that. Mr. Fullenkamp: I don't think you can slurry Airway.

Mr. Keaton: There's also we could mill and fill the whole thing or we can fix the worst of the worst. Mr. Fullenkamp: Do you have a price for that? Mr. Keaton: Yes, I do. Mr. Fullenkamp: What's that price? Mr. Keaton: The price for the worst of the worst depending on the linear footage if we just do the several sections up near the east end where it is really rough when you first come in you are looking at around \$30,000.00-50,000.00 price range to mill because there is several 1,000 linear feet even just with the rough, rough stuff. Now if we do this in house, we are looking at me renting a mill and I put some of these numbers together for Mark with personnel costs, with our wages defined in that, with the square footage of material we will need you are talking probably in the neighborhood just to do that out there, I can't

Thursday, April 19, 2018

remember what my number said. I know I was going to rent a mill for \$6,000.00 or \$8,000.00. To do everything it would be a couple months of 5 day week work being done within the crew. Mr. Fullenkamp: Well we can't do that. Mr. Keaton: We would have to say no to something else that we typically do, so then we would have to have help for that. It's something we can do in house if it comes to that. We can do the worst of the worst. Mr. Fullenkamp: But again, what else do you give up? Mr. Keaton: That's exactly correct. For everything you say yes to, you say no to something else.

Deputy Mayor Lommatzsch: We need to do something before this because that opening at the gate there is going to be the public entrance to this weekend. Mr. Carpenter: That's going to be difficult and that's a lot of money. Mayor Flaute: You guys will be making some decisions and letting us know. Mr. Carpenter: I mean that's a month from now. Deputy Mayor Lommatzsch: That's right the 19th. Mayor Flaute: We might get potholes filled. Mr. Taylor: We will \$.5 million. Deputy Mayor Lommatzsch: That's going to be the public entrance and that's the way traffic is going to be directed. Mr. Fullenkamp: You are saying at the end of Spinning, right? Deputy Mayor Lommatzsch: Yes, correct. Mayor Flaute: So you guys will let us know what you are doing. Mr. Keaton: Yes, sir.

Mr. Curp: I don't know if you have been down Interstate 675 since last fall, but down around Route 48 going each direction you will see where ODOT did some paving there. What they did instead of going from berm to berm is where they had a lot of potholes where the lane lines are, they just did a strip on those lane lines and other areas they did just a traffic lane for whatever the linear footage was for where they needed it instead. Mr. Keaton: That is similar to what I was looking at doing for us. Mr. Curp: You also see that over on Interstate 70 over by Springfield. We don't have to do the deluxe treatment to get by. Mr. Keaton: There's several spots all over, but there is one spot in particular on Airway east. We could mill that area out and pave that, move down to the next really super bad area and mill and pave that. We could do that in house. That's something I could do with my guys just trying to schedule work as much as we can without foregoing as much of the other stuff we've got going on as well. I've seen the 2 foot mill and the 3 foot mill on the seams and I'm a fan of that because that is typically where your potholing happens is where your pavement comes together. It's like that kind of all over and Harshman and Woodman is getting very Springfield Streetish because of the weather that we've had and we are seeing that a lot in the seams. I'm a big fan of that Mr. Curp.

I also wanted to say the handout that I gave you guys, this is our overlay we are doing in the Brantwood project Phase I and Phase II I'm going to walk that and I'm going to pass this out with the notice of what we are doing to the residents. I figured it was a good way to get out what we are doing and what other things the City's got going on and inform them as much as a possibly could. If I heard Council right, that was one thing you wanted us to do. On our microsurface streets that get selected, this paper that you have will be passed out to all residents on those streets as well as every resident in Brantwood Phase I and Phase II project.

Mr. Fullenkamp: I want to ask a question about this potential Airway project maintenance. We have the worst of the worst, but I'm assuming what's not the worst isn't all the good either. Mr. Keaton: Yes, sir. Mr. Fullenkamp: Then next year we are going to have the same problem. Mr. Keaton: Yes, sir. Mr. Fullenkamp: So I think we need to see both the short term and the longer term picture and what the expenses would be. Like I said, I don't know how we pay for it, but I think we have to know what the options are. Mr. Keaton: Yes, sir. Mr. Fullenkamp: Thank you.

