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ITEM 1: CALL TO ORDER:

Deputy Mayor Curp called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ITEM 2: ROLL CALL:

Council attendance was as follows: Deputy Mayor Curp, present; Mr. Denning, present; Mr. Fullenkamp, present; Mrs. Lommatzsch, present; Mrs. Reynolds, present; Mr. Smith, absent; and Mayor Flaute, absent.

Staff present was as follows: Mark Carpenter, City Manager (arrived at 7:06 p.m.), Chris Lohr, Assistant City Manager; Tom Garrett, Finance Director; Bob Murray, Economic Development Director; Daniel Stitzel, Fire Chief; Frank Robinson, Chief of Police; and Brenna Arnold, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS:

A motion was made by Mrs. Reynolds to excuse Mr. Smith and Mayor Flaute. Mr. Denning seconded the motion.

There was no discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; and Mrs. Lommatzsch, yes. **Motion carried.**

Mr. Smith arrived at 6:03 p.m.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:

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

ITEM 5: WORK SESSION ITEMS:

A) **Presentation: BAN Renewal with Andrew Brossart**

Mr. Lohr: At this time I would ask Mr. Brossart to come forward. Mr. Brossart has some information for us on the BAN renewal and also some general funding.

Mr. Brossart: Good evening. We are here to talk about the renewal of note issue that is coming due in 2018. We want to talk about some of the issues we encountered when we issued the note in 2017 and this year we want to get an earlier start on this and look at a couple of different options relative to the note issue and then talk about anything else that might be on your minds at that time. With no further wait, if we jump onto page 3.

Just as a recap for you, we've got your outstanding debt. You have one bond issue with about \$718,000.00 remaining on that issue. That's your only fixed rate debt that you have. There is not a rating on that. That was a bank placement with PNC Bank with a 3.6% rate and it is listed as a 2020 final maturity. The other issue we are here to talk about tonight is your one year BAN that renews every year. It is a non-tax revenue BAN. It was issued for the acquisition of the two office complexes and that matures on April 19th of next year. The current rate on that is a 1.99%. Last year when we went before you, we came out and did what we call a competitive selection for underwriters. Our job by the way as advisors is an independent role to view what the best option is for you. We are not taking down the investment. We are not issuing the debt for you. We are just trying to find the best alternative for you to get to the lowest cost of financing. We went out with a competitive selection.

The institution we hired ran into some problems leading up to the day of pricing. One was the fact that about a year ago some new Money Market rules came into play. This was really a result of the fiscal crisis and so a lot of investors left the market. There was an awful lot of short term paper on the secondary market that was flooding

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the market, so it became very difficult to get issues done. The ones that were getting done were getting done at higher prices. That really happened in late 2016, as we moved into 2017 we still saw an awful lot of that hang over. The other issue that happened with us was a lack of underlying ratings. As the 2A-7 rules came into play, requirements in terms of what investors were looking for became more stringent and a lot of the investors were telling the sellers if you want us to buy the paper, it's got to have an underlying rating. Riverside does not at this time have an underlying rating. The last item that was a bit of a problem was a liquidity crunch because we were issuing the note right around tax time. The biggest hit during tax time is always on the Money Market funds, which is the investors of short term paper. As folks were pulling their money out of Money Market funds to make their payments on their tax payments, there was less liquidity, not enough buyers in the market, and so the interest rate obviously had an effect on that. The fallback position we had was we went back to PNC took the note down at a 1.99% on a taxable rate.

I want to share with you the differences in that box down below. When it comes to the municipal market, bonds and notes are priced upon a credit spread and that's based upon your underlying rating or what the investor believes your underlying rating would be. They will look at your financial statements and they will compare you to other issues that are done in the marketplace. As you see down below and I want you to focus on the column third from the right which says Credit Spread, the Credit Spread is how an investor views how they should price your note and that's based over in this case the one year treasury market. You can see there that going back to 2013, the Credit Spread started at 63 basis points, went to 66 basis points, down to 54, 58, and then up to 94 last year. We were about 30 basis points high than the last high from when you accessed the market back in 2013 or 2014, but we wanted to come up with a different option for you to reduce your interest costs. It takes a little more planning, but that is why we are here to talk to you tonight is to get in front of you early and go through the State Treasurer's Program called OMAP.

Mr. Fullenkamp: Why did our spread increase from 58 to 94 last year? Mr. Brossart: That was due to the timing in the market. Mr. Fullenkamp: So all of those factors. Mr. Brossart: It really was a waterfall effect from the previous year with the new Money Market rules that came into place. Mr. Fullenkamp: Okay. Thank you.

Mr. Smith: Did our credit rating drop in recent years? Mr. Brossart: No, because you don't have any bonds outstanding they will withdraw your rating and I believe at one time you had a rating. Okay, so you have never had a rating to start with. You can establish one; the problem with it though is you have to upkeep it every year. If you are not a frequent issuer in the marketplace, on the fixed rate side it doesn't make a whole lot of sense to go out and pay \$10,000.00 to get a rating that you have to keep up every year. You don't have to pay the \$10,000.00 every year, but you have to pay that initial cost in order to get the rating from either Moody's or S&P. Mr. Smith: Okay. Mr. Brossart: You never look at these things in silos, you've got to look out and see what your long term capital plans are. If the City would have a need down the road to do a larger issue that would go out for the past 10 years and do a capital markets transaction, then maybe that would be the time to explore a credit rating at that point.

I'm going to move on to the OMAP program. The State Treasurer's Office a few years back came out with this program to help note issuers decrease their borrowing costs. In essence what this program does is you sign up with the State and for some slight fees. A lot of times a lot cheaper than if you went out and got your own short term rating because you can do that as well and get a one year note rating on your credit. Typically it is easier when you have that underlying rating so we are back to that again, but with the OMAP program if you don't have an underlying rating we see a lot of communities do this that are either stressed or don't have an underlying rating go through the State's process. It is an application that we take care of and we fill out. It takes about two to two and a half months prior to your issuance when you price and when it becomes due to get this process going. What it does is the State tells the investor that if you can't reissue when that note comes due that they will step in and buy it, so then the State owns the note and it gets you an interest rate that is probably 40-50 basis points better than what you would have gotten in the marketplace by yourself. It is a drastic impact and we look at a deal of \$5 million, the

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cost is I think about \$2,000.00 for the S&P fee, a small fee for the State, but you make that back very quickly given the savings you are going to attain because you have that State credit rating behind you. It acts like a Letter of Credit in a way or note insurance, however you want to phrase it. It in essence tells the investor you have nothing to worry about whether they can't renew it. If something drastic in the market happens, the State is going to come in and take it out. Mr. Denning: So they are our cosigner. Mr. Brossart: That is a good way to put it, yes.

Mr. Smith: How would that work with the City's budget being in a deficit? Mr. Brossart: You know I don't want to name names here, but there have been other communities we have worked with that have been on negative watch close to fiscal emergency and the State has wrapped those credits. I'm not aware of how your deficit looks for 2017 or even budget 2018, but they have taken on credits that have been pretty stressed in the past and in essence it really is what the program was designed for was to help out some of these programs and communities who needed help with a reissuance or a new marketing. Mr. Smith: Okay, so it is kind of like a crutch. Mr. Brossart: Yes, exactly. I don't want to paint the picture that this is a program for bad credits or stressed credits. It is really kind of a program for issuers who don't have an underlying rating because we have had clients who have really good ratings that go through the program as well; some of them don't want to do it because they think the process is too laborious, but again we take care of that application for you. Mr. Smith: What would that one year credit rating cost us? Mr. Brossart: The credit rating through OMAP is I believe \$1,000.00 or \$2,000.00 for S&P. If you do that on your own is it \$6,000.00. They get some preferential treatment pricing because you are going through their program. We have seen deals anywhere from \$1 million to a transaction we did \$115 million, so it really runs the whole gauntlet in terms of size.

On page five, we listed just to give you a feel for some of the communities who have taken part in this. Some around you, Springfield has been involved in this twice now and we are going to be going through the process with them again here soon. I only took a snapshot of some like Madison Local School District which is not too far from here. You can see the spreads there. A lot of those you see in the teens we probably have blown out 25-30 basis points have they not had the program behind it, so it has got a good history of showing its value.

