

# Pride ~ Progress ~ Possibilities

**Riverside Municipal Building  
5200 Springfield Street, Suite 100  
Riverside, Ohio 45431**

**April 4, 2019**

Work Session

**6:00 P.M.**

Council Meeting

**7:00 P.M.**

City Council

WILLIAM R. FLAUTE, MAYOR

BEVERLY CAMPBELL  
KENNETH W. CURP  
MIKE DENNING  
BRENDA FRY  
SARA LOMMATZSCH  
DAN TEAFORD

Mark Carpenter, City Manager

Katie Lewallen, Clerk of Council



# Calendar for Year 2019 (United States)

## January

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- Jan 1 New Year's Day
- Jan 21 Martin Luther King Jr. Day
- Feb 14 Valentine's Day
- Feb 18 Presidents' Day (Most regions)
- Mar 17 St. Patrick's Day
- Apr 15 Tax Day

- Apr 21 Easter Sunday
- May 5 Cinco de Mayo
- May 12 Mother's Day
- May 27 Memorial Day
- Jun 16 Father's Day
- Jul 4 Independence Day

- Sep 2 Labor Day
- Oct 14 Columbus Day (Most regions)
- Oct 31 Halloween
- Nov 11 Veterans Day
- Nov 28 Thanksgiving Day
- Nov 29 Black Friday

- Dec 24 Christmas Eve
- Dec 25 Christmas Day
- Dec 31 New Year's Eve

Please place all cell phones in silent mode before the meeting begins.

**RIVERSIDE CITY COUNCIL**

**Riverside Administrative Offices  
5200 Springfield Street, Suite 100  
Riverside, Ohio 45431**

**Thursday, April 4, 2019  
Work Session 6:00 P.M.  
Business Meeting 7:00 P.M.**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) EXCUSE ABSENT MEMBERS
- 4) ADDITIONS OR CORRECTIONS TO AGENDA
- 5) APPROVAL OF AGENDA
- 6) WORK SESSION ITEMS
  - A) Financial Plan & Capital Improvement Plan Draft
  - B) Zoning and Code Enforcement Plan
- 7) RECESS
- 8) RECONVENE
- 9) PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE
- 10) MINUTES – Consider approval of the minutes of the March 21, 2019 regular Council meeting.
- 11) PRESENTATION - National Youth Advocacy Program
- 12) ACCEPTANCE OF WRITTEN CITIZEN PETITIONS
- 13) CITY MANAGER'S REPORT
  - A) Monthly Update – Finance
  - B) Monthly Update – Administration
  - C) Monthly Update – Economic Development
- 14) PUBLIC COMMENT ON AGENDA ITEMS
- 15) NEW BUSINESS

A) ORDINANCES

- I) Ordinance No. 19-R-690 adding section 1115.14 Small Cell Facilities and Wireless Support Structures to the Unified Development Ordinances (UDO) of the City of Riverside. (1st reading)

B) RESOLUTIONS

- I) Resolution No. 19-R-2460 appointing Francesca Hary to the Personnel Appeals Board for a three year term beginning April 7, 2019 through April 6, 2022.
- II) Resolution No. 19-R-2461 appointing Harold Vazquez to the Planning Commission for a four year term beginning April 7, 2019 through April 6, 2023.
- III) Resolution No. 19-R-2462 appointing David Owens to the Planning Commission for a four year term beginning April 7, 2019 through April 6, 2023.
- IV) Resolution No. 19-R-2463 appointing Anthony Rodgers to the Planning Commission for a four year term beginning April 7, 2019 through April 6, 2023.
- V) Resolution No. 19-R-2464 appointing Chuck Childers to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.
- VI) Resolution No. 19-R-2465 appointing Tim Schneider to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.
- VII) Resolution No. 19-R-2466 appointing Jerry Richardson to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.
- VIII) Resolution No. 19-R-2467 appointing Stanley Leszczuk to the Board of Tax Appeals for a two year term beginning April 19, 2019 through April 18, 2021.
- IX) Resolution No. 19-R-2468 recognizing the Bob Chiles Classic as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.
- X) Resolution No. 19-R-2469 recognizing the Girl Scouts of Western Ohio as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.
- XI) Resolution No. 19-R-2470 authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Property Tax Duplicate.
- XII) Resolution No. 19-R-2471 authorizing the city manager to enter into a contract for the lowest and best bidder to perform remodeling work for the SPGlobal expansion.

16) PUBLIC COMMENT ON NON-AGENDA ITEMS

17) COUNCIL MEMBER COMMENTS

18) EXECUTIVE SESSION

- A) Section 103.01 (d)(7) To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information confidentially received from an applicant: C. Production techniques and trade secrets.

B) Section 103.01 (d)(1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.

19) RECONVENE

20) ADJOURNMENT

If you need special accommodations to attend this meeting, please notify the City of Riverside at least 72 hours in advance by calling 937.233.1801.

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 10

**AGENDA ITEM CAPTION:** Minutes

**ADMINISTRATIVE COMMENTS:** Consider the approval of the March 21, 2019 regular meeting minutes.

**STAFF RECOMMENDATION:** It is respectfully recommended that the Mayor and City Council approve the minutes of the referenced meetings.

**EXHIBITS:** Draft minutes.

**SUBMITTED BY:** Katie Lewallen, Clerk of Council

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

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OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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Thursday, March 21, 2019

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

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

Staff present was as follows: Mark Carpenter, City Manager, Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Chief Frank Robinson, Police Department; Chief Dan Stitzel, Fire Department; Kathy Bartlett, Service Department; and Katie Lewallen, Clerk of Council.

**ITEM 3: EXCUSE ABSENT MEMBERS:** Deputy Mayor Denning motioned to excuse Mr. Curp. Ms. Lommatzsch seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** No additions or corrections were made to the agenda.

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

**ITEM 6: WORK SESSION ITEMS:**

**A) Traffic Control Device Presentation - Redflex:** Mr. Kevin Keel: I appreciate the opportunity to come down and talk to you. Traffic safety is a very important issue in today's modern society. You notice that police departments have limited resources and so forth so any type of technology that can assist them and make the community safer obviously is a good thing. I am here tonight to talk to you about all the solutions that we offer, and I have had a couple of conversations prior to this so I understand there is some focus. I did bring a laser with me that I can show you tonight and speak to that also.

Why photo enforcement? Well, that is a question that has been bantered around not only amongst the council members, but city administration and police department. What makes photo enforcement important and why is it a great tool for the police departments. (Audio for video was very faint). Fifty percent reduction occurs in most community that use red light cameras, speed cameras and so forth. That is a pretty important figure when you think about the number of crashes and number of injuries, property damage, and even fatal accidents that happen. In cities that turned on red light cameras, they found 21 percent fewer fatal red light running crashes and 14 percent fewer fatal crashes overall. In communities that had photo enforcement and red light cameras that turned the cameras off for whatever reason they saw a 30 percent increase in fatal red light running crashes and a 16 percent increase in fatal crashes overall in their communities that was post photo enforcement.

What about Redflex, who we are? We have been around approximately 25 years. We have a global footprint. Our sole focus has been on modifying driver behavior and reducing crashes in the communities. We have headquarters in Glendale, AZ, and also Melbourne, Australia. We operate hundreds of programs across the globe and our sold focus is to deliver innovative solutions that prevent crashes and modify driver behavior. This is just some of our global customer base. As you can see, we are very diverse. We are in North America, Europe, and PAC Asia. On this particular slide, our Ohio customers are Parma, Parma Heights, Toledo, Trotwood, and also Hamilton. We have a new customer that came onboard, Perrysburg Township.

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What are some of the key differentiators for our company? Well, we install over 3,200 systems worldwide. We custom build and design our own equipment and rigorously test it and many of our pieces of equipment have international certifications. Our Alcyon back office is brand new. It is a web based back office and cloud based. It is very intuitive and user-friendly. It interfaces easily with third party and legacy equipment and also our intelligent crash prevention pre-emption system. That is a system that will go on the fixed cameras at intersections and if the equipment detects a red light runner, it will hold all red to let that violator through the intersection in the anticipation of a crash. It is a crash prevention tool.

Some of our mobile solutions include our Laser Technology Tru-Vision laser is very easy to deploy. It is preloaded with all the officers, identifiers, and locations. I have one with me tonight. The laser itself comes with an SD card that loads in the side. Everything inside this laser is automatic: automatic focus, automatic aperture. Any officer out on the street, could be on routine patrol, a traffic officer, this is a great tool for them to have for speeding violations. The officer selects their name from a drop down menu, selects the location they are at that will preload on there. The only manual entry would be the posted speed limit and what is the trigger speed or speed you want to start enforcing. That officer is now in business at that particular location: pick up the laser, point, shoot. If they capture a violator they pull the trigger and then can grab the next violator. It saves the officer from doing that traditional traffic stop that puts them out of service for 15 or 20 minutes to write the traditional ticket. Deputy Mayor Denning: This would be great in school zones. Mr. Keel: Yes, absolutely. School zones, or if you have a construction area where traffic is heavy and it is congested to get the officers to pull out. Sometimes that is more dangerous than the traffic offense itself. This provides the officers the ability to continually point and shoot. The officer gets a call for service, the way to stop the deployment is to put this on the seat and respond to that call for service. The can come back then, go to a different location and then select their name, location they are at, posted speed limit, trigger speed and they are back in business again. I can pass this around if you would like to hold it. Ms. Lommatzsch: What is the legal base of that going to court? Does this stand up as proof? Mr. Keel: Absolutely, and I am going to get to that here in a couple of slides. We have other communities that are using the laser right now. Toledo has eight of them, Perrysburg Township has two. We do have a couple of other portable solutions, mobile solutions. One is a relocatable and that solution is still in development anticipated to be out this year. It is a fairly compact speed camera device that can be set on the side of the road set up by our technician and it will just sit there and continually capture speeding violations as they go by depending the speed limit and the trigger speed. It runs on batteries and has a one to two week life on the batteries. The batteries can be hot swapped by our technician so there is no down time on that. It is portable, but it would take about two people to move that one around. We do also have the mobile speed van, which comes fully equipped with all the speed detection equipment inside of it. That has a nice flair so you can take it out into the community, the people see it, they understand you are responding to their concerns perhaps in neighborhoods and so forth. It can be operated being manned by an officer or unmanned if you want unmanned deployments. Our headquarters has a specific team that is available that will take over control of that and monitor focus and aperture and make sure all is functioning properly. Mr. Teaford: Now with this machine there, does it download back to the station or does it have to wait until he goes back and downloads it? Mr. Keel: It downloads through a UPC or an upload cabinet; a small computer box. When they are done with the deployment they remove the SD card out of the laser the SD card plugs into here and you plug it into the cabinet and our system automatically looks for new detections every 30 minutes. So within an hour or an hour-and-a-half, all the incidents they captured are downloaded into our back office, processed and then pushed back to the police department for review. Mayor Flaute: So our police department does have to review them all? Mr. Keel: Yes. Ms. Lommatzsch: And then issue the ticket. Mr. Keel: That is correct; we do not issue any tickets. What we do is provide the goods and services to the city. The actual authorization to issue a ticket comes from the police officers themselves.

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This is a quick blurb on Toledo. They have had lasers since 2016, started out with four and currently have eight of the laser that you are seeing right now. They have issued over 100,000 since 2016. They average about 300 detections per week per laser, typically deploying those two to three hours per day. They do have a dedicated traffic section so they have 10 or 15 officers that can take the lasers out and dedicate a specific time. However, with that particular laser like I said, uniform patrol officers in between calls for service certainly can identify an area that is in need of traffic enforcement, especially speeding, can set up, start to do the deployment and if they have to respond to a call for service it is nothing more than laying that device down on the seat of the car and responding to that call.

This is going into our fixed systems and I know with some previous conversations, would you like me to walk through all of the fixed system information? Mr. Denning: Okay. Mr. Keel: This is our Halo system; it is a high performance system with 3D radar technology. It is capable of monitoring multiple vehicles across multiple lanes of traffic. Typically the maximum is five lanes wide. It has built ALPR (automatic license plate reader) should the city decide they would want to utilize that function there is nothing to add on to this particular solution. It also comes with LED flash and HD video. Ms. Lommatzsch: That is permanently fixed and monitors the same area. Mr. Keel: That would be a fixed camera at an intersection. That camera is capable of doing both red light and speed so it could do one or the other or both. This is just, and it is going to be hard as I don't have a laser pointer with me, I'm sorry, but if you look at the image on the left hand side the device based tracking radar that is typical radar that most companies that do photo enforcement would use. If you notice the green overlay is over two vehicles. Those are the vehicles that this device based radar are tracking at this particular moment. Our 3D HD radar with our proprietary algorithms that we have established is tracking five vehicles. Our radar is capable of tracking multiple vehicles across multiple lanes that the device based tracking radar is not. We can also track vehicles that are changing lanes and also can separate vehicles that are in close proximity to each other. Sometimes the device based tracking radar will recognize three or four cars and will assume it is one unit like the semi-truck; our radar can separate that.

We also can do customizable detection zones. They can be placed anywhere within the radar field and any buffered images, which would be images of incidents that occur within that detection zone would be rejected. This is just an idea of what the zones are so the radar is customizable by lane and also by location. The green areas represent what you may see or what you may want. In this particular demonstration right here, the city has said we don't want to see anybody that stops in these green areas so we can tune our radar and tune our solution to anyone that stops in here, that violation will not go to the police department. It is automatically rejected because you don't want to see those. This is just a brief look at what HD video looks like as you can see it is super crystal clear. As you watch the car there will be a flash that goes off that is because that particular violator didn't stop; they did the rolling right hand turn.

On incident capture, what do the cameras produce? We have three images that come up with each solution. That would be not only for the fixed systems or the mobile systems, but also with this particular hand-held radar unit. You would get an "A" scene that comes with this tab bar at the top. All of this information at the top is encrypted at the moment the violation is captured. This information cannot be changed either by ourselves or by the city or customer. In this particular case, we are talking about red light cameras. You look at the image and can see that the light is red; the vehicle is behind the stop bar. The equipment has picked this vehicle up; the radar has, and understands that it is not going to be able to stop based on its speed. The second image that you would see would be the "B" scene, which again the light is red, the vehicle now is past the stop bar and going into the intersection, and then we would give you a close up plate shot. Each violation that is captured is placed into an incident file. All the data inside that incident file is encrypted and has a digital signature attached to it. The incident file then has a digital fingerprint

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attached to it. It is a proprietary file format (.inc). Once that file is sent to our importer, our importer looks for that digital fingerprint in all those digital signatures before it allows it into the system. That is security for you so that nobody can send anything into the system or pull anything out. All of our processing is done behind a secure facility so there are not a lot of people coming in or out. Only those people allowed to be in there are in there. The processors identify the registered owner and then the incident is sent back to the police department for review to either accept it as a good incident and ask up to print a ticket, or reject it.

This is the citation processing work flow. After an incident occurs the data is transferred into our back office. It goes through a multi-tiered process where multiple people review the incident and look for plate read and make sure the registered owner comes back to the vehicle shown in the photographs. From there, it is sent to police authorization where the officer would review each and every one of these and make a determination whether that is an acceptable incident that should receive a citation or should be rejected. If the officer has accepted it, it is sent to our back office where we print and mail the citation. We also maintain a full service call center that would answer any calls regarding the ticket that the violator may receive that takes the burden off the police department or any other city administration from responding to violator inquiries. As far as paying the fine, you can pay through the lock box, you can pay online, we are also associated with money gram, and we also take payments over the phone at our call center. Of course, as always, the violator has four options: they can pay the citation; they can nominate a different driver; they can report the vehicle or license plate stolen; or they can request a hearing. Those are the four options everybody has across the state of Ohio regardless of what program or who your vendor is.

This is the Intelligent Collision Preemption System. The equipment is set up so that in the enforced approach if our equipment detects a potential red light violator once the signalized goes to all red it holds that all red, allows the vehicle to go through with the idea we would prevent a crash and then once that vehicle has safely passed through the intersection it allows the signal to continue on as it should. This is just a representation of what it is so this vehicle down here is the enforced approach so our equipment is detecting this is a potential violation that is going to occur. It goes from amber to red and holding the entire intersection in the red phase to let that vehicle clear and then once the vehicle clears, it allows it to start going to green phases. If you watch this video, you will see how sensitive our equipment is with the 3D HD radar. You can see that it is going to amber, here is a bicyclist, and it's going to red and holding the entire intersection on the bicyclist. It doesn't necessarily have to be a vehicle. Now it is allowing the traffic to flow again.

This is our Alcyon cloud pega-based back office we are using. It is brand new, but it is much better and much more powerful than the US custom back office we are using right now. This is a powerful, dynamic and scalable platform easily interfaces with legacy equipment and other third party vendors. It delivers an optimal end user experience. All the case management would be handled through the Alcyon back office off of one page, where right now you have to toggle between different screens to manage a case. So our suite of services regardless of solution or violation type, we offer industry leading partnership. We will provide you with a full turnkey program that has no upfront cost to the city that includes all the goods, the services, back office processing, printing and mailing of citations, lockbox full financial reporting, violator call center; everything we offer at no upfront cost to the city. I think you are going to like it. Ms. Lommatzsch: I like the no cost to the city. Mr. Teaford: To do that, I take it you take your money from the citations. Mr. Keel: That is correct; we call it a per paid citation. What we do is we have a fixed dollar fee that we are entitled to for each fully paid citation. Other vendors will do a percentage base financial split, but sometimes they take a split off of partial payments as well as full payments. We never invoice any of our customers until the base fine of the citation is paid in full so the base fine is whatever your local ordinance would establish as the fine for an offense be it speeding, red light, or whatever. As an example, we will say it is a \$100 fine, our fine share is \$35; we will not invoice for the \$35 until the \$100 base fine is paid in full.

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Ms. Fry: So you said the police department determines whether or not to issue the citation. If we engage your services and only issued 10 citations, obviously, you wouldn't make your investment so is there an expected number of citations that we would have to issue?