Mr. Denning: Is Airway concrete underneath like Harshman was so those seams are heaving up? Mr. Keaton: I'm going to tell you I don't know because one of the things that we will need to do and we need to implement on every road surface project is core sampling to find out what's beneath the pavement so we know if we put \$.5 million into this thing that we are not going to be wasting it because of what is beneath. Mr. Denning: That's my question because as you come down Airway it looks like there are seams in the asphalt, which I assume are coming from the seam that is below. Mr. Keaton: It very well could be. That pavement is so old that it predates me and I've been here 30 years and it predates me. I wasn't here to see

Thursday, April 19, 2018

what's underneath of it. We do need to take core samples out there before we decide to do anything on that road.

Deputy Mayor Lommatzsch: Two things, I'm concerned are we going to be able to maintain most of the time a lane through traffic on Union Schoolhouse? Mr. Keaton: Yeah. Deputy Mayor Lommatzsch: So we are not going to end up with people going through that plat like we did with the last? Mr. Keaton: We discussed it at our precon meeting and we don't them that was absolutely a must that traffic can't be diverted or be allowed to go through that plat. We had several complaints on that the last time we were doing it.

Deputy Mayor Lommatzsch: Several. The other thing is don't forget to mention the retirement party. Mr. Keaton: Yeah. Thank you for reminding Mrs. Lommatzsch. April 25th Ed Joyce and we really are going to miss this guy, he's fantastic. We are going to have our get together here and so we've got some gifts for him from us, the Service Department. We are going to have some burgers and dogs and everything else from the Road Department. I think everybody else is going to help us out with some other stuff. We are going to have that here April 25th and the time is 11:30 a.m. Mayor Flaute: We do need to RSVP. Mr. Keaton: Yes, please do. Thank you Mrs. Lommatzsch for reminding me because that is a big thing to us to lose him. He's a very valuable player back there. He's fantastic and I can't speak highly enough. All my guys, Ed in particular, have been a very positive asset to the City. He's really done a good job for you.

There were no additional questions or comments.

ITEM 15: PUBLIC COMMENT ON AGENDA ITEMS:

There were no requests to speak before Council on agenda items.

ITEM 16: OLD BUSINESS

A) ORDINANCES

I) Ordinance No. 18-O-656 amending the Personnel Policies Manual of the City of Riverside, Ohio.

Mr. Carpenter: This Ordinance is to amend the Personnel Policies Manual for the City of Riverside. It is for extending the Eligibility List and also clarifying the sick leave absences for unexcused and excused.

A motion was made by Mr. Denning to read Ordinance No. 18-O-656 for the second time by title only and approve its final adoption. Mr. Fullenkamp seconded the motion.

The Clerk read Ordinance No. 18-O-656 for the second time by title only.

There was no discussion on the motion.

Six were in favor; Mr. Curp opposed. **Motion carried.**

ITEM 17: NEW BUSINESS

A) RESOLUTIONS

I) Resolution No. 18-R-2357 setting forth appointment of Mike Hood to the Parks and Recreation Commission for the remainder of the term ending August 2, 2019.

Mr. Carpenter: This resolution is to appoint Mike Hood to the Parks and Recreation Commission.

A motion was made by Deputy Mayor Lommatzsch to approve Resolution No. 18-R-2357. Mr. Denning seconded the motion.

Thursday, April 19, 2018

There was no discussion on the motion.

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

II) Resolution No. 18-R-2358 setting forth appointment of Eva Lewis to the Health and Safety Commission for the remainder of the term ending August 2, 2019.

Mr. Carpenter: This resolution is to appoint Eva Lewis to Health and Safety Commission.

A motion was made by Mr. Denning to approve Resolution No. 18-R-2358. Ms. Campbell seconded the motion.

There was no discussion on the motion.

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

III) Resolution No. 18-R-2359 authorizing the assessment of delinquent charges for the cutting and removal of weeds, trash, vegetation and/or grass to be placed on the Montgomery County Property Tax Duplicate.

Mr. Carpenter: This resolution is to authorize the assessment of delinquent charges for the abatement that takes place on properties.

A motion was made by Mr. Denning to approve Resolution No. 18-R-2359. Deputy Mayor Lommatzsch seconded the motion.

There was no discussion on the motion.

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

ITEM 18: PUBLIC COMMENT ON NON-AGENDA ITEMS:

Mr. David Mahaffey of Bushnell Avenue requested to speak before Council regarding zoning.

Mr. Mahaffey: I got a letter in the mail. I bought a new truck which is a 2011 box truck; it is a Penske. Jeremy took a picture of this and sent it to me. This is the letter he gave me if you guys want to read it. I also talked to him. He said you have to make out a letter to appeal it because I said I wanted to appeal it because I can't see why I can't park it in my driveway. I live on Bushnell. I have a long driveway. It is all black top and I've got a garage and everything. I've got a picture I will show you where I park it at. I can't understand why I can't park it.

