

Thursday, February 15, 2018

**ITEM 1: CALL TO ORDER:**

Mayor Flaute called the Riverside, Ohio City Council Meeting to order at 6:02 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; Emily Wheeler, Planning and Program Management Department; Daniel Stitzel, Fire Chief; Jay Keaton, Service Department; Brenna Arnold, Clerk of Council, Stephen McHugh, Legal Department and Dalma Grandjean, Law Director.

**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 Mr. Denning to accept the agenda as revised. Deputy Mayor Lommatzsch seconded the motion.

There was no discussion on the motion.

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

**ITEM 6: WORK SESSION ITEMS:**

A) Park Event Overview from Chris Lohr, Assistant City Manager

Mr. Lohr: Good evening. I'm back here for the second year for park events. I think it got a lot of positive feedback last year and was a lot of fun. We are going to do some more of the same and add to it next year. Hopefully we will get a lot of continuing feedback from the community. I want to start with just the overview calendar of events for the year. We are going to do some similar events as we did last year. We are going to do Music in the Park in Shellabarger similar to last year, Family Fun Fest, the picnic, and the Movie Night. One addition we are making is an idea that came up through the Parks and Rec Commission we are calling Maytoberfest. It's kind of common sense, Octoberfest, but in May. We will kind of bring that fun to another part of the year.

Maytoberfest is Memorial Day weekend from 11:00-2:00. It is going to work out real well for us because we have the inside of the building if it rains, which was something that had me terrified last year that we were going to have the events rained out. I have been talking with a polka band. I'm going to have to negotiate their rate down a little bit, but I think I can get them to show up. I'm working on some food trucks and I have also been talking with Eintracht about the possibility of serving food. I don't know if they will need to, but also having beer and drinks that will be kept just on the inside of Eintracht in the Beer Gardens, which we will have fenced off so the majority of the park will be free of beer and family friendly. One of the things that is not on here and Lori and I just talked about recently is we want to highlight the use of the river and the boat launch that we have there. We are going to try to put together a canoe and kayak event that will start somewhere upstream and then end at the Eintracht so people can come pull their boats in and enjoy the party there.

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Mayor Flaute: On May 19<sup>th</sup>, my calendar also says that is Armed Forces Day.  
Deputy Mayor Lommatzsch: Right here is says May 28<sup>th</sup>. Mayor Flaute: This says May 19<sup>th</sup>. Ms. Arnold: On the previous slide. Mayor Flaute: Yeah, go back one. Mr. Lohr: You and I had spoken about doing May 19<sup>th</sup> because there was a National Parks and Rec Day, right? I'm sorry. We had considered that, but it wasn't going to work out. It is May 26<sup>th</sup>. I tried and I think Mr. Mayor you can help me with the name of it, but it is a national get kids out in the park day. Mayor Flaute: Get Kids in the Park Day. Mr. Lohr: We tried to make this event work there. I actually tried to bring the second event, Music in the Park, I thought I could bring that one back to May 19<sup>th</sup>, but that wouldn't work out either. That's why we are on May 26<sup>th</sup>. Mayor Flaute: Okay. Thank you.

Mr. Lohr: Music in the Park is going to be in Shellabarger again. I have spoken to the Band 5, who was very popular last year and lots of people liked. They are very excited to come back and do that again. I tried my best to talk Chad at the school district into letting us use the auditorium if it rained, but that was a no go, so we are going to do a rain date the week after that if we have to. We will keep our fingers crossed. I am working with the school on the possibility of making that a fundraising event for one of their charitable groups. I think it may be the music boosters who may accept donations for parking across the street and we may do concessions. I thought they are nice enough to let us use their parking lot, which is important to us for the event, so let's figure out some way to partner and help them out with that. We haven't set on the exact group or exactly what they are doing, but we are going to try and help out the school district that way.

Deputy Mayor Lommatzsch: If it is Music in the Park, some of the music groups ought to perform. Mr. Lohr: I think that is a great idea. Deputy Mayor Lommatzsch: If it is going to make money for them, it also brings out people. Mr. Lohr: It does and that is something we have discussed. I think you are right, if we can get a chore group or a small band group, all of the parents will come out and that will just make the event larger. I will see if I can make that work out.

Family Fun Festival we are going to do at Community Park again. It is going to be 11:00-2:00 on July 7<sup>th</sup> with a rain date the following week, so on the 14<sup>th</sup>. We are going to theme it this year and it is going to highlight our history of innovation. We are going to try to get some interesting activities relating to aerospace technology and sci-fi. It is kind of a compromise, Mr. Denning, from what we have talked about. Mr. Denning: If you want to go downtown this weekend and talk to the RFL about their Kid's Day that they are having at Sinclair and get them involved in real science and see if they will come to this. I'm sure they would in the middle of the summer, which is a good time for them. I'm good with that. To try and move toward sci-fi or aliens, you might look for a new city to get a job. Mayor Flaute: Wow. Okay. Mr. Lohr: Certainly it would be done respectfully in a way that represents us. Mr. Denning: Respectfully. If it is STEM science and stuff like that, I get it and I'm all for that. This Council has more or less already said. To try and finesse us into that direction indirectly, I think we don't have blinders on. Please don't try. Mr. Lohr: I don't know that I would have the skills to finesse you into that. We had tossed around some ideas about maybe if the kids want to do an alien or sci-fi or science themed costume to come as an astronaut or if you want to come as an alien or something like that, it might be fun for the kids.

The main thing is the aerospace and technology. I would love to get somebody out there with drones. If we could have drone races, I think that would be fantastic. Mr. Denning: You may talk to Sinclair about that also because they have their classes. Mr. Fullenkamp: You also have the hobby shops that do this around here. We have two hobby shops that do this. It's an opportunity for them. Mr. Denning: They may each have teams and have them do a face off against each other. Mr. Lohr: That would be great. I sent an email to the one over here in the strip mall on Harshman, but I will have to go down and talk with them. That's what we are looking at for the Family Fun Festival.

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The Neighborhood Picnic, we had this last year in Drennen Park and we are going to move it to Rohrer Park just so we give them the opportunity to come out in that community and hold that event there. We are going to do 12:00-2:00 on July 28<sup>th</sup> with a rain date of August 4<sup>th</sup>. We are going to do hot dogs, chips and drinks, and games. We are thinking about trying to get some sort of fun competition between Police and Fire. The City Manager's thought was something like a basketball game. Mr. Denning: You want to get them in the park, do kickball. Mr. Lohr: Kickball would be fun, something fun. Mr. Denning: It doesn't take a lot of athletic ability, not that they would necessarily need that. We could also get involved. Mr. Lohr: That's true. We are looking at some sort of fun event. Deputy Mayor Lommatzsch: Speak for yourself. Mr. Denning: It is something the community would come out and see and it would be more fun based rather than athletic based. Mr. Carpenter: The other thought was to have part of team Police and part of the team would be kids. Mr. Denning: Again, kickball would be perfect for that. Mr. Carpenter: That's a good idea. Mayor Flaute: Volleyball would work too. Mr. Lohr: I think there is more than one good option. The idea is to make it as interactive and as fun as possible.

Something that I missed that I want to talk with you about is we are going to try to do to encourage attendance at the events is to look at some sort of raffle or some sort of giveaway just within the Parks and Rec budget that we have for the events. If you come out, you get your name in a raffle for a gift card or something fun. It could kind of draw those people out and kind of reward them for participating and that sort of thing.

Movie Night, we are going with the movie Ferdinand this year. I don't know if anyone has seen it. I haven't, but I have read all of the reviews and made sure it was a good movie. It is a story of a bull who is a lover, not a fighter. It is based off of a book in the early 1900's and a movie. It is a cute movie. It is going to be August 25<sup>th</sup> 7:00-9:00 with a rain date a week later. We will do popcorn and drinks and we are doing this one in Drennen Park. We have to do a little bit of electrical work and get a dropdown off of that one telephone pole up front. Last year we did the picnic, which was really nice, but we didn't have much to work with in that park just because there isn't much there. We could do a band or anything like that, so we are going to make it happen.

Mr. Denning: Couldn't you just use generators? Mr. Lohr: Yes. Mr. Fullenkamp: How much are we spending to upgrade the electrical service for this event? Mr. Lohr: I still have to get quotes, but we are thinking between \$500.00-1,000.00. Mr. Denning: For \$400.00 you can buy a generator and then you have it for multiple events and it is not a single park. Mr. Fullenkamp: For \$50.00 you can rent one. Mr. Denning: The Fire Department has them. I've got one. I'm sure half a dozen people out here have one. Ask for one and someone will donate one for at least the night. Mr. Fullenkamp: Art's is right there. Mr. Lohr: We did some electrical work in the Shellabarger Park shelter last year. My thought when we did that, and that was a part of the Parks and Rec event budget is that we could have the event and at the same time enhance the facilities that we have at the park. The thought of adding the electrical was we can add something to Drennen Park that will be permanent and kind of two birds with one stone. Mayor Flaute: The problem with a generator is you are listening to a movie, so you don't want to listen to a motor that is going on. Mr. Denning: If you have the extension cord far enough away, you won't hear that. Mr. Lohr: We will take a look at it and I will talk with the City Manager and see what is most cost-effective in making sure we can have that movie there. That is the last event. Are there any questions?