Mr. Keel: It really boils down to what solutions you are looking for. Are you looking at fixed site solutions which are far more expensive than a hand-held laser? There is going to be some expectation of what volume is going to be produced. How do we determine that? We work with all the stakeholders in the city perhaps the transportation department or whoever could say let's look at your crash data, your citation data, what are your worse intersections. Then, we would go out and do an analysis of those intersections on our own, bring the results of that analysis back and compare it to what the police department and transportation department has provided and then mutually agree upon do we want to do this intersection, is this really a viable approach or do you move it someplace else. Is there really a red light running problem here that would suffice the investment of the company, is it more of a speeding problem?

Ms. Lommatzsch: We already have research telling us the 4th worst intersection in a five county area.

Mayor Flaute: Right, but, when we checked this last time, it was rear end crashes as our biggest problem, it wasn't running the lights that is why whoever was here seven years ago we turned away.

Ms. Lommatzsch: This is new information.

Mayor Flaute: This radar thing, if we do that how much do you get for violations of that or are you involved at all if we buy the radar gun?

Mr. Keel: First of all, you don't buy it; we provide it at no cost to the city.

Mayor Flaute: Do you get the same amount of money for \$100 fine, you get \$35?

Mr. Keel: I used that as an example. Each and every case is taken into consideration, some of them obviously we would have to sit down.

Mayor Flaute: So even with the radar thing you collect the money and do everything you said you did.

Mr. Keel: It would still be a specific dollar amount fine share; we don't do a percentage base.

Ms. Fry: Mr. City Manager, what is the position of the police department and the administration on these services?

Mr. Carpenter: I have had conversations with the chief and this is something as I understand it and maybe Major Sturgeon can elaborate, there is an interest in using these devices because of all the traffic accidents and the number of speeders and manpower.

Major Sturgeon: When we started looking at this it was fall of last year and we constantly set goals and we know we are being tasked with one of the big things is lowering major accidents at intersections, fatality accidents, anything deemed an injury accident. The problem with enforcing intersections that we run into is with our staffing levels we have a hard time as you have to dedicate two officers to an intersection and sometimes three because you need to watch the violation, you can't just run out and pull after them because now you are running the red light so you need a car on the other side of the intersection and need to call ahead to them to try and stop the car in traffic. We are starting to create a hazard ourselves by trying to enforce some of these issues. As we came further along, we know we want to decrease these accidents but what is causing an impact to people's lives are the fatal accidents and the severe injury accidents. Those are right angle crashes; those are high speed people running red lights at the intersection. Yes, we might get some whiplash accidents from people being rear-ended, but the major intersections with the injuries, we all know we have 202 and Needmore, and Airway and Woodman, and Spinning and Linden. It is so hard with those sized intersections; we have some big intersections that it is hard to make a dynamic impact on the true numbers for these accidents. We reached out, especially with the proprietary software they have where they can hold, we all saw the video where that bicyclist could have been killed very easily, and it held the light for them. I know we can get into the debate about where it is going to go in the future, but this for us is a tool we looked at because of the zero impact financially on the city, frees our guys. We will still do traditional traffic stops that is never going to stop; it is just that it is not feasible for us to do a lot of these intersections with our manpower. A lot of concern is about a hearing; the hearing would be held locally. The issuance of the citation would be determined by a law enforcement officer that reviews all these videos and film clips that come in. The handhelds would be great, the problem is that is not going to stop us or lower our accidents in the intersections. Those handhelds aren't going to do it for us. It is the actually posted enforcement; we can't sit a car in the middle

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of an intersection or one of the islands to be able to fix that camera and be able to start getting violators. They would need to come in and have the traffic studies we talked about. It is about stopping the red light violations and the severe accidents. Mr. Teaford: Do you think we have the manpower for an officer to be sitting and going through the citations and all the computer work. I know we are shorthanded. Major Sturgeon: Absolutely, so it would be something that would be tasked down initially to me or the other major. Yes, we would have the time to do it, it will definitely stretch us because we are already facing some staffing issues, but we firmly believe this program could make a dramatic impact for the safety of our residents as well as the commuters to our city. We would find a way to do it not costing overtime.

Ms. Lommatzsch: The handhelds would be a good tool for Woodman Drive and the wall. Major Sturgeon: Absolutely, they both serve their purposes. The handheld would be great for our officers to use. Like I said, it wouldn't stop traditional enforcement. We have laser, but our laser isn't video; it is the speed laser that we use and you see in the school zones we try to hit them all the time with our lasers. It is two different types of tools. One you have the portability of it; we can go out to hot areas we know that have complaints coming in, you could go there for 20 minutes and probably get 20 offenses and you wouldn't have to stop them, that is the difference not having to make the traffic stop. You let them go on unless it is somebody that needs to be stopped right then. Deputy Mayor Denning: none of these violations would be considered a moving violation; they would be a pay-your-fine. Major Sturgeon: Correct, so they don't go through our local court system and they aren't point offenses. Deputy Mayor Denning: So two things, it doesn't take as long and we don't have officers going to the courts if they plead not guilty and don't have time for that, and the big one is that we get a higher percentage of the ticket back into the city. Major Sturgeon: Correct what we face too, a lot, going through the municipal court of Montgomery County is that they always collect their full court fee and our traffic stops are usually on average \$20 fines, when you start adding that into the amount of time we are spending in doing the traffic stops, it starts to get very challenging.

Ms. Campbell: By using one of these say if somebody is running the stop signs all the time straight through it never trying to stop. Mr. Keel: This is not stop sign enforcement; this is a speed enforcement tool. This is designed specifically to capture speeders not red light runners or stop sign violators. Ms. Campbell: They will speed and go straight through the stop sign. Mr. Keel: If they are speeding then you go them. Ms. Campbell: If they run straight through a stop sign you can't do anything with that? Ms. Lommatzsch: You won't have a camera there; he's talking about putting cameras at major intersections not every intersection. Ms. Campbell: Who can you appoint? I'd sit there and do it for them. They go from one end of the street all the way down the other. Mr. Keel: This would be a very effective tool up and down Harshman Road perhaps any street like that, school zones, perfect tool for that. It is a speed only device, the handheld. It does provide you three images of video and the image I showed you on the red light, the laser itself actually embeds the cross hair and it is done by the laser not by us on the violating vehicle. If anybody comes in and says, "How do you know it was me?" because in the photograph there is a crosshair right on your car.

Deputy Mayor Denning: What would be the plan if this was approved? What intersections, what was your department's idea on how to use this? Major Sturgeon: When we originally talked to Kevin with Redflex it was literally looking at our five to six major intersections as we come down Harshman Road, Needmore, Woodman, and it would be a joint effort where there would be an analysis on traffic patterns and traffic flows. They can tell by their equipment how many violations are happening so we would be relying a lot on them to help us with it as well as with our traffic crash data. We would go over the last three years to see how many accidents we had. We know exactly where the major injuries are occurring so we would hope to incorporate the red light cameras in those major intersections and then make it a two-fold tool as you can include speed if you wanted to. Our big thing is that we have a hard time enforcing the major intersections with our

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manpower and time. The other solution would then be as far as speed goes would be the lasers where we would blend that in and use that on top of our current radar units that we have, our current lasers and this new laser here. It allows you to capture more violations and not have to continually stop car after car after car. Just in preparation for this watching our guys in a 12-hour shift how much down time they have, out of a 12-hour shift they may be down to an hour of down time and they end up with a lot of reports due. You can either choose to make one traffic stop, write a citation and get on to completing your tasks for the day which are your reports, or this could get you ten violations in the same amount of time and hopefully, you are looking for compliance. Our biggest thrust with this was the safety of the citizens and stopping these major accidents in the intersections. It started with red light enforcement being the big thing and now it evolved to there are other solutions that could help us out with what they offer. Deputy Mayor Denning: To me, to what Mrs. Lommatzsch said, one of the mobile or speed cameras along the Woodman wall I think would be good and then also on Springfield Street I think both those places need speed control. I am sure there are other places in the city that need it, but the question is so once you have slowed them down and they are used to that staying slow does it become not reasonable to have it there anymore? Ms. Lommatzsch: Can you move it that would be a question. Deputy Mayor Denning: You can't move the red light stuff. Mr. Keel: A portable solution would be here. Deputy Mayor Denning: And I get that, but I think more I like the ones where we don't have to have guys standing there doing it better than even that. If they are going to do that, they can zap them and write a ticket. Mayor Flaute: But look at the time saved. Deputy Mayor Denning: I get that, but I think we are crossing a line for the court system by using that versus a unit that is sitting out there that is always catching them, and then we can set it out there by the stop sign area where they are speeding through the stop signs and catch them, too. Ms. Campbell: Say a regular person wanted to do it, say if I did, volunteer. Ms. Lommatzsch: You can't do it, you're not law enforcement. Ms. Campbell: What would you have to do to be one? Ms. Lommatzsch: Go to school. Ms. Campbell: Well, I've had some training. Ms. Fry: Would this discussion be part of the consulting services? You would help us decide these things, right? Mr. Keel: Absolutely, we would work with all the stakeholders in the city, the major, your transportation department if that was necessary and come up with the crashes over the past three years, maybe areas where you are writing excessive amounts of speeding tickets and so forth. Then we would come in and do our own study on top of that to try and substantiate what the department statistics are showing and sit down with our statistics what we show and come to mutual agreement. Is this a feasible approach; is this intersection really going to work for us? Those studies can be done prior to contract; we can do that upfront now and work to see if there really is a need for the solutions that you are thinking about. I think that would be the most appropriate study at this particular time. Ms. Lommatzsch: That's important in slowing things down is people knowing it is there; word would get out pretty fast and it would stop. Traffic on Woodman is out of control, but once word got out and a few people got citations then they would slow down.

\* Councilman Curp arrived at 6:45 p.m.

Mayor Flaute: We are talking three different devices, that one, a red light camera at intersections, and a mobile one. Mr. Keel: We are developing the mobile one, it isn't here yet. Mayor Flaute: OK, if we do sign a contract with you and we don't like it, we are stuck for how many years? Mr. Keel: Typically there would be some base term on the contract and the type of solutions that you had selected. Ms. Lommatzsch: You would have contract for 'x' number of years. Deputy Mayor Denning: They have to get their money back. Mayor Flaute: So how many years would that be? Mr. Keel: Typically it is a four year contract with the possibility of some extensions, maybe two, one-year extensions on top of it. That is always something we can talk about in the future, too, as far as the term and so forth. We have to understand what solution we want, where do we want to put it, does it really work and then come back with a proposal to the major or the chief and say this is what we see, this is what we need as far as our per paid share of the fine and so forth. Deputy Mayor Denning: We have a pretty antiquated light system so would we have to

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upgrade our red lights in order to use the system that would stay red in all four directions? Mr. Keel: That is a piece of add-on equipment that is associated with our enforcement equipment, but that equipment does have to talk back to the controller box to tell the controller box to hold the red so there is a signal that is sent back. I guess in that particular sense, maybe we can talk to the signal department or transportation, whoever controls the signals in the city and maybe you could give us some assistance or drawings on what the equipment is like. Ms. Lommatzsch: Our major intersections aren't that antiquated Mr. Denning. Mr. Keel: I could have our engineering and construction team look at those and say yes I think that particular ICP device will work or perhaps no it won't work. We can answer the question upfront. Deputy Mayor Denning: I know that our stuff is pretty old and we are having issues with even getting parts for some of our lights because of the age. I like that capability because if we are saying we are doing this in the name of safety not in the name of revenue generating, which I really believe it is, we need to have that in place and be able to use that or we will still end up with wrecks. Mayor Flaute: I guess that is my problem, the perspective of your residents are that it is a revenue generator. That is not, that is a piece of equipment that will save us time and get the speeding down. Ms. Fry: What is the difference? Mayor Flaute: It is revenue, is it safety? Is it really that much safer because of it? Ms. Lommatzsch: I would be willing to make a motion that we have a proposal brought back to us. Mr. Keel: Okay so first steps would be we have to work with the major to determine what we want to do, how we are going to do it, and what solutions would be best for the city. Once we get that figured out, I can go back and start working on pricing and so forth and bring a proposal to you.

Ms. Lommatzsch motioned to move forward with getting a proposal from the company. Mr. Teaford seconded the motion. Six were in favor; one abstention, Mr. Curp. **Motion carried.**

Deputy Mayor Denning: We aren't held to anything by doing this? Mr. Keel: The only thing I would do is bring a proposal back to the major. Deputy Mayor Denning: This is just to give us more accurate information. Mr. Keel: Exactly. Deputy Mayor Denning: As part of that, I would like to see what kind of idea on the revenue we expect to generate from this. Mayor Flaute: I just saw the health and safety president walk in and I am thinking we should somehow get the health and safety commission involved at least to hear what the statistics are and get feedback from them. Ms. Lommatzsch: They certainly would be welcome to attend any of the presentations for both. Mayor Flaute: We really need to make a special invite to the health and safety commission to get their feedback and their feelings about this. I would find that very valuable. Deputy Mayor Denning: I think MVRPC might be interested in the fact that we are doing this, too. Ms. Lommatzsch: That could be; I can certainly make them aware.

**B) Financial Plan and Capital Improvement Draft** - Mr. Carpenter: We will just work from the paperwork as I didn't see the flash drive pop up there. I wanted to talk a little bit about maybe restructuring how we create the budget and also introduce a separate capital improvement program as well and maybe talk about some parameters on budgeting going forward. Page one; I wanted to touch on where we ended up on the 2018 budget. At the end of the year combined the remaining balances of the police, fire, service, and general fund and we had \$3.5 million roughly in the reserve. Mr. Curp: I don't think I have that page. (It was found that page was missing and the clerk went to copy the page). Mr. Carpenter: We will start with page three, the police department. Mayor Flaute: The fire department is page three. Mr. Carpenter: I guess I have a different handout; I will work with you Bev. Ms. Fry: We are missing the even numbers. Deputy Mayor Denning: It was probably supposed to be double sided and it's not. Mr. Curp: Maybe we should set this for the next meeting. Ms. Lommatzsch: I think so. It will be a good idea. Mr. Carpenter: Let's set this for the next meeting. Mr. Curp: Maybe we could have some narrative as well. Mr. Carpenter: I will email it to you all. Really, this was just the beginning of the discussion anyway; let me review what we were going to cover. With the budget itself, I was breaking down what we had in the budget, the general reserve, the general fund, the service

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department, the police department, the fire department that was unencumbered as a balance. That was the remaining funds we had available, \$3.5 million plus the contingency reserve. Then, we were going to look at each department, take the funding with the 2019 budget and how the departments were funded. Each department would be broken out on their revenues dedicated to each department and also the expenses for each department. Then, to make them whole, the balance required that would have to be transferred from the general fund into each department. We would do that for each one. Mayor Flaute: So, you are going to do that for the next meeting and give us some narrative on what each one of these is. Mr. Carpenter: I will send that to you ahead of time. Mr. Curp: With narrative. Mr. Carpenter: Then what we will talk about are some possible policies. For example, a ratio of what is to be the balance of the general fund versus what our expenses would be out of the general fund. How much we are going to have left in the reserves. Also, introducing the capital improvement plan and in that plan there is a draft schedule on preparation. We would have similar schedule for the overall budget so with that it would include a retreat with council, and then to review some goals and objectives and benchmarks and timelines on what product would be produced and reviewed by council, culminating into the agreed upon and passed capital improvement program also the budget before the end of the year that would be the goals. I also want to show or consider create a new fund specifically for capital improvement and that would be money set aside and dedicated to fund the things in these items. Right now, the way we structure each department is showing some capital purchases, also some loan payments; it can be a little bit confusing. I think it would be nice if we could set everything aside that is going to be for capital improvements and it would align with this plan. We structure this plan for the next ten years, but review it annually because inevitably there would be changes that need to be made. That is a summary and I will send everything out and if you have some questions please send them to me and I will have some notes explaining what I was intending to show you this evening.

Mr. Curp: Part of the explanation I would be looking for is if we created a separate capital section and put all this stuff over there, I am not sure that is much different from what we currently do when we start out doing the budget. We have the staff come in with a list of all the capital items for the various departments. Those get put together and prioritized and somewhere in there we determine how much money we have available to fund capital projects and we draw a line across that list and say everything above the list gets funded, everything below the list doesn't because that is all we are going to spend on capital because that is all we can afford to spend on capital. It is nice if we want to create it, but I am not sure I see just yet how it is different. Mayor Flaute: But we like plans. Mr. Curp: That is fine; that's what we have asked for. Mr. Carpenter: It is not a lot of difference, I mean the dollars are similar, especially for 2019, but going forward if we establish some parameters and dedicate some monies to the capital plan, I think that would be the biggest, the most significant change. Deputy Mayor Denning: I think the big thing is this is a ten year plan not okay this is what we are doing for 2019, this is what we are doing for 2020; we don't know what is going to happen in 2023 so we are living day-to-day rather than looking at the long term. I think this will give us that long term look with us updating it every year, I think that helps. One thing after our discussion at the last meeting, one thing I would like to see, it is going to be on the fire chief, what I quickly went through here and saw is that we are spending about \$2.0 million a year on the fire department just for personnel and so my question is, that is for 16 firefighters is that correct? Chief Stitzel: It is for the 16 full-time and part-time that we have. Deputy Mayor Denning: What I am looking at is, if we were going to go to full-time and you had 35 firefighters, what would that cost be, because right now you are covering most of your cost through real estate and homestead rule, and EMS billing, and all of that except for about \$704,000, right? Chief Stitzel: Yes. Deputy Mayor Denning: What would it cost us if we had 35 firefighters because now instead of 25 sets of turnout gear, we may have to have 45 sets of turnout gear and all of that? If we want to make that full-time, make everybody full-time, we need to know what that total cost is because then we can take that out to the voters and say this is what you said you wanted and this is what it is going to cost if we do that. This is what

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the increase will be whether we do income tax or property tax increase. We need to know what that number is to be able to make the fire department. I would like to see the fire department be self-sufficient in that you are getting it from either real estate tax or income tax and we aren't taking that \$704,000 out of the general fund to make that happen.

Ms. Fry: I just wanted to say that as a numbers person this document made my little heart happy. Mayor Flaute: That's great because I struggled. Ms. Fry: I appreciate the breadth and the detail and the numbers. Mr. Carpenter: Well, Ms. Bartlett was the lead on the project and a lot of staff contributed, Tom, there is still a little ways to go. It is a draft and it is not as complete as it will be. Deputy Mayor Denning: It is the right idea at least for me. I can go through here and I can understand unlike sometimes when I look at the budget it just fogs over about the third, fifth time...Mr. Teaford: It is a plan and that is what we have been needing is a plan. Deputy Mayor Denning: It gets us moving in the right direction.