Mr. Fullenkamp: So these are short term one year notes? Mr. Brossart: That's correct. It has to be anything of a year or less. Mr. Fullenkamp: What about at the end of the year? What is the responsibility, can they be rolled over? Mr. Brossart: They can be rolled over again with OMAP, they can be taken out with bonds or they can be paid off either way. Mr. Fullenkamp: Is there limit of how long? Mr. Brossart: How long they can be our there? You can roll notes for up to 20 years. Oddly enough we have some clients who rolled notes for 20 years. Mr. Fullenkamp: Is there a principal requirement? Mr. Brossart: Yes, as you get to the 5th year you have to start paying it down in 20 year increments. In essence we are rolling the same note, but paying down as we go along, which I think we have had a pay down. We've got another pay down, I'm sorry I don't remember. Mr. Fullenkamp: So for comparison purpose, last year if we had gone through this OMAP program our rate would have been somewhere in the area of 1.25%? Mr. Brossart: Yeah. Mr. Fullenkamp: Okay. Thank you.

Mr. Brossart: So the next slide I wanted to give you a snapshot and hopefully not bore you, but I want to show you where your rates are at. I know some questions have come up related to possible other capital needs. The slide on page six is just a AA yield curve, so this shows you what the interest rates are going from the first year in 2018 all the way out to 2047 so it is a 30 year snapshot. This just depicts what it has been over the last five years and you can see right now we have crept up. There is more talk of fed action in the future. In terms of who you believe, three rate increases next year and one maybe in December and that is why you are seeing the front end move up on the blue line; you see that move up the most drastic portion. There is a lot of believe that the long end will stay flat for a while, but the short end will jump around. As you look at projects, a lot of folks are contemplating whether they go fixed rate now and lock in these rates and do projects now or wait later and not borrow and do cash. There is a whole lot of different ways you can look at this,

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but I wanted to give you a snapshot as of where rates are as of today just so you can see if you were going to contemplate anything at all in the future that this is where rates are at in comparison to the last five years.

The next slide gives you real details; instead of a chart you see the actual rates. I would tell you to focus on the AA range that is where if the City would go long term the type of rates you would be looking at. The AA rate really hasn't moved a lot on the long end. I think for the last six months we have been bouncing right above or below 3% and again those are tax exempt rates. As of this morning, the tax plan does not take out tax exempt bonds. They did hit municipal governments with a couple of other issues relative to tax exempt bonds, but nothing you need to be concerned about at this time. It is anticipated that your ability to issue tax exempt rates in the future is going to stay intact with the tax plan. That's important because it gives you a borrowing rate maybe a full percent lower than taxable rates and that's the benefit for you. The benefit to the borrower is that they are not getting taxed on their income that you have to pay on those bonds.

It's an interesting debate on whether you do borrow or not. It's the right mix and kind of looking at what you are doing with your capital plan and what you are paying out each year. I think you need to take a snapshot of what that looks like over time compared to borrowing. We have heard a lot of communities look at the increase in cost relative to construction and I have heard 3-4% escalating costs per year. When you look at it this way if you lock in a borrowing at 3% for 20 years, for example just taking a number that number is not increasing on you and you have frozen the escalation factor relative to your project. It really depends on what you are looking at and what the escalation costs are and whether or not this makes sense. You don't want to borrow too much and you've been in the situation where you don't have a whole lot of debt outstanding fixed rate that is coming out of your General Fund, so it is just a lot of different avenues that you have to analyze before you jump back into that long term fixed rate market. It is fixed rate. The one benefit about your note issue is that you can pay down as much or as little, generally, as you want in a year. Fixed rate bonds, you are typically going to have a 10 call period where you can't call the bonds. That's the differences between the two, so when you go into fixed rate debt you really want to make sure it is what you can afford looking at a five year snapshot of your forecasting and so on and so forth. Are there any questions?

Mr. Fullenkamp: So let's move to infrastructure, roads in particular. We are currently talking probably a \$40 million required investment to do our residential streets and the discussion becomes do we want to do all the streets at once or do we want to do them over a 20 year period as we go. First we have to have a funding mechanism and that is either through a tax levy or maybe through assessments. Then it becomes important to have a bond rating I'm assuming if you are going to go for something that large. Mr. Brossart: Yeah, if you are going to be a player in the market and you are looking at something that large even if you are looking at a \$5 million issue that is going to go out 20 years you are going to need to get a rating because what happened back in 2007 and 2008 was communities were avoiding ratings and they were buying bond insurance, which everybody thought was AAA, you have five or six of them at the time. They were slapping that on there and said buy my bonds, they are AAA. Low and behold four of them went junk and went out of business and there are two left. Now all of the investors are saying no longer can you just have bond insurance, you better have an underlying rating and that's what has changed over the last 6-7 years.

Mr. Fullenkamp: I'm assuming the order is that you get your funding mechanism, your assessments or your property tax or income tax in place before you look for the bonds. Is that correct? Mr. Brossart: That's correct. Mr. Fullenkamp: So you make it contingent upon getting your funding source first. Mr. Brossart: That's right. Mr. Fullenkamp: Then you go out to the bond market and get evaluated. Mr. Brossart: That's right. The other side of that is you can't borrow too much. There are provisions in terms of the tax exempt market that you have to spend down within a certain timeframe. There are different rules for different projects, but it is generally three years. The IRS does not like you borrowing tax exempt money and just sitting on it, so you have to spend it or spend down provisions that you have to meet. Every community typically does, it's just that I want to make you aware that you can't sit on

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it for five years. Mr. Fullenkamp: Right, we want to start the projects and start paying contractors.

Mr. Denning: So we might be better off borrowing \$10 million one year and then another note for \$10 million and start paying it and then \$10 million in another two years so that we would end up getting \$40 million, but we need to make sure that we can do \$10 million worth of work in a year in order to stay with the flow. I doubt seriously that we could get \$40 million worth of work done in one year. Mr. Brossart: I'm not sure you would want to pay that back all at once either. Mr. Denning: Exactly, so if we said we are going to borrow \$10 million and then see how much of that work we can get done and then when that work is finished we borrow another \$10 million. Granted we will be paying all of those loans off equally, but that might be a better way to spread it out. Mr. Brossart: Another thing you find with that is as you go down through time you will see certain opportunities pop up where they are shovel ready and there are a lot of communities who were shovel ready and they had engineering plans done and ready and they could have gotten some funds for that. That is an example with grants and you can match them up as well. Often times you score better when you have your local share and if you were to go out and borrow that or pay in cash you are likely to get grants, that over time and just the workload on your staff too to be able to get those projects out in a timeframe that's going to make sense.

Mr. Smith: Hypothetically if we were to borrow \$10 million and this is a one year renewable bond, how much money would we have to pay the following year to renew this BAN? Mr. Brossart: The BAN or the bond? Mr. Smith: The bond. Mr. Brossart: The bond you are probably looking at \$500,000.00-600,000.00 a year if you are going 20 years. Mr. Smith: On a \$10 million bond. Mr. Brossart: Probably in that range. The rule of thumb that we always use and it is amazing how this always works, but if you use 6% of what your cost is it usually gets you close to what your annual payment is going to be. That's usually high, but given the market just as a rule of thumb and I just told you a bond secret 6% of what you are borrowing is going to be your annual payment over a 20 year period. Mr. Smith: Okay, so it is \$10 million times 6%. Mr. Brossart: That's a quick and easy way to do it. Mr. Smith: So that would be \$600,000.00. Mr. Brossart: I think you are probably in the \$500,000.00 range, but given where the market is at. Mr. Smith: That is a good rule of thumb, so if you borrowed \$40 million it would be \$2.4 million. Mr. Brossart: Close to it, yes.