Mr. Denning: I do have a couple. The Eintracht Maytoberfest on the beer sales, who is making the money off of that? Mr. Lohr: They would be selling and making the money off of that. Mr. Denning: So, the Parks and Rec gets no portion at all? Mr. Lohr: At this point, no. Mr. Denning: I think you need to renegotiate that, if you are bringing the crowd. I get that they have the license, I get that they pay for the beer, I get that they are going to serve it, but you should get a portion of it. Mr. Lohr: I will talk to them about it. They were very interested in having food. Mr. Denning: They don't necessarily put their money back into the community in any other way. Mr. Lohr: They were very interested in having the food sales as well. I know the input that I got from the Parks and Rec Commission and some of the staff that I talked to

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just informally was they would prefer food trucks. That's where we are going, but we can definitely talk about them making money. Mr. Denning: I'm not saying they don't make money. I'm just saying share. Mr. Lohr: That's fair. I will discuss that with them. Mr. Denning: That could help pay for your electric at Drennen Park.

Mayor Flaute: You don't pay the food trucks to come in. Mr. Lohr: No, they just come in and make money off of sales as well. Mr. Fullenkamp: Well, why not apply the same standard? Mr. Denning: Are we going to charge them to show up? Mr. Fullenkamp: Don't push the Eintracht so they say they are not interested. It may be worth so little to them that they go into a sharing of profits mode that they won't. Mr. Lohr: It is worth discussing though. If they are just doing drinks, I don't know how much money they would make. Deputy Mayor Lommatzsch: Food trucks don't usually pay for the privilege and on Memorial Day weekend with Riverscape and all of the other things going on that weekend. Mr. Lohr: It is busy. I've got one food truck confirmed for it. Of course like I said, Eintracht is interested in doing food. If that falls through, we've got them to provide.

Mr. Fullenkamp: I want to make a point. Let's let the Parks and Rec Commission drive this event, not us. Let's let them make these types of decisions. That's how I feel about it. Mr. Lohr: Which decision in particular? Mr. Fullenkamp: Are we going to ask to make money off of this deal? Let's let them make these decisions because if it is going to turn into revenue for them, then I think it is appropriate for them to be involved in making those decisions and that you follow that same template that primarily making the decisions on how these events are put together. That's one of their purposes, right? Mr. Lohr: Sure. Mr. Fullenkamp: I say let them do their job and see what we end up with. Mr. Lohr: I can discuss the sharing of funds at the next meeting. Of course, Parks and Rec has discussed this the last two months in putting together the schedule, so they have been involved with it. Mr. Fullenkamp: I know, but these details I think could be another discussion for them to have.

Ms. Fry: A comment, you had mentioned earlier you are going to be trying to drive higher attendance. I would put out there or suggest that you look at civic organizations in the community you could partner with to drive their membership to the event. It's something to consider. Mr. Lohr: I think that is a great idea. That's kind of what we were looking for with Parks and Rec and the music boosters or somebody with the school. I think that is something we could try to do with each of the events.

Mayor Flaute: I am pleased to see that you are moving different events to some of the different parks. I'm just wondering about this Music in the Park. It was successful, you had a rain date and I understand why we want to go back there, but maybe next year talk with the parks and maybe we need to move that so that the other parts of the city would get involved more. Just talk with Parks and Rec. Mr. Lohr: We discussed that a little bit. There are some concerns. The parking lot across the street at Shellabarger at Saville Elementary is really an asset for that type of event. There are definitely ways we can make that work elsewhere next year or the year after. Mayor Flaute: It's a really cool event and it would just be fun to have it maybe at a different place.

Mr. Fullenkamp: Another comment, maybe it is not a great idea to move them all over town. Maybe we need to select a centralized like this area and have these events here so we are not just serving one community at each of these events and we are serving the entire community and there is some consistency where these events are held. Most communities I have looked at have one place where they do these types of things. In Fort Recovery, they have a little place right on 119 headed into Portland and that's where they hold all of their events, their musicals, their plays, and presentations. People know where to go. That's a smaller community obviously, but there are actually three parts. If you are going to have an event that just serves the Avondale neighborhood and then the Shellabarger neighborhood, I don't know that it brings a community together. I think that is one of the things we have to shoot for here is how we bring all these neighborhoods together and get to know each other a little better. That's one of the things is we have these disconnects. I'm not saying for this year, but long term maybe we need to think about that aspect of this. I don't want them to be just neighborhood events. I want them to be community events.

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Deputy Mayor Lommatzsch: We need to focus on that they are not neighborhood events and that they are open to everybody. Mr. Fullenkamp: I know. Mr. Lohr: It is definitely something worth talking about. I know last year we had set ourselves a goal of doing an event in each of our major parks. That lends it to moving around the city. It is worth talking about and seeing what is the best thing for upcoming years. Mr. Denning: The first step is to get used to us doing anything. Then once they are involved in it, if you want to centralize it that is what you do. If you build it, they will come. They need to know it is happening. Mayor Flaute: Thank you, Mr. Lohr. Thanks to our Parks Commission for all of their work.

There were no further questions or comments.

B) Cities of Service from Lori Minnich, Economic Development Specialist

Mrs. Minnich: I want to thank you for setting the foundation for my presentation. The last 10 minutes lends itself very well to what we are going to talk about. We have a new word, Riverside Connects. Cities of Service when introduced in September, I need to step back and define more of what we are doing and it is not just a volunteer program. That's a word that a lot of people get hung up on, it has a connotation of volunteer and the word is meant to differentiate between a staff member or a Council member and a volunteer, who we are going to define as a resident or citizen who wants to become more engaged in our community.

Council member Fullenkamp said disconnect, I think. We have a disconnect in our city and a lot of that has to do with that the citizens and Riverside do not engage a lot. The Cities of Service program, we are going to name ours Riverside Connects, and we have four same program goals that we defined in September and the purpose of why we are doing this and why we are driving this. The leadership and stakeholders are in the center column and that's our foundation and without that support and recognition from those stakeholders and the leaders of our community, this probably won't work. That's very important and I will answer some questions about the service plan groundwork that we are starting off of, just to give you an update, the citizen's survey needs assessment.

On this side of the fence, we decide what we think the city needs, but do we ever ask the citizens what they think the city needs? With a new tool we have, Constant Contact, we can drive online a survey and we can ask citizens what they would like from the City and what they think we need in our city. It is a great way to engage what their thoughts are. The Directors I have been meeting with from the departments assessing what their needs are, explaining what the Cities of Service or our Riverside Connects program is going to look like. The impact service strategies are part of Riverside Connects, so you have the high level, which is the actual service program, and then you have service strategies that we outlined, which are the needs of the community. What do we need to do? Then the driving piece is the volunteers. Those volunteers look like and sound like residents. They are engaged in the community and they want to make a difference. I don't want to get too hung up on the word volunteer. The Volunteer Riverside program and I am open to new names if anyone wants to come up with something, the groundwork will also be the marketing and the PR for this program.

This is the same slide with the same information that we introduced in September with the Volunteer Riverside mission. This is an actual initiative of our Riverside Connect program. I don't think I need to read it. Are there any questions? This is open for change because the mission and the vision was something that I defined after talking with Bob about the initial volunteer program and talking with Mark about the program. This can be redefined and reworded and restated. This is a sample program of what a service program would actually look like, Love your Block program. Support would be through Volunteer Riverside and what I would also like to define is this program does not take away from the established Commissions and Boards, it supports them. If you have right now about 32 citizens in the community that are engaged on Boards or Commission, that leaves about 63% of the appropriate age citizen in our community who are not doing anything. We are going to try to change that.

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This is just an update of where we are on our project timeline. What February has brought in it will bring and what we will do in March to launch more of this program, and then in April Chris and I will be working together on the park activities that are going on. Our first project will be to try to recruit or train volunteers to assist the Parks and Rec Commission achieves what they have outlined for the Parks and Rec for 2018. Questions? Mayor Flaute: Thank you, very much.

There were no further questions or comments.

Mayor Flaute: That was fast. Is there anything else you would like to do during the work session? Mr. Carpenter: Sure. I have some things I could talk about during the Manager's Minutes and I could bring them up now. Mayor Flaute: Great. Let's do that. Mr. Carpenter: Let me start with the Valley Street Sidewalk program. I sent an email late today, so I need to restate that we applied for an OPWC grant in 2017. We learned we were unsuccessful for the project in 2019. During the 2017 calendar year, we had authorized working on the appraisals and negotiating prices for right of way takes. We were in the process towards the end of 2017 and then in 2018, we didn't budget for the right of way takes because we didn't know what we needed at the time.