**ITEM 7: RECESS:** Council recessed at 7:02 pm.

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

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:** Mayor Flaute had City Manager Mark Carpenter lead the Pledge of Allegiance. Mayor Flaute asked for a moment of silence for Patricia Bidwell. She was very active in Riverside and started off when the conditions of merger to become a city began. She was on the original charter commission and spent time on the parks and recreation board and was active in the Saville Hilltoppers and with St. Helens. She passed away a day or so ago.

**ITEM 10: MINUTES: Consider approval of the minutes of the March 7, 2019 regular Council meeting.** Deputy Mayor Denning motioned to approve the minutes as presented. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 11: PROCLAMATION:** World Autism Awareness Month and World Autism Awareness Day, April 2

Mayor Flaute asked the recipients of the proclamation from Wright State University to state their name and major: Rebecca Reese, Medical Lab Science Major; Krislyn Yoakum, Biological Science Major in Medical Lab Science; Tessler Baird, Early Childhood Education Major.

Ms. Reese: I'm Rebecca the current Philanthropy Vice President of Alpha Xi Delta at Wright State University. We wanted to say thank you to the mayor for inviting both me, my sisters Tessler and Krislyn to be here tonight to talk about this as it is so near and dear to our hearts. Since 2009, Alpha Xi Delta has been the national philanthropic partner with Autism Speaks. With that, we work to gain support for Autism Speaks and its events, especially World Autism Month is April and World Autism Awareness Day on April 2. Autism is a broad range of conditions so it is very different depending on each individual. It is generally characterized by challenge of social skills, repetitive behaviors, speech, and non-verbal communication. Currently, the CDC estimates that it impacts 1 in 59 children in the United States. In the past years, Autism Speaks already worked to raise awareness; we want to be able to grow and do more, specifically through spreading understanding and acceptance for the autistic community. We really ask everyone we can and especially you with Riverside to help us celebrate World Autism Month by lighting it up blue. With that, we ask you to wear blue, to share blue and especially light up your buildings blue. You can find blue lightbulbs at Home Depot and other resources online like AutismSpeaks.org for that. Specifically, if you go to AutismSpeaks.org you can pledge to wear blue and tell you why it is important and learn about how you can have a greater impact to benefit the autistic community.

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Mr. Teaford: Thank you for doing what you are doing. My wife is a special needs teacher and she has several autistic children and it is a challenge, but she does a wonderful job.

Ms. Reece: It is very special especially to me as my cousin Addie she is on the spectrum. She is about five years old right now; she is doing well and is in early treatment.

Ms. Fry: I like to thank you for your interest in the autistic community. I have an autistic son and have been blessed to know several autistic people and my Girl Scout troop and my children have several autistic friends. They are wonderful, wonderful refreshing people and I appreciate the effort to spread acceptance because that is what they need the most.

Mayor Flaute read the proclamation declaring April as World Autism Awareness Month and World Autism Awareness Day, April 2.

*Whereas*, autism affects an estimated 1 in 59 children (1 in 37 boys and 1 in 151 girls) and is a complex disorder that affects each person differently, resulting in unique strengths and challenges; and

*Whereas*, autism can cause challenges with verbal and nonverbal communication, social interaction, and repetitive behaviors, and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and

*Whereas*, autism is often accompanied by medical conditions that impact quality of life; and

*Whereas*, a comprehensive, collaborative approach will help to advance research, providing a better understanding of the many forms of autism, while strengthening advocacy efforts and ensuring access to services and resources throughout the life span; and

*Whereas*, early diagnosis and intervention tailored to individual needs can have lifelong benefits, easing the transition to adulthood and fostering greater independence; and

*Whereas*, each person and family affected by autism should have access to reliable information, supports and opportunities to live up to their greatest potential; and

*Whereas*, the City of Riverside is honored to take part in the annual observance of World Autism Month and World Autism Awareness Day to address the diverse needs of individuals and families affected by autism;

*Now, Therefore I, Mayor of the City of Riverside*, do hereby proclaim April 2019 as World Autism Month and April 2, 2019 as World Autism Awareness Day in Riverside, Ohio to increase understanding and acceptance of people with autism spectrum disorder.

Mayor Flaute: Thank you for coming and helping us with this proclamation.

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

**ITEM 13: LIQUOR LICENSE TRANSFER: Transfer from TD Oil Company LLC dba Woodman Shell to RR Family Limited** - Mr. Carpenter stated there were no conflicts with this permit from the police side. Deputy Mayor Denning motioned to approve the liquor license transfer. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

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**ITEM 14: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS:** Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

**ITEM 15: CITY MANAGER'S REPORT:** Mr. Carpenter: The report was included in the packet and I will be happy to answer any questions. I did have one thing to add, I know the newsletter the timing with it there were some issues with the formatting. It is with the printer and we do expect it to be out by next Thursday. That is the word we received, we will see if we can get it out sooner; it is with the printer. Deputy Mayor Denning: When will it be emailed? Mr. Carpenter: We can send that out now. Deputy Mayor Denning: I think you should. Mayor Flaute: That would be great. Deputy Mayor Denning: You could put it up on the web page and our Facebook page, too. Mr. Carpenter: Mr. Curp gave us the suggestion to do a pop-up as the information about the levy. I think that is a great idea so we will work to see if we can make that happen. Mayor Flaute: Normally we do see it before it gets printed so if we could see that in email. Mr. Carpenter: Typically it goes to the printer then they do a format and kick it back and that is when we send it to you. Mayor Flaute: Yeah, you send it to everybody. Mr. Carpenter: No, we send it to you for comment. Mayor Flaute: Normally council sees it before it gets printed. Mr. Carpenter: It is with them, they had some formatting issues; they did plan to send it back for review and comment and then they print. Mayor Flaute: So it is still being sent back for review and comment. Mr. Carpenter: Yes, we just haven't got it back yet.

Ms. Lommatzsch: Thank you very much for this paper; however, there is not one single time on here. Mr. Carpenter: The community meetings are at 6:00 pm, I didn't have the other times. Good catch. Mayor Flaute: You need to get that on there.

Ms. Fry: On the Capital Improvement Plan, you said here that you were going to include Economic Development, I didn't see it, did I miss it, is it coming? Ms. Bartlett: We moved it under administration. Mr. Carpenter: We didn't have the numbers in there; we had place holders, but not actual numbers. Ms. Fry: I wasn't sure where to look for it so it is under administration. Also, I appreciate the numbers for the fire department and the responses and what not; I would request some data on the mutual aid so we can know when we have to use mutual aid how much longer those calls take. We do know how often those happen based on this, but how much longer that they take. Mr. Carpenter: Chief and I had talked about that; some of the issues we have and maybe chief you could elaborate more, but you have to reach out the respective dispatch/department and request those times. Sometimes, for example, if Dayton Fire is coming in it goes to the regional dispatch center once they are en route and so we have to get that report from them. Ms. Fry: That is not something that traditionally comes to us? Mr. Carpenter: Not normally, but what our crews do is they try to document when their crews arrived on scene. Ms. Fry: Okay. Chief Stitzel: If it is Huber Heights dispatch, us, Butler, Engine 12 gets dispatched and Ladder 18 they do a real good job of communicating with our dispatch and that is where we get all of our times from. If we have a Kettering, Beavercreek, Fairborn somebody like that coming in, our guys tries to guesstimate the best they can. If they know they got there right about the same time the engine did then they will match the times and things like that. They aren't super accurate, but they are pretty close. What I can do is reach out to the various communication centers and ask them to try to run a statistics report for me so I can kind of get an idea and that is some of the questions I was going to follow up with. Are you looking for an average response time from mutual aid? It gets into what exactly are you trying to look for? Ms. Fry: So what is it costing our community when we don't have a fully staffed fire department, we lean on mutual aid more often and what is the cost of using mutual aid? Deputy Mayor Denning: Four minutes, 10 minutes, 15 minutes. Ms. Fry: So an average would be sufficient or greater than so many minutes. Chief Stitzel: There are several different standards that we use and NFPA the major is 90 percent of the time. So, 90 percent of the time we are supposed to be on a scene within four minutes; a structure response has to be there within eight minutes, 90 percent of the time. Those are the goals we strive for. What I can do is see what kind of data I can get from those other department.

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Right now, what we look at and when I make comments about it takes longer, it is based on pure distance right now. We know they are not in the city; we know they are further away. It really depends on that. I can reach out to those dispatch centers and they can usually do a report that shows what apparatus they sent to Riverside and give me a list of their times and import them into excel. Ms. Fry: Even if it is an average response time for Beavercreek, an average response time for Fairborn, just to kind of...Chief Stitzel: We usually break it down by zones because if Beavercreek is coming into the south end they are pretty quick, but if they have to come up to Valley it takes them a long time to get there. We can look at some averages and break it down into some areas also.

Ms. Fry: On the website, I see that we are still making progress; do we have a completion date for that? I'm sorry, I meant the IT network. Mr. Carpenter: We should be very close. We have done a lot of work here; we have the server room here that will be transferred over to 1791 and Station No. 6 was pretty close to getting online; I don't know if that was completed yet. Chief Stitzel: AT&T was out the other day; they hooked in the point-to-point, we have the new switch in and right now it is being tested. Making sure that everything works before transitioning everything onto the new network, once that is connected they can get their new phones and we can move the servers to 1791. I am guessing in a couple weeks we should be completely done with the rebuild and back to normal maintenance. Ms. Fry: Is that when we planned on finishing? Chief Stitzel: Back in the beginning? We planned on being done a long time ago. Just because of all the things we discovered as we were going through the rebuild; we had some things that broke that we had to fix in the process. There have been several delays, but I think right now everything is working really well, Station No. 6 is still on Spectrum Cable and hopefully, probably early next week we will transition them over to the fiber point-to-point. We will get them on the new phone system. Once that is done, all that is left to do is move the servers. Ms. Fry: So within a few weeks? Chief Stitzel: I'm guessing two to three weeks we should be completely done with all the rebuild.

Mr. Curp: Piggy-backing on Ms. Fry's question on mutual aid, I think a statistic that would be of value to me is to know how many times we are unable to provide a service to our residents because we are performing a mutual aid support to another community. What we have been told is we have this issue we don't have enough head count, enough manpower, but if part of the issue around that is because we are providing mutual aid to someone else and don't have crews available to respond to our own citizens then I think that is an important piece of information to know. It doesn't matter if we are actively engaged or if we are doing an AMR, we are still out of service for our citizens. That would be of value to me and I think to the rest of council. Chief Stitzel: Let's see what we are able to pull out of that. I am not sure we can differentiate; we have overlapping statistics to show when we are on a call and other calls come in, but I don't know if it actually separates out if we are on a mutual aid call; we may have to go through it on a call by call and hand count each call to see where they overlap. We do overlap. I know there are times when we are on a mutual aid call and another call comes in, we just never know when that happens. Mayor Flaute: The other side of that is, if we didn't have mutual aid, what would happen to our citizens. Mr. Curp: That is not my point. My point is when somebody comes in here and says the department needs more money because we don't have enough people. I have to take a look and see what are our people doing; if our people are on mutual aid someplace else and can't service our folks then we need to take a look at how much of an impact it is on our ability to provide services. Mayor Flaute: Okay, I agree with that, but I want to know what would happen if we didn't have mutual aid, how many emergencies would have happened because we needed mutual aid. Ms. Fry: So there are two sides to the same coin. Mayor Flaute: There are two sides to this and we just can't look at one side. Chief Stitzel: Us providing mutual aid is the cost we pay to get mutual aid. Mayor Flaute: That is exactly what I am saying. Mr. Curp: I understand that; I'm saying that for me, the rest of you don't have to have any interest in it at all that's okay, for me, for people to have credibility in their request for money or people coming in here they want to provide, and staff coming in here like at the last meeting saying they want to provide a higher level of service to our

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citizens, but they can't do it with 13 full-time head count in the fire department and 2,000 part-time hours in the budget and we have to go to an all career force. In order to justify that, I need to know how much of our time is being spent in the situation I just talked about. I understand the benefits of having mutual aid; I understand the benefits of receiving AMR. Chief Stitzel: You are talking about overlapping calls, if we are already in a mutual aid call and another in city call comes in and it overlaps that is the number you want? Mr. Curp: Sure, we are providing mutual aid on the north side and we get a call for assistance on the south side; we don't have anybody because all of our crews are engaged on the north side. Maybe one crew is handling a service request for one of our citizens on the north side and another crew is handling mutual on the north side for Huber Heights, north Dayton, we get a call for service on the south side, we have to bring in Beavercreek or Dayton or Kettering on the south side because our mutual aid we are providing on the north side is tying up our resources. I'm not saying that providing that mutual aid is a bad thing; I'm not saying stop that mutual aid. I'm just saying if you want to have credibility in your comments about needing more assistance, I need to know what is going on in that particular area. I want a full picture. Chief Stitzel: Do you want a number of incidents or time spent. Mr. Curp: I don't care about the time spent. Chief Stitzel: Just how many times this happens in a year? Mr. Curp: In a month. Chief Stitzel: In a month, okay, we can do that.

Mayor Flaute: On the Airway West reconstruction project the bid is going out October 24, 2019, is that the correct date? Mr. Carpenter: Yes. Mayor Flaute: So it is not going to get started until spring? We aren't going to try to do that after the bid comes out? Mr. Carpenter: This is an ODOT led project so they are taking the lead on this. They bid it this fall, they may do some preliminary work. I wouldn't imagine they would do any type of real construction over the winter. Ms. Bartlett: They may do some concrete work, but the paving will go into spring for sure. Mayor Flaute: It is not like an Airway East where we had to hurry up and get it done and it cost a whole bunch of more money. Ms. Bartlett: No.

A) Monthly Update Police Department – Major Matt Sturgeon: I'm not sure if you are aware, but Chief Robinson is not able to be here, he is dealing with some health issues. He is fine; he was in the hospital for about 24 hours, but he is doing well. He will be back Monday morning is our estimate. A quick overview of the last 30 days or so our officers have: responded to 1,802 dispatches, did 490 traffic stops, and issued 334 citations. Now that we are getting the end of the first quarter of the year, we've had two very short pursuits that were terminated as they weren't within our policy of what we were willing to do as a police department. We had one use of force which resulted in a minor injury to the officer as well as the suspect that was arrested. On a lighter note, our domestic violence advocate Skye Roberts started this past Monday. So far what I have seen she is a hard charger and very personable, easy to along with. We are getting her set up through HR and then she had her first experience with our courts this week. She sees how busy we are and a little overwhelmed, but I think she is up to the task and she'll work out great. That is a grant position funded at 75 percent of her pay. The installation for the cruiser computers is in full swing this week. Half the fleet right now has had installation of the antennas and the new cradles and mounts for the computers. Huber IT is building the computers out for the dispatching reporting needs we anticipate that all to be accomplished by the end of next week. It will be a light step forward for our guys. Right now, the computers in the cars are basically a dispatch screen. They are very limited on what they can do with them because of the age and speed of the computers and the network they work on. These computer are truly going to turn the cruisers back into mobile offices and they will not need to come back to the police department very often to do their jobs so it is a big step forward for us. This year, all of our officers are scheduled to go to ARIDE training, which is advanced OVI detection that going in part with the IDEP/STEP grant this year, we got \$18,000 provided to us from the state of Ohio to do extra traffic enforcement. Half of that goes to traffic enforcement and half of it is OVI detection enforcement so supplementing the guys on the road with overtime we don't have to pay for. We are also going to send all of our officers to advanced vehicle dynamic driving course. They didn't go last year and we don't

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like to go further than two years. We are all now into the SUVs; they are a heavier vehicle and a bit more challenging to drive. We have had very few accidents with our cars and we want to continue that trend with providing our officers with appropriate driving skills. Phase I of the firearms training for the department will begin in April. That is a rigorous training program; it will be an 8-hour day for all the officers to go through. That is phase one of five, so our officers will shoot at least five times this year including simunition and Airsoft force-on-force training and that will continue throughout the year. The virtual block watch program, I'm sure you have seen that on our Facebook page and probably are aware of; it is a camera registration program. We are about a month into it; we have about 50 registrants onto the block watch. This is something we are going to build on basically through the life of the department. This Saturday, we will be doing the entry level police examination to establish a current eligibility list. We have 30 as of right now that will be taking that examination. Tomorrow, Coffee with a Cop is at 8:00 am at McDonalds on Woodman Drive. I will be pinch hitting with a couple of our road patrol officers for Chief Robinson. The goal is, depending on how busy we are, is to have at least one or two officers at all of these different events so people can learn their faces and see who they are. One of the other highlights we had is participation with the county-wide drug blitz March 1. We did this last year; they move around the county, Riverside and Huber will be part of one of these blitzes in the summer, but this blitz was more towards Butler and the northern end of the county. It was an all-day event, 16 arrests, 54 traffic stops, two stolen guns recovered, and seizures of crack, methamphetamine, heroin, plus a large amount of cash was seized and will be subject to forfeiture some of that will come our way. Our dog was there to do a lot of the work. Lastly, a month long investigation at 15 S Pleasant Valley culminated into a narcotic search warrant that was conducted on March 8 with the assistance of the Montgomery County SWAT team. We made an entrance on this house and made three arrests as well as felony charges with possession of a fire arm by a convicted felon and we seized pills, methamphetamine, heroin, crack, and some money. The house has now been turned over to zoning to look at issues with nuisance abatement.

Deputy Mayor Denning: How quickly can we board that house up? What is the process? Do we have a process or do we need...? Mr. Carpenter: We should be able to board it up right away, but I don't know the current status of it yet. Major Sturgeon: We do have a process for it, the abatement process and we work on it with Bob Gibbs. It will eventually be before the city and council for review with the city manager. It is in the limbo period right now. It is a rental property. The tenants are out; it is in the initial phase where you are working with the owner of the property right now. Deputy Mayor Denning: I want to hold property owners responsible for their renters and we need something in our process so that if we have to go back there. We may let him go ahead and rent it out again and not board it up this time, but if he rents it and there is a drug issue again; then, you know, two strikes you are out and we are going to board it up for a year. If we need to pass legislation to that effect then we need to do that and these property owners that are renting need to understand we are serious about this about them not renting to drug dealers.