Mr. Fullenkamp: So what if you have in place the revenue source to fund a \$40 million 20 year bond and you start with a \$10 million bond, I'm assuming you would be very highly rated for that bond since you have the revenue in place to for sure cover it. Assuming the market stays exactly the same, would the rates creep up as you near using all that revenue? Mr. Brossart: It depends on what the revenue source is. For example, if it is just an income tax dollar amount and that is all you have you are right investors are going to start getting a little nervous when you start creeping up to that 1:1 ratio. The idea would be to structure a plan where you would have revenue streams that you could also not leverage the full amount and also have some cash on hand that you could do cash projects as you go and find that balance. Maybe it is \$40 million and let's just say you are borrowing \$30 million even though your revenue source may support \$40 million on a 1:1 basis. Mr. Fullenkamp: So the farther away you stay from the revenue source in terms of less bonding, the lower the interest rate. Mr. Brossart: Because of the rating. I'm a conservative person so we want to sit there and really analyze what your pledge is, what your projects are, and we always want to consider the bad times because that's what we always plan for is the worst case scenario because that is what the investors plan for is worst case. What happens and can I still afford it? Mr. Fullenkamp: Thanks.

Mr. Smith: Let's go back to the \$10 million example at 6% or a \$600,000.00 payment, does any of that go towards principle? Mr. Brossart: Under Ohio law you have to amortize principle and interest, but there are different ways you can do that. You can set it up like a mortgage so you make the same payment every year. You can set it up where they call it equal principle, so your first payments start up higher and then sort of go down; a lot of communities do that because they know their capital plan down the road and have more borrowing to do, so they might start like this and then come down and level more debt into it as they go along. That pays off

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more principle upfront than level debt does because level debt if you think you about you don't pay off a lot of principle until the end because you are paying more interest upfront, but you do have to pay something when you go to a bond. Ohio law dictates that you have to pay principle down over a certain period of time, you can't do balloon indebtedness. Mr. Smith: Thank you.

Mr. Fullenkamp: What do you recommend in terms of this OMAP deal, this schedule? Mr. Brossart: I meant to put that in here and I didn't. We are here tonight because the next meeting we want you to have the 1st reading on that note Ordinance. That would give us enough time to get through the process of the readings with the holidays and then get the application in and also move the date up from tax time. Those are the goals we are trying to reach here is to move away from that deadline and that stressed time in the market, go through this process and get your interest rate down, and save you some money. Mr. Fullenkamp: Are we allowed to prepay our current BAN? Mr. Brossart: Actually we can. This was done with PNC Bank, so we can prepay this before the maturity date. You would probably be saving money on the rate, so if we get less than 1.99% we are doing better to pay it off early. Mr. Fullenkamp: So we will be bringing legislation to the second meeting in November to apply for the OMAP funding? Mr. Brossart: Actually it is going to be a reauthorization Ordinance for the note itself and within that it will give the ability to go through OMAP, so it is going to take care of the whole thing at once and we will be done with it as we get into the new year.

Deputy Mayor Curp: Is that the direction you all want to go? Okay. We will see you at the next meeting.

There were no further questions or comments.

B) Presentation: Brandt Pike and Troy Pike Speed Study with Craig Eley from Choice One Engineering.

Mr. Eley: I'm going to talk to you a little bit tonight about Brandt Pike and the Old Troy Pike speed study that we did. I'm Craig Eley. One of the reasons why we do speed studies on State Routes in municipalities is this slide. It's 50 mph on a state highway in a municipal corporation outside of the urban district. The urban district definition is there, but it is basically where there is build up on both sides of the road pretty contiguous the whole thing. It would legally be 50 mph on the State Routes in those two sections in the absence of the speed study.

ODOT gives us the direction and it is actually in their Traffic Engineering Manual on how to do a speed study. It establishes that process, it requires a resolution from Council and that is one of the reasons we are presenting it to you tonight, and it requires submittal of the speed study. ODOT will review the speed study and actually determine if they agree with our recommendation or not, so they have the final say on the speed limit. The reason they have that is because you are lower it lower than the Ohio Revised Code.

On the Old Troy Pike study, it is basically from the corporation limit on the south end to the corporation limit on the north end which gets us north of Harshman Road and to the City of Dayton on the south side. Mr. Smith: Can you give us some cross streets? Mr. Eley: Avondale on the south and on the north it would be north of Harshman to where the Huber Heights corporation limit is and I can't think of the name, Kennison or something like that. We basically ran it corp to corp. Mr. Smith: What are you projecting to change the speed limit to?

Mr. Eley: If we can move forward to the next slide. I threw this slide in so that you could see that there was already a speed zone established in this section and it was established to lower it to a 45 and that's why you are posted at 45 and this is on State Route 202 and 201. This is actually ODOT's Speed Warrant Form. This is what you plug in your numbers and the data you have to collect. It includes houses, farms, small businesses, medium sized businesses, major businesses and you can read through the list there. It also takes into account lane widths, crashes, shoulder width of the roadway, and then one of the things we do is go out and actually collect the speed data that is running in the section and that is the next line there is the 85

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percentile speed and the 10 mph pace speed. Those are things we plug into this evaluation sheet.

On the next sheet, the one thing I wanted to show you here is this is how it calculates it and how they assign certain numbers to everything there. You have a highway development section and then you have roadway features which include crashes, your shoulder and your lane width and everything. Then you have your speed calculation and really that is where you plug in your 85th and your pace speeds. You can see this kind of spits out a number and the number that is calculated was 45. The one thing that ODOT allows you to do is you can ask if you have some additional considerations, you can ask for a 5 mph reduction. You can't ask for any more than that, that's all that their process allows us to do. We can ask for a 40.

What we have done here is we have the calculated speed here at 44 and the requested speed is 40. There are additional considerations in there which I put in for part of their review. One of the big things and one of the considerations is that the speed limit on either end and if it matches up to that or if it is a lower speed limit. That is something they will consider as far as the speed study goes. On Old Troy Pike, the City of Dayton has it posted at 35 on the south end and on the north end in Huber Heights it is posted at 35 also. We can lower it to a 40 and that's what we are recommending.

The next one is Brandt Pike. They are both very similar to each other really in my mind after we did the speed study. The area here is in the Avondale area to Schwinn Avenue. I threw in the revision sheets in again for you to see that we were at 45 and then here is the calculation sheet again. It does calculate to a 44, which would normally be rounded to a 45, and we can request that reduction again here and that's what we have done. The City of Dayton actually has 40 on the south end, so I think it made some sense to carry that on out to Schwinn and carry that out that far. Mr. Denning: It goes up to 50 right after Schwinn. Mr. Eley: It does go up to 50 right after Schwinn for a short distance which I find that odd. Mr. Denning: Between Schwinn and Harshman it is 50. Mr. Eley: It really is a short distance. Mr. Fullenkamp: That's City of Dayton though, right? Mr. Eley: That is Dayton. That's not Huber.

Here again and one of the questions Mr. Fullenkamp asked me was the ADT earlier and it is on this sheet if you look at the very top left-hand side in the last column there is the ADT. Mr. Fullenkamp: What is ADT? Mr. Eley: The ADT on this one is 8910. Mr. Fullenkamp: Oh, that's Average Density of Traffic. Mr. Eley: Yes. The ADT is factored in on the crashes, so it gives you a crash rate and that is really the only thing that is added where it makes its impact. Mr. Smith: So 48 crashes out of 1 million? That's what you have here. Mr. Eley: It's 48 million vehicle miles traveled. The calculation is basically a crash rating called Million Vehicles Per Miles Traveled, so you run the crash history in this formula and it is just a rate traffic engineers use.

Mr. Smith: So did you do some kind of math like if there are 8,900 cars in a day and in a month's time there would be 30 times that for the month and then out of that month or million cars that traveled you are saying within the million cars that traveled on that road only 48 of them crashed? There were only 48 crashes? Mr. Eley: The crashes are multiplied times 1 million and then you divide it by the ADT and it gives you crashes per million vehicle miles. That number there is 2.89, so if you have a million vehicle miles traveled you have 2.89 crashes. Mr. Smith: So less than three per million miles. Mr. Eley: Yes, it is just a number that instead of it being 48 it kind of factors in the ADT at the roadway and puts it in that formula. Mr. Smith: It doesn't take into account the time of day of the accident? Mr. Eley: No, because the ADT is the average daily traffic and that's over the year. Over the year your average daily traffic per day is 8,910. It may spike up to 9,200 or it may go down to 8,500, but it is going to stay in that range. At the State what they do is they take the traffic count and then they average it over the day and have all these calculations they use and say this is what it is over an average day. Mr. Smith: Okay, then you calculate the distance of the area we are concerned about to figure out the million miles. Mr. Denning: It is 1.6 miles.