Recently, we have learned what is believed to be the maximum cost to finish or complete the right of way takes. I have put it on the appropriation ordinance here today. I think it is important that Council be aware of where we are with that project and direct us on how you want to proceed. The right of way takes to finish that portion is approximately a maximum of \$16,500.00 is what the engineering firm is telling us and the construction would be in 2019. The estimated dollar amount and this is where if Council would rather do a work session next meeting, we can give you a lot more background and information because I know we have a couple Council members who haven't been involved or maybe don't understand a lot of the history of this. The estimate right now for that sidewalk portion of Hypathia to McDonald's is going to be somewhere around \$340,000.00. That's where we are at the moment. Staff is considering applying for a CDBG grant to offset those costs. We are going to try to exhaust other options if we can't get some businesses to get involved. We have talked with Choice One and they are throwing out the name Cargill to possibly donate. I don't know if that is something they do, but that was something we talked about two or three weeks ago and I don't have an update on that. That's where we are today. Construction is next year, so we have to decide how we want to proceed.

Mr. Denning: If we didn't get the grant, why is construction next year? Mr. Carpenter: That's because the original grant was a federal grant. That still is applicable. Mr. Denning: Okay, so we just didn't get matching money to lower our costs. Mr. Carpenter: Yes. Mr. Denning: So our portion is how much? Mr. Carpenter: We are estimating \$340,000.00 at this point. Mr. Denning: Is the cost of the total project? Mr. Carpenter: No, that would be our share. Mr. Denning: What is the cost of the total project? Mr. Carpenter: Like \$500,000.00. Originally, it was \$600,000.00. I don't have all those numbers offhand. Mr. Denning: I thought it was \$900,000.00. Mr. Fullenkamp: I think we are currently with this cost at about \$650,000.00 for that project. Mr. Carpenter: Recently, we went back and tried to look at these numbers and we are down to around \$500,000.00 as a maximum for what we believe. Mr. Fullenkamp: I would like to see those numbers. Mr. Carpenter: That's where I think it would be wise that we do a work session next meeting and just walk through where we are.

Mr. Fullenkamp: I have talked to you about this and I have sent an email to all of Council last night regarding these bids. I have a couple of concerns that I want to bring up. Number one, I don't know who thought there was a reasonable likelihood that we would win this OPWC grant. When I looked at the scoring and the ranking, we were out of 46 projects #46. I don't know who thought there was a probability of us winning this grant. Mayor Flaute: It's not important right now. It's whether we go forward with it or not. Mr. Fullenkamp: Well it is because I am wondering about if we are going to decide to go for a CDBG grant, are we going to evaluate it the same way or are we just going to take another flyer? Mr. Carpenter: It wasn't done in a silo. We had a consultation with our engineering firm and going back and forth and it was thought that we had a chance.

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Mr. Fullenkamp: We had a chance, okay. The other thing is I have a concern that we don't see these results in a timely fashion. The staff knew about this at the latest January 9<sup>th</sup> or in that ballpark. Now in your email today, you told us it was a verbal. I don't care how they notified us, but we should have known right away. This is a big project and this is another \$300,000.00 that at this point, we don't have. I'm not sure it is a good idea to move ahead with acquiring these right of ways. If we don't have the money to move forward, why are we going to continue to invest in a project that we don't have the money to do right now unless we are going to make some cuts somewhere else? Mayor Flaute: We had the discussion of if we don't do it we are going to lose points. Mr. Fullenkamp: We had the discussion also when we lost the OPWC the question was asked by a former Council member, if we lost the OPWC grant what would happen. They said we will drop it. Now it is being revisited and maybe that is because of the change in makeup of the Council. I don't know. \$500,000.00-700,000.00 for a sidewalk, I'm not sure how well it serves this community when you look at the condition of the roads and another \$300,000.00 is what we are spending on residential streets right now. Let me finish. I know you don't want me to say these things. Mayor Flaute: I'm just trying to keep us on track. Mr. Fullenkamp: We are and we have time.

I'm concerned that we are continuing to creep forward and I'm concerned how we made these decisions and I'm concerned that we don't find out in a timely fashion when these awards are either denied or made. We keep putting money into this thing and I don't even have a cost/benefit analysis of what the benefit is on this. We know what the cost is going to be, so what are the real benefits. We entered into this originally as a Safe Routes to Schools plan where it was 100% funding and we have continued this drip of the cost of the City increasing. Those are my points. The rest of Council can do what they choose.

Mr. Denning: My issue is when we started it, like Mr. Fullenkamp said, it was 100% reimbursable. Now our portion is more than 50% of the total, so it doesn't make a lot of sense to me. When I originally voted to get the OPWC and all of that, it was to get the price down and that we would only pay like 30%. Now we are up to over 60% or maybe 70%. Does it make sense? I know the area needs it, but there are sidewalks across the street and for such a short area to get sidewalks. If the answer is we are going to assess the trailer court for the section that is in front of them and we are going to assess that vacant property for what is in front of it for the 60% or whatever that we have to pay, I might be willing to go that direction. For us to get in there at this point, it may be time for us to say we know it is going to cost us to get those right of ways a little more in the future, but we've got this many in the right of ways and we have this much done. Stick it on the shelf, it will still be there and that information we will be able to dust off and move it forward. The prices may go up a little bit, but maybe it is time to cut our loses and take that money that we had budgeted for that and put it in to real streets maybe in the same area. That's my opinion.

Mr. Curp: I will go back to what was mentioned already. One of the problems with this project was the scope creep that occurred. It started off as a simple sidewalk and we ended up with drainage, curb and gutters, and retention walls. The scope of the project just got up to an enormous dollar amount and then we end up not getting the grants and it seems to be business as usual instead of taking a look at what our financial situation is and addressing why we would want to continue with this at this point in time, if we don't have grants to significantly cover the cost of doing this as we had talked about when we initially went into this thing.

Mayor Flaute: We need to fight OPWC or whatever. If they are going to take away points because we changed our mind on something, that's kind of an infringement on Home Rule. I think that is not something and I think that is something we need to fight when we go for the next thing. If they want to take away points just because we changed our mind because of the all the reasons we are hearing up here, I think that is silly. I was on the fence when we talked about it the last time because I really don't want to lose the Woodman Drive Bridge. I really don't want to lose that, but thinking about it dag gone it we have the right to make some decisions here. We have a right to change our mind here. If we start losing points because of that, we need to go have a meeting with the guys and say all the things we are talking about here

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happened and you guys are going to take away points because we had all these changes made? That's bologna!

Mr. Denning: Not only that, the Woodman/35 Bridge is a lot higher impact project for them to take away points for a little project like this. Mr. Fullenkamp: We have leverage. It is in the County's best interest to make sure these thoroughfare projects go through. If we don't use that leverage that we have with Woodman or whatever these projects are going to be, okay. Mayor Flaute: It just doesn't make sense. Mr. Fullenkamp: Since most of these projects don't serve residents of Riverside, they serve the region. That's got to be our approach with them. Woodman Road is just primarily for use of thoroughfare between northern Dayton, Huber Heights, Kettering, and that's why. We have leverage and I think we ought to use that leverage to tell them to back off or else. I will go along with you if you want me to. Mayor Flaute: I will go along because this is bologna as I said.

Deputy Mayor Lommatzsch: A lot of other communities will beg to differ with you, but I agree with what you are saying. In that arena, a lot of them have the same issues with a lot of their roads as well. We are a region, guys, we are not an individual. They will tell you that their roads are also arteries and they are part of the web of the region. We are not by ourselves. Mr. Fullenkamp: I understand that, but when you look at the scoring on this OPWC grant and you see that there is very little benefit to anybody for the sidewalk, they need to look at that and weight that to say maybe it is best for the City of Riverside to walk away from this project.

Mayor Flaute: What happens when the sidewalk ends at Hypathia? I'm sorry. I have walked these neighborhoods, but I can't remember what is on the other side of Hypathia. Mr. Fullenkamp: There is a sidewalk on the north side. Mayor Flaute: But you have to cross the road. Mr. Fullenkamp: Then at Harshman you have to. Mayor Flaute: I'm done. I think I see Council feeling that way too. When we come to that ordinance, and help me out with this one, the correct way to do it is to take just that \$16,000.00 off the ordinance and then pass the ordinance. Okay. Whoever moves for the ordinance, make sure they take the \$16,000.00 off. That's what I think is happening. Mr. Carpenter: We can create another exhibit. Mr. Denning: It would just be another exhibit. Mayor Flaute: You want to do that during the break.

Mr. Curp: There are two issues. One would be whether or not you want to hold that piece of the ordinance. The other is creating a direction for the staff whether you want to delay this project. Otherwise tomorrow they could be continuing to work on the project and pouring more money into it. We have given some guidance. One of the things I have suggested to the Manager is that this Council is not going to sit here and vote on everything that gets discussed, but Council does give cues about the direction it wants the City to go without taking a formal vote. I think there is a cue that has been given this evening even though we haven't taken a formal vote or said stop doing this or go forward with this. I think there is has been a cue that says what the heck are we doing?