B) Monthly Update Fire Department – Chief Dan Stitzel: Us, too, on the mobile computers, we are getting them all installed. The antennas have all been mounted today. Some of the benefits of the new system are the GPS tracking and the vehicle locator in that software that we are getting through Huber Heights. We are going to have a map of the city and will see where all the different calls are at. I will be able to see where all the apparatus are. So if we have multiple calls, I can see that one engine or medic is closer than another and can reassign based on geography versus chronological dispatches. It will be a big plus for us especially if we get really busy or have a big wind event, those tools become very valuable for us in coordinating a bunch of different responses. That is one of the reasons we wanted this upgrade with the GPS capability. We should be done within the next week or two with that project. Our full-time firefighter position, we have their physical agility and interviews scheduled for the next two weeks and hoping to have an offer to one of them by April 8, a conditional offer, after that they go through their pension physical and all the other pre-employment testing and everything we do for that. We are going to keep

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that; we are hoping to have still four or five on a list that is eligible for any other potential openings we will have. The list is good for six months and is extendable for up to another six months after that. We still have two part-time in the process; they should be coming in to get their uniforms and get on the schedule in the next couple of weeks and then I am going to go ahead and do another process right on the heels of this one just to see if I can't bring them in. One of the reasons for that rush is we submitted the FEMA grant and in the grant, I didn't understand it in the beginning, I talked to the lady at FEMA and understood it better then, we actually have to have, whatever we budgeted for, I have to have filled for the year. We cut the part-time budget down quite a bit this year because we didn't have the people to staff it so it really kind of paid off that we were able to get that filled so we will be eligible for that grant, but there was a time period I questioned if we would be eligible. FEMA said we were fine, we are eligible; we just need a couple more in the door and we should be good to go for that. It has been submitted and we should hear back for July 31 whether we have been awarded that SAFER grant. We have not heard anything back from the Assistance to Firefighters grant on the power cots yes; we are still waiting to hear from that. We have also submitted to the Firehouse Subs grant for an external chest compressor; we haven't heard back from them. This will be our third year trying for that. In our community paramedicine, it is ongoing; we are still getting people in. I am starting a project with the people from Reach Out Montgomery County, our partners in community paramedicine, and they also work through Wright State University; they are doing a research project on cost effectiveness of EMS and they asked if we would help them with statistics and working on that research project. Our crews are still doing their annual protocol testing and if you noticed across the street by the hotel they are doing their drivers training. They set up the cone course, and every year they have to become certified in driving the apparatus through a standard cone course and road test to make sure their driving skills are still proficient of the apparatus and medic unit. In the next couple of weeks you will see them over there driving around in circles.

C) Monthly Update Public Services Department – Ms. Kathy Bartlett: I had a lengthy report in your packet. We received a letter from MVRPC, which I think the city manager sent, on the Woodman Drive and US 35; we did get that funded. I did talk to ODOT on that project and they have the consultant on that project and at some point I'm going to try and get that consultant to come in and talk about bridge aesthetics and things that we can have some input, council can have some input in to making that project as spectacular as we want to. There are some things ODOT, or the funding, will pay for, some things would be additional. Mayor Flaute: Do you know if the third lane that is going to be from Smithville to I-675, will that be before this or after this or during this? Ms. Lommatzsch: This is to start this summer. That is all separate from the Woodman Bridge. Mayor Flaute: I knew it was separate, but I was hoping they would work together. Ms. Bartlett: No, the one project will go in advance of the other. Ms. Lommatzsch: The third lane thing has been going on since the 90s. Mayor Flaute: I understand that. I thought originally when we were talking the bridge and the third lane were going to be done together. Ms. Bartlett: The pavement management group working on our PCI assessment is about 70 percent complete. They are going to come into our offices on April 15 and download PAVER into our computer so Jay and I can start looking at the results and doing some analysis and hopefully get some reports back to you on what they found. We can take those numbers then and compare them to our PCR values, which is what I used in putting together the CIP plan so there may be some shifting around of projects and that sort of thing in the CIP based on what they found. The Tall Oaks ADA ramps, those plans are due back to us next week so we should be able to bid those out if there are no problems, possibly in April. The guys have been working on the Community Park shelter roof this week. We are putting a metal roof on that and if not finished tomorrow, it will be finished on Monday. We are scheduled to get the port-o-johns out to the parks: Shellabarger, Community, and Rohrer on April 1 and Waker Plumbing is scheduled to de-winterize the concession stand at Rohrer Park the first week of April as well.

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Ms. Lommatzsch: When will the street sweeper start doing its thing? Ms. Bartlett: We are wrapping up taking plows off and when we get all of that out of the garage where we can keep the street sweeper in the bay then we can start using it every day in the next month for sure. Ms. Lommatzsch: There is just a lot of stuff in the gutters. That little vehicle doing all that stuff was very interesting going down the street. I chatted with the guy and have they done the whole city? Ms. Bartlett: They were going to wrap up tomorrow with actually doing the videotaping and then they have some office work to do after that and everything will be to us by April 15. Deputy Mayor Denning: They are moving along really fast; I'm impressed. Ms. Lommatzsch: I talked to the guy in this little bitty car going down the middle of the street and the neighbors wanted to know what they were doing.

D) Monthly Update Planning and Program Management – Mr. Lohr: I gave a number of updates two weeks ago so I will just give a few tonight. Facebook Live is going well. I watched it the whole hour during the work session and a little bit longer. We had some positive feedback on it; the sound is good; the picture is good. I've watched it sitting here so it looks like that is a success so far. We are interviewing for the new zoning administrator. We have a couple of interviews tomorrow; some more interviews next week. We did get some qualified candidates for that. We haven't had a large volume of applicants, but the ones that we have received are very good. Hoping to fill that as soon as possible depends on how the interviews go tomorrow and next week as to how soon we will be able to do that. You may have noticed 5313 Huberville, the house over here in the Center of Flight that has been boarded up; we are working on getting that demolished. We have quotes for demolition; we have them deactivating all the utilities. We are just waiting on the environmental assessment to see if we have asbestos removal to do there. Once we have that we will be able to take the house down.

Ms. Campbell there are a couple that you might have come up for demolition on Rondowa and Bushnell, have you heard anything on them? Mr. Lohr: The one on Bushnell, the one that was fire damaged, correct? We have quotes for that and have had the environmental assessment, there is no asbestos. We had some discussion internally as to wait to see if we get grant funding for it through CDBG. Those funds are not available until very late at the end of the year so we were going to go ahead and work on taking that down in the near future, 30 to 60 days probably to have that one down. We have quotes for Rondowa, but we do not have funding lined up for that one yet so we will continue to work on that.

Deputy Mayor Denning: Do we have a date for the community clean-up? Mr. Lohr: The last we talked about, we were shooting towards the end of summer so like in August, but that was when we were hoping to get CDBG funding to help with a big clean-up. I have since spoken to the county and that funding is not going to be available until more like November so that project is going to be a 2020 project; a clean-up in the Valley Plat. Deputy Mayor Denning: We aren't doing it this year? Mr. Carpenter: We are going to proceed with the community clean-up; we are trying to tie it in with a larger project, but the way the grant funding falls we aren't going to be able to do it together. So we are going to switch gears and pick a different day for the community clean-up. Mayor Flaute: That day hasn't been chosen yet. Mr. Carpenter: No, we have to re-evaluate. Deputy Mayor Denning: Spring to early summer seems to be the best just from past experience, late spring to early summer. As soon as you get that date, lots of people have been asking me. Mr. Carpenter: With that feedback you were getting, I know traditionally we have done it on Huberville. We had one large event at Rohrer Park, is there a preference to same location? Deputy Mayor Denning: That wasn't part of the feedback I got, but my personal feeling is consistency, consistency, consistency. Whether we continue to do it on Huberville or do it at Rohrer Park, I would think the issue with Rohrer Park is the same issue we had the last time, which is soccer, baseball, all the other stuff that goes on there; where at Huberville we don't have that issue and if people are used to us doing it there, I think we need to stay consistent. We need to stay consistent with the time of year and not move that around a lot either.

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Mayor Flaute: I just had one thing; Ms. Fry had asked for a zoning process, is that still in the makings? Ms. Lewallen: We have it scheduled for the work session on April 4. Mr. Carpenter: I have had some conversation with Mr. Gibbs about the processes that he currently does. He has been in and out and he got injured. Today he was sick so we are trying

**ITEM 16: PUBLIC COMMENT ON AGENDA ITEMS:** No one requested to speak on agenda items.

**ITEM 17: NEW BUSINESS**

**A. RESOLUTIONS**

- I) Resolution No. 19-R-2454 authorizing the city manager to enter into a contract with A&B Asphalt as the lowest and best bidder for the 2019 Paving Program.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2454. Mr. Teaford seconded the motion. Mayor Flaute asked if there were any questions or comments by members of Council.

Being no other discussion, all were in favor; none opposed. **Motion carried.**

- II) Resolution No. 19-R-2455 revising the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Property Tax duplicate.**

Mr. Carpenter: This is revising the assessment for delinquent charges for cutting and removing weeds, vegetation and grass. What had happened, we did the legislation to submit the assessments to the county and during the time those were being sent to the county, some of these homes were purchased and part of the process, historically, and those fees would be waived upon purchase. The county is now requesting we do a resolution.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2455. Ms. Fry seconded.

Ms. Campbell: Do you have a list of the properties being done? Mr. Carpenter: Which ones are being waived? Ms. Campbell: Not being waived, who they are going to go out and cut for? All of the addresses. Mr. Carpenter: We have the list from last fall, is that what you are requesting? Ms. Campbell: Something that some people can help, Dan Ryan helping people with all that stuff. Ms. Lommatzsch: We can't hear what you are saying. Mayor Flaute: You need to pull the mic down Ms. Campbell we can't hear what you are saying. Ms. Campbell: I thought maybe there were some people out there that would help some of the people who can't get their grass cut. Mr. Carpenter: We do have a list, an abatement list, properties that are routinely cut. We do have that; we can provide it. Mayor Flaute: The only two in question on this motion are the two that are listed, is that correct? Mr. Carpenter: Yes.

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

- III) Resolution No. 19-R-2456 amending the contract between the City of Riverside and Sandy's Towing and Recovery Service, to add an administrative fee assessed to each towed vehicle in the City of Riverside, State of Ohio, under certain terms and conditions.**

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Mr. Carpenter: This resolution amends the contract between the City of Riverside and Sandy's towing. We are adding a \$30 administrative fee to the contract.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2456. Mr. Teaford seconded.

Deputy Mayor Denning: Is this basically the standard or average administration fee of surrounding cities, average of surrounding cities? Mr. Carpenter: There are some that are higher some lower; I don't know if it is the exact average, but we tried to evaluate what our costs were. Deputy Mayor Denning: We are not, everybody else is at \$10 and we are charging \$30? Mr. Carpenter: No.

Ms. Fry: It says under certain terms and conditions, what are those terms and conditions? Mr. Carpenter: It would apply to what is currently in the contract. Major maybe you could help me out with this specifically which one these administrative fees would be going towards; I believe it is for accidents. Major Sturgeon: There is always discretion within the tow contract and the terms of it that we can always waive some of the fees on a case-by-case basis. Sometimes it is necessary for us to tow victims of crimes cars and we would not necessarily want to compound that on them by charging them with an administrative fee or even we get so many fees per year from Sandy's that we can waive without them blinking an eye at it. That is most of what that refers to. I would say 98 - 99 percent of our tows that fee will be attached to. Ms. Fry: What is this fee to cover? Mr. Carpenter: Administrative costs we have for tags, tickets, time on scene, and officer's time in processing the paperwork.

Mr. Curp: So if there is a traffic crash do we assess a \$30 or an administrative fee or is this for towing cars out of parking lots? Major Sturgeon: The fee would be associated with probably about 99 percent of our tows. In answer to your specific question, two cars crash, two cars to tow, that fee would apply to both cars.

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

**IV) Resolution No. 19-R-2457 authorizing participation in ODOT Cooperative Purchase Program.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2457. Mr. Teaford seconded.

Mayor Flaute: I only have one question, so everything we basically buy, is it just automobiles or is it stuff for our fire department, what is this cooperative purchase program? Mr. Carpenter: This one is a little bit different; this one is geared towards road projects. Ms. Bartlett: This is basically almost like a state bid price, but we are looking at it specifically for going out and getting bids on crack sealing for doing the crack sealing we pay for using permissive tax funds. Rather than putting together a bidding document ourselves and bidding it out and opening bids that sort of thing. ODOT has already gone and certified particular bidders and this allows us to use those bidders. This resolution is required by ODOT.

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

**V) Resolution No. 19-R-2458 declaring a 2003 Sterling Single Axle Dump Truck and other public service equipment to be surplus and no longer needed for city purposes and authorizing its sale by sealed bid, a broker, direct sale to a public entity, or auction.**

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Ms. Lommatzsch motioned to approve Resolution No. 19-R-2458. Deputy Mayor Denning seconded. All were in favor; none opposed. **Motion carried.**

**VI) Resolution No. 19-R-2459 supporting Ohio House Bill 62 and the proposed increase in the Ohio Motor Fuel Tax of \$0.18 per gallon.**

Mr. Curp: Question. Mayor Flaute: A question before the motion? Mr. Curp: Yes, didn't this get passed by the legislature today and it was reduced to .06 and if so, is this moot? Mayor Flaute: Is that what happened? Only .06? Ms. Lommatzsch: I thought it was .12 over two years. I thought it was .06 and then .06. Mayor Flaute: So the Senate did that today so then yeah this would be moot. You are checking on that Mr. Curp? Ms. Lommatzsch: I am sure that was on the news. It was brief. Mr. Curp: It says .06 gas tax hike passes Ohio Senate. Ms. Lommatzsch: Also, the electric car tax passed. I just thought I would throw that in. Deputy Mayor Denning: Electric and hybrid, right? Mayor Flaute: For those who don't know, I own an electric car and I testified in front of the Senate and the House and I told them, I did not apologize for having an electric car, but I am still riding on the roads; you guys have to fix this. They heard me and now it is going to cost me money. Deputy Mayor Denning: \$100 a year, as it should. Mayor Flaute: Yeah, it is a lot less than what everyone else has to pay. Ms. Lommatzsch: I'm not sure that is how much. Mr. Curp: \$75 and \$175, but it doesn't say whether it now has to go to the conference committee and work out the difference between the Senate version and the House version; it still could be something different. Mayor Flaute: It doesn't say that or it does say that? Deputy Mayor Denning: It only passed the Senate. Mayor Flaute: It already passed the House. Deputy Mayor Denning: But since it is two different ones, now it has to go to committee and they have to agree on it. Ms. Lommatzsch: We don't need to vote on our thing because it is not going to happen.

Resolution No. 19-R-2459 was not read and therefore failed.

**ITEM 18: PUBLIC COMMENT ON NON-AGENDA ITEMS:** Mayor Flaute invited Steve Massa to come forward and discuss his issue.

Mr. Massa: I have two things; I only put one on the list, but I should be able to do this in three minutes. On this resolution, number three the administrative fee on towed vehicles, what department will get that money? Mr. Curp: The police department. Mayor Flaute: The police department because they are doing all the work. Mr. Massa: Okay, and then also, on Airway East the company that did that work are they going to come back and fix it? Or do I need to go into detail on what is wrong? Mayor Flaute: You will have to ask the service director about that after the meeting and she will tell you what needs to be done. There was still a punch list that needed to be done. I know they have done some of it, but there are still some things to do. Mr. Massa: I would like to see that done right because if we took the lowest bidder, they are still required to do the job right, and that was a lot of money. Deputy Mayor Denning: I do have one thing. Thank you for all the emails the last couple of weeks because it has been such a long period and having them all together has helped us put some things together. I appreciate that. Mr. Massa: Thank you; I had many, many hours putting those together. Thank you for reading them.

**ITEM 19: COUNCIL MEMBER COMMENTS:**

Ms. Lommatzsch: I missed the InCrowd, do you know when the next InCrowd is? Deputy Mayor Denning: Yes, it's in April. Ms. Lommatzsch: I don't think I wrote it down, but it is going to be at the American Legion. Mayor Flaute: April 29? Ms. Lommatzsch: Okay, well that is also the night of one of our...but okay you all have invitations to the volunteer dinner and I don't believe you have all RSVPed so I would like very much to hear from you. Deputy Mayor Denning: My wife does all that. Ms. Lommatzsch: No, you have a responsibility, sir. Please let the clerk know so she can include you in the number. Deputy

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Mayor Denning: Katie, we will be there. Ms. Lewallen: Thank you for putting it on the record. Ms. Lommatzsch: There is a workshop on April 12, a Friday, downtown at Sinclair on Fair Housing. I don't know if any of you are interested in going; I'm going to go. It is a very interesting subject in this county, in this area, underserved people that this group tries to serve. If any of you are interested, Katie has the information. It is at 8:00 am and all day. You all have the MVRPC dinner, which is on the 18th of April, please be sure you have it on your calendar. I have right here, any of you who are bicyclists, unfortunately I have had to give up biking, I used to love to do it, but there is a conference for National Bike Month and a Cycling Summit on May 10 in Miamisburg. I have all the information for any of you who are cyclists and would like to participate. They encourage you to get involved in taking care of our infrastructure for biking. It is also the same day as the MVMAA Golf Tournament in support of veterans and the Fisher House. I am hoping the city will be participating again; I will be working that tournament as I don't play golf. That is on May 10, the same day as the cycling so if any of you bikers would like to go to the cycling. Thank you very much. Mayor Flaute: That is the same day as the signing day at Stebbins, which I will be attending that for all the freshman who sign up to pledge that they will continue and graduate. It is a big day at Stebbins.

Ms. Fry: On Monday, I was invited by a resident to attend the United Against Hate event hosted by the Islamic Society of Greater Dayton in response to the shootings in New Zealand. It was a beautiful event; we had speakers from all three major faiths. It was standing room only; it was very moving. Also, on Wednesday, I attended the community forum to develop a coordinated response to the KKK planned rally in May. It was a forum to discuss what we as a greater community can do to respond positively to this event and show exactly who we are as Dayton and Montgomery County. A lot of good ideas were generated and they plan to follow up so keep an eye out for what we can do to help that event in the future. Mayor Flaute: Thank you, Ms. Fry, for getting involved in that.