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Mrs. Reynolds: Mr. Eley, I'm looking at your comments. On Troy Pike, we have 16,550 cars average daily. On Brandt, we have the 8,910. In both of those instances in your additional considerations and comments you say, there are many access points with sight distance restrictions. This section connects to the City of Dayton where on Troy it goes down to 35 mph. You did a test run and you were comfortable at 40 mph. There is a school on the south end and a school in the middle section of Needmore. Then you mentioned Needmore and Old Troy Pike is a high crash intersection. There are many sight restrictions along this path that you have studied and you reducing the speed by only 5 mph. Are those sight restrictions not a great concern? You have listed them in your comments. I know both of those roads very well and there are a lot of sight restrictions. Mr. Eley: There are some gentle curves through the area and the speeds are a little bit higher. When you factor that all in, we are not saying there are not sight distance restrictions like they are less than stopping sight distance for the vehicles traveling on the road. We are just saying that the driveways have some sight distance restrictions. We are not saying that there is any kind of safety issue there other than there is some sight distance restrictions for the people that live on the road when they have to.

Mrs. Reynolds: Well Troy Pike especially, and I'm thinking of that road, 16,550 cars a day and there are probably 45 driveways in this area. You used traffic times during the day at what time to do your study? It wasn't early morning and late afternoon. Mr. Eley: As far as collecting speed data? Mrs. Reynolds: What time of day did you do the speed study? Mr. Eley: Well the study is an average day, so the average daily traffic is just an average day. We don't nail it down to a time of day thing. You want it to be an average day for the whole year. The speed data would not normally be collected on high traffic periods because what we look for on that is free flow speed, so we are capturing the speed that is free flow. When we went out to do the speed checks, those would not have been during the AM and PM rush hours.

Mrs. Reynolds: Do you know why Dayton recommended a 35 mph? Mr. Eley: I do not. I have not checked on that, but the only thing I can think of is the Ohio Revised Code allows them to post a 35 based on the speed limit and it has to be in a residential district. Mrs. Reynolds: I'm sure looking at Dayton's reasoning would be interesting to know what it is because I think 40 is still much too fast for both of those roads. Thank you, sir. I appreciate it. On the Brandt Pike study, I've got your times there. Mr. Fullenkamp: I just broke it out in number of minutes and the time of day is on the left-hand side of each line so most of the work was done in the morning between 7:00 and 11:00 for both streets. Mr. Eley: There should have been some in the afternoon too. Mr. Fullenkamp: Just a few, not very many. There are some right around lunch time and there may have been one event around 3:00. Mrs. Reynolds: We have school buses and employees, that's just not a good time. Mr. Fullenkamp: I just summarized the data that was in the big sheet. Mr. Eley: The radar data? Okay.

Mr. Smith: On your sheet it says calculated speed of 44 mph on Troy Pike. Was that the speed that you traveled or is that the speed of the average car? Mr. Eley: When we plug in all the numbers here, that is the speed that the calculation spits out.

Mr. Fullenkamp: We are confident that the locations where these speed studies were done were typical of the flow of traffic for both of those streets? Mr. Eley: Yes, ODOT likes to see every half mile or so in the zone of collecting speed data. That's about where it would have been collected. I don't have the actual pull out maps. Do you have the whole speed study? Mr. Fullenkamp: I've got the data and everything on my computer and this was just a summary. I didn't print it out. Mr. Eley: There are some maps in the speed study that you can pull out and it shows where those points were taken. Mr. Fullenkamp: Okay, so each northbound and southbound were taken at three or four locations on each of those streets. Mr. Eley: It might have been more. Mr. Fullenkamp: The most I see is five for Troy and four for Brandt.

Mr. Smith: The test strip that you put across the road, does that go across both lanes or just one lane? Mr. Eley: We did not use a test strip, we used a laser. It's a little bit more accurate than trying to use tubes. Mr. Smith: So it shot all the way across the road. Mr. Eley: It's an actual gun like the police use. Mr. Fullenkamp: So they sample one lane at a time. Mr. Smith: Was a person there? Mr. Eley: A person was there the whole time. Mr. Denning: Did you catch any of those guys going 60 mph?

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Mr. Eley: No. Mr. Fullenkamp: So you are recommending 40 on both roads? Mr. Eley: We are recommending 40 to send that to ODOT. Thank you very much.

There were no further questions or comments.

ITEM 6: RECESS:

Deputy Mayor Curp: One of the items on the agenda is Ordinance 17-O-640 which is the appropriation measure that deals with sitting aside monies in the Brantwood subdivision financing area. I think Mr. McHugh is going to be here this evening because he was the one who wrote the actual TIF legislation at the request of the Law Director several years ago. It would probably be beneficial before we have open discussions with Mr. Oakes and their attorney if it comes to that during the meeting, it might be beneficial to have a short executive session with Mr. McHugh to get his advice and legal opinion on the matters that Council members have been brought up and the issues that have been brought up. If that is okay with you, we will start at 7:00 and reconvene back into our session and then go into executive session to meet with Mr. McHugh and come out and run our regular agenda. Mr. Fullenkamp: Have we amended the agenda? Deputy Mayor Curp: We can when we come back in. Mr. Fullenkamp: That's fine. Thanks.

The Council took a recess at 6:50 p.m.

ITEM 7: RECONVENE:

The meeting was reconvened at 7:01 p.m.

ITEM 8: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

The Pledge of Allegiance was led by Deputy Mayor Curp.

ITEM 9: APPROVAL OF AGENDA:

Deputy Mayor Curp: As discussed during the work session, we do have a need for a short executive session.

A motion was made by Mrs. Lommatzsch to amend the agenda to include an executive session. Mr. Denning seconded the motion.

There was no discussion on the motion.

A roll call vote was as follows: Mrs. Lommatzsch, yes; Mr. Denning, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, yes; and Mr. Smith. **Motion carried.**

Deputy Mayor Curp: Before we go into executive session, I would ask the Council's indulgence. We have a proclamation on the agenda this evening and rather than have these gentlemen wait for us to go through our activities and spend a short amount of time with them afterwards if it is alright with you we will do this proclamation now and recognize the organization and then these gentlemen can go to choir practice.

ITEM 10: PROCLAMATIONS

A) Recognizing the 25th Anniversary of the Wright Patterson Air Force Base Male Chorus to Mr. James Scott and Mr. Sam Pride

Deputy Mayor Curp read the following:

WHEREAS, The City of Riverside is pleased to recognize the Wright Patterson Air Force Base Male Chorus, a group of former and current military service members dedicated to service of God and country since 1992; and

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WHEREAS, the Wright Patterson Air Force Base Male Chorus' mission is to "lift-up the Lord through song and praise, and set a leadership example of all men;" and

WHEREAS, the group's goal is to lead souls to Christ, ministering to the Wright Patterson Air Force Base and local communities through song and praise; and

WHEREAS, The City of Riverside understands and is committed to supporting organizations whose purpose is the service of others and therefore wishes to join the Wright Patterson Air Force Base Male Chorus on its 25th Anniversary of service to the Lord through worship songs and praises at Wright Patterson Air Force Base and the Greater Dayton Community; and

NOW, THEREFORE, The Mayor and the Council of the City of Riverside, Ohio do hereby recognize the Wright Patterson Air Force Base Male Chorus and congratulate them on their 25th Anniversary of service.

There were no additional questions or comments.

ITEM 11: EXECUTIVE SESSION

- A) Discussion with Legal Counsel – Section 103.01(d)(3): *Conferences with any attorney representing the City as counsel, concerning disputes involving the City, its Council, boards, commissions, official, and employees that are subject of pending or imminent court action or discussion of any matters where are properly covered under the attorney-client privilege as recognized by the law of Ohio.*

A motion was made by Mrs. Reynolds to enter into executive session for the purposes of meeting with City Council's legal counsel as provided for in the appropriate sections of the Ohio Open Meetings Law. Mr. Denning seconded the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; Mrs. Lommatzsch, yes; and Mr. Smith, yes.

Council entered into executive session at 7:06 p.m. and came out of executive session at 7:35 p.m.