Mayor Flaute: I think we ought to stop the project. Mr. Denning: I want realistic numbers. I want to know how much we have spent to this point, how much are we planning to spend, how much is in this year's budget that we can then take out of the budget or re-appropriate to other streets or whatever. I need all of that information. I do not just want to say to stop it because if it is a \$500,000.00 and we've already got \$300,000.00 into it. Mayor Flaute: We don't have that much. Mr. Denning: I don't have that information, Bill. Mr. Fullenkamp: I don't think we want to pass that portion of the supplemental tonight for the right of way acquisition. Mr. Denning: I agree with that. You could change the exhibit. Mr. Fullenkamp: I don't know if it needs to be a work session or if it needs to be a memo with all of the information. Mayor Flaute: How is that? Mr. Denning: At that next meeting, I want to make a decision on whether we are moving forward or if we are stopping. However you want to do it.

A motion was made by Mr. Denning that staff present a complete report on the Valley Street Sidewalk project by the March 3, 2018 Council meeting and no additional funds are to be spent on this project until that time. Deputy Mayor Lommatzsch seconded the motion.

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Mr. Curp: I would like to make it clear that there will be no more outside spending between now and then. Mr. Fullenkamp: Labor, you mean? Mayor Flaute: No spending at all. Mr. Fullenkamp: No labor. Mr. Curp: I don't see any need for us to spend any more money with Choice One on this project or anybody else until we make a decision, if we don't think we have made a decision already. Mr. Carpenter: I will contact I think it was O.R. Colan that is the company that is doing the appraisals and negotiations. We will get ahold of those guys tomorrow. Mayor Flaute: They are not going to charge us anymore money to do whatever. I think you have the message.

Mr. Fullenkamp: I want to ask about the appraisal company. Is it a fixed fee or are they charging us per hour? Mr. Carpenter: I'm not 100% sure. Mr. Fullenkamp: Okay. Mr. Carpenter: A lot of this work started in the middle to early last year. Now this is where they are, they are getting toward the end. Mr. Denning: That's why I need to know how deep we are in.

There was no additional discussion on the motion.

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

Mayor Flaute: Do we want to do something else or take a 10 minute break? Mr. Denning: Take a 10 minute break and get started on time for a change.

**ITEM 7: RECESS:**

Council took a recess at 6:52 p.m.

**ITEM 8: RECONVENE:**

The meeting was reconvened at 7:02 p.m.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:**

The Pledge of Allegiance was led by Chief Daniel Stitzel followed by a moment of silence for the victims of the school shooting in Parkland, Florida.

**ITEM 10: MINUTES:**

A motion was made by Mr. Denning to approve the minutes of the November 30, 2017 special Council meeting minutes. Deputy Mayor Lommatzsch 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 January financial report. Mr. Fullenkamp seconded the motion.

There was no 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.

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**ITEM 13: PUBLIC HEARING**

- A) Ordinance No. 18-O-653 to rename and repurpose City Fund 210, commonly known as the OPWC Issue II Harshman Road Fund.

Mayor Flaute opened the public hearing at 7:06 p.m. and asked for the staff report.

Mr. Carpenter: This is the second reading for the renaming of the fund name to the Union Schoolhouse Fund. Mayor Flaute: Is there anything you want add, Mr. Garrett? Mr. Garrett: No, that is pretty adequate. All we are doing is reusing a fund. We finished the previous project and we need a fund for Union Schoolhouse, so we are just going to change the title of the fund. Mayor Flaute: Thank you, Mr. Garrett.

With no testimony in favor or in opposition of the Ordinance, Mayor Flaute closed the public hearing at 7:07 p.m.

There were no questions or comments from Council.

**ITEM 14: CITY MANAGER'S REPORT:**

Mr. Carpenter: In your packet is the City Manager Report. I would be glad to answer any questions relate to that and I just have one additional item. Mayor Flaute: Thank you, Mr. Manager. Are there any questions for the Manager? Seeing none, the only think I would like to say is about the TV interview. Thank you, Chief. It was a good interview and I wish more people would watch that TV station. It was a good interview and we are very proud of Riverside for doing that. It was good. Thank you, Chief and the Manager and everyone else who worked on that.

The only other thing is the Center of Flight TIF. You said staff is working to re-establish the TIF, so tell me what that means. The TIF is stopping? Mr. Carpenter: The TIF has expired. Mayor Flaute: So you are going to do a new one? Mr. Curp: You are going to try and do a new one. Mr. Carpenter: If you would like some information, Mr. Murray can talk about what the plans are. Mayor Flaute: Mr. Murray, it is going to be about the same TIF we had before? Is there any money used in it now? Mr. Murray: There is over \$250,000.00 in that TIF right now. We are going to talk about changing the size of the TIF and changing the size and direction of that. I will have a complete report. It is too premature right now. We are bringing in some consultants. Mayor Flaute: I would love to know what is going to happen to that \$250,000.00. Mr. Murray: That's going to stay where it is until we need it.

Mr. Fullenkamp: I have a question about that same topic. We are supposedly going to be doing some work on those retention ponds. Is that going to come out of TIF money? Mr. Murray: I'm not sure where that is. Mr. Carpenter: It wasn't originally planned to come out of there. Mr. Fullenkamp: I don't understand why you wouldn't use TIF money unless it has to be capital investments. I don't know if TIF can be maintenance or not. Mr. Murray: I will look at that and get back to you on that. Right now I am just examining it, so I've got to get an engineer involved. We have had discussions about getting Woolpert's involvement. That's where I am now, so we are in the very initial stages of that. Mayor Flaute: Thank you, Mr. Murray.

Mr. Curp: I was just trying to read between the lines. I think I would like to see us preserve as much of our own money, the General Fund money, and expend these monies that are restricted, so we can preserve our own money and preserve it for other things. Mr. Murray: Yes, sir.

Mr. Carpenter: I have been having some conversations with three financial experts, I will call them. I have one gentleman, Don Shonhardt, who I really think would be able to help us. He sent a proposal. It is roughly \$4,400.00 to do the work. What I would ask from Council is would Council like to hear from him first or would Council be comfortable with authorizing me to go ahead and get him started and he can come present his findings? He said it would take about 30 days to complete the work. I just want to throw it out there to Council if you would like to have him come in March 1<sup>st</sup> for the work session or we can get him started right away.

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Mr. Fullenkamp: At a minimum, I would like to see the proposal. I would like to see any proposals that you have or maybe summaries of conversations you have had with anybody else to help us evaluate how good these folks are and what they are going to give us. What kind of support or what kind of information are they going to share with the City and how to move forward? I would kind of like him to come in and talk to us myself, but that's up to Council. Mayor Flaute: You would like to see him before they start? Mr. Fullenkamp: Sure. Mayor Flaute: It is \$110.00 an hour for his time to come down and talk to us before they start. Mr. Fullenkamp: But we haven't awarded him anything. Mr. Carpenter: He is willing to come in and he is available March 1<sup>st</sup>. The proposal was \$110.00 an hour for approximately 40 hours' worth of work, so \$4,400.00. Mr. Fullenkamp: Okay. Mr. Denning: I would be more than happy to hear from him March 1<sup>st</sup>. Deputy Mayor Lommatzsch: That would be fine with me. Mayor Flaute: Before we do it? Okay. Does that sound like everyone else is pretty much agreeing on that? Okay. Deputy Mayor Lommatzsch: We want to know what we are buying. Mayor Flaute: Good enough. Thank you, Mr. Manager.

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
- (2) Monthly Verbal Reports
  - a. Police Department

Mr. Carpenter: Chief Robinson was ill at the end of the day, so I excused him and he will have his update at the next Council meeting. Mayor Flaute: Thank you, Mr. Manager.

- b. Fire Department

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

Chief Stitzel: Thank you. Good evening, Council. I have just a few updates with the Fire Department. Effective February 4<sup>th</sup>, James Hart was promoted to the position of Battalion Chief and we now have an opening for a Lieutenant and we are starting that process. It should take place in March, so we will have a promotion to Lieutenant from within our Firefighter ranks. We will be hopefully bringing in Chief Hart next Council meeting for a re-introduction and little badge pinning ceremony with his family. We will get that on for the work session I believe is what we are looking at.

Speaking to the interview on Channel 22 and 45 with the Community Paramedicine, it is also being circulated throughout the fire service in the Greater Lakes region. We are getting phone calls from quite a few departments, Chillicothe, Franklin Township I have been invited to come down and talk to a Committee next Tuesday and kind of present what we are doing here in Riverside to other Fire Departments and try to give them an idea of how we got started. Hopefully they can kind of mimic that. We are certainly not the first department in the region or the nation to start this. This is a nationwide movement that has been going on for a while now. The way we are doing it certainly caught the interest of some people, so we are looking at doing that.

We are also doing information presentations. We did one of those today over at River Cross Way. It is an assisted living facility over here in Riverside and we had some people enroll into the program and we are looking at doing some more informational sessions about the program in area churches and try to get the churches to bring in our target audience, so we can get in front of them and try to be a little more proactive instead of waiting for them to call 911. We are trying to get out

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to them before we have any problems. Again we've got a couple great success stories since the last time we talked about it to pass on to you here soon. We are working with that.