Deputy Mayor Denning: On Monday, I went to the InCrowd; it was great, good food, good people. Tuesday, we were at MVMAA out in the middle of nowhere, hopefully, we won't go there again that was a good time, too. They have started clearing for the Riverside Works and also the units, I know they are in Dayton, but I know our police department and fire department have to respond. The ones on Brandt at Texas they have started working on that land, too. We will have two construction projects very close to each other going on at the same time. We need to put something out on the webpage to make people aware that those are going on, and I am sure there will be heavy equipment moving in and out of there. Keep our community aware of what is going on that is the big thing. There are a couple of Easter egg hunts going on; I know Freda is putting one on at Rohrer Park on April 13, I believe it is at 2:00 pm; I'm not sure. Then, the Jaycees have theirs on April 20 at Beverly Gardens. And everybody is looking for donations. Mayor Flaute: If anyone is interested in donating eggs, some candy that can go into plastic eggs.

Mr. Curp: We have been given the activity calendar for the levy renewal for the police department; I'm concerned because of the experience we have had with the street levy, Mr. Manager, I hope you and all of your department heads will have some conversations with the rank-in-file in all the departments as far as getting together and everybody supporting this. When we did the street levy and some departments were approached for assistance, their response was how does that benefit me, why should I take part so they didn't. That is not a good approach to things because when we don't have proper funding for one department and even though the street department was for streets and not for head count and capital equipment that sort of thing, but when we don't have proper funding for one department that requires us to take money from the General Fund to subsidize that department at its increasing cost. This means we don't have that money to support some other department that comes in here and says they have a need also. I hope we can communicate with all the staff throughout the city that this is important to everybody, every staff member not just the department that on the literature and on the ballot is the object of the revenue that would be generated because you do supplant money from one

Thursday, March 21, 2019

fund to support another fund. I hope, Mr. Manager, you can have those discussions with the department heads and the rank-in-file staff to help them to understand it is important for them to go out and help support this levy. It is not just a police department thing that the police department has to do all by themselves. I hope council members, people in the audience who want good services who might not be happy with some things that happen, but nonetheless we need support from people in the audience, people on this dais and other people in the community to step up and provide some assistance. There are plenty of things to do, plenty of places help can be used. I hope those conversations will be had; Mr. Manager, and I hope as council we find a way to go out and assist in some of these things.

Ms. Lommatzsch: I would like to echo that. I found it very disappointing in the last attempt to inform this community of the needs. We got real push back from some of our employees and some citizens and I hope that doesn't happen again because ultimately we all suffer.

Mayor Flaute: I did three weddings. I did testify in front of the Senate this week for the gas tax. Lobbying day is coming up on March 27 where all of the communities are getting together and going to Columbus. I will be going there and I will be taking, hopefully, a city car to do that and anyone who would like to go with me should let me know and we will make sure that happens. It is a day where we go to our House and Senate members and tell them what we need for our city. Mr. Curp: Well, if you have an electric vehicle and it doesn't cost anything to drive, why would you take a city car? Mayor Flaute: I haven't been taking a city car for all the other things; I have been taking my own car. Deputy Mayor Denning: I think you should take your electric car and show people the way it is supposed to be done. Ms. Lommatzsch: What day is that? Mayor Flaute: That is March 27. Anyone is welcome to go with me. It starts at 8:00 am; there is a free breakfast at the Sheraton and then there is free lunch. Ms. Campbell: Is that going to fit all of us? Mayor Flaute: My electric car only holds about five people. Deputy Mayor Denning: Four, it is a two plus two, isn't it? Mayor Flaute: No, you can get in the back seat. Next time we will have executive session to look at the city manager's performance and how we want to handle that so we have requested an executive session at the next meeting. He has some things he is going to do to prepare for it. Mr. Curp: The appropriate thing to do is for the manager to go back to the list of things we gave him to do and provide an update on what has gotten accomplished.

**ITEM 20: ADJOURNMENT**

Deputy Mayor Denning motioned to adjourn. Ms. Campbell seconded the motion. All were in favor; none were opposed. The meeting adjourned at 8:26 pm.

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William R. Flaute, Mayor

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Clerk of Council

## Memorandum

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To: Riverside City Council

From: Katie Lewallen, Clerk of Council

Date: March 29, 2019

Subject: Commission Updates

CC: Mark Carpenter, City Manager

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### I. Health and Safety Commission:

The Health and Safety Commission has notified me that they have selected their dates for the 2019 Annual Bike Rodeos. On May 11, 2019, the first bike rodeo will be held at Rohrer Park. Shelter has been reserved. On June 1, the second bike rodeo will be held at Beverly Gardens. Staff at the school will be advised of the event. Tim is to get me the times of each rodeo and I will forward once that information is received.

Health and safety has also budgeted for shirts and wish to get them as soon as possible so every member has one prior to the bike rodeos.

### II. Charter Review Commission

The Charter Review Commission concluded with reviewing the charter and discussing items they wish to bring before council. That information will be included in the next packet (prior to them attending a work session) or a special packet should one need to be created as we have only one meeting in April. They are trying to determine which meeting in May the majority can attend to discuss at a work session.

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## MEMORANDUM

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Date: April 4, 2019  
To: Mayor, City Council & Department Heads  
From: Mark Carpenter, City Manager  
Re: City Manager's Report

The City Manager's report includes the following items:

- (1) FYI
  - a. Council Request Sheet
  - b. Council Agenda Calendar
  - c. City Manager's Project and Activities Report
- (2) Monthly Verbal Updates
  - a. Finance Department
  - b. Administration Department
  - c. Economic Development Department

If you have any questions regarding the items listed above, please advise. Thank you for your time and attention to this matter.



# 2019 City Council Calendar

## FEBRUARY 7, 2019

1. Work Session: PCI Presentation
2. Monthly Update: Finance, Administration, Economic Development
3. Liquor License Transfer: China Garden Buffet
4. Ordinance: Renaming/Repurposing City Fund 213 (2nd reading/public hearing/adoption)
5. Ordinance: Widow's Home (1st reading)
6. Ordinance: Personnel Policy update (emergency)
7. Resolution: Appoint Charter Review Commission Members
8. Resolution: Renfield Bridge Sign
9. Resolution: Richland Bridge Sign
10. Resolution: ODOT to perform steel bridge repair
11. Resolution: ODOT to replace deficient guide signs

## FEBRUARY 21, 2019

1. Work Session: BZA applicant, Title Five - Purchasing Threshold, Org Chart Update, Live/Work
2. Monthly Financial Report
3. Monthly Update: Police, Fire, Service, Planning and Program Management
4. Ordinance: Widow's Home (2nd reading/public hearing/adoption)
5. Resolution: Reappoint Penny Humerick to Property Maintenance Appeals
6. Resolution: Appoint April Franklin to the Parks and Recreation Board
7. Resolution: Surplus - various equipment
8. Resolution: LDSS Contract

## MARCH 7, 2019

1. Work Session: Public Works Info: PCI Cost/Benefit Analysis, Suggest Grant Applications for 2019, ODOT's Urban Paving Program (Service); Live/Work Guidelines
2. Monthly Update: Finance, Administration, Economic Development
3. Resolution: CDBG Fund Transfer
4. Resolution: SAFER Grant Application
5. Resolution: Highway Safety Improvement Program Grant Application
6. Resolution: Appointing Reece Timbrook to the BZA

## MARCH 21, 2019

1. Work Session: Traffic Control Device Presentation (Police), Financial Plans, Capital Improvement Plans
2. Monthly Financial Report
3. Monthly Update: Police, Fire, Service, Planning and Program Management
4. Proclamation: World Autism Month/World Autism Awareness Day (April 2, 2019)
5. Liquor License Transfer: TD Oil Co. to RR Family Limited

## MARCH 21, 2019 - Continued

6. Resolution: 19-R-2454 2019 Paving Program
7. Resolution: 19-R-2455 Grass Cutting Assessment Revision
8. Resolution: 19-R-2456 Towing Amendment
9. Resolution: 19-R-2457 ODOT purchasing program
10. Resolution: 19-R-2458 Public Works Equipment Surplus
11. Resolution: 19-R-2459 Gas Tax Support

## APRIL 4, 2019

1. Work Session: Financial & Capital Improvement Plan, Zoning and Code Enforcement Plan
2. Monthly Update: Finance, Administration, Economic Development
3. Presentation: National Youth Advocacy Program
4. Ordinance: 19-O-690 Small Cell (1st reading)
5. Resolution: 19-R-2460 Reappointment of Francesca Hary to Personnel Appeals Board
6. Resolution: 19-R-2461 Reappointment of Harold Vasquez to Planning Commission
7. Resolution: 19-R-2462 Reappointment of David Owens to Planning Commission
8. Resolution: 19-R-2463 Reappointment of Anthony Rodgers to Planning Commission
9. Resolution: 19-R-2464 Reappointment of Chuck Childers to Board of Zoning Appeals
10. Resolution: 19-R-2465 Reappointment of Tim Schneider to Board of Zoning Appeals
11. Resolution: 19-R-2466 Reappointment of Jerry Richardson to Board of Zoning Appeals
12. Resolution: 19-R-2467 Reappointment of Stanley Leszczuk to Tax Appeals Board
13. Resolution: 19-R-2468 Bob Chiles Classic
14. Resolution: 19-R-2469 Girl Scouts of Western Ohio
15. Resolution: 19-R-2470 Grass Cutting Assessment
16. Executive Session: Trade Secrets; City Manager 6-month review

## APRIL 18, 2019

NO MEETING - MVRPC ANNUAL DINNER

## MAY 2, 2019

1. Work Session: Charter Review Commission submission, CDBG Funds
2. Monthly Update: Finance, Administration, Economic Development
3. Proclamation: Motorcycle Awareness Month
4. Ordinance: Small Cell (2nd reading, public hearing, adoption)
5. Ordinance: Purchasing Threshold (1st reading)
6. Ordinance: Table of Organization (1st reading)
7. Ordinance: Live/Work (1st reading)
8. Resolution: Surplus - Split Rail Fencing and other items

**MAY 16, 2019**

1. Work Session: RITA and CCA presentation, Email Archiving
2. Monthly Financial Report
3. Monthly Update: Police, Fire, Service, Planning and Program Management

**JUNE 6, 2019**

1. Work Session:
2. Monthly Update: Finance, Administration, Economic Development

**JUNE 20, 2019**

1. Work Session:
2. Monthly Financial Report
3. Monthly Update: Police, Fire, Service, Planning and Program Management

**JULY 4, 2019**

No Meeting - Independence Day

**JULY 18, 2019**

1. Work Session:
2. Monthly Financial Report
3. Monthly Update: Police, Fire, Service, Planning and Program Management

# MEMORANDUM

**TO:** Riverside City Council

**FROM:** Mark Carpenter  
City Manager

**DATE:** March 29, 2019

**SUBJECT:** Bi-Monthly Projects & Activities Report

**CC:** City Department Heads

## **PERSONNEL & HUMAN RESOURCES:**

- Drafting updates to the City Personnel Manual.
- Preliminary interviews have been completed for the Zoning Administrator position. Second interviews are being scheduled.
- Staff attended the Dayton Area Chamber Annual HR Forum.

## **PUBLIC SERVICES AND GENERAL CONSTRUCTION:**

### **Projects:**

**Airway East Mill & Fill:** Contractor working on punchlist items. Manholes were adjusted to grade. Stone to be added to the north shoulder in April.

**Woodman Drive and US 35 Interchange:** ODOT is leading the design with their consultant, E.L. Robinson. Stage One plans will get underway soon. We should have input into design elements including the bridge. I hope to have ODOT's consultant at a future work session to discuss bridge aesthetics.

### **Project Preparations:**

- Making minor changes to the working draft of a 10-year Capital Improvement Plan (CIP) for the Public Service Dept. Working with Police, Fire, Economic Development and Technology to complete their portion of the draft CIP.
- Scheduling a preconstruction conference with A & B Asphalt on the 2019 Residential Paving Program for early May. Preparing to walk the projects and mark curb and gutter that needs replaced on Cascade, Marblehead and Enright. Also mark areas of full depth asphalt repair that can be seen from the surface.
- Pavement Management Group (PMG) is delivering the results of their assessment of our pavements as well as loading the Paver software on two computers April 15. A council presentation of results will be scheduled for a work session in May.
- 2019 Paint Striping is scheduled for bid for state routes and thoroughfares thru Miami Valley Communication Council (MVCC) on April 8.
- Choice One completed Tall Oaks ADA ramps design. Currently reviewing the plans. Site visit scheduled next week. Expect to bid in May.

**Miscellaneous:**

- Second meeting with KZF Design for Transportation, Infrastructure and Architectural is scheduled for discussions on parks master plan needs.
- Met with Fishbeck, Thompson, Carr and Huber, Inc. introduction and potential bridge needs.
- Met with Chief Robinson and Major Sturgeon on possible areas for safety studies and speed limit adjustments within the City.

**Operations:**

In last month, maintenance crews have:

- Scheduled to haul salt to Dayton second week of April to free up space for street sweeper dumping and mower storage through summer. Street sweeper cannot be put into service until salt is moved to Dayton. No place to dump debris.
- Finishing the roof replacement on Community Park Shelter.
- Continued catch basin and manhole repairs.
- Preparing a 1.5 hour in-house training on Driveway Permit Inspection to be presented by Jay Keaton.
- Port-a-johns scheduled to be in place April 1 at three parks: Shellabarger, Community, Rohrer.
- Waker Plumbing scheduled to de-winterize the Rohrer concession stand second week of April.

**PUBLIC SAFETY:**

**Police Service Information:**

***For the week of 3/14/2019 – 3/21/2019***

**Police Department**

**Training**

- Daily roll call training
- Officer Brewer (firearms training team) advanced firearms class at OPOTA

**Significant Events**

- Road Patrol conducted 116 traffic stops and issued 69 citations/offenses
- Officers investigated 15 traffic crashes, 6 were injury crashes.
- Officers investigated 8 domestic violence calls.
- Officers responded to 2 overdose and 3 narcotic calls
- Officers responded to zero sexual assault offenses
- Officers attended 16 different court hearings
- Officers responded to 435 total incidents last week
- Detective Cooper downloaded and analyzed one cellphones.
- Road Patrol responded to 14 alarms
- Highest volume call for the past four weeks was suspicious activity (26)

### **Community Interaction**

- Facebook posts reached over 5,370 people this past week. We are up to 4,421 followers. Post included the Coffee with a Cop event, the arrive safe cab event for St. Patrick's Day, our medication disposal service, lost dog with pictures in Avondale and advertisement for the April DEA RX take back day

### **FIRE/EMS SERVICE INFORMATION:**

#### **MDT's Capital Project**

- All components are in and being installed in all vehicles at this time.

#### **Staffing (part time / full time)**

- Fulltime firefighter – Physical Agility testing is scheduled for next week, interviews the following week.
- Part time, 2 awaiting medical and drug screening results, setting up interviews with recent applicants.
- FEMA SAFER Grant was written and submitted to FEMA.

#### **Community Paramedicine**

- Aiding in a research project on EMS cost effectiveness with Reach out.

#### **Fire/ EMS software**

- Up and running. Stats are continuing to build and inputting equipment inventory and personnel records now.

#### **Information Technology**

- Point to point at station 6 near completion. Still to move 5200 Springfield St. servers to 1791.
- Still awaiting on HVAC modification for server room.
- 1791 and 5200 are totally on the new network and old circuits have been turned off.
- Insurance claim has been filed. All records and information sent to adjuster for review and investigation.

#### **Significant Events**

- 2019 EMS Protocol Training continuing.
- Medic 5 OOS due to bad AC/Heat transfer valves.
- Engine 5 OOS due to possible gear case leakage.
- Crews doing drivers training and maneuverability course check offs.

### **ECONOMIC DEVELOPMENT:**

#### **Wright Point**

- Wright Point vacant office information is being loaded into CoStar and GSA, (Government departments looking for office space).

## **Tenants**

- UTC Aerospace: Met with UTC to discuss expanding; adding second office and conference room. Nokomis is not expected to use the space in 5100- Suite 420.
- UTC will be shown this space as all improvements were completed.
- LDSS: Tenant Improvements will be completed April 5, 2019. Tenant added 2 employees
- Stealth Entry: Letter of Intent delivered with terms for two offices adjacent to their office for five months.
- Price Systems: Letter of Intent drafted for Price Systems, Renewal. Waiting approval.
- SP Global: Six contractors attended the Bid Proposal meeting. Tenant improvements continue. Tenant anticipates adding 5-6 employees. Tenant will be adding contracted developers over the next year per the Government contract awarded this year, after the move into Suite 500 and 509.
- CDO: Will be expanding into the space being vacated by SP Global, exact amount of square feet to be determined. Tenant anticipates adding 9 employees.
- Updating all documents related to tenants; reviewing and preparing documents for consistency and efficiency; Letter of Intent, Lease Updates, Lease Addendums, Contract Bid Documents, Floor Layouts, etc.

## **Business**

### **Retention/Expansion**

- The Riverside business visits with the Chamber of Commerce will resume in early April.
- Chamber of Commerce INSITE: I included information for the local small business on National Small Business Week, May 5-11, 2019

### **Development**

- Listing Riverside vacant properties and buildings available for Sale or Lease:
  - Business First- Zoom Prospector
  - CoStar- added through the DDC (Dayton Development Coalition)
  - Riverside; Website; Economic Development
  - LoopNet- added through listing agent
- Tudor Biscuit- Discussion with Tudor Biscuit mid-April to propose tax incentive options for their construction of a restaurant on the Spinning/Burkhardt corner.
- K'Mart Parcel: Discussion with developer for multiple development options on the parcel.

## **Special Projects**

- Student interns, capstone and classroom projects; All schools have responded with information and we are registered to attract students across all departments. Directors were asked to submit intern position descriptions to attract the candidates to fulfill department needs.
- Begin outline of strategic plan to align economic development plan with capital improvement projects for cost effectiveness.

**PLANNING & PROGRAM MANAGEMENT:**

***For the month of March***

**Planning and Zoning**

- The home located at 5313 Huberville Rd. and owned by the City is set to begin the demolition process. Work is anticipated to begin next week on asbestos removal with the demolition completed thereafter.
- Continuing to work with IWorQ to update module in order to provide public access to zoning violations.