ITEM 12: MINUTES:

A motion was made by Mr. Denning to approve the minutes of the September 7, 2017, September 23, 2017, and September 30, 2017 meetings. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

ITEM 13: COMMUNICATIONS

A) Liquor Control Application – Pla Mor Lanes, Inc.

Mr. Carpenter: The application is in the packet. Chief Robinson, did you have any issues? Chief Robinson: No, sir.

Mrs. Reynolds: Mr. City Manager, I don't know the hours of operation of the Pla Mor and are they limited in their hours to serve? Mr. Carpenter: I don't know the answer to that. Mrs. Reynolds: Does anybody? Ms. Arnold: The license they have would limit them to 1:00 a.m. at the latest, but I don't know if they are open that late or not. Mr. Denning: They are on the weekends sometimes because they have their midnight bowl, but the bar would close before they were done. Mrs. Lommatzsch: We haven't had any complaints on them, have we? Mr. Denning: No. Mr. Smith: Well the mother and father that originally started that business and I believe they

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passed, so it is in the son's name. Is that correct for this liquor permit? Chief Robinson: I do not have that in front of me. It's on my desk actually. Ms. Arnold: It looks like it is listed under Robert Wilson. It's on the back page. It looks like Pla Mor is open until 11:00 p.m. Monday-Thursday, 12:30 a.m. on Friday, 1:30 a.m. on Saturday, and 8:00 p.m. on Sunday. Deputy Mayor Curp: Are there any other questions you have for the staff? Does anyone want to enter a motion to object to the renewal?

There were no further questions or comments.

ITEM 14: PUBLIC HEARING

A) Ordinance No. 17-O-638 authorizing the transfer to the General Fund of residual balances existing in the General Assessments Fund related to trash service.

Deputy Mayor Curp: On the agenda this evening, we have the 2nd reading of Ordinance 638 which is the transfer to the General Fund of balances in the General Assessments Fund for trash service. Because it is the 2nd reading, we are required to have a public hearing.

Deputy Mayor Curp opened the public hearing at 7:41 p.m. and asked for comments from the staff.

Mr. Carpenter: Nothing has changed as far as staff goes. These are trash assessments that were delinquent and now they are trickling in. We have checked with our Law Director and we can accept them and put them into the General Fund.

Deputy Mayor Curp: For the audience for purposes of what we are doing here, this is simply a supplemental appropriation moving the money around from one fund to the other and because it is a public hearing I do have to ask if there is anyone who wishes to speak in opposition to the supplemental appropriation to move those monies around? Anyone who wants to speak in support of the appropriation?

There were no requests to speak in opposition or support. The public hearing was closed at 7:41 p.m.

ITEM 15: CITY MANAGER'S REPORT:

Mr. Carpenter: In the packets is the report. Myself and staff can answer any questions you may have.

Mrs. Lommatzsch: Does anybody object if the Manager drops things off of this report that are done? There are things on there that are completed. Mr. Fullenkamp: There are things that have been on there for months. Mrs. Lommatzsch: I know and they are done. Mr. Fullenkamp: We know that the Hilltoppers planted some flowers. Mrs. Lommatzsch: I know. Could we just maybe clean it up? Mr. Carpenter: I would be happy to do that.

Mr. Denning: The Woodman Sign Relocation, did we ever find out or do we have to put those signs back up? My understanding was they were put up with grant money, so is it necessary because it was grant money we either have to pay it back or we have to put it up. Mr. Carpenter: We haven't heard anything or seen anything that would require us to put it up, unless there is something we have missed. Mrs. Lommatzsch: I thought it was going to be investigated. Mr. Carpenter: We have checked into it. Mr. Denning: The issue is I never got an answer on whether it was a requirement or not. The answer is we wouldn't have to pay the money back if we didn't put the sign back up. I'm not saying we shouldn't put the sign back up, but if it costs us a \$500,000.00 to put that sign back maybe we need to put a \$50,000.00 instead of a \$500,000.00 sign back up. I don't know how much the grant was, so if we can do something. We want some sort of sign showing where we are, but it doesn't necessarily have to be with all the flowers and grasses and all that stuff if it helps cut our budget a little bit.

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Mr. Fullenkamp: Related to that, I'm assuming we got insurance money. Have we set that money aside or has that just been rolled into the General Fund? Mr. Garrett: I'd have to think back since it has been a few years. Yes, it was just deposited back into the ongoing operations as a City. The thing I would point out about the insurance is the sign was insured for \$44,000.00 or something; we received \$23,000.00 or \$25,000.00 from the insurance company. They held back \$10,000.00 per sign until we finish the project. Mr. Denning: I'm okay with that. Mr. Garrett: If we do a lesser sign we might not get all of that \$10,000.00 either. Mr. Fullenkamp: Is there a timeframe? Mr. Garrett: The timeframe according to the insurance policy is to do it within a year, so they then activated all of those claims for the three signs and it said if you get around to it they will reopen it.

Mr. Denning: Okay, so I definitely don't want to leave \$30,000.00 on the table. Mr. Smith: Well having that be said, if the sign was insured for \$44,000.00 and we put up a sign of lesser value does that negate the \$10,000.00 that the insurance company would pay us if we put the sign up? Mr. Garrett: I don't know the details of that. I guess we would have to ask them that, but the held back \$10,000.00 pending us reinstalling an equivalent sign. If we do much less, I'm not sure we would get all \$10,000.00. We would have to ask them how they interpret that. Mr. Denning: We did get \$23,000.00 per sign. Mr. Garrett: Because of the different timeframes, it might have been a little bit different but roughly that. Mr. Denning: I would suggest you don't budget more than \$33,000.00 per sign.

Mrs. Reynolds: Mr. City Manager, I believe we received an email from you wanting to schedule some dates. Are you going to do that during your Manager's Report? Mr. Carpenter: I think that would be great if we talk about that now. I sent an email about doing some special budget meetings and I have proposed November 13, November 16, and November 30. That's a Monday, Monday and a Thursday. Mrs. Lommatzsch: November 20th is a Monday. Mr. Carpenter: I did learn that is a conflict with the Planning Commission, so Tuesday the 21st in lieu of the 20th. November 13, November 21, and November 30. Mrs. Lommatzsch: What time? Mr. Carpenter: 6:00 p.m. start. Mrs. Reynolds: I will not be at the 21st meeting. You all know that is my bible study night. Mr. Carpenter: That is also Thanksgiving week. I didn't know if anyone would have a conflict as well. Mr. Fullenkamp: Make it so. Mr. Denning: I agree. Make it happen. Do you need that in the form of a motion? Mr. Carpenter: No, we will set it up.

Just a note, you also have a very rough draft of the budget. We know there are some edits that still need to take place. We are in negotiations and also still waiting on our final insurance costs. Mrs. Reynolds: Are the numbers rough? Mr. Carpenter: Very rough. Mr. Fullenkamp: Will you send us a digital Excel spreadsheet as well, please? Mr. Carpenter: Yes. Mr. Fullenkamp: Thank you.

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.**
- (2) Monthly Verbal Reports**
 - a. Finance Department**

Mr. Carpenter turned the floor to Mr. Garrett for the update from the Finance Department.

Mr. Garrett: Good evening. We are right at the beginning of another month, so I am starting the process of closing out the month of October. I've still got lots to do on that and print out reports to get that going. I would point out that at the end of September and I'm not sure if you have seen that chart yet, but the income tax

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collections fell back just a little bit so we are a little behind our plan by about \$145,000.00 from where we hoped it would be. We have received \$4.9 million of income tax up through the end of September. Other ongoing activities, we are just taking care of things.

We have had some budget reviews with the operating departments. The departments are pretty much holding to the approved budget for the expenditures, but the revenues are kind of soft still. In particular, as I pointed out income tax is behind and the real estate property tax levy for the Police Department came in a little bit less than was budgeted. We are going to have to whittle some of the expenses for the year.

Mrs. Reynolds: Mr. Garrett, what is the cutoff date for purchase orders being submitted to you for this fiscal year? Mr. Garrett: That's a hard one, but as a general rule it's going to be early December for new purchases. I'm anticipating there is always going to be some kind of extreme circumstance that is going to come up. Mrs. Reynolds: I understand emergencies happening, but you don't have a general cutoff date for department heads to finalize their budget? Mr. Garrett: We have asked our departments to try to get all of their purchasing done by the 1st of December. We are going to be paying the bills by the middle of December. Mr. Fullenkamp: And you are going to enforce that? Mr. Carpenter: It was really the middle of November. I've asked all the department heads to make their orders by November 15th and this way the orders should come in by a month later except for special occasions or emergencies, then we would create some more purchase orders.

There were no additional questions or comments.

b. Economic Development Department

Mr. Carpenter turned the floor to Mr. Murray for the update from the Economic Development Department.

Mr. Murray: You've got my list in front of you there. I will hit the high points on this. The thing we have been waiting for a long time. I did finally meet with La Guadalupana Grocery Store people. The owner of that is the owner of all the El Rancho Grandes in the area. He has 15 restaurants. This store will be open before Christmas he says. It will have a full Mexican restaurant inside. It has 16 checkout lanes to give you an idea of how large this is. It will rival Kroger's. Mr. Fullenkamp: 6 or 16? Mr. Murray: 6 checkout lanes. Sorry about that. It will be a full grocery store. This will be something to see. He originally thought he would be done in about two weeks, but some things came up and I'm giving him until Christmas maybe. It's a great thing for that shopping center there.

I've mostly been working on getting the tenant improvements done for the leases you have approved some time ago. Those are almost all completed. We've got some relighting to do and a few touchups, but everybody is getting in place. Oberer is in place and all of the advertisements have been changed over to them.

The bad news today is I did not secure the ODNR grant for the Eintracht. They have encouraged me to reapply. There were five grants that went in for Montgomery County and only one was awarded and that went to Centerville. They have invited me up and will instruct me on ways to make that application better. It looks like there are a few things I could do and I will meet with the lady up there and go through it and then get back to you with how I can improve that. The next one is May 1st for submittal for next year.

I am in discussions with some of the properties we talked about in the last executive session and that is ongoing and you will see something from that real soon.

The second sheet is just some projects I have been working on. I'm still working on these with the City Manager and I'm trying to make that sheet far more meaningful for you. That's basically it. Do you have any questions?

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Mr. Denning: Parking lot lighting for Wright Point? Mr. Murray: I've got one more bid to go. I've received some bids for switching to LED bulbs and that proved not to be the way to go. Now I need complete lamps, which are about \$400.00 apiece. I'm making the decision to go with the LED lamps or just go with the bulbs. From what I have gathered from the electricians, the lamps we have out there are not the best thing for LED bulbs themselves. The lamp would have to be changed out to handle the heat, as you know. We will look at that. Right now I need about 14 of them, so that is about a \$5,000.00 investment probably. I need to have it done shortly. We are going to have a nice ribbon cutting at Stealth Entry that everybody will be invited to and I'd like to have this place looking halfway decent by the 14th. Mr. Smith: Of November? Mr. Murray: Yes. I've got one more quote to go and they can put them up fairly quickly.

There were no additional questions or comments.

c. Administration Department

Mr. Carpenter turned the floor to Mr. Lohr for the update from the Administration Department.

Mr. Lohr: Good evening. I just have a few updates for you. The City Manager has asked me to take on the Sparky's project. We have gotten some quotes. If you remember we had the tank there with some unknown liquids in it that turned out to be come contaminates. We've got a quote for about \$9,500.00 to get those removed and the whole tank removed. That's the best case scenario. There are a few things that we need to look into like what if the tank is larger than we anticipate and what if the soil is contaminated and things like that. We will have to make sure we have some money set aside for that if there is a cost overrun. I think if everything goes as planned, we can get that tank cleaned up and pumped out and removed for \$9,500.00, which I think is a lot more affordable than we were looking at before. That's what is going on with Sparky's.

With the website, I have continued to make some updates. I spent some time filling in the calendar so we have got our community meetings we are having. We have all of the Council meetings, work sessions, the Hometown Holiday, and things like that. The calendar has now been fleshed out and is more robust than what we had before. I have also made sure we have the web interface for ZonePro, which I know some residents like to peruse that and see what is going on with violations and permits. We have also got all the PDFs that we unfortunately lost when we lost the old website back up and running. If as you are looking at the website you see anything that needs to be adjusted or improved, just send me an email and we will get it taken care of.

One last thing on health insurance, we are simultaneously submitting to the OBC through McGohan Brabender and for regular plans which would be direct to us rather than a pool with Marsh McClennan, who is our existing broker. I expect to have all those in by the end of November, however I plan on doing some arm twisting to see if we can get that in sooner rather than later. Certainly by the end of the month I think we will have all the information we need to make a decision on whether we move forward with the OBC or stick with the existing broker with a standard plan that would come direct to us. That's what I have for you this evening. Deputy Mayor Curp: When is our enrollment period for employees if we change? Mr. Carpenter: The enrollment period has not changed. Recently everyone completed the FormFire, so the brokers can shop it around.

Mr. Fullenkamp: Regarding Sparky's, we are dealing with Tetra Tech? Mr. Lohr: That's correct. Mr. Fullenkamp: And they are dealing with Ohio EPA to make sure everything is done properly? Mr. Lohr: Yes. Mr. Fullenkamp: Do we know when we will do soil testing to see if there has been any leakage? Mr. Lohr: At least in the short term. With the removal of the tank and the liquids there what they would do is pump out the liquids, dig out the tank, and all of that soil they will take and put on a plastic visqueen or something like that and then they will run tests on that soil once they have removed it. At point and this is one of my concerns, when they test that soil it is my understanding that if it is contaminated we can't just put it back in the hole

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where it has been we have to remove it. That is going to be an additional cost, so they would be doing testing at that time.

Mr. Fullenkamp: Probably two more questions. Tetra Tech is helping us look for additional funding if we need it? Mr. Lohr: Yes, there is Ohio EPA funding available to us. The things to consider with that is we have to get approved for the funding, which is a process and the understanding of the gentleman I'm working with at Tetra Tech is that we actually have to own the property. The ownership of the property is unclear. The owner of the property has passed away. It looks like through the estate it was given to six separate individuals, two of which have passed away in the meantime. What that means legally, I don't really know. It is going to be a process to obtain that property through the Land Bank, so what I talked with the City Manager about recently is we have those CDBG funds and it might make sense if we can get the tank pumped out and removed here in the short term before the end of the year and then if we find that the soil is contaminated we pursue that EPA funding next year once we have gained ownership of the property and then we could do a full site cleanup with that EPA funding.

Mr. Fullenkamp: You begged another question so I am going to ask that one, so we know that this estate owns several properties are we looking into attaching those properties to recoup some of the costs? Mr. Lohr: It is a possibility. I know the three properties that I am aware of and one of them is the Sparky's property itself, the residential property to what would be the east of it which is a house that was damaged in the fire as well and then there is a church on the corner of Old Troy and Brandt. Mrs. Reynolds: Pleasant Valley and Brandt. Mr. Lohr: I suppose we could pursue some sort of civil proceedings against the estate to recoup some of our costs. It is something we need to look into to see if that is worthwhile.

Mr. Fullenkamp: My last question, you have sealed this tank so when it rains? Mr. Lohr: It is covered. It hasn't been officially sealed. Mr. Fullenkamp: But no additional water can get into this tank in case it is leaking? Mr. Lohr: It is covered and kept safe from people getting into it. We think it is relatively sealed so there is not going to be a whole lot of water infiltration, but for the meantime we haven't had it capped. Mr. Fullenkamp: But we are keeping the water out? Mr. Lohr: We have taken the measures that we can. Mr. Fullenkamp: Thank you.

Mrs. Reynolds: Do we have any updates on the Matt Way situation and how that is being handled now? Mr. Lohr: I will give you what I know and then the City Manager can fill in the gaps if that is alright. We have had a number of complaints throughout the week. We have tried our best to address those. On Monday and Tuesday, the Police Chief as well as the Operations Manager for the Service Department, Mr. Keaton, spent a lot of time out there making sure that the signage was appropriate, speaking to the property owners, and working with the County to get that situation handled as best as possible. I know on Tuesday when we had Trick or Treat we had some Police Officers out there on Matt Way to make sure if there was traffic coming through on Matt Way that the kids weren't going to be in danger as they were out there. I have spoken to a handful of people and tried to calm them down and assure them that we are doing everything we can and that it is just a short period of time, but it does sound like we still have quite a bit of traffic going between Union Schoolhouse and Valley Street along Matt Way. We've talked about closing off Matt Way and that may be the only thing we could do to stop it, but we don't really believe that is practical at this point. It may be the best we can get it in the meantime. Did I miss anything?

Mrs. Lommatzsch: I was up there today. Would it not behoove us to contact the Sheriff's Department and get some staff time spent in that area. It is a County project and maybe a little more enforcement. Mr. Carpenter: I haven't contacted the Sheriff's. Mrs. Lommatzsch: It is a County project, so I don't know why they cannot participate in some enforcement. Mr. Carpenter: I can check on that, but we have reached out to the construction crews and in our opinion the signage wasn't the best so we have asked them to make changes. We have added some other signs as well. Mrs. Lommatzsch: It papered up in orange.

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Mrs. Reynolds: The signage is bad. Anyway that you look at it, the signage is bad. The signage along Route 4 says that the road is open to UPS and I've been to both UPS on Brandt Pike and on Valley Pike, they have assured me that it's not their trucks going through, but the neighbors all have pictures of it. It says UPS Freight and they are going through that community and those are semis. I appreciate Mr. Lohr and the Chief giving that warning out to them that they have one warning and after that they are going to be ticketed and we need to stick to that. This is a serious situation. We hope 21 days will end it, but it may not. I try to go every day to just look and see, but the traffic coming off of Union Schoolhouse is unbelievable turning. We are creating situations in all of our City right now from this. Nobody knows where to go or what to do. Anything you all can do to prevent those trucks from going through there. That is the bad thing. Mr. Carpenter: I know the Chief has been over there and had some extra patrol in that area.

Chief Robinson: Mr. Lohr is right, we went out there and checked the signs. I went back again today and the signs aren't exactly where I want them to be still, so I talked to Mr. Keaton about us contacting the County again to get those signs where they need to be because even when they come where it says to go on Springfield Street when you cross over 4 going down Valley, there's not enough time for someone to get over. When they get around that corner, which is the exit to get off on Springfield Street and go to Route 4 the off ramp is there and there were no signs whatsoever and there are still no signs there. We need to get those put in place because they are still not there. What happens when they get around that corner there is a big sign that says the road is closed and it is too late at that point. On the other side of Route 4 coming to Valley, there were no signs there telling them not to turn off there because it just wasn't there. When it was there it was right off the exit and it was just too late. We have been trying to get them to move the signs and like I said I don't think they moved them right where I want them to be and they don't even have one on Route 4 right after you get off the ramp if you go underneath to say you are doing what you are supposed to be doing. It's just poor signage all the way around from the County, so we are trying to correct that and I think that is going to help out a bunch.

I know you know we immediately went out there when this came about and went to the trucking company that is down there right across from Matt Way and we also went to UPS and gave them fair warning that we were putting up a sign for no trucks through there. There are no warnings on those, that was their warning. We obviously told them to make sure they don't go in there and we have stepped up patrol on that particular night and we made probably seven or eight different stops on the very first night of people running that stop sign. We are making stops out there, so what we did was decided to bring someone in an hour and a half early on the 6:00 p.m. to go out there and run traffic at that peak time and we did the same thing in the morning. Once that is over, they will go home. We are just trying to make every effort to get in the neighborhood and stop them. To the Officers that are working during the day, we have made no bones about the fact that we want them to spend some time in that neighborhood because obviously there is an issue there.

The problem with the vehicles, there are a lot of folks coming from the Air Force Base that are just crossing through there to get to the other side to go home and the car situation is bad, but we really can't stop them from going through there. I think that is going to inconvenience people a lot. The trucks are a different story. We need to stop them for sure because we all know how tight that is and we have made changes at Matt Way in the first place to stop people from parking on one side of the road because we had the issue with people parking on both sides and you couldn't get vehicles through there. There is no way those trucks can get through there. I don't even know how they are driving through there. It is so tight I honestly don't know how they are doing it. I saw the pictures and realized we need to get out there. We are making every effort to go out there and stopping those trucks from getting through there. The signage still needs to be addressed a little bit better than what it is right now.

Mr. Denning: Chief, do we have any extra patrol cars we could just park there? That may slow them down a little bit. Even if we don't necessarily have a person in it, it would make them at least think. Chief Robinson: That's a good point and we can definitely put someone out there. My thought was to put someone at that stop sign

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because maybe it would stop them from running the stop sign. Mr. Denning: I'm trying to keep folks from coming in. If they know there is a cop watching and it says local traffic only and there is police car there, it may make them reevaluate what they are trying to do. Chief Robinson: There is actually a section there by Matt Way and we could actually park one right there. It's not a bad idea. Mr. Denning: It's just a decoy.

Mr. Fullenkamp: What is the difficulty of getting the signs changed? Who is communicating with who and who's demanding what of the County to get this done? This may not be a question that you can answer. Chief Robinson: Me and Mr. Keaton went out there and I know he called them on the phone because I heard him talking to them on the phone and telling them we need to move the signs. I know that happened, but it just didn't happen on their end. I'm not sure who we need to call or why that didn't happen, but I know that he called them because I listened to him talking to them. Mr. Fullenkamp: My fear is we have already set a pattern. There are expectations and now with the way the signs have been set for almost a week it is going to be very difficult to change people's habits at this point until this project is done. Chief Robinson: I think if we move the one back on Route 4 that is around that corner off of Valley. If you move that one all the way back in front of the off ramp and then put one before the off ramp and one right at the off ramp in the section right there, I think you will be able to catch people going in that direction. Mr. Fullenkamp: We need to make this happen. We can't talk about it. Chief Robinson: I agree with you, but like I said I know he called them for sure.

Mr. Denning: What happens if our Service Department goes ahead and moves their signs? How big of trouble are we going to be in? What are they going to do? My answer is get the signs moved. If they aren't going to move them, we move them. Chief Robinson: I offered to do that myself because it is a mess and we need to get it fixed.

Mrs. Lommatzsch: I don't like the term local traffic because someone who lives in the Ridge that comes from the Base considers themselves local. I'm thinking local are people who live right there in Valley View. I think it needs to say no thru traffic. Chief Robinson: It can't say no thru traffic because that is the only way they can go. The only thing we are trying to combat at this point is just the trucks. The vehicles, I don't think we can stop them from going that way because instead of going all the way around, they can't. Mrs. Lommatzsch: They could go Route 4 to Harshman, so there are other ways to go. Chief Robinson: You are definitely right; there are other ways they could go, but they just don't want to go. Mr. Fullenkamp: That makes it an argument for closing off Matt Way right there so they don't have a choice. Chief Robinson: Then you close it off for people that live in that neighborhood on the other side if you do that on Union Schoolhouse. Mr. Fullenkamp: They will figure it out. Mrs. Lommatzsch: You could turn off Matt Way onto that other street and close it right there. Chief Robinson: What about just putting some barricades up there so the trucks can't go through but it doesn't stop the vehicles? Mr. Fullenkamp: We can ask those people in that neighborhood. Mrs. Reynolds: If you let them in the community at all though that will create an even greater problem. Either close it off or... Chief Robinson: Everybody in the neighborhood would have to come out to Valley and then hang a left and you probably aren't going to make them very happy, the people living in that area.

Mr. Fullenkamp: Mr. City Manager, you should call Joe Tuss. Mr. Carpenter: I can reach out to him. Prior to this I did speak to Mr. Shay who oversees the project and I forget the gentleman's name who is on the site, the inspector is supposed to supervise the site. He said he is very good and he monitors traffic as well and I know that is who Jay spoke with. I will talk to Mr. Tuss and I will speak with Mr. Shay again and see if we can't get some results. Mr. Fullenkamp: Good. Thanks. Chief Robinson: We are going to make it happen tomorrow one way or another. We will move them ourselves. Mrs. Reynolds: I wouldn't advise us moving those signs because then we assume liability. Get the County out here and scream for whoever you have to, but please I don't know that we should move any signs. If something happens. We can start calling. There are seven of us sitting here and we can start calling.

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Mr. Smith: The issue is that Matt Way and those streets in that plat are going to get torn up with those trucks and it is going to bust up that asphalt and we are the ones who are going to have to pay to fix that because we are not going to get any money out of the County to repair those roads. Chief Robinson: I agree with you. We are taking steps to make sure the trucks aren't down there. We are doing more patrols and stuff to make sure they are not. I know that we made some progress and I told the City Manager some of my folks made some traffic stops and people came out of their houses clapping because they were tired of all that traffic going through. Mrs. Lommatzsch: Do get ahold of the Sheriff's Department. I don't know why we can't have some support from the County. Chief Robinson: We can try it. We can give that a shot for sure.

Mrs. Reynolds: Mr. City Manager, would you let us know what transpires tomorrow and who you talk to and what they are going to do? Take the lead from our people who have been out there and know where the signs need to be and get them to move them. Mr. Fullenkamp: Maybe we need to talk to our County Commissioners. Mrs. Reynolds: I think that would be a good idea too.

There were no additional questions or comments.

d. Planning and Program Management Department

Mr. Carpenter: Mr. Taylor is not here this evening. He will give his report at the next meeting, but if you have any questions or anything on some of the projects. I know there was some question about the neighborhood revitalization project. I do plan to bring legislation at the next meeting as far as the agreements.

There were no questions or comments.

ITEM 16: PUBLIC COMMENT ON AGENDA ITEMS

There were no requests to comment on agenda items.

ITEM 17: UNFINISHED BUSINESS

A) ORDINANCES

- I) Ordinance No. 17-O-638 authorizing the transfer to the General Fund of residual balances existing in the General Assessments Fund related to trash service.**

Deputy Mayor Curp introduced Ordinance No. 17-O-638 authorizing the transfer of residual balances to the General Fund.

A motion was made by Mrs. Reynolds to approve the second time by title only and approve its final adoption of Ordinance No. 17-O-638. Mrs. Lommatzsch seconded the motion.

There was no further discussion on the motion.

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

ITEM 18: NEW BUSINESS

A) ORDINANCES

- I) Ordinance No. 17-O-640 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, 2017.**

Deputy Mayor Curp introduced Ordinance No. 17-O-640 making supplemental appropriations.

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Deputy Mayor Curp: Mr. Oakes, the question we have is we received these invoices requested that the City now make these additional payments. Our question for you is, are there any others that will come forward in the future or is this it? Mr. Oakes: Good evening, Council. My name is Lance Oakes, 8534 Yankee Street, Dayton, Ohio. All of the costs you have before you tonight are all the costs for Phase I and II with the one exception being a separate agreement we have with the City on when the final lift of asphalt and some curb repairs need to get done. We did that separate agreement because the City did not want that final lift to go on with all the construction that needed to take place upfront. That is the only cost left associated with the development. Deputy Mayor Curp: Okay, so that cost plus this submittal represents all that is left. Mr. Oakes: Correct, yes.

Deputy Mayor Curp: The next question for you is, are you willing to enter into a written stipulation that is part of the Council passing this Ordinance affirming that is all that there is? Mr. Oakes: Yes, absolutely. Deputy Mayor Curp: Alright. It will be my recommendation and it is the recommendation of Council that we table this Ordinance at this time until the Law Director and Mr. Oake's law team are able to put together the language for that agreement.

A motion was made by Mrs. Lommatzsch to table Ordinance No. 17-O-640. Mr. Fullenkamp seconded the motion.

There was no further discussion on the motion.

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

II) Ordinance No. 17-O-641 approving current replacement pages to the Riverside Codified Ordinances, and declaring an emergency.

Deputy Mayor Curp introduced Ordinance No. 17-O-641 approving replacement pages to the Codified Ordinances.

A motion was made by Mrs. Reynolds to approve the reading Ordinance No. 17-O-641 for the first time in its entirety. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 17-O-641 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 Mrs. Reynolds to approve the reading Ordinance No. 17-O-641 to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion.

There was no discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning; yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; and Mrs. Lommatzsch, yes. **Motion carried.**

A motion was made by Mrs. Reynolds to read Ordinance No. 17-O-641 for the second time by title only and approve its final adoption. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 17-O-641 for the second time by title only.

There was no further discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning; yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; and Mrs. Lommatzsch, yes. **Motion carried.**

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B) RESOLUTIONS

- I) Resolution No. 17-R-2317 authorizing the City Manager to enter into a contract with Outdoor Enterprise, LLC, the lowest responsive, best bidder, for the 2017 Bus Shelter Replacement Project.**

Mr. Carpenter introduced Resolution No. 17-R-2317 authorizing the City Manager to enter into a contract with Outdoor Enterprise, LLC.

A motion was made by Mr. Denning to approve Resolution No. 17-R-2317. Mrs. Reynolds seconded the motion.

Mr. Carpenter: I do want to add that there is about a 10 week lag on the parts and the contractor is comfortable doing the project once the parts do arrive.

There was no further discussion on the motion.

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

ITEM 19: PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no requests to comment on non-agenda items.

ITEM 20: COUNCILMEMBER COMMENTS

Mrs. Reynolds: Just to remind everyone that next week you have an opportunity to vote and I would encourage you all to go out and vote. It is one of the important things that we do in our lives that affects our lives every day, so vote. I would tell you to vote often, but I don't think we can do that anymore. Thank you all very much for coming.

Mrs. Lommatzsch: I believe that the consensus is we will cancel the meeting at the Eintracht next Thursday night due to the fact that we would be charged for the event. We will get out the notice that we will not have that community meeting at the Eintracht next Thursday night as previously scheduled.

I did attend MVRPC. The Director has come up with a very creative, out of the box initiative and is going back next Thursday to try to get approval for the widening of 35 not including anything to the excess at Woodman and Smithville. It is shovel ready. Everybody asks me how they are going to widen 35. The new lanes will do away with the median, so that is why with the bridges and all of that there won't be a change. The interchanges will probably come to us having to participate in Woodman and Dayton will have to participate in Smithville, however that is down the road. This will get the road widened without asking us or Dayton to participate using a kind of out of the box initiative to make this happen in 2024. There was some opposition from our Greene County folks, so I don't often get up and say anything during those meetings, but I was a little ticked today. It is going to happen and we will not be asking our citizens to participate in the cost of the widening. We are not out of the woods on the intersection, but we are going back next Thursday and I hope somebody from the City can get with Brian. He doesn't know if he is going to do a conference or whether he is going in person, but I think we need to be interested and I can probably go if necessary.

The other thing that Lynn had asked me to bring to your attention and remind you about November 11th which is Veteran's Day and the Hometown Holiday will focus on honoring veterans and that's the theme of the event. We have Mr. Denning as a volunteer and I do the horse ride, but we will need some more volunteers if any of you have time to give us some time to man some of the operations. It is 4:00-8:00.

Miami Valley Military Affairs will be having their event on the 28th, which is a Tuesday night after Thanksgiving and you should all be getting invitations shortly. I checked with the Clerk and she has not received it. I haven't received one either, but that event is scheduled for the 28th with details to follow.

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Today Beverly Gardens was honored as a Purple Star Awards School for their efforts. The State Superintendent was here and Representatives were here. It was a very nice program and the City Manager attended on your behalf and I was there. It was recognizing schools that meet the needs of military affected children and it is one of a few awards that are given around the state. It was a big day for those guys. I'm sorry the media didn't choose to attend.

There were no additional comments from Council.

ITEM 21: EXECUTIVE SESSION

- A) 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.*

A motion was made by Mr. Denning to enter into executive session for the reasons stated on the agenda. Mrs. Reynolds seconded the motion.

A roll call vote was as follows: Mr. Denning, yes; Mrs. Reynolds, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; Mrs. Lommatzsch, yes; and Mr. Smith, yes.

Council entered into executive session at 8:35 p.m. and came out of executive session at 8:49 p.m.

ITEM 21: ADJOURNMENT

A motion was made by Mr. Denning to adjourn. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

The meeting was adjourned at 8:49 p.m.

William R. Flaute, Mayor

Brenna Arnold, Clerk of Council