The crews are very busy working on their annual EMS Protocol Certification right now, so we are doing a lot of training and updates on the annual Protocol. I found out that ADAMHS from Montgomery County has just received a \$2 million grant to continue the battle on the opioid crisis. We have put in for a supply of Narcan for our staff cars that don't normally carry medications and also a supply of Narcan that we will actually be able to leave with our citizens if they want some after we go to an incident. We can give them a quick, 5-minute training on how to administer the Narcan and we are going to leave the Narcan there at the house for them. That is another effort that has come up out of this federal grant that is funneling down to the local level. Right now, that looks like the only opportunity that we are going to have for any of that. It is just a supply of Narcan, but we are talking a pretty good quantity that we are going to be able to keep here in the city and be able to utilize for people having those issues.

Lastly, we have two students from Stebbins that are doing their job shadow. This is an annual program that we do; we actually do it twice a year. We have students come in and actually ride on the apparatus. They get to follow us around and see what the job is like. This is for students that are kind of interested in the field, so we give them an inside view. They get to help out and we show them what life is like inside of a fire station and helping people on calls and things. That also just started back up. I met with one of the young ladies this afternoon and talked to her. It seems like it is a good positive program that is making a difference. We are happy that is going on. Other than that what is in the PAR are our stats and that's all I have for this evening. Does anyone have any questions?

Deputy Mayor Lommatzsch: No, but I'm glad to see that a Stebbins grad is getting promoted. He has worked hard. Chief Stitzel: He has and he has been a great asset. He has a lot of talent. Deputy Mayor Lommatzsch: I hope we recognize him through the high school as well. We will talk about that later. Chief Stitzel: Absolutely.

Mayor Flaute: I would like to just mention in the PAR. I remembered last PAR you didn't have as complete of a report as you have this time. If I am wrong, I'm sorry. I like this report much better. I like the comparisons and the overdose trend. It was all helpful. Chief Stitzel: Typically the stats for call volumes are once a month, so sometimes they get left out because the end of the month isn't here or we don't have our stats yet. The actual stats come in every other PAR. We understand the request for some more graphs and things like that to help explain the story, so we are trying to develop that as we go. We are hoping to put some more in there, especially the overdose graph that is in there showing the downward trend that we have had. We are waiting to see what happens with the warmer weather and we are keeping our fingers crossed that downward trend continues throughout the summer because that was our peak time last year throughout the summertime. We are kind of preparing and getting ramped up and hopefully it is all for not.

Mayor Flaute: Thank you, Chief. Just for Council's information, we had our Mayors and Managers meeting last night in Riverside and I was able to talk about that program. If you are approached by any Mayors or Managers and they ask you about it, that's where they heard about it. I just wanted you all to know that.

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: Thank you, Mayor and members of Council. We have been as you well know fighting the pothole battle. We didn't have a fancy name for it, so I borrowed Chief's the Community Para-pothole Maintenance Program. We have been serving

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the residents that way and making sure they can make it to the places he is going to help them out at. That's what we have been busy doing. We are getting upwards of over 100,000 pounds of asphalt patch material so far citywide in that effort to keep control of the roadways. The last snow event a week or so ago, we did have a couple of trucks which were involved in accidents at no fault of the Riverside drivers, thank goodness. We are in the process of getting those two trucks repaired. One is not so bad, the other was rear ended pretty good on Route 35 and is needing some extensive work done to it. The insurance companies have already been contacted and the work is getting scheduled, so those should be taken care of very soon. Other than that, it is pretty much all hands on deck right now trying to keep the roads straight. There is a lot of vehicle maintenance going on and that kind of stuff. Other than a few projects things that are still ongoing, there are really no changes as far as some of the bigger stuff.

Mr. Denning: So we've got a truck out of commission. Mr. Keaton: We've got two. Mr. Denning: Okay. If my car gets wrecked and it was somebody else's fault and I take it into the shop, I get a rental to replace that so that I can do my job. My question is, is there anything? Mr. Keaton: Not in our line of work. Mr. Denning: We just hope we have enough spares. Mr. Keaton: The spare is down. The spare is the one where the bed came unattached. Mr. Denning: We just hope the weather holds out. Mr. Keaton: So far it is looking good. The long range forecast is looking good. We are hoping we don't get any more weather in, but we are prepared if we do. We fall back on the pick-up trucks a lot when some of the big guys go down. We are ready to go and take care of things if something happens. Mr. Denning: My point would be that there should be a way for the insurance company to get us some compensation because of that was my only thought.

Deputy Mayor Lommatzsch: I think we are talking snow this weekend. It may be rain or snow. Maybe it would behoove us to contact Dayton and maybe make them aware that we are short and that 35 and Woodman. Mr. Keaton: I already have. Deputy Mayor Lommatzsch: I'm sure you have. Mr. Keaton: I have talked with ODOT, Beavercreek, and Dayton. Deputy Mayor Lommatzsch: I'm sure you have, but I just thought I would mention it. Mr. Keaton: I have all kinds of friends and I have used every one of them. I went to a meeting today where I have a network organization called Public Works of Southwest Ohio and I went there and met with some of my colleagues in the business. Everybody is aware of where we are at in case we need to call for help. Deputy Mayor Lommatzsch: Good.

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: UNFINISHED BUSINESS:**

**A. ORDINANCES**

**l) Ordinance No. 18-O-653 to rename and repurpose City Fund 210, commonly known as the OPWC Issue II Harshman Road Fund.**

Mr. Carpenter introduced Ordinance No. 18-O-653 renaming and repurposing City Fund 210 to the Union Schoolhouse Road Fund.

A motion was made by Deputy Mayor Lommatzsch to read Ordinance No. 18-O-653 for the second time by title only and approve its final adoption. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 18-O-653 for the second time by title only.

There was no discussion on the motion.

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

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**ITEM 17: NEW BUSINESS**

**A. ORDINANCES**

**I) Ordinance No. 18-O-654 making supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2018.**

Mr. Carpenter introduced Ordinance No. 18-O-654 making supplemental appropriations with an updated exhibit.

A motion was made by Mr. Denning to approve the reading Ordinance No. 18-O-654 for the first time in its entirety. Mr. Fullenkamp seconded the motion.

The Clerk read Ordinance No. 18-O-654 for the first time in its entirety.

There was no discussion on the motion.

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

A motion was made by Mr. Denning to approve the reading Ordinance No. 18-O-654 to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Fullenkamp seconded the motion.

There was no discussion on the motion.

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

A motion was made by Mr. Denning to read Ordinance No. 18-O-654 for the second time by title only and approve its final adoption. Mr. Curp seconded the motion.

The Clerk read Ordinance No. 18-O-654 for the second time by title only.

There was no discussion on the motion.

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

**II) Ordinance No. 18-O-655 amending Chapter 182, Sections 182.02, 182.03, 182.04, 182.05, 182.07, and 182.18; and adding new Sections 182.27 through 182.42 of the Code of Ordinances of the City of Riverside, Ohio pertaining to the Levy and Collection of Income Tax.**

Mr. Carpenter introduced Ordinance No. 18-O-655 making amendments to and adding sections to the City of Riverside Codified Ordinances.

Mr. Carpenter: There was a hearing that was held earlier this week with Frost, Brown, Todd, who is representing us and numerous other cities. The outcome is the Judge has asked for at least two weeks to consider before he makes a decision. That is around February 24<sup>th</sup>. A lot of cities are going ahead and passing legislation with a disclaimer. That was the reason for the last minute update. I received that language today, so under your ordinance in Section 3 the last sentence that is in there that if we pass this tonight, and then the ruling is that the City doesn't need this tax code language we would be able to be compliant and not have this comply. We wouldn't have to make any other necessary changes. That's what that means.

A motion was made by Mr. Denning to approve the reading Ordinance No. 18-O-655 for the first time in its entirety. Deputy Mayor Lommatzsch seconded the motion.

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The Clerk read Ordinance No. 18-O-655 for the first time in its entirety.

There was no discussion on the motion.

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

A motion was made by Mr. Denning to approve the reading Ordinance No. 18-O-655 to suspend the rule that dictates the number of days between consecutive readings of ordinances. Deputy Mayor Lommatzsch seconded the motion.

Mr. Fullenkamp: I don't understand what allows us to do the second reading tonight. This is not an appropriation. Mr. Carpenter: Are you saying allows us or why it is a necessity? Mr. Fullenkamp: Both. Mr. Carpenter: Well, I think the Charter allows us to do this, but the necessity is the deadline unless the Judge rules differently by March 1<sup>st</sup>. Mr. Fullenkamp: So who are we getting legal advice from on this, our attorney or the attorney that's doing the lawsuit? Mr. Carpenter: It was both. The addition for Section 3 would be our Law Director. Mr. Fullenkamp: Okay.

Mr. Garrett: Just to jump in there with that. There was an email late this afternoon from the litigation attorney, Frost, Brown, Todd Group, just kind of wrapping up. It says a lot of cities have asked them if they have to implement now or hold off. It was kind of said that every city is doing their own thing. Some are doing exactly what we are doing and including the phrase in the ordinance where if it is later found to be improper or is not effective. Others are holding off entirely on the ordinance. Mr. Fullenkamp: So what are the repercussions if we only do the first reading tonight? Mr. Denning: What are the repercussions if we don't pass the ordinance at all and wait to see what happens? Mr. Fullenkamp: That's a similar question, but we can always repeal something and vote and say stop, we aren't going to do it this way and you have included that language. I just don't understand why we didn't do this before in January.