**Code Enforcement/Permitting**

29- New cases

36- Follow up investigations

17- signs removed

2 -cases abated by contractor

2 -more sent to court

2 -Adjudicated by Court (\$5 fine + court Costs) and not ordered to address violations

**Special Projects**

- Compiled list of Properties for possible REAP
- Obtained list of Rental Properties from Montgomery County Auditor
- Researched possible additions or corrections to Zoning Code
- Scheduled Community Clean Up Day for June 1, 2019.

**GENERAL ADMINISTRATION AND FINANCE:**

**Website/IT**

- Work continues on the point-to-point fiber internet connection from 1791 Harshman to Station 6. This is scheduled to be completed by the end of April.
- Facebook Live was successfully used for a City Council meeting.

**Parks and Recreation**

- Met with the Parks and Recreation Commission on 3/27 to discuss a Wings Festival that will take place in August. Staff and the Commission are working to identify key items that they want included in the festival and steps needed to include these items.

**Miscellaneous**

- The Public Records Commission met on March 28, 2019 to discuss the destruction of eligible records. Outdated finance-related documents were approved for destruction pending submittal of request to the State.

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** February 21, 2019

**AGENDA ITEM NO(S):** 15) A) I)

**AGENDA ITEM CAPTION:** Ordinance No. 19-O-690 adding section 1115.14 Small Cell Facilities and Wireless Support Structures to the Unified Development Ordinances (UDO) of the City of Riverside.

**ADMINISTRATIVE COMMENTS:** 1st Reading

**STAFF RECOMMENDATION:** It is respectfully recommended that the Mayor and City Council approve the attached Ordinance.

**FISCAL IMPACT:** N/A

**SOURCE OF FUNDS:** N/A

**EXHIBITS:** Ordinance and Amendment

**SUBMITTED BY:** Mark Carpenter, City Manager

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-O-690

**AN ORDINANCE ADDING SECTION 1115.14 SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES TO THE UNIFIED DEVELOPMENT ORDINANCES (UDO) OF THE CITY OF RIVERSIDE.**

WHEREAS, the City of Riverside Planning Commission has recommended adding Section 1115.14 Small Cell Facilities & Wireless Support Structures to the UDO Text Amendment Procedures of the Zoning Ordinance; and

WHEREAS, the Planning Commission has held at least one public hearing thereon, after notice of the time and place thereof had been given as required by law; and

WHEREAS, the Council of the City of Riverside, Ohio has held a public hearing thereon after notice of the time and place thereof had been given as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That Section 1115.14 Small Cell Facilities & Wireless Support Structures be added as set forth in “Exhibit A” of this Ordinance.

Section 2: That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 19-O-690 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

## **1115.14 SMALL CELL FACILITIES & WIRELESS SUPPORT STRUCTURES**

- A. **PURPOSE AND INTENT.** The purpose of this section is to establish general procedures and standards for the siting, construction, placement, collocation, modification, operation, and removal of small cell facilities and/or wireless support structures within the City of Riverside.

The goals of this chapter are to:

1. Provide standards for the siting, construction, placement, collocation, modification, operation, and removal of small cell facilities and wireless support structures within the City of Riverside.
2. Establish criteria for making application to promote fair and efficient processing of applications.
3. Ensure that small cell facilities and wireless support structures conform to all applicable health and safety regulations.
4. Preserve the character of the City's neighborhoods by limiting the overall number of facilities within the City's Right of Way.
5. Reduce visual clutter and preserve and enhance the aesthetic environment of the City of Riverside.
6. Ensure the safety of motorists, pedestrians, and other users of the City's Rights of Way by limiting the placement and overall number of facilities within close proximity to roadways, sidewalks, or other such ways of travel.
7. Establish a fair and reasonable method to recover costs incurred in administering this Section.

- B. **DEFINITIONS.** Within this section, words with specific defined meanings are as follows:

### **Abandoned**

Any small cell facilities or wireless support structures that are unused for a period of three hundred sixty-five days without the operator otherwise notifying the City and receiving the City's approval.

### **Agent**

A person that provides the City written authorization to work on behalf of a public utility.

### **Antenna**

Communications equipment that transmits or receives radio frequency signals in the provision of wireless service.

### **Applicant**

Any person that submits an application to the City to site, construct, place, collocate, modify, operate, and/or remove a small cell facility or wireless support structure in the City of Riverside

**Collocation, collocate**

To install, mount, maintain, modify, operate, or replace wireless facilities on a wireless support structure or utility pole.

**Cable operator, cable service, franchise**

These words have the same meanings as in the "Cable Communications Policy Act of 1984," 98 Stat. 2779, 47 U.S.C.A. 522.

**Decorative pole**

A pole, arch, or structure other than a street light pole placed in the Right of Way specifically designed and placed for aesthetic purposes and on which no appurtenances or attachments have been placed except for any of the following:

- A. Electric lighting;
- B. Specially designed informational or directional signage;
- C. Temporary holiday or special event attachments.

**Enclosure**

A cabinet for equipment intended to conceal its contents, prevent electrical shock to users, and protect the contents from the environment.

**Equipment**

Electrical and/or mechanical devices or components.

**Historic District**

A building, property, or site, or group of buildings, properties, or sites that are either of the following:

- A. Listed in the national register of historic places or formally determined eligible for listing by the keeper of the national register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the national register, in accordance with section VI.D.1.a.i-v of the nationwide programmatic agreement codified at 47 C.F.R. part 1, Appendix C;
- B. A registered historic district as defined in Section 149.311 of the Ohio Revised Code.

**Municipal Electric Utility**

The same meaning as in section 4928.01 of the Ohio Revised Code.

**Ohio Manual of Uniform Traffic Control Devices, OMUTCD**

The uniform system of traffic control devices promulgated by the department of transportation pursuant to Section 4511.09 of the Ohio Revised Code.

**Occupy, Use**

With respect to a Right of Way, to place a tangible thing in a Right of Way for any purpose, including, but not limited to, constructing, repairing, positioning, maintaining, or operating lines, poles, pipes, conduits, ducts, equipment, or other structures, appurtenances, or facilities necessary for the delivery of public utility services or any services provided by a cable operator.

**Permittee**

A person issued a permit.

**Person**

Any natural person, corporation, or partnership and also includes any governmental entity.

**Public Utility**

A wireless service provider as defined in division (A)(20) of section 4927.01 of the Ohio Revised Code or any company described in section 4905.03 of the Ohio Revised Code except in divisions (B) and (I) of that section, which company also is a public utility as defined in section 4905.02 of the Ohio Revised Code; and includes any electric supplier as defined in section 4933.81 of the Ohio Revised Code.

**Public Way Fee**

A fee levied to recover the costs incurred by the City and associated with the occupancy or use of a Right of Way.

**Right of Way, Public Way**

The surface of, and the space within, through, on, across, above, or below, any public street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, public easement, and any other land dedicated or otherwise designated for a compatible public use, which, on or after July 2, 2002, is owned or controlled by a municipal corporation. "Right of Way" excludes a private easement.

### **Small Cell Facility**

A wireless facility that meets both of the following requirements:

- A. Each antenna is located inside an enclosure of not more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than 6 cubic feet in volume.
- B. All other wireless equipment associated with the facility is cumulatively not more than 28 cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

### **Small Cell Facility Operator, Operator**

A wireless service provider, or its designated agent, or cable operator, or its designated agent, that operates a small cell facility and provides wireless service as defined in division (T) of section 4939.01 of the Ohio Revised Code. For the purpose of this chapter, "operator" includes a wireless service provider or cable operator that provides information services as defined in the "Telecommunications Act of 1996," 110 Stat. 59, 47 U.S.C.153(20), and services that are fixed in nature or use unlicensed spectrum.

### **Substantial Change**

Substantial change means the same as defined by the FCC in 47 C.F.R. § 1.40001 (b)(7), as may be amended, and as applicable to facilities in the public right of way, which defines that term as a collocation or modification that:

- A. increases the overall height more than 10% or 10 feet (whichever is greater);
- B. increases the width more than 6 feet from the edge of the wireless support structure;
- C. involves the placement of any new enclosures on the ground when there are no existing ground-mounted enclosures;
- D. involves the placement of any new ground-mounted enclosures that are ten percent (10%) larger in height or volume than any existing ground-mounted enclosures;
- E. involves excavation or deployment of equipment outside the area in proximity to the installation and other wireless communications equipment already deployed on the ground;
- F. would defeat the existing concealment elements of the wireless support structure;  
or
- G. violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval related to height, width, enclosures or excavation that is inconsistent with the thresholds for a substantial change.

Note: For clarity, the definition in this Chapter includes only the definition of a substantial change as it applies to installations in the public right of way. The thresholds for a substantial change outlined above are disjunctive. The failure to meet any one or more of the applicable thresholds means that a substantial change would occur. The thresholds for height increases are cumulative limits. For sites with horizontally separated deployments, the cumulative limit is measured from the originally-permitted wireless support structure without regard to any increases in size due to wireless facilities not included in the original design. For sites with vertically separated deployments, the cumulative limit is measured from the permitted site dimensions as they existed on February 22, 2012.

### **Utility Easement**

An easement dedicated for the use of a Public Utilities Commission of Ohio regulated utility.

### **Utility pole**

A structure that is designed for, or used for the purpose of, carrying lines, cables, or wires for electric distribution or telecommunications service. The term excludes street signs and decorative poles.

### **Wireless Facility**

Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including all of the following:

- A. Equipment associated with wireless communications;
- B. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.
- C. The term includes small cell facilities.
- D. The term does not include any of the following:
  1. The structure or improvements on, under, or within which the equipment is collocated;
  2. Coaxial or fiber-optic cable that is between wireless support structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

### **Wireless Service**

Any services using licensed or unlicensed wireless spectrum, whether at a fixed location or mobile, provided to the public using wireless facilities.

### **Wireless Service Provider**

A person who provides wireless service as defined in division (A)(20) of section 4927.01 of the Ohio Revised Code.

### **Wireless Support Structure**

A pole, such as a monopole, either guyed or self-supporting, street light pole, traffic signal pole, a 15' or taller sign pole, or utility pole capable of supporting wireless small cell facilities. As used in section 4939.031 of the Ohio Revised Code this chapter, "wireless support structure" excludes all of the following:

- A. A utility pole or other facility owned or operated by a municipal electric utility;
- B. A utility pole or other facility used to supply traction power to public transit systems, including railways, trams, streetcars, and trolleybuses.

### **Permit, Work permit**

A permit issued by the City that must be obtained in order to perform any work in, on, above, within, over, below, under, or through any part of the Right of Way, including, but not limited to, the act or process of digging, boring, tunneling, trenching, excavating, obstructing, or installing, as well as the act of opening and cutting into the surface of any paved or improved surface that is part of the Right of Way. Also, a permit issued by the City that must be obtained in order to occupy the City's Right of Way.

- C. **APPLICABILITY.** No small cell facility operator may collocate or remove a small cell facility or construct, maintain, modify, operate, replace, or remove wireless support structures in, along, across, upon, and/or under the Right of Way except in conformance with all provisions of this Chapter and any other applicable requirements of the City of Riverside.
- D. **PROCEDURES**
  - 1. **Permit Required.** Unless otherwise exempted, it shall be unlawful for any person to collocate or remove a small cell facility or construct, maintain, modify, operate, replace, or remove wireless support structures in, along, across, upon, and/or under the Right of Way unless a permit has been issued by the Zoning Administrator.
  - 2. **Application Requirements.** This section specifies the necessary requirements for a complete permit application. A complete application shall consist of the following:
    - a. **Application Fee** - The applicant must provide the applicable permit application fee in the amount currently required by City of Riverside and listed in its permit fee schedule.

- b. RF Compliance Affidavit - Applicants must submit a sworn affidavit prepared and signed by an RF engineer with knowledge about the proposed project that affirms the proposed project will be compliant with all applicable governmental regulations in connection with human exposure to radiofrequency emissions. The affidavit must include:
  - i. All frequencies on which the equipment will operate;
  - ii. how many channels will be used on each frequency;
  - iii. the effective radiated power ("ERP")
  - iv. output level in measured watts; and
  - v. the height above ground for the lowest point on the lowest transmitter.

The required disclosures above must be included for all transmitters on the support structure, which includes without limitation existing collocated antennas and antennas used for wireless backhaul (such as microwave dish antenna or U/E relay)

- c. Regulatory Authorization - To the extent that the applicant claims any regulatory authorization or other right to use the public right of way, the applicant must provide a true and correct copy of the certificate, license, notice to proceed or other regulatory authorization that supports the applicant's claim.
- d. Owner's Authorization - Applicants must submit evidence sufficient to show that either:
  - i. the applicant owns the proposed support structure or
  - ii. the applicant has obtained the owner's authorization to file the application.
- e. Site Plans and Structural Calculations. The applicant must submit fully dimensioned site plans, elevation drawings and structural calculations prepared, sealed, stamped and signed by a Professional Engineer licensed and registered by the State of Ohio. Drawings must depict any existing wireless facilities with all existing wireless communications equipment and other improvements, the proposed facility with all proposed wireless communications equipment and other improvements and the legal boundaries of the leased or owned area surrounding the proposed facility and any associated access or utility easements.
- f. Equipment and Enclosure Specifications. The applicant shall provide dimensioned elevations, cut sheets, material samples or other construction documents necessary to evaluate for compliance with this Chapter.

- g. Statement of Intent. The applicant shall provide a statement of a wireless support structure's intended purpose.

3. Application Type

- a. Each application to collocate or remove a small cell facility or construct, maintain, modify, operate, replace, or remove wireless support structures in, along, across, upon, and/or under the Right of Way shall be classified as one of three types. The three types of applications are:
  - i. Small Cell Minor – An application that:
    - I. Involves removal or replacement of small cell facilities and any associated equipment on an existing wireless support structure; and such removal or replacement does not constitute a substantial change; or
    - II. Involves the routine maintenance of a small cell facility.
  - ii. Small Cell Substantial – An application that:
    - I. Involves the installation of a new small cell facility on a wireless support structure; or
    - II. Involves the removal or replacement of a small cell facility on an existing wireless support structure and such removal or replacement constitutes a substantial change.
  - iii. Wireless Support Structure – An application for a proposal to construct, modify or replace a wireless support structure in the Right of Way.
- b. Applications seeking to collocate a small cell facility to a wireless support structure owned by the City and located within the City Right of Way shall also be required to obtain an Attachment Certificate and shall be subject to an annual attachment fee in an amount set by the City's Fee Schedule.

4. Decisions

- a. The Zoning Administrator shall review the application for conformance with the standards of this Chapter and shall either:
  - i. approve, approve with conditions, or deny a Small Cell Minor application; or
  - ii. grant or deny consent for Small Cell Substantial and Wireless Structure applications.
- b. If a request is denied, the reasons for denial shall be provided in writing to the applicant.
- c. The City reserves the right to deny an application if any one of the following conditions exist:

- i. The application does not comply with a provision of this Chapter or a provision of the City of Riverside Codified Ordinances;
  - ii. The applicant is not authorized to conduct business in the State of Ohio;
  - iii. The applicant is not current in its obligation to pay to the City fees or taxes imposed by this Chapter;
  - iv. The design or location is deemed unsafe or non-compliant in regards to transportation and engineering standards for construction within the Right of Way;
  - v. The design is counter to the health, safety, and welfare of the City;
  - vi. The design or location is in conflict with current or proposed accessibility standards;
  - vii. The design does not meet standards related to electrical, structural, safety or construction best practices.
  - viii. The proposed design is in conflict with existing infrastructure, facilities, and/or utilities.
- d. Except as allowed in subsection (e) below, applications shall be reviewed and a decision rendered according to 1115.19 (D) (4)(a) – Decisions, within the following time periods:
- i. Small Cell Minor – Small Cell Minor applications shall be rendered within 60 days of the date of filing.
  - ii. Small Cell Substantial – Small Cell Substantial applications shall be rendered within 90 days of the date of filing.
  - iii. Wireless Support Structure – Wireless Support Structure applications shall be rendered within 120 days of the date of filing.
- e. The time period required in subsection (d) above may be tolled only:
- i. By mutual agreement between the applicant and the City;
  - ii. If the application is determined to be incomplete; or
  - iii. The number of applications exceeds the City’s capacity to process them in a timely manner. If such number of applications exceeds capacity then the following tolling time periods may be instituted:
    - I. The time period may initially be tolled for up to 15 days when the number of applications received within any consecutive 30 day period exceeds 25 applications;

- II. For every additional 15 applications that the City receives above the 25 applications stated in (I) above the time period may be tolled an additional 15 days; and
        - III. For every additional 30 applications that the City receives above the 25 applications stated in (I) above the time period may be tolled an additional 15 days
        - IV. However, in no instance shall the time tolled exceed 90 consecutive days.
  - f. To toll the time period for incompleteness, the City shall provide the applicant notice within 30 days of the date of filing. Such notice shall include a listing of the missing documents and/or information. The time period resumes once the applicant submits a response. If an application is still incomplete, the City shall notify the applicant within 10 days of the response.
  - g. If multiple applications are received by the City to install two or more wireless support structures that would violate the spacing requirements of 1115.19 (E) 2 – Design & Siting Requirements, or to collocate two or more small cell facilities on the same wireless support structure, the City shall process and render a decision in the order they are received.
  - h. In the event that an application is received by the City to install a wireless support structure or small cell facility in a location in common with another application for a facility in the ROW, preference shall be granted in the following order of service provided:
    - i. Municipal Infrastructure
    - ii. Water
    - iii. Electricity
    - iv. Gas
    - v. Landline Telephone
    - vi. Wireless Service
5. Amendments. Amendments to an application in process which are not part of a response to a notice of incompleteness or a correction notice shall be treated as a new application.
6. Issuance of Permit and Certificates
- a. When an application is approved or granted consent, a permit shall be issued to the applicant authorizing the following:
    - i. Small Cell Work Permit – A permit to perform the approved action, removal, replacement, or maintenance work, subject to any conditions;

- ii. Small Cell Collocation Consent – Consent to perform the approved removal, replacement, or installation, and grant occupancy within the City Right of Way, subject to any permits or conditions;
    - iii. Wireless Support Structure – Consent to construct, modify or replace a wireless support structure in the Right of Way, subject to any permits or conditions.
  - b. An applicant seeking collocation of a small cell facility to a wireless support structure owned by the City and located within the City Right of Way shall be issued an Attachment Certificate authorizing such attachment, subject to any conditions.
- 7. Scope of Approval
  - a. No permit or certificate authorized by this Chapter shall be transferrable.
  - b. No permit or certificate authorized by this Chapter shall convey title, equitable or legal, in the Right of Way.
- 8. Duration of Approval
  - a. The work authorized by the permit issued must be completed within 180 days from the date of issuance, unless otherwise conditioned as part of the approval.
  - b. An Attachment Certificate for wireless applications is valid for 10 years from the date of issuance and may be renewed by the applicant in successive 5 year terms. Any request for renewal is subject to approval by the Zoning Administrator and may be denied for cause.
  - c. In the event that any court of competent jurisdiction invalidates any portion of federal law which mandates approval of any permit, such permit shall automatically expire 1 year from the date of the judicial order.
  - d. In the event that any court of competent jurisdiction invalidates any portion of state law which mandates approval of any permit shall automatically expire 60 days from the date of the judicial order.
- 9. Revocation. The following are grounds for revocation or denial of approval:
  - a. The intentional provision of materially misleading information by the applicant (the provision of information is considered “intentional” where the applicant was aware of the inaccuracies or could have discovered the inaccuracies with reasonable diligence);
  - b. The failure to comply with any condition of approval, order, or other applicable law, rule, or regulation;

- c. The site, structure or operation is otherwise not in compliance with any other provision(s) of applicable law;
- d. The subject site or use is otherwise not in compliance due to incomplete work or projects, or is not in compliance due to unperformed or slow to perform work as part of an open permit.