Anyway, I made out a letter and brought it over here. They gave them to Emily and she's like if you appeal it costs \$200.00. I thought \$200.00 to appeal it. No one said that to me. So I said I have to get back with you. I called her and left a message 4 or 5 times last week. Pam answered the phone and Pam said she is at her desk let me send you back to her. She sent the phone back to her. I came in one day because I also came in to see Tom and he was great. Anyway, I came in one day and Pam said she won't be here until 11:00 or 12:00; this was like 8:00 or 9:00 in the morning. Anyway, I left a message then for her to call me. She never called me back. I called here, Pam answered the phone, Pam said she is at her desk let me send you back there. It went to her voicemail, I left another message and never got a call back. Why the heck she can't call me back I don't know, but I can let you look at this. She never has. I haven't called this week, but I still never received a call back from her. I don't know why.

I don't know when the meeting for appeal would be or how I could go by leaving my truck in my driveway. It's a one ton truck, 3500 series. I will show you this and I will also show you the picture where it is parked at. I just don't understand why we can't park it in the driveway. I called and they had told me if I park it in the back of my

Thursday, April 19, 2018

house it would be fine. Does anybody want to see this? The City Manager? When I parked it like this, I came home late that night and I didn't get a chance to put it behind the fence. That's where I park it at. I only had it for a month now. The title said it is a motor home, but the title place changed it to truck and told me I had to buy commercial tags. People say why do you have to buy commercial tags? I don't know. Ms. Campbell: You are allowed a one ton truck, right? Mr. Mahaffey: I don't understand why I couldn't leave it there. I live in the neighborhood in the Valley Plat right off of Valley Street on Bushnell and everybody knows how that is. I've lived there all my life, so it is okay. Mayor Flaute: Alright, sir. Someone will get with you in the morning.

Mr. Fullenkamp: I want to make a comment. I have looked into Mr. Mahaffey's situation. I saw the letter that was sent to him. He was cited under the UDO, but they stated the appeal process was through the Property Maintenance Appeals Board and that's what the letter says. When he came in, they stated and I don't know if there are any fees associated with the Property Maintenance Appeals Board, but I know there is a \$200.00 fee to appeal to the BZA. The letter states that he should appeal to the Property Maintenance Appeals Board, which isn't right. I mean it is not correct. He was cited improperly and given the wrong process to appeal in his letter because when he came in and again his letter states Property Maintenance Appeals Board and then somehow this has turned into a BZA case, which it should be and I understand that. In the paperwork we sent him, we told him to appeal to the wrong Board. I'm concerned about that. I'm also concerned about phone calls not being returned. I don't know how we are going to handle this. I find it odd that a box truck is treated very much differently than a recreational vehicle. Mayor Flaute: Unless the commercial plates are a problem.

Mr. Fullenkamp: I've read the Code and it is one ton or above is considered a commercial vehicle. Industrial load capacity one ton or above, which means that Jay is not even allowed to drive his F-250 home. Mr. Taylor: That's one of the criteria and depending on which section you are reading out of our Code. Mr. Fullenkamp: I'm reading the section that applied to him. Mr. Taylor: It also includes if your truck has been modified. If it came from the factory and it's a chassis and you put a box on it. Mr. Fullenkamp: It's a cut out. No, I've read the Code. There are three or four section in there, one or two or three which might apply in this case. I know we differentiate between recreational vehicles that are much larger than this truck than this and we allow them to park. I'm concerned that we didn't spell out the appropriate appeals process to him and then not returning phone calls, I'm getting tired of hearing that and it continues. Mr. Taylor: That doesn't play a part in it. Mr. Fullenkamp: I know there was a BZA case where they did allow a person with a commercial vehicle just recently. Mayor Flaute: Someone will get with you probably tomorrow morning and we will figure out what is going on. Mr. Curp: Who is going to get with him because if he can't get phone calls returned. Mayor Flaute: I would suggest the Manager or make sure Mr. Taylor does. Mr. Carpenter: Mr. Taylor can contact you. I'm going to make copies of this and I will get them to you.

Mr. Mahaffey: I would also like to say I got ahold of Tom about taxes and he helped me out very good. Mayor Flaute: Good. Thank you for saying that. Mr. Fullenkamp: Thank you.

There were further comments and no additional requests to speak before Council.

ITEM 19: COUNCILMEMBER COMMENTS:

Mr. Curp: Over the past number of months, we have been talking about planning and all those kinds of things. We have now started talking about a business retention program and as part of some of those conversations we talked about not wanting to reinvent the wheel because we have tons and tons of this stuff. I think one Council member at the last meeting said he'd like to see some of this stuff. I dug out a few things.

To start off with this is the Business Retention and Expansion Read Out Report. This is from 1996. DP&L was part of that enabling program. The interesting thing about this is not only how formal the report was, but when you get inside the cover it lists

Thursday, April 19, 2018

the people who were participants and there were quite a few and they were from all walks of life, Council Members, Department Heads, Community Volunteers, School Superintendent, people from DP&L. That's from 1996.

1997 City of Riverside Business Base Analysis prepared by the Center for Urban and Public Affairs from the College of Liberal Arts at Wright State University. They did an analysis of the types of businesses that we have in the community and the types of businesses that we should be looking at recruiting that would complement the businesses that we have.

In the year 2000, the City of Riverside Development Options Study and again this is from Wright State University.

In 2003, this is the Center of Flight Development Study from Hi Five Development Services. The good thing about this is at the time it included an Economic Feasibility Study from Dr. Robert Premus, who was at that time a Professor of Economics at Wright State taking a look at what should fly, what could fly in that area.

2004 Strategic Marketing Plan for the City of Riverside put together for us by the Miami Valley Marketing Group. It has MARCOM material.

Then in 2005 the Comprehensive Plan Update for the City of Riverside done by Oxbow Engineering out of Oxford, Ohio. Then in 2005 City of Riverside Strategic Plan addressing housing and community appearance.

In 2007 another City of Riverside Branding Program for our community followed by in the timeframe 2005-2007 the Aspire Program I think put together primarily by ALT Architecture Firm out of Yellow Springs.

I'll leave these with the City Manager. I don't have anything from after 2005-2007ish because you know I left at the end of 2007. We had a new City Manager come on board at that time and things just kind of seemed to stop. I didn't have those kinds of programs anymore or looking at those kinds of programs except for we brought in a number of firms to take a look at the Center of Flight, so I have about four or five of those at home. These things are kind of important because you take a look around and say these are old and that's not today. You look around at the community and it looks just like it did back then. Nothing has changed, which is kind of interesting because in our emails this past week one of the things the Clerk sent us was the Agenda for the Planning Commission meeting and in there were two sets of minutes. I was reading through those sets of minutes and it struck me in one of those sets they were talking about whether to do an update to the UDO or whether to do an update to the Land Use Plan. There was a comment to the effect and you can go back and read it yourself that they didn't know whether doing an update to the Land Use Plan was that worthwhile because they never follow it anyways. I was trying to figure who "they" is because we haven't had any development in this community for a long, long time except for residential, Cherry Creek, Valley View, and Brantwood. Other than that, there is no new commercial development of any kind. There has been very little rehabbing or renovation of old space to bring new tenants in. I don't know who "they" is who hasn't been following the Land Use Plan because we haven't done anything in this community for a long time as far as development. Even though these are old, I think they provide or can provide a good foundation for moving forward because it could cut out a lot of work and get us moving a little quicker. That's all I have. Mayor Flaute: Thank you, Mr. Curp. Thank you for digging all of those out.

Mr. Fullenkamp: I want to follow on what Mr. Curp said. He said some pretty important things regarding what has happened in the last 20-25 years since we have been a city in terms of economic development and of the city growth. In fact, we have gone backward in many cases. We have lost jobs and literally it is worse than it was than when we started as a city. I've seen no motion either when I was off Council or even the time I've been on Council. I've seen no motion that has any impact. We talk about plans, but I never see an implementation of a plan. I never see an effort. We have all these binders of information and so what? So what? I mean I don't care if we change the UDO 100 times or change the Land Use Plan 100

Thursday, April 19, 2018

times. If we are not going to take it serious as a community, we are not going to attempt to implement something it doesn't matter.

We are sitting here spinning our wheels and I have my own concerns about why this is happening. I'm not going to talk about that tonight, but the perception that I see in this community and this is from the residents is "What have you done? You can't even maintain the streets." So I don't know how we light a fire under anybody including us to actually get on the ball and try to make a difference because the path we are on right now, the trajectory we are on right now and now we are talking about more money just to repair streets I'm concerned. I'm concerned about what we are going to be in a year or two in terms of financial and in terms of our infrastructure and the ability to grow anything. I keep hearing the excuse we have all these competitive neighbors, we've got Beavercreek that doesn't have income tax, we've got Kettering and we've got Huber Heights. Well those things aren't going to change. Those things are a constant. Actually I've thought about what if Beavercreek puts in an income tax? Well we immediately get hit with less income tax at that point because we have a lot of residents that work in Beavercreek and now all of the sudden we will only be pulling in .75% from them. We don't have a plan and we need to develop something. Not only do we need to develop a plan, we need to do something to implement these plans and whether we make a mistake or not going forward, I'm less concerned about that than just doing something. That's all I have. Ms. Campbell: I just gave the Manager a couple ideas and he's going to check it out. Mr. Fullenkamp: Okay. Thank you.

Mr. Denning: Mr. Mayor, you said you had an old strategic plan, which Mr. Curp took care of economic development; well a lot of that was economic development. You said you had some old strategic plans or updates or something like that. Could you possibly dig those out for us? One of the things that we tasked the Manager, but I think we need to start from something and maybe we need to just update and it wouldn't be nearly as costly as trying to start over. Mr. Fullenkamp: Well there is a 2005 Strategic Plan that I thought we all had. Mr. Carpenter: Yeah, the Comprehensive Plan. Mr. Denning: That was an update. It wasn't the original. Mr. Carpenter: It was one of the plans Mr. Curp has, the Comprehensive Plan. Mr. Curp: That's Land Use Plan update. That's not the Strategic Plan. Mr. Fullenkamp: I thought there was a Strategic Plan too. I will have to look and see what I have. I don't have the documents, so I don't know exactly what you have. Mr. Denning: I think there was a Strategic Plan back in like 1996 or something in that timeframe. Mayor Flaute: I will see what I can find. Mr. Denning: I thought that was one of the first things the City Council did when we became a City was to put that together. Mayor Flaute: I will see what I've got.

Mayor Flaute: Okay, I just have a couple things. I've done three weddings, so we will keep doing them. I was requested to help the Search Committee at Wright State to make recommendations for the Executive Provost Candidates, so I am actively doing that. I was volunteered and accepted to review on the Review Committee for all the Gun Control Legislation that is coming down from the Legislature. I know that is a political hot potato, but I don't care because I am very interested in Gun Control Legislation and so I'm working on that. I had a successful Mayor's Community Prayer Breakfast sponsored by Hope4Riverside. It went very well. We had about 75 people attend, so it was good. Of course those who went to the Miami Valley Regional Planning Commission dinner was a very effective evening there. The last thing was called a Kaboom Revealing. Kaboom is a company that has worked with the National League of Cities for many years and so I was introduced to them at the National League of Cities Conference and they were looking for communities with a lot of military involvement to do this grant that they have. So Montgomery County Public Health put out a request for everybody to have some suggestions and so I put that email out to all of you and Deputy Mayor Lommatzsch said why don't you check with Beverly Gardens, so I forwarded that to Beverly Gardens. Yes, they did get the award. It is a school STEM playground stuff and it is really cool stuff by CarMax. Thanks Deputy Mayor Lommatzsch for reading that email and suggesting they do that. It was quite an interesting grant opening over there for that. Benefits from National League of Cities, it is there and it is real and it can help.

Thursday, April 19, 2018

Deputy Mayor Lommatzsch: IN Crowd is Monday night at China Buffett if anybody is interested in joining. It is always good food. Mayor Flaute: \$10.00-12.00, we aren't sure. Come on down. Mr. Denning: It is \$12.99. Mayor Flaute: So many Riverside businesses and residents come to these things and the Chamber is just doing a great job with that.

There were no additional comments from Council.

ITEM 20: EXECUTIVE SESSION:

A) Personnel Matters – Section 103.01(d)(1): *To consider the appointment, employment, dismissal, promotion, demotion, or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.*

A motion was made by Deputy Mayor Lommatzsch to enter into executive session. Ms. Campbell seconded the motion.

A roll call votes was as follows: Deputy Mayor Lommatzsch, yes; Ms. Campbell, yes; Mr. Curp, yes; Mr. Denning, yes; Ms. Fry, yes; Mr. Fullenkamp, yes; and Mayor Flaute, yes. **Motion carried.**

Council entered executive session at 9:07 p.m. and came out of executive session at 9:50 p.m.

ITEM 21: ADJOURNMENT:

A motion was made by Mr. Denning to adjourn. Deputy Mayor Lommatzsch seconded the motion.

There was no discussion on the motion.

All were in favor; none were opposed. The meeting was adjourned at 9:50 p.m.

William R. Flaute, Mayor

Brenna Arnold, Clerk of Council