Mayor Flaute: It is going to be March 1<sup>st</sup> when it is due, so if we pass it on March 1<sup>st</sup> then you could get it to them Friday. They are not going to cry about that I wouldn't think. Mr. Carpenter: As Mr. Garrett said the City can do it either way. It is the unknown when the Judge makes the ruling and nobody knows at that point. Mr. Fullenkamp: Is somebody going to spank us if we don't have our ordinances in order? Mr. Carpenter: We wouldn't be compliant with the State Tax Code. Mayor Flaute: Well, we would be the next day. Mr. Fullenkamp: Or that same day.

Mr. Garrett: I would like to clarify also that in the ordinance, remember the amendments to the existing code sections, some of that is already in effect in State Law and we are just bringing our Code into compliance with that. The part of our litigation is against the new paragraphs, the 182.27-182.42, and that's where the Judge is going to make a ruling in a couple of weeks on that. Mr. Fullenkamp: I don't feel compelled to do the second reading tonight. Mr. Garrett: I would point out just in looking at the ordinance in Section 3 where we said this clause is found unconstitutional and Section 1 is State. Well, really we are talking about Section 2, so we need to make a revision to that.

Mayor Flaute: Mr. McHugh, do you have some light to shed on this? Mr. McHugh: If you would. I think it is important to point out to you that the issue really here is that the deadline is actually the end of February. Technically that is what the statute is and if that in theory goes into effect and you do it in March, you lose rights to collect and you basically waive to the State. That's really what this is about, the State taking over business collection. That's why everybody is doing it. Mayor Flaute: Your advice to everyone else is to do it. Mr. McHugh: Whether you do it tonight, my advice is you better do it soon. Mayor Flaute: We won't be meeting until March 1<sup>st</sup>. Mr. McHugh: Well you better have a special meeting then.

Mr. Fullenkamp: But if the Judge stays it, then it goes back to January 1, right? Then if he doesn't stay it, you are saying what? Mr. McHugh: Well if he stays it, that's fine. If he finds it was constitutional, then the danger is the statute as it was proposed says February 28<sup>th</sup>. The statute basically has some penalties to the jurisdictions for collecting municipal income tax, if you don't do this. That's why everybody is suing. If

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you don't do certain points by this deadline, you lose. Mr. Fullenkamp: That revenue or the right to collect? Mr. McHugh: You have difficulties with certain rights collecting and basically the fear is, and I'm not an income tax person, that you will lose revenue too. That's really what this is about. I didn't mean to disturb, but I just thought I would throw that in. That's what this is really all about. It's the State telling us you either do this or this happens. Mayor Flaute: Thank you.

Ms. Arnold: Do we need to make a correction to the motion though based upon what Mr. Garrett stated? We probably need to go back to the first to vote on it to for a motion to approve. Mr. Denning: An amendment to change Sections. Mr. Garrett: Section 1 we have no objection to. Those are definition changes and the non-controversial provisions. It is the new sections described in Section 2 of this ordinance that we are in litigation about. Ms. Arnold: In Section 3, Section 1 should be changed to Section 2. Mr. Garrett: That's correct. Deputy Mayor Lommatzsch: I would say we have to go back to what we did and redo it. Ms. Arnold: Are you taking back your first and second to suspend the rules? Deputy Mayor Lommatzsch: I will to suspend the rules, but we have to go back to clean up the first vote. Mr. Denning: Do we really have to do that or can we change it on the second reading as a typo? Deputy Mayor Lommatzsch: We can just change the number.

There was no further discussion on the motion.

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

A motion was made by Mr. Denning to read Ordinance No. 18-O-655 for the second time by title only with a change in Section 3 to show Section 2 instead of Section 1 in the paragraph and approve its final adoption. Mr. Curp seconded the motion.

The Clerk read Ordinance No. 18-O-655 for the second time by title only.

There was no discussion on the motion.

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

## **B. RESOLUTIONS**

- I) **Resolution No. 18-R-2342 authorizing the City Manager to enter into a contract with Sturm Construction Paving Materials as the lowest and best bidder for the 2018 Union Schoolhouse Road Resurfacing Project.**

Mr. Carpenter introduced Resolution No. 18-R-2342 authorizing a contract for the Union Schoolhouse Road Resurfacing Project.

A motion was made by Deputy Mayor Lommatzsch to approve Resolution No. 18-R-2342. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

- II) **Resolution No. 18-R-2343 strongly supporting the proposed Ohio Department of Transportation (ODOT), District 7, designation of statewide bike routes across Ohio that will connect Ohio's 17 urbanized areas. The proposed bike route will travel through two identified portions of Riverside.**

Mr. Carpenter introduced Resolution No. 18-R-2343 strongly supporting ODOT's designation of statewide bike routes.

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Mr. Carpenter: These run through Riverside. The Route 50 goes from St. Louis and Route 25 from New Orleans up through Detroit and into Canada.

A motion was made by Deputy Mayor Lommatzsch to approve Resolution No. 18-R-2343. Mr. Denning seconded the motion.

Mr. Denning: Does this give us extra points with OPWC? Mr. Carpenter: I hope so. Mayor Flaute: It doesn't cost us anything, right?

There was no further discussion on the motion.

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

**ITEM 18: PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Mr. John Schnieders of Wynora requested to speak before Council regarding stop signs on Broadmead.

Mr. Schnieders: Thank you for letting me speak before this great body of people here. I have a question and this concerns the street on Broadmead where it goes from Guernsey Dell to Prince Albert, particularly there from Prince Albert and Broadmead. There is a street, and I haven't been down there in the last week or so, but they have the potholes down through there. As I was going down there with the watch to look things over, I have a hard time getting through there because there were little things all over the road and it was driving my wheelchair all over the place. I was just curious if something has been done down there or is planned to or if it has already been done.

The second thing is I think over the years we had asked that the thoroughfare so to speak of Broadmead and Guernsey Dell to Prince Albert where they come flying through there and there is no stop sign. I don't remember is there an ordinance or something that prohibits us to put another stop sign in there or something to slow them down. Thank you. Mayor Flaute: We will have the City Manager check into that. Do you want someone to contact you? Mr. Schnieders: Please. I have it listed with my new phone number. Mayor Flaute: Someone will be in touch with you in the next day or so. Mr. Schnieders: Thank you.

Mr. Benjamin Lowery of Recess Drive requested to speak before Council regarding the coyote population.

Mr. Lowery: Good evening, City Council. Mayor, thank you for giving me the time to speak tonight. I am a new resident to the City of Riverside. I was just recently separated from the military and decided to make Riverside my home with my family. I am happy to be here. We moved into the new Brantwood Development, which I know used to be a corn field and has got a bunch of woods behind it. I completely understand that wildlife is a thing. I'm from northern Michigan originally, so don't hold that against me. I am familiar with wildlife, but some of the people there are not and there are a ton of coyotes that are coming through the neighborhood and they are becoming really used to people. They are right in my backyard and right behind my house. I have seen them as I am walking my dog. They will come out and walk down the street.

I brought this up and spoke with the Police Department earlier this afternoon. They told me in accordance to I think it was Code 505.11 says that I can't hunt in the City of Riverside, which I completely understand. They also informed me there is no remedy or population control for them. I was wondering if the City of Riverside has a plan to take care of them or if there is any way we can do something about them to either get rid of their dens because this is mating season and each one is probably going to produce between 2 and 12 pups. The population is just going to keep getting worse and worse if we don't do some type of remediation. I was wondering if there was a plan for that or will there be.

Mayor Flaute: I guess you would have to correct me, but it is normally when it snows is when I started getting all the calls about the coyotes. Normally you don't see them

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until it snows and the snow is in the ground a long time. Is that fairly accurate? Mr. Lowery: I would have to disagree with you on that. I have seen them throughout the year and they are becoming more and more comfortable with us. They come right behind my house while I'm walking my dog and they are getting more comfortable. I haven't seen any of them become aggressive yet, but they are not afraid of me or my dogs or anyone else. Loud noises normally spook them away and I haven't been able to do any of that. I've looked through and California has a lot of these problems and they have a whole population control remediation effort. They again are just talking about hazing these coyotes with either bright lights, water, yelling, loud noises, and they just keep getting used to it. If people stop harassing them, they become I guess aware of it and they just wait the people out and then continue on with their day. It's going to keep getting worse if nothing is done about them.

Mr. Denning: I live up on Schwinn, which is just right up the hill by the school. I asked about that issue when Brantwood was originally going in if ODNR or anybody could do anything about it. We were concerned they would move from there up around into the other area. Basically what they told me was keep your small dogs and cats in and leave them alone. They said there is nothing going on because I asked them to take them out before the houses got in rather than after the houses were in. At that point, they told us there was nothing they could do. We as a City don't have anything.

Mr. Keaton: There is a resident who owns his own company here in the City of Riverside called Miami Valley Wildlife Control. He lives over here in the Lynnhaven area. I can't remember if it is Penwick or Fenwick, but I can give you that phone number to that particular person. Mr. Denning: But there's a charge. Mr. Keaton: There is a charge. Coyotes, as you probably know and I'm a hunter, they are very difficult to get control of unless you shoot them or trap them. Those are the only ways you can get them. Mr. Lowery: According to the City Code, I cannot shoot them with either a bow or obviously a firearm. Mr. Keaton: Right. Mr. Lowery: Trapping is ineffective, so I was wondering if there was any way to do a special permit to do either archery in our backyards since I have a half acre that butts up against the woods right there behind the school. I know as a hunter and I know what my backdrop is and what is behind it and so on and so forth and it is very rare. If you could somehow provide some type of permit to the residents there and allow them, if they provide the right credentials, whether it is a special permit through you guys to show they have had Hunter's Safety or whatever it may be to just give the power back to the residents to take care of it if it is in their means or something that allows us to do something about them. Right now the City of Riverside has nothing.

Mayor Flaute: Alright. Council is aware and if someone wants to do something like that, we can do it. We did have an issue and many of us remember on Council, especially Mr. Fullenkamp, about skunks. We were passing legislation to eradicate some of the skunks because we do have a big skunk problem in Riverside. That night we had more people come to that meeting I think than almost any other meeting ever because the PETA folks came in and said if we touch one of these skunks we would be in trouble. Not only do we have forces that you are talking about, we have other forces that would really push against us passing legislation to do that. Mr. Fullenkamp: Actually I think education may be the most important piece to have people stop feeding outside animals and letting their cats outside. They are being fed somewhere and I don't know if people feed their dogs outside. Mr. Lowery: They prove to be a very positive thing in an urban environment because they keep rodents and stuff under control and I completely understand that. What I would just like to bring to the Council's attention is right now there are sightings and small encounters, but I would like to just bring it to you guys before there is an attack that could have been potentially something out there. Mayor Flaute: Thank you.

Mr. Steve Massa of Planters Avenue requested to speak before Council regarding storm water assessments.

Mr. Massa: Good evening. The coyote thing is an interesting thing and I could tell you a few things about that afterwards and it has to do with arrows. Every time I come up here, I step on someone's toes. Sorry.

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First off, I know we are going to have a public meeting next week about the storm water, but I would like to use my three minutes to talk about it right now if that is okay. Sometime ago I voiced my concern to this Council about the notion of property owners being assessed without the benefits of such assessment. First it was the street lights and now it is the proposed storm water assessment. Home Rule can be a good thing, but it does not mean a city can do whatever they want. This Council should be very aware of this. I encourage Council to review the Ohio Revised Code concerning this type of assessment. The concept of we must trust our staff is a perilous one. Please do your own research. The following are a few examples of what the Ohio Revised Code says about special assessments: *ORC 727.01 Each municipal corporation shall have a special power to levy and collect special assessments. The legislative authority of the municipality corporation may assess upon the abutting adjacent and contiguous or other specially benefitted lots or lands in a municipal corporation.* There is an emphasis on specially benefitted. The following are a couple of examples of ways to assess: In proportion to the benefits that may result from the improvement; by the front foot of the property bounding and abutting upon the improvement. *ORC 727.03 The legislative authority of a municipal corporation shall limit all special assessments levied under sections 727.01 to 727.4, inclusive, of the Revised Code, to the special benefits conferred upon the property assessed.*

I would say there must be a benefit to the being assessed. A good example would be the street lighting assessments. If a property will never receive a benefit from a special assessment, they should not be charge. It is this Council's responsibility as guardians of our City to demand things be done right. As always, don't hesitate to contact me. I am always open for honest discussion. Thank you. Mayor Flaute: Thank you, Mr. Massa. I appreciate it.

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

**ITEM 19: COUNCILMEMBER COMMENTS:**

Deputy Mayor Lommatzsch: I would like to thank you for the support that was shown at the Sheriff's drug program. We did have about 30 people there. I do think it is very educational. Unfortunately the weather did not work in our favor that night and the Sheriff himself suggested we try to do another one in the community in the fall. Maybe we can get more people interested in trying to eradicate our drug situation. There is a lot of good information.

The IN Crowd dinner will be at Airway Kitchen on Monday the 26<sup>th</sup> at 6:00 p.m. It is a buffet and I encourage those of you who are not participating to try. It is a good chance to interact with constituents. I will remind you about your invitation to MVRPC and to the dinner. You should be getting your invitation to the City Volunteer event on March 20<sup>th</sup>. Your initiation should be arriving in the mail shortly. I would appreciate if any of you have input on the invitees to please share it with me. I do have a list and Brenna and I and Chairs of other organizations have been working to fine tune that list. I don't want to leave anybody out, but I don't want anybody walking up to the desk like we had last year saying they were there for a free dinner, but didn't know why they were invited and that did happen. It was somebody who does have a role who didn't realize the reason for the event. It was not pretty, so I'm trying not to leave out anybody, but I don't want anybody not knowing why they were invited. It is not cheap. It is a \$25.00 dinner and I just want to be sure. If you have input, please share it with me and not with staff members and with other people. I want to be sure this list gets fine-tuned correctly.

Mr. Denning: When is Spaghetti Fest? Do you remember the date? Deputy Mayor Lommatzsch: March 8<sup>th</sup> or 7<sup>th</sup>. Ms. Arnold: It should be on your event calendar in March. Mr. Denning: Yeah, don't forget Spaghetti Fest at Stebbins.

Mr. Fullenkamp: So why don't was just share the list with all of Council at this point? If you have a list, why don't you just send the list and we can all take a look at it. Deputy Mayor Lommatzsch: We can do that.

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Mr. Fullenkamp: Tonight I was going to talk about Black History Month again, but in light of the events in Florida yesterday I think it is reasonable to talk about a sore issue with some people. This is a reality check for all of us once again. This continues to happen over and over and this has become commonplace in our society. We ignore some basic facts and we fall back on ideology versus the reality of what is going on. It is time for our federal and state legislature to do something about this easy access to guns. Everybody is in denial that guns don't kill people, people kill people. We all know guns make it really easy to kill people. It is time for every one of you to talk to your State Senators and House of Representatives and all of your representatives at the federal level and tell them it is time to do something.

These innocent people who are being gunned down by folks and then defended by people stated that they have some crazy Second Amendment right to do whatever the heck they want. We know in Florida, for instance, it was easy for that kid to buy that gun. There was no background check on anything. He just walked in and bought this sucker and gunned some innocent people down, some students and some teachers. This has got to stop and rather than make it about ideology, we know gun control works when we look at Asia and we look at Europe. We know it works. Australia did it and these types of events and their murder rates have dropped drastically. Unless it is something about us as Americans, we've got to get over this. It is time for our legislatures to take control of this situation and take some steps to change what is going on. We have to prevent this and we can't continue to accept this as normal behavior and that is what is happening in this country. The NRA buys and sells these legislators and it has got to stop. This special interest nonsense has to stop. Anyway, pray for these people and keep these people in your thoughts and just wait for another event because it is coming unless we do something. Thank you.

Deputy Mayor Lommatzsch: Along that line, but for the grace of God it could be right here on Harshman Road. I don't know what else our Administrators and our School Boards can be expected to do more than they are already doing. This school had security officers, but people find out a way to get around it like pulling a fire alarm so everybody is in the hall or whatever. But of the grace of God, it is going to happen here and we have to pray it is not at Stebbins or Virginia Stevenson, name one. Please do listen to what your mind and your heart think you ought to be doing.

Mr. Curp: It is always caught my attention over the years if you went to a Major League Baseball game, they didn't have the netting along the right field and left field foul lines to protect the fans from batted balls. There was a disclaimer on the back of the ticket you purchased that said you assume all risk. Except they always had a fence in front of the railing or along the railing in front of the dugouts to make sure the players didn't get hit by batted balls. It was okay for the fans to get hit by batted balls. It just strikes me that you can't take a gun on the floor of the United States House of Representatives, you can't take a gun on the floor of the United State Senate, you can't take a gun on the floor of the Ohio Senate, and you can't take a gun on the floor of the Ohio House of Representatives. Yet those two bodies have made efforts to pass legislation that would require government offices to allow guns to be brought into the government offices other than theirs. I concur it is time. It is time.

While we remember them, I'd like us to also remember Addalynn Marie George of Richland Avenue. A sad occurrence that happened in our community some time ago that we just learned about this week. I hope we remember her in our thoughts also.

I want to talk about the Senior Lofts and this new proposal for apartments, the workplace or whatever apartments. When we first talked about the Senior Lofts when they first came to us, we were told by the developers that a number of the units would be senior housing and the rest would be market rate housing. Well it's not exactly that way because when this issue came to our attention at the last meeting, I went home and started doing some research to find out a little bit more about this kind of housing. Every community needs to have this kind of housing because people who are starting entry level jobs need good housing, there is no doubt in anybody's mind. I'm sure we have employees of ours who because of their modest wages can't afford housing of greater pricing and are very appreciate of having housing that is affordable.

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What I found when I started to look through some of this is the Senior Lofts is listed under Section 8 housing when you go out to the Montgomery County resources on the web if you are looking for affordable housing and workplace and that sort of thing. I find that the Senior Lofts is listed under Section 8 housing. Not that there is anything wrong with Section 8 housing, my concern is why we have to have a concentration of that in our community and if we are going to have that in our community, why we have to have it all in one place. I don't want to sound elitist because I'm not. Like I said, everybody needs to be able to have access to good, quality housing. When we look at that particular stretch of area, Timber Ridge is rent controlled housing and was developed with construction loan credits and that sort of thing that limit income levels for people who live there. The same thing with Riverside Commons right across the street. It is a good sized area. Now we have Senior Lofts and now it is being proposed that we have more. We can't control some of this because of the permissible zoning that may exist, but we can certainly have some input over the number of units and what those units look like.

Instead of warehousing people in multi-story apartment buildings, we can have something different if that is what we want. I hope that is what we want because I am not real pleased that an agency would come to us and approach us about housing of one sort and then come to find out later that it is not all it was made to seem to be. I hope we get on top of this and I hope we provide some direction to our staff and to this developer about what we expect and what we would like to see in a way of housing because we need other forms of housing in this community also. When you take a look at bringing businesses in and go out some time to the franchise website to see what kind of franchises are available and see what their requirements are, not only of the franchisee, their net worth and assets and that sort of thing, but it will also talk about the demographics of where they want their franchises to go. Not only do they talk about rooftops and the populations you need to have, but they also talk about median income in the community and then in the areas where these franchises are supposed to go.

If you think you want to have different kind of restaurants and different types of retail businesses in this community, then you have to start taking a look at what is it that is required for these places to come here because we are not quite there yet and we won't be if we are going to have more and more of housing aimed at low to moderate income. We need to have housing that is also directed toward moderate to middle income. Again, I hope it doesn't come off as sounding elitist because that is not my intention. I am saying if you want to expand the capacity of the community, you have to have additional housing that attracts professionals that work at the Base and stuff like that, work downtown in law offices or wherever. That is not going to happen like this.

Mayor Flaute: Thank you, Mr. Curp. On that, I was going to read this letter. I will just read the end of it because Mr. Curp pretty much described it. It is called the River Works Lofts and what it is going to be. The end of the letter says, "You have the right to submit comments to OHFA regarding the proposed project's impact on the community. Any objection to the project must be submitted in writing and signed by the majority of the voting members of the legislative body. Comments must be received by OHFA within 45 days of mailing this notice." Then they give the address. I believe there are some strong feeling here, so we should have a resolution put forward?

Deputy Mayor Lommatzsch: I brought this up at the last meeting. It was a total and complete surprise. OHFA is the organization we need to go to, but I would like to suggest that we have a letter drawn up and bring it to our March 1<sup>st</sup> meeting objecting to this type of housing. My big thing is when we were first given that Senior Loft project, the single one-story units were to be on Harshman Road and the multi-story building was to be at the back of the project. Somehow or another and I don't know how it happened, nobody wants to take responsibility, the thing got flip flopped. Now we are looking on Harshman Road at a three-story building that was supposed to look like a neighborhood. I think the other unit up the road, even though they are multi-story look like houses. I believe we have the capacity on this Council to have an appropriate letter written and follow also with a resolution to vote on outlining that

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at the March 1<sup>st</sup> meeting that we can vote on and say we do not support them getting the tax credits.

Mayor Flaute: I am going to look at our Law Director at this point. Is a letter and resolution appropriate, a letter just appropriate, or a resolution appropriate? Ms. Grandjean: You could have a resolution that endorses the letter by a majority vote or you could just have a resolution that essentially states what would be in the letter. The point is that it requires a majority vote one way or the other for Council to express its views on the project. Deputy Mayor Lommatzsch: I think a well-crafted letter and then a resolution to support the letter. Mr. Curp: I think we need to get a sense of feeling from the rest of Council because it may be acceptable to everybody or to the majority. Deputy Mayor Lommatzsch: I think you are correct.

A motion was made by Deputy Mayor Lommatzsch to proceed with drafting an appropriate letter and resolution to support the letter to OHFA to disagree with the River Works Development. Ms. Campbell seconded the motion.

Mr. Fullenkamp: What is our message? We don't like this project or are we going to express what we do like? Deputy Mayor Lommatzsch: Both. Mayor Flaute: This is a letter that says this project. I guess we can expand it, but they are just asking for this project. Mr. Fullenkamp: When is it due? Mayor Flaute: 45 days. Mr. Fullenkamp: So when is it due? Mr. Curp: The end of March. Mr. Fullenkamp: I haven't seen that, have I? Ms. Arnold: We just got it when I came in at 5:30. Mr. Fullenkamp: I think we have a little time and maybe we can talk about it at the March 1<sup>st</sup> meeting. Mayor Flaute: If we have the resolution come, we can talk about it. Mr. Denning: I would like to get my own interpretation of what that reads. Mr. Fullenkamp: I want to read that letter first. Mr. Denning: Before we make a discussion and do all of that. I need more information. Mr. Fullenkamp: I don't have anything. I've got what was sent to us about that project by the City Manager and that's all I have.

Deputy Mayor Lommatzsch removed her motion regarding the drafting of a letter and resolution.

Mr. Denning: The other question is what do we think the timeline on this is? Are they starting construction tomorrow or is it three years from now. Deputy Mayor Lommatzsch: 2019. Mayor Flaute: I guess I should have read the letter. Mr. Denning: You have the Texas and Brandt Pike project and it hasn't even started yet. Mr. Fullenkamp: I don't object to objecting. Don't get me wrong, but I've got very little information and I don't know. Mayor Flaute: It says, "The proposed development will be financed with a first and second mortgage, housing tax credit proceeds, housing development loan proceeds." Mr. Fullenkamp: Again, that goes to a plan for that area that we don't have either. What is our plan for land usage there? Mr. Denning: If we say no to that, what we are going to put in there? Mayor Flaute: The motion has been withdrawn. Deputy Mayor Lommatzsch: I will say I reported at the last meeting that the Brandt project is going to start in spring. Mr. Denning: Okay. Deputy Mayor Lommatzsch: They have passed the other hurdle.

Mayor Flaute: I did have 4 weddings. I also got a thank you note from Fisher/Nightingale Houses for our donation. On February 25<sup>th</sup>, Hope4Riverside is going to have a service at the Stebbins High School. It is a community service and everyone is welcome and there is also a sock drive that is going on. If anyone has new socks all the way from toddler to adult, the socks will be given to the Mad River Schools for children who do not have them. Drop off donations at Stebbins High School or we can take them here. February 25<sup>th</sup> at 6:00, come to our community service. That's all we have.

There were no additional comments from Council.

## ITEM 20: EXECUTIVE SESSION

- A) Lease Discussion - Section 103.01(d)(7)C: *To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information***

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***confidentially received from the applicant: C. Production techniques and trade secrets.***

**B) Contract Negotiations – Section 103.01(d)(4): *Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees and officials of the City concerning their compensation or other terms and conditions of their employment.***

**C) Litigation Update - Section 103.01 (d)(3): *Conferences with any attorney representing the City as counsel, concerning disputes involving the City, its Council, boards, commissions, officials and employees that are the subject of pending or imminent court action or discussions of any matters which are properly covered under the attorney-client privilege as recognized by the law of Ohio.***

A motion was made by Mr. Denning to enter into executive session for the reasons on the agenda. Ms. Campbell seconded the motion.

There was no discussion on the motion.

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

Council entered into executive session at 8:18 p.m. and came out of executive session at 9:12 p.m.

**ITEM 21: NEW BUSINESS (Continued)**

**I) Resolution No. 18-R-2344 approving the lease of certain space at the City's property located at 5200 Springfield Street, Riverside, Ohio.**

Mr. Carpenter introduced Resolution No. 18-R-2344 approving a lease for city owned property.

A motion was made by Mr. Denning to approve Resolution No. 18-R-2344. Mr. Curp seconded the motion.

There was no discussion on the motion.

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

**II) Resolution No. 18-R-2345 authorizing the City Manager to enter into a collective bargaining agreement between the City of Riverside and the Fraternal Order of Police, Ohio Labor Council, Inc., Police Officers, Local #161 for the period January 1, 2018 through December 31, 2020.**

Mr. Carpenter introduced Resolution No. 18-R-2345 authorizing a collective bargaining agreement.

A motion was made by Mr. Denning to approve Resolution No. 18-R-2345. Mr. Curp seconded the motion.

Mr. Curp: The first resolution was to approve a lease for space. This resolution is to approve the terms and conditions of the labor agreement with the Fraternal Order of Police for the Patrolman. Mayor Flaute: It is on the agenda, but yes.

There was no further discussion on the motion.

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

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Mayor Flaute: We have one more motion that we need to do.

A motion was made by Mr. Denning to authorize the City's Law Director to negotiate a settlement regarding certain real estate matters. Mr. Curp seconded the motion.

There was no discussion on the motion.

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

**ITEM 22: ADJOURNMENT:**

A motion was made by Mr. Denning to adjourn. Ms. Campbell seconded the motion.

There was no discussion on the motion.

All were in favor; none were opposed. The meeting was adjourned at 9:14 p.m.

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William R. Flaute, Mayor

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Brenna Arnold, Clerk of Council