10. Appeals. The Board of Zoning Appeals shall hear and decide upon appeals where it is alleged there is an error in any written decision in the enforcement of this Code.

- a. A complete written appeal shall be filed by the appellant within 10 days of receiving a written decision or the appeal shall become void. The appeal shall be filed with the Clerk of Council. The written appeal shall:
  - i. Cite specific provisions of this Chapter that are alleged to have been interpreted in error or the specific action being appealed and the grounds on which the appeal is being made;
  - ii. Include any required application fee in an amount set by the City's Fee Schedule.
  - iii. Include such other information as may be required to render a reasonable decision;
  - iv. A statement as to why the appellant has standing as an aggrieved party to pursue the appeal.
- b. An aggrieved party, the City of Riverside City Manager, or the City Manager's designee, may appeal a decision in accordance with 1105.17, Appeals Procedure, of the Unified Development Code. Such appeal shall follow the outlined procedures.
- c. The Board of Zoning Appeals shall not be required to hear any case that has been the subject of an appeal during the previous 12 months, unless substantial new evidence, critical to the case, becomes available.

**E. STANDARDS**

- 1. General. The City of Riverside desires to promote orderly small cell facility and wireless support structure installations using the smallest and least intrusive means available to provide services to the community. All such installations in the public right of way shall comply with all applicable provisions in this section. All applications shall be subject to the following conditions:
  - a. Compliance with all Applicable Laws – Permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations, ordinances, or other rules.

- b. Right to Inspect – The City or its designee may inspect a small cell facility or wireless support structure within the Right of Way upon reasonable notice to the permittee. The permittee shall cooperate with all inspections. The City reserves the right to support, repair, disable, or remove any elements of the small cell facility or wireless support structure in emergencies or when the small cell facility or wireless support structure threatens imminent harm to persons or property.
- c. Contact information – Permittee shall at all times maintain accurate contact information for all parties responsible for the small cell facility or wireless support structure, which shall include a phone number, street mailing address, and email address for at least one natural person. All such contact information for responsible parties shall be provided to the Zoning Administrator.
- d. Indemnities – The permittee and, if applicable, the non-government owner of a small cell facility or wireless support structure shall defend, indemnify, and hold harmless the City and its agents, officers, officials, and employees from:
  - i. Any and all damages, liabilities, injuries, losses, costs, and expenses arising out of any claims, demands, lawsuits, writs of mandamus, or other actions or proceedings brought against the City to challenge, attack, seek to modify, set aside, void, or annul the City's approval of the applicable permit or certificate; and
  - ii. Any and all damages, liabilities, injuries, losses, costs, and expenses and any claims, demands, lawsuits, or other actions or proceedings of any kind, whether for personal injury, death, or property damage, arising out of or in connection with the activities or performance of the permittee or its agents, employees, licensees, contractors, subcontractors, or independent contractors.
  - iii. In the event the City becomes aware of any such actions or claims, the City shall promptly notify the permittee and shall reasonably cooperate in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the permittee (as applicable) shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense.

- e. Interference with City Communication Services – In the event that the City has reason to believe that permittee's operations are causing interference with the City's radio communications operations, then the permittee shall, at its cost, immediately cooperate with the City to either rule out permittee as the interference source or eliminate the interference. Cooperation with the City may include, but shall not be limited to, temporarily switching the equipment on and off for testing.
- f. Adverse Impact – Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, or removal of the small cell facility or wireless support structure.
- g. Maintenance – The site and the small cell facility or wireless support structure, including but not limited to all landscaping, fencing, and related equipment, must be maintained in a neat and clean manner and in accordance with all approved plans and conditions of approval.
- h. Good Condition – Small cell facilities and wireless support structures shall at all times employ best practices and maintain in use only the best available technology and methods for preventing failures and accidents so that the same shall not menace or endanger the life or property of any person.
- i. Graffiti and Vandalism – Permittee shall remove any graffiti at permittee's sole expense.
- j. Exposure to RF Radiation – All small cell facilities must comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards.
- k. Utility Lines – Service lines must be undergrounded whenever feasible to avoid additional overhead lines.
- l. Relocation for Public Improvements – Permittee shall remove and relocate the permitted small cell facility and/or wireless support structure at permittee's sole expense to accommodate construction of a public improvement project by the City.
- m. Removal if Discontinued – In the event that the use of a small cell facility is discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. If a small cell facility is not removed within 90 days of discontinued use, the City may remove it at the owner's expense irrespective of the notice requirement under this section.

- n. Abandoned – In the event that the use of a small cell facility is abandoned, the City may remove it at the owner’s expense.
- o. Site Restoration
  - i. Upon completion of the new work, the contractor shall restore the street and/or alley pavement as required;
  - ii. Upon completion of the new work, the contractor shall restore all concrete walks, driveway aprons, and other concrete as required;
  - iii. Upon completion of the new work, the contractor shall restore all tree lawns and/or sod strips with topsoil and sod.
- p. General Construction – All work and designs shall comply with the following general standards for construction in the City’s Right of Way:
  - i. City of Riverside Codified Ordinances;
  - ii. City of Riverside Standard Construction Drawings;
  - iii. City of Riverside Construction and Material Specifications;
  - iv. Ohio Department of Transportation (ODOT) Location and Design Manual;
  - v. ODOT Standard Drawings;
  - vi. ODOT Construction and Material Specifications;
  - vii. Ohio Manual of Traffic Control Devices;
  - viii. American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets;
  - ix. AASHTO Roadside Design Guide;
  - x. AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities;
  - xi. AASHTO Guide for Development of Bicycle Facilities;
  - xii. United States Access Board (USAB) Proposed Guidelines for Pedestrians in the Public Right-of-Way;
  - xiii. USAB American with Disabilities Act Accessibility Guidelines;
  - xiv. National Fire Protection Association 70 National Electric Code; and
  - xv. all other applicable local, state, and federal codes and regulations.
- q. Taxes and assessments – To the extent taxes or other assessments are imposed by taxing authorities on the use of City property as a result of an applicant's use or occupation of the right of way, the applicant shall be responsible for payment of such taxes, payable annually unless otherwise required by the taxing authority.

- r. Interference – Small cell wireless and wireless support structures shall be constructed and maintained in such a manner that will not interfere with the use of other property.
- s. Financial Condition - All owners must procure and provide to the City a bond, or must provide proof of an equivalent financial mechanism, to ensure compliance with all provisions of this chapter. Such bond or financial mechanism must specifically cover the cost of removal of the item placed in the Right of Way.
- t. Setbacks for Visibility and Access - Any new small cell facility or wireless support structure and other improvements associated with a new small cell facility or wireless support structure or an existing small cell facility or wireless support structure must be setback from intersections, alleys and driveways and placed in locations where it will not obstruct motorists' sightlines or pedestrian access.
- u. Obstructions - Any new small cell facility or wireless support structure and other improvements associated with a new small cell facility or wireless support structure or an existing small cell facility or wireless support structure shall not obstruct any:
  - i. worker access to any above-ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors;
  - ii. access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop (including, without limitation, bus stops, streetcar stops, and bike share stations);
  - iii. worker access to above ground or underground infrastructure owned or operated by any public or private utility agency;
  - iv. fire hydrant access;
  - v. access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the right of way; or
  - vi. access to any fire escape.
- v. Historic or Architecturally Significant Structures - Any new utility installation and other improvements associated with a new utility installation or an existing utility installation may not be placed directly in

front of any historic or architecturally significant structures in prominent or highly visible locations.

- w. No placement of any small cell facility or wireless support structure shall necessitate tree trimming, cause removal of, or otherwise damage any tree located within the City's Right of Way or a designated utility easement. Such small cell facility or wireless support structure shall not be located within the eventual mature dripline or tree crown of any existing tree located within the City's Right of Way or a designated utility easement.

x.

## 2. **Design and Siting Requirements**

### a. General Requirements

- i. Wireless support structures shall align with other poles to achieve a uniform inline appearance.
- ii. Wireless support structures shall be setback from the edge of pavement according to applicable safety and construction standards as set forth in 1115.19 E (1) - General.
- iii. All small cell facilities and wireless support structures and any related items shall be installed and maintained plumb and level and shall maintain an orderly and neat appearance.
- iv. All equipment and enclosures shall be attached, anchored and/or strapped tightly to poles using corrosion resistant steel hardware.
- v. Wireless support structures shall support no more than two small cell facilities.
- vi. Ambient noise suppression measures or placement of the equipment in locations less likely to impact adjacent properties shall be required to ensure compliance with all applicable noise regulations.
- vii. Unless otherwise required for compliance with FAA or FCC regulations, the small cell facility or wireless support structure shall not include any permanently installed lights. Any lights associated with the equipment shall be appropriately shielded from public view. This shall not be interpreted to prohibit streetlights or the placement of luminaires by the City.

### b. Location

- i. In accordance with ORC 4939.0314(D), Authority of a Municipal Corporation the City shall reserve the right to propose an alternate location to the proposed location of a new wireless

support structure, provided the alternate location is within 100' or a distance equal to the width of the Right of Way in or on which the new wireless support structure is proposed, whichever is greater. The City of Riverside also finds that certain locations and collocation configurations are preferred. A preferred location and collocation configuration should be utilized whenever possible and should only be surpassed if in the determination of the Zoning Administrator, clear and convincing evidence supports such a decision. Cost alone should not be grounds for such a determination. The order of preference is as follows:

- I. First, small cell facilities should be collocated on an existing pole or wireless support structure within a utility easement. If no such pole or wireless support structure is available then proceed to the next preference;
- II. Second, small cell facilities should be collocated on an existing pole or wireless support structure within an alley. If no such pole or wireless support structure is available then proceed to the next preference;
- III. Third, small cell facilities should be collocated on a new wireless support structure within a utility easement. If no such location is available then proceed to the next preference;
- IV. Fourth, small cell facilities should be collocated on a new wireless support structure within an alley. If no such location is available then proceed to the next preference;
- V. Fifth, small cell facilities should be collocated on a wireless support structure currently supporting a small cell facility located within the City Right of Way. If no such wireless support structure is available then proceed to the next preference;
- VI. Sixth, small cell facilities should be collocated on an existing pole located within the City Right of Way. If no such existing pole is available then proceed to the next preference;
- VII. Seventh, small cell facilities should be collocated on a new wireless support structure located within a utility easement. If no such location is available then proceed to the next preference;

VIII. Eighth, small cell facilities should be collocated on a new wireless support structure located within an alley. If no such location is available then proceed to the next preference

IX. Ninth, small cell facilities should be collocated on a new wireless support structure located within the City Right of Way.

ii. Any new wireless support structure shall be located at least 1230' from any existing small cell facility.

iii. Any wireless facility or new wireless support structure in any Residential District shall be reviewed by the Planning Commission through the conditional use procedure outlined in chapter 1105 of the UDO.

I. Except in residential districts with existing underground utilities, all wireless facilities and new wireless support structures shall be prohibited.

c. Wireless Facilities Design

i. Wireless support structures shall be subject to the following design standards:

I. Wireless support structures shall be limited to 40 feet in height.

i. Except when the Zoning district restricts the building height to 35 feet or less the Wireless support structure shall be limited to a maximum of 35 feet, per ORC 4939.0314 (F) 1(ii).

II. Wireless support structures shall be capable of supporting at least two small cell facility operators.

III. New wireless support structures shall have the following design elements:

i. Material – aluminum poles;

ii. Color – black anodized;

iii. Diameter – 12 inches;

iv. Style – smooth round tapered profile;

v. Base – trapezoidal pedestal base on a reinforced concrete footing/foundation pier;

vi. Exception – If the aesthetics and character of the immediate area would be better matched by a pole of a different material, color, style, or base, then

such design elements may be substituted with an alternate design element. Such determination shall be based on the following factors:

1. The design features of nearby poles serving in a similar capacity;
  2. The design features of the existing or proposed streetscape, district, or site;
  3. The historical context of a district or specific site;
  4. A desire to camouflage or conceal the pole from view.
- ii. Small cell facilities shall be subject to the following design standards:
- I. The City reserves the right to require the following:
    - i. Antenna and all associated equipment shall be concealed to the extent necessary for the aesthetic context of the small cell facility. Some possible configurations include but shall not be limited to the following:
      1. Antenna(s) associated with the first fitting on a wireless support structure shall be top-mounted and concealed within a radome that also conceals the cable connections, antenna mount and other hardware. A side-mounted antenna may be approved if the mounted antenna would be a better match to the aesthetics and character of the immediate area and would promote the purposes of this Chapter.
      2. GPS antennas be placed within the radome or directly above the radome not to exceed six inches.
  - II. Each Antenna and all associated equipment shall not exceed 6 cubic feet in volume.
  - III. All portions of a Small Cell Facility other than an antenna and as identified by the ORC 4939.01 (P)2, shall not exceed 28 cubic feet in volume per facility.

- IV. Small cell facilities mounted to a wireless support structure shall be completely concealed within a common enclosure capable of containing at least two small sell facilities. Such common enclosures shall:
  - i. not exceed 21 cubic feet in volume;
  - ii. not exceed 90 inches in height, 20 inches in width, or 20 inches in depth;
  - iii. not extend more than 24 inches away from the pole on which it is mounted;
  - iv. shall be centered on the vertical axis of the pole to which it is mounted;
  - v. be mounted at a distance of at least 10 feet measured from grade to the bottom of the enclosure;
  - vi. be mounted on the side of the pole facing away from nearest traffic lane's direction of travel.
- V. Such common enclosures shall have the following design elements:
  - i. Material – The enclosure material shall be metal, a composite, or an equivalent material as determined by the City of Riverside.
  - ii. Color – The enclosure shall match the color of the pole on which it is mounted.
  - iii. Style – The enclosure shall match the style of the pole on which it is mounted.
  - iv. Coordinated Design Elements – Common enclosures shall match the material, color, and style of nearby existing common enclosures when:
    - 1. Such enclosures are located within 5000' of an existing common enclosure; and
    - 2. Such enclosures are mounted on wireless support structures of a similar or matching design.
  - v. Exception – If the aesthetics and character of the immediate area would be better matched by an enclosure a different material, color, style, or by deviating from the design of a nearby existing common enclosure, then such design elements

may be substituted with an alternate design element. Such determination shall be based on the following factors:

1. The design features of nearby poles serving in a similar capacity;
2. The design features of the existing or proposed streetscape, district, or site;
3. The historical context of a district or specific site;
4. A desire to camouflage or conceal the enclosure from view.

VI. All ground mounted equipment shall be placed in an underground vault. No above grade ground mounted equipment in service of a small cell facility is permitted unless the following conditions can be satisfied as determined by the City of Riverside:

- i. The applicant has submitted clear and convincing evidence that the equipment cannot feasibly be pole-mounted, placed in an underground vault, or hidden within or integrated into an existing streetscape element (i.e. - bus stop shelter). Increased costs alone shall not be a consideration. If a ground mounted enclosure is approved, the City shall reserve the right to require any of the following conditions:

1. Concealed Enclosure – All equipment shall be completely concealed within a metal, composite, or equivalent material enclosure as determined by the City of Riverside.
2. Smallest Size – The enclosure shall be no larger than necessary based on the smallest available size of the proposed equipment as determined by the City of Riverside.
3. Camouflage – Camouflaging elements may be required. Such elements may include, but shall not be limited to, public art displayed on the enclosure, strategic placement in less visible or obtrusive

locations, placement within an existing streetscape element, landscape screening, and strategic painting or coating to camouflage such enclosure or equipment.

ii. The maximum height of any such enclosure shall be 30”.

3. **Reservation of Right of Way.** The City reserves the right to Reserve space for future public safety or transportation uses in the Right of Way or on a wireless support structure or pole owned or operated by the City in a documented and approved plan in place at the time an application is filed. A reservation of space shall not preclude placement of a pole or collocation of a small cell facility. If replacement of the City’s pole or wireless support structure is necessary to accommodate the collocation of the small cell facility and the future use, the small cell facility operator shall pay for the replacement of the pole or wireless support structure, and the replaced pole or wireless support structure must accommodate the future use.

**F. Nonconformity**

A nonconforming small cell facility and/or wireless support structure shall immediately lose its nonconforming designation and must be brought into compliance with all of the provisions of this chapter, and all other applicable City laws and ordinances or be removed if any of the following conditions are present:

1. The nonconforming small cell facility and/or wireless support structure or a part of the nonconforming small cell facility and/or wireless support structure is altered, modified, relocated, replaced, or changed in any manner whatsoever;
2. The nonconforming small cell facility and/or wireless support structure is damaged or deteriorated and requires any process of reconstruction, repair, maintenance, or restoration, and the cost of said reconstruction, repair, maintenance, or restoration exceeds fifty percent of the small cell facility and/or wireless support structure’s replacement cost;
3. The nonconforming small cell facility and/or wireless support structure is abandoned.

**G. Conflict with other Provisions**

In the event that any other applicable law or code requires any more restrictive requirements, the most restrictive requirement shall control.

**H. Severability**

The provisions of any part of this chapter are severable. If any provision or subsection, or the application of any provision or subsection to any person or circumstances, is held

invalid, the remaining provisions, subsection, and applications of such ordinance to other persons or circumstances shall not be made invalid as well. It is declared to be the intent of this section that the remaining provisions would have been adopted had such invalid provisions not been included in this chapter when originally adopted by Council.

I. **Penalties**

1. Any person in violation of any of the terms of this chapter, or who, being the owner or agent of the owner of any lot, tract, or parcel of land, shall suffer or permit another to erect, construct, reconstruct, alter, repair, convert, attach, or maintain any such facility, shall be deemed to have violated the provisions hereof each day during the period such violation continues.
2. If any utility installation is erected, constructed, reconstructed, altered, repaired, converted, attached, or maintained in violation of this chapter or of any regulations made pursuant hereto, the proper officer of the City, in addition to other remedies, may institute in the name of the City any appropriate action or proceeding, whether by legal process or otherwise, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, attachment, or use, to restrain, correct, or abate such violation, to prevent the use of such utility installation, and/or to prevent any illegal act, conduct, business, or use in or about such utility installation.
3. The City of Riverside is authorized to make requests and to issue orders regarding utility installations in the right of way for the purpose of public safety and compliance with this chapter of the Unified Development Ordinances. The City is also authorized to conduct visual and external inspections of utility installations in the right of way at any time and shall make efforts to coordinate with the provider responsible for a utility installation for any internal inspection of the relevant equipment.

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 15) B) I - VIII)

**AGENDA ITEM CAPTION:** Resolution Nos. 19-R-2460 to 19-R-2467 are appointments (reappointments) to various boards and commissions for the City of Riverside.

**ADMINISTRATIVE COMMENT:** N/A

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:**

**SOURCE OF FUNDS:**

**EXHIBITS:** Resolution

**SUBMITTED BY:** Katie Lewallen, Clerk of Council

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-R-2460

**A RESOLUTION SETTING FORTH APPOINTMENT OF FRANCESCA HARY TO THE PERSONNEL APPEALS BOARD FOR A THREE YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2022.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

SECTION 1: That the Council of the City of Riverside, Ohio hereby appoints Francesca Hary to the Personnel Appeals Board for a three year term beginning April 7, 2019 through April 6, 2022.

SECTION 2: That Francesca Hary be given the oath of office as prescribed by law at such time as may be convenient after the adoption of this Resolution.

SECTION 3: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Ms. Hary.

SECTION 4: That this Resolution shall take effect and be in force from and after the date of its passage.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

**CERTIFICATE OF THE CLERK**

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2460 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2461

**A RESOLUTION SETTING FORTH APPOINTMENT OF HAROLD VAZQUEZ TO THE PLANNING COMMISSION FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the Council of the City of Riverside, Ohio hereby appoints Harold Vazquez to the Planning Commission for the four (4) year term beginning April 7, 2019 and ending April 6, 2023.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Vazquez.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2461 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2462

**A RESOLUTION SETTING FORTH APPOINTMENT OF DAVID OWENS TO THE PLANNING COMMISSION FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the Council of the City of Riverside, Ohio hereby appoints David Owens to the Planning Commission for the four (4) year term beginning April 7, 2019 and ending April 6, 2023.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Owens.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2462 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2463

**A RESOLUTION SETTING FORTH APPOINTMENT OF ANTHONY RODGERS TO THE PLANNING COMMISSION FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the Council of the City of Riverside, Ohio hereby appoints Anthony Rodgers to the Planning Commission for the four (4) year term beginning April 7, 2019 and ending April 6, 2023.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Rodgers.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2463 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2464

**A RESOLUTION SETTING FORTH APPOINTMENT OF CHUCK CHILDERS TO THE BOARD OF ZONING APPEALS FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

SECTION 1: That the Council of the City of Riverside, Ohio hereby appoints Chuck Childers to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.

SECTION 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Childers.

SECTION 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

**CERTIFICATE OF THE CLERK**

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2464 passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2465

**A RESOLUTION SETTING FORTH APPOINTMENT OF TIM SCHNEIDER TO THE BOARD OF ZONING APPEALS FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

SECTION 1: That the Council of the City of Riverside, Ohio hereby appoints Tim Schneider to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.

SECTION 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Schneider.

SECTION 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

**CERTIFICATE OF THE CLERK**

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2465 passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2466

**A RESOLUTION SETTING FORTH APPOINTMENT OF JERRY RICHARDSON TO THE BOARD OF ZONING APPEALS FOR A FOUR YEAR TERM BEGINNING APRIL 7, 2019 THROUGH APRIL 6, 2023.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

SECTION 1: That the Council of the City of Riverside, Ohio hereby appoints Jerry Richardson to the Board of Zoning Appeals for a four year term beginning April 7, 2019 through April 6, 2023.

SECTION 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Richardson.

SECTION 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

**CERTIFICATE OF THE CLERK**

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2466 passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CLERK

19-R-2467

**A RESOLUTION SETTING FORTH APPOINTMENT OF STANLEY LESZCZUK TO THE BOARD OF TAX APPEALS FOR A TWO YEAR TERM BEGINNING APRIL 19, 2019 THROUGH APRIL 18, 2021.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the Council of the City of Riverside, Ohio hereby appoints Stanley Leszczuk to the Board of Tax Appeals for the unexpired term ending April 18, 2021.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager, Finance Director and Mr. Leszczuk.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2467 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 15) B) IX)

**AGENDA ITEM CAPTION:** Resolution No. 19-R-2468 recognizing the Bob Chiles Classic as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.

**ADMINISTRATIVE COMMENT:**

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:**

**SOURCE OF FUNDS:** 100.101.5310

**EXHIBITS:** Resolution

**SUBMITTED BY:** Mark Carpenter, City Manager

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-R-2468

**A RESOLUTION RECOGNIZING THE BOB CHILES CLASSIC AS A FUNCTION THAT PROMOTES THE PUBLIC HEALTH, GENERAL WELFARE, AND CONTENTMENT OF THE CITIZENS OF THE CITY OF RIVERSIDE.**

WHEREAS, the City of Riverside desires to promote the public health, general welfare, and contentment of its citizens; and

WHEREAS, The Bob Chiles Classic is held annually to benefit the WPAFB Fisher House and USO; and

WHEREAS, Council has determined that the purpose of The Bob Chiles Classic is a charitable event is consistent with the objectives of the City's desire to promote the public health, general welfare, and contentment of its citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the City of Riverside shall obligate funds in an amount not to exceed \$\_\_\_\_\_ in support of The Bob Chile Classic as a means to promote the public health, general welfare, and contentment of its citizens.

Section 2: That the funds aforementioned in this resolution shall be drawn upon Account Number 100.101.5310.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2468 passed by the Council of the City of Riverside on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 15) B) X)

**AGENDA ITEM CAPTION:** Resolution No. 19-R-2469 recognizing the Girl Scouts of Western Ohio as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.

**ADMINISTRATIVE COMMENT:**

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:** \$50

**SOURCE OF FUNDS:** 100.101.5310

**EXHIBITS:** Resolution

**SUBMITTED BY:**

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-R-2469

**A RESOLUTION RECOGNIZING THE GIRL SCOUTS OF WESTERN OHIO AS A FUNCTION THAT PROMOTES THE PUBLIC HEALTH, GENERAL WELFARE, AND CONTENTMENT OF THE CITIZENS OF THE CITY OF RIVERSIDE**

WHEREAS, the City of Riverside desires to promote the public health, general welfare, and contentment of its citizens; and

WHEREAS, Mary Mertz, Director of the Ohio Department of Natural Resources and native to the City of Riverside and Stebbins High School graduate, is the guest speaker and presenter for the 2019 City of Riverside Volunteer Recognition Dinner; and

WHEREAS, as a "thank you" for her informational presentation in lieu of a gift, a donation on her behalf has been offered and ODNR Director Mary Mertz has selected the Girl Scouts of Western Ohio to receive this gift designated for girls who need assistance; and

WHEREAS, Council has determined this donation to a non-profit selected by ODNR Director Mary Mertz is consistent with the objectives of the City's desire to promote the public health, general welfare, and contentment of its citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

- Section 1: That the City of Riverside shall obligate funds in the amount of \$50.00 to Girl Scouts of Western Ohio as a means of promoting the public health, general welfare, and contentment of its citizens.
- Section 2: That the funds aforementioned in this resolution shall be drawn upon Account Number 100.101.5310.
- Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19R-2469 passed by the City of Riverside Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CLERK

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 15) B) XI)

**AGENDA ITEM CAPTION:** Resolution No. 19-R-2470 authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Property Tax Duplicate.

**ADMINISTRATIVE COMMENT:**

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:**

**SOURCE OF FUNDS:** 100.101.5310

**EXHIBITS:** Resolution

**SUBMITTED BY:** Tom Garrett, Finance Director

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-R-2470

**A RESOLUTION BY THE RIVERSIDE CITY COUNCIL AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS TO BE PLACED ON THE MONTGOMERY COUNTY PROPERTY TAX DUPLICATE.**

**WHEREAS**, the owner(s) of properties indexed on the list that is attached (Exhibit A) hereto and made a part of this Resolution being lots along various streets in the municipality, have been provided with written notice to cut and remove weeds, vegetation and/or grass; and

**WHEREAS**, the owner(s) of properties indexed on the list that is attached hereto (Exhibit A) and made a part of this Resolution being lots along various street in the municipality have failed to comply with said notices and the City of Riverside then caused said cutting and removal of weeds, vegetation and/or grass; and

**WHEREAS**, all expenses and lawn costs received were paid out of Municipal funds; and

**WHEREAS**, these delinquent charges can be recovered by certification to the Montgomery County Auditor's Office for placement on the next property tax duplicate of the owner(s) of said property.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:**

**SECTION I:** That the City Manager is hereby authorized to certify delinquent charges in the amount of \$35,237.91, which includes the 5% fee charged by the Auditor, to the Montgomery County Auditor for placement on the property tax duplicate of the owner(s) of the properties indexed on the list that is attached and made a part hereof, being lots along various street in the municipality.

**SECTION II:** This Resolution shall take effect and be in full force on and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

19-R-2470

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_ Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. \_\_\_\_\_ passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK



County Code	Parcel ID	Number Street	Balance Due	5% County Fee	Total
31500	I39 00112 0033	5165 Northcliff	\$330.00	\$16.50	\$346.50
31500	I39 00116 0035	4314 Springfield	\$495.00	\$24.75	\$519.75
31500	I39 00117 0011	4337 Byesville	\$330.00	\$16.50	\$346.50
31500	I39 00118 0015	4398 Byesville	\$165.00	\$8.25	\$173.25
31500	I39 00118 0022	4368 Byesville	\$495.00	\$24.75	\$519.75
31500	I39 00118 0035	4469 Derwent	\$2,028.72	\$101.44	\$2,130.16
31500	I39 00120 0023	4733 Byesville	\$388.42	\$19.42	\$407.84
31500	I39 00123 0028	4766 Airway	\$760.00	\$38.00	\$798.00
31500	I39 00515 0020	377 Ingleside	\$495.00	\$24.75	\$519.75
31500	I39 00515 0024	381 Ingleside	\$495.00	\$24.75	\$519.75
31500	I39 00515 0026	1721 Brandt	\$495.00	\$24.75	\$519.75
31500	I39 00609 0020	656 Homecrest	\$350.00	\$17.50	\$367.50
31500	I39 00609 0022	655 Homecrest	\$165.00	\$8.25	\$173.25
31500	I39 00611 0012	631 Dawes	\$330.00	\$16.50	\$346.50
31500	I39 00618 0089	321 Marjorie	\$1,983.75	\$99.19	\$2,082.94
31500	I39 00704 0009	537 Lorella	\$622.15	\$31.11	\$653.26
31500	I39 00706 0038	613 Aspen	\$495.00	\$24.75	\$519.75
31500	I39 00706 0042	627 Aspen	\$495.00	\$24.75	\$519.75
31500	I39 00706 0044	629 Aspen	\$330.00	\$16.50	\$346.50
31500	I39 00706 0053	634 Wynora	\$535.00	\$26.75	\$561.75
31500	I39 00707 0005	2339 Guernsey Dell	\$175.00	\$8.75	\$183.75
31500	I39 00707 0019	2348 Forest Home	\$535.00	\$26.75	\$561.75
31500	I39 00707 0020	2350 Forest Home	\$535.00	\$26.75	\$561.75
31500	I39 00707 0022	2335 Forest Home	\$597.52	\$29.88	\$627.40
31500	I39 00708 0032	410 Prince Albert	\$515.00	\$25.75	\$540.75
31500	I39 00709 0036	700 Sagamore	\$495.00	\$24.75	\$519.75
31500	I39 00710 0011	200 Prince Albert	\$165.00	\$8.25	\$173.25
31500	I39 00711 0061	2355 Bushnell	\$330.00	\$16.50	\$346.50
31500	I39 00714 0023	2401 Valley	\$410.00	\$20.50	\$430.50
31500	I39 00714 0058	2362 Bushnell	\$1,040.00	\$52.00	\$1,092.00
31500	I39 00716 0041	2612 Bushnell	\$535.00	\$26.75	\$561.75
31500	I39 00716 0070	2336 Guernsey Dell	\$165.00	\$8.25	\$173.25
31500	I39 00716 0070	2636 Guernsey Dell	\$165.00	\$8.25	\$173.25
31500	I39 00717 0059	19 Pleasant Valley	\$495.00	\$24.75	\$519.75
31500	I39 00717 0062	13 Pleasant Valley	\$1,295.00	\$64.75	\$1,359.75
31500	I39 00718 0007	2428 Valley	\$495.00	\$24.75	\$519.75
31500	I39 00802 0017	4421 Old Troy	\$225.00	\$11.25	\$236.25
31500	I39 00905 0048	5880 Willaston	\$165.00	\$8.25	\$173.25
31500	I39 00906 0047	5774 Barrett	\$165.00	\$8.25	\$173.25
31500	I39 00913 0019	456 Twinning	\$165.00	\$8.25	\$173.25
31500	I39 00914 0029	493 Danforth	\$495.00	\$24.75	\$519.75
31500	I39 01002 0042	Barksdale	\$165.00	\$8.25	\$173.25
31500	I39 01003 0013	4510 Maughan	\$165.00	\$8.25	\$173.25
31500	I39 01003 0043	4535 Glen Martin	\$1,532.52	\$76.63	\$1,609.15
31500	I39 01018 0020	342 Gramercy	\$165.00	\$8.25	\$173.25
31500	I39 01019 0011	147 Valentine	\$660.00	\$33.00	\$693.00



County Code	Parcel ID	Number Street	Balance Due	5% County Fee	Total
31500	I39 01105 0007	507 Chaucer	\$330.00	\$16.50	\$346.50
31500	I39101408 0010	1133 Mayapple	\$185.00	\$9.25	\$194.25
31500	I39101410 0052	1360 Obie	\$495.00	\$24.75	\$519.75
31500	I39101502 0027	1712 Rausch	\$1,455.91	\$72.80	\$1,528.71
31500	I39101502 0073	4215 Linden	\$185.00	\$9.25	\$194.25
31500	I39101602 0001	4032 Linden	\$4,211.75	\$210.59	\$4,422.34
31500	I39101602 0003	Linden	\$660.00	\$33.00	\$693.00
31500	I39101610 0025	1363 Standish	\$680.00	\$34.00	\$714.00
31500	I39101618 0025	1461 Laramie	\$165.00	\$8.25	\$173.25
31500	I39401411 0025	Mayapple	\$185.00	\$9.25	\$194.25
31500	I39401505 0024	4700 Linden	\$660.00	\$33.00	\$693.00
31500	I39401506 0013	25 Tulip	\$714.15	\$35.71	\$749.86
			\$33,559.89	\$1,678.02	\$35,237.91

**CITY OF RIVERSIDE, OHIO  
CITY COUNCIL COMMUNICATIONS**

**MEETING DATE:** April 4, 2019

**AGENDA ITEM NO(S):** 15) B) XII)

**AGENDA ITEM CAPTION:** Resolution No. 19-R-2471 authorizing the city manager to enter into a contract for the lowest and best bidder to perform remodeling work for the SPGlobal expansion.

**ADMINISTRATIVE COMMENT:** Bid will be opened on 4/2/19 and the name of the lowest and best bidder will be on the resolution at that time.

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:**

**SOURCE OF FUNDS:**

**EXHIBITS:** Resolution

**SUBMITTED BY:** Mark Carpenter, City Manager

**APPROVED FOR COUNCIL CONSIDERATION:** Mark Carpenter, City Manager

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ACTION TAKEN

MOTION:

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MADE BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

FOR: \_\_\_\_\_

AGAINST: \_\_\_\_\_

APPROVED ( )      DENIED ( )      TABLED ( )

OTHER (EXPLAIN):

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COMMENTS/STAFF FOLLOW UP:

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19-R-2471

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TURNER PROPERTY SERVICES GROUP, INC., FOR REMODELING WORK AT WRIGHT POINT FOR THE SPGLOBAL EXPANSION**

WHEREAS, the City of Riverside has advertised for bids for the remodeling work at Wright Point for the SPGlobal expansion.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That upon review and consideration of the bids that have been submitted, and in accordance with the recommendations of the City Manager this Council does herewith determine that Turner Property Services Group, Inc., is the lowest and best bidder for the remodeling work at Wright Point for the SPGlobal expansion in accordance with its bid in an amount not to exceed \$16,082.00. Accordingly, the City Manager is authorized to enter into said contract and said contract, together with all bid documents and specifications shall constitute the entire agreement between the parties. Said amounts shall be paid from the General Fund.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of the within Resolution to the City Manager and the Finance Director.

Section 3: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CERTIFICATE OF THE CLERK

I, \_\_\_\_\_, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 19-R-2471 passed by the Riverside City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

IN TESTIMONY WHEREOF, witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK