

Pride ~ Progress ~ Possibilities

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

April 4, 2024

Council Meeting

6:00 P.M.

City Council

PETER J. WILLIAMS, MAYOR

ANDY BROWN
MIKE DENNING
BRENDA FRY
ZACHARY JOSEPH
SARA LOMMATZSCH
JESSE MAXFIELD

Josh Rauch, City Manager

Katie Lewallen, Communications Manager/Clerk of Council

Calendar for year 2024 (United States)



Council Business Meeting

Council Business Meeting

January

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Jan 1 • New Year's Day
- Jan 15 • Martin Luther King Jr. Day
- Feb 19 • Presidents' Day
- May 27 • Memorial Day

- Jun 19 • Juneteenth
- Jul 4 • Independence Day
- Sep 2 • Labor Day
- Oct 14 • Columbus Day

- Nov 11 • Veterans Day
- Nov 28 • Thanksgiving Day
- Dec 25 • Christmas Day

AGENDA

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, 2024
Business Meeting 6:00 P.M.**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) EXCUSE ABSENT MEMBERS
- 4) ADDITIONS OR CORRECTIONS TO AGENDA
- 5) APPROVAL OF AGENDA
- 6) PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- 7) MINUTES – Approval of minutes from the March 14, 2024, council work session and March 21, 2024, council business meeting.
- 8) ACCEPTANCE OF CITIZEN PETITIONS
- 9) PUBLIC COMMENT ON AGENDA ITEMS
- 10) UNFINISHED BUSINESS
 - A) ORDINANCES
 - I) **Ordinance No. 24-O-849** – An ordinance to make supplemental appropriations for the current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2024. (2nd reading, public hearing, adoption)
 - II) **Ordinance No. 24-O-850** – An ordinance declaring improvements to certain real property located in the City of Riverside, Montgomery County, Ohio, to be a public purpose; declaring such property to be exempt from real property taxation; designating specific public infrastructure improvements that directly benefit the parcels for which improvements are declared to be a public purpose; establishing a Municipal Public Improvement Tax Increment Equivalent Fund; and providing related authorizations pursuant to Ohio Revised Code Sections 5709.40(B), 5709.42, 5709.43, 5709.832, and 5709.85. (2nd reading, public hearing, adoption)
- 11) NEW BUSINESS

*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.*

A) RESOLUTIONS

- I) **Resolution No. 24-R-2928** – A resolution authorizing payment of invoices with “Then-and-Now” certificates for the first quarter of calendar year 2024.
- II) **Resolution No. 24-R-2929** – A resolution authorizing the city manager to declare a temporary state of emergency during the total eclipse event from Friday, April 5, 2024, at 12:00 a.m. through Friday, April 12, 2024, at 12:00 a.m. and to exercise all duties related to emergency preparedness and management pursuant to the City Charter, ordinances, and general laws of the State of Ohio, in order to minimize the effects upon the civilian population caused or that could be caused by any hazard associated with the total eclipse event and that are necessary to address mitigation, emergency preparedness, response, and recovery within the corporate boundaries of the City of Riverside, Ohio.
- III) **Resolution No. 24-R-2930** – A resolution authorizing the city manager of the City of Riverside, OH, to enter into final legislation with the Ohio Department of Transportation for the rehabilitation of Spinning Road Phase 2 (Eastman to Burkhardt) PID No. 116871.

12) PUBLIC COMMENT ON NON-AGENDA ITEMS

13) CITY MANAGER REPORT

14) COUNCIL MEMBER COMMENTS

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

16) RECONVENE

17) ADJOURNMENT

WORK SESSION MINUTES

CALL TO ORDER: Deputy Mayor Maxfield called the Riverside, Ohio, City Council Work Session to order at 6:00 p.m. at the Riverside Administrative Offices, 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

PLEDGE OF ALLEGIANCE: Deputy Mayor Maxfield led the pledge of allegiance.

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

Staff present were as follows: Josh Rauch, City Manager; Kim Baker, Finance Director; Jim Miller, Legal Counsel; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Joseph moved, seconded by Mr. Brown, to excuse Ms. Fry, Ms. Lommatzsch, and Mayor Williams. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO THE AGENDA: Mr. Rauch stated that Ms. Henthorn was scheduled to present today but high winds at the shopping center impacted signs so she had to address that and will come to speak to them at a later date.

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

MONTHLY UPDATE

I) Finance Department – Ms. Baker stated they have had a busy month, and were able to finalize the notes and the bond related to Wright-Point buildings. She has met with the Shared Resource Center as they are working on a sources and uses document for the city, so they can see where they can pull money in and where they can spend it. They are also helping to identify budget needs based on trend and based on vision they may have in the future to build out 10 years. She has met with a couple of financial advisors. By the end of the year, they may need to diversify their investments as the trends imply they should do as a majority of their money is in Star Ohio. They will make a decision by third quarter. She will speak with council later in the year to get their input. They hired an intern from Stebbins High School, and he is working on assets and creating a list so that she can get a true depreciation amount for financials. Auditors will be on site at the end of May, and she needs to have assets before then. They also need the list to make sure the insurance coverage is correct. That has to be done by the end of the month. Deputy Mayor Maxfield thanked Ms. Baker for hiring an intern from Stebbins. Ms. Baker stated a lot of their time has been spent on these financial documents to get them to Julian & Grube for their

compilation. She will get them financials in the next packet. As of the end of February, the bank is reconciled, but since she has been doing it, it has been out of balanced for the same amount. The difference she sees is related to prior years. She will have to get permission to write off from council as there seems to be additional revenue on the books. Somewhere along the line money was not correctly recorded that has come into the bank. Mr. Rauch stated it is not a large amount. Ms. Baker stated it is less than \$10,000. Discussion was held on the reduction in fund balance that happened last year. She added that was for one bank being out of balance. She is balancing all banks to all funds. Mr. Joseph asked if an act of council is always required when reconciling or making a journal entry. Ms. Baker stated she believes they do as she is stating that they have revenue they did not get or that she does not have a source document. The approval from council would be her source document. She thinks the HRA account may be the issue behind being out of balance. Mr. Joseph asked if she is finding issue with the asset list and what has previously been audited against from the fixed asset list. Ms. Baker stated she is not saying that as she is not at that point. She is just trying to confirm if they have everything that is currently on the list. They also need to know the condition of the assets. She is also looking at what is insured and what needs insured. She stated the end result will be getting true assets into an accounting program so that department heads can evaluate their own asset list. They will eventually use the ClearGov product where the department heads will be able to forecast capital needs. It will all play together; it is a huge project that takes time. Mr. Joseph stated this could be a multi-year project. She stated at the end of February they had a cash balance of approximately \$14.5 million; expenses through February 29, 2024, that were \$3.75 million. She stated they had encumbrances, which are commitments to pay for product, that total \$6.18 million. The revenue through the end of February is approximately \$3.0 million.

II) Community Development Department – Mr. Rauch stated that they posted the Community Development Technician position; and it closes this week. There are a couple of candidates about whom they are excited. They are continuing the public service director search and are in the middle of second round interviews. He added that last week Congressman Turner’s office was instrumental in securing \$1.5 million in funding for Woodman Drive between Springfield Street and Airway Road. He added they will put the money to use quickly and be able to build on the Safe Streets For All project being done this year. The funds will be used to get to full design and address the wall. They are well on their way to having an actual cost for what it will take to redo the Woodman corridor and go compete for more money to get it built. He thanked the congressional support, in particular, Congressman Turner and the progress this will help to bring the land use plan to life. Deputy Mayor Maxfield asked if he had a guess as to when construction may begin out there. Mr. Rauch stated he does not have an idea of the date, but they are moving as quickly as possible. He stated that generally speaking for a major road project like this, a city would be in front of it usually about seven years out in the sense that it is on a capital plan, there is some seed money to start throwing at it, and then they go to find grants and things of that nature. They are moving very quickly. If they are able to keep the momentum going

and complete design over the next couple of years that puts the city in a really good spot to be able to compete for funds much sooner, but they have to get through the design process first. This is a priority for the community in terms of redevelopment.

WORK SESSION ITEMS

I) Supplemental Appropriations – Mr. Rauch stated they will be bringing a supplemental appropriations ordinance before council at the next meeting. Ms. Baker said a substantial portion of this is reclassifying some things. They are trying to do quarterly supplementals then move to bi-annual.

II) Springfield Street Tax Increment Financing (TIF) – Mr. Rauch stated that about a month ago, they discussed potentially establishing some TIF districts to get ahead of development in key corridors. Given all the momentum they have along Springfield Street and with the Center of Flight, staff's view is to start in the Springfield Street area. He stated that a TIF district takes any extra property tax that comes in from new development and allows those proceeds or portion of those property taxes, new property taxes, to be diverted into a fund that the city would own the control and that could be used for public improvement purposes like streets, roads, infrastructure, and those sorts of things. It does not reduce existing property taxes that already go to other organizations like the school districts or the county for example. It is only the new amount of property taxes that come in that going to the TIF fund. The proposed corridor was shown on a map and indicated three sections: the west end near Dayton, the central end that has the Danis property and Glendean, and the eastern portion with Huberville. He added that this is a central development focus area in the land use plan. He stated that they propose to establish a TIF district in that geography that would be a 75 percent TIF over a 10 year term that they could then accumulate funds to assist with roadway reconstruction on the redevelopment efforts. In theory, if the TIF was established and they got new development and began to attract some additional property tax revenues, then they could apply that this local share towards redoing the intersection or construction costs. This is another reason they suggest getting ahead of the curve and having that funding mechanism in place. He gave an example of how to calculate TIF proceeds at 100 percent. He stated they are only establishing a 75 percent TIF, so each taxing district would still get some additional revenue, but the rest of the balance goes into a TIF Fund. Mr. Denning asked if it was only for 10 years from the date in which they pass it. Mr. Rauch confirmed that was correct. Mr. Denning asked if nothing got built, they would get nothing, but any increase they would get 75 percent of the additional tax on it. Mr. Rauch stated that was correct. Mr. Maxfield asked if this could be renewed after 10 years. Mr. Miller stated that another piece of legislation would come before council for them to establish a new TIF once the first one ran out; it is a bit different in that it is not a renewal just a new TIF. Mr. Rauch stated that ordinance will come before them at the next meeting. Mr. Joseph asked if any agreements

had to be obtained with other organizations. Mr. Rauch stated that is why they re going with the 75 percent threshold, so they do not have to involve any other parties.

III) UDO Rewrite Update – Mr. Rauch presented a map of the city’s current zoning. Part of the land use plan is to figure out what they want the environment to look like and if the zoning matches that for the community’s future. They are unique in several respects, not only because of the geography and how separated the city is, but a lot of land in Riverside around Eastwood Park is in the Source Water Protection Area; a lot of land around the base is affected by base land use planning, airport regulations, noise control regulations, and FEMA requirements. There are a lot of codes that sit on top of the city code like layers on a cake. He stated that he is working with Ms. Holt on a two part question: find a consultant to identify whether they should adopt a new zoning code or if it is more beneficial to move to have a form based code where the land use does not matter so much, but rather what it looks like when it is built. There are advantages and drawbacks to both types, but they want a professional opinion about whether one or the other makes more sense based on their geography. If they go with more traditional zoning, then they will look at what MKSK identified in terms of a proposed zoning map and the suggested zoning districts they laid out and determine if it is viable. They first need to find the right service provider for this review, and that may take a few months. Then based on their recommendation they will come forward with legislation that tells staff the professional recommendation is ‘x’ go produce this zoning code. The second phase will take approximately 12 months for a rewrite. Mr. Joseph asked if it will be done by December. Mr. Rauch stated that it will not be done by December. They will have the consultant and recommendation by December, but a rewrite will take longer. Discussion was held on the moratorium and if it needed to be extended or not. Mr. Rauch stated it depends on how quickly the consultants are able to move on it. Mr. Rauch stated the theory on the moratorium is to push pause on development in the community on certain businesses, so they can make sure when it starts up again it is in alignment with what the community wants as determined in the land use plan. Moratoriums are just a temporary measure to treat people equitably and treat the zoning requests in a way that conforms with the new plan.

IV) CIC Update – Mr. Rauch stated they have done homework with the Downing Group and personnel attorney Steve McHugh, and he thinks in the past Mr. McHugh has filed paperwork with the state for a previous CIC. They asked him to look at the status of those filings and what they need to do to resurrect the CIC. They are looking at a board composition of an elected official, key staff, and a representative from the planning commission. He will have a firmer timeline in April when they can get this spun up and capitalize it. Their goal is to have it in a place to present to council in the middle of the year.

V) FY2024 Budget Book – Mr. Rauch stated all edits and adjustments submitted have been made, so there will be a resolution for council to approve the document next week.

Once council does that, they will post it online and the links will be out there as well. They will then use the budget book as a template going forward.

VI) Eclipse Update – Mr. Rauch stated that a total solar eclipse will occur in Riverside, Ohio, around 3:08 p.m. on April 8, 2024. The eclipse is expected to last two to three minutes depending on location. The population draw is expected to be significant to Ohio and to the City of Riverside. There will potentially be 20,000 – 30,000 people at the Air Force Museum, which would be equivalent to the entire population of Riverside concentrated in a small area. They are looking at the population of Riverside being doubled during this event. Mr. Rauch stated that there could be up to 13 hours of gridlock due to highway congestion. He advised residents to treat this like a severe weather event and if staying home, get gas and food the week before. People coming into the area will probably start on the Friday before since the eclipse is on a Monday. If traveling outside the area, expect delays upon returning home as roads will be heavily congested and difficult to navigate. He added that closures should also be expected. Roads and lanes will close as needed to manage traffic. Parks will close the weekend before to discourage camping, dumping, and to protect the infrastructure; parks will reopen on the day of the event. He added that schools and many businesses will be closed that day. Police, fire, and service will be working, and roadways need to be clear enough for those vehicles to get through. Mr. Rauch advised residents to do the following: prepare ahead of time and not the day before, plan where you will be and how you will get there, prepare for traffic, prepare to be significantly delayed coming and going, prepare to change plans if needed, use paper maps, look out for cyclists and pedestrians, and be patient. He stated they tried to get ODOT to open the ramp early to 35 off of Woodman, but that may not happen. There will be temporary signs up to keep people away from the south end of town on Woodman and push traffic to 675. He added that cell phone towers will be taxed so paper maps will be handy. Things that should **not** be done include: congregating on the road shoulders or in other prohibited areas, relying on electronics or the internet as coverage may be unstable or fail, driving distracted or impaired, calling 9-1-1 because of traffic jams or non-emergencies, and putting yourself or others in unsafe situations. He stated this is once in a lifetime and wants everyone to be safe. They have to make plans to try and make everyone as safe as possible and think about how to manage for a worst case scenario. He stated he will bring forth legislation that will allow him to declare a state of emergency and have legal counsel explain the rationale.

Mr. Miller stated that he has spoken with the city manager about the safety and legal aspects of what he has addressed to them. He stated that he just received word that a branch of the Montgomery County courts will be closed for that day as well. He stated that emergency management and emergency preparedness are terms used in the Ohio Revised Code that provide a level of authority and responsiveness that does not necessarily exist when there is not a hazard. The ORC and charter allow the city manager to supervise the department of public safety, fire, EMS, and police, and it opens up access to other funding

an egregious or unforeseen circumstances from this event. By a team effort, the resolution coming to council authorizes the manager to declare a state of emergency and will provide resources to respond to hazards, traffic problems, safety issues with directing fire/EMS. It gives him the authority to close roads, buildings, parks, and anything that falls in that aspect that will keep residents and visitors safe. This is the purpose of the declaration of the emergency. There is authorization in the law to flank an event for days prior and days after. The Friday before until the Friday after the event will help to provide for parks and traffic to be managed and for adequate staffing to mitigate any hazards. The declaration of an emergency will give the manager the authority to respond in a more streamlined manner. The authority is granted to him in the charter, but the legislation will show the joint collaborative effort by council recognizing this is a significant event and providing the manager to exercise safety measures, preparedness measures, and response measures. Mr. Joseph asked if the base has reached out. Mr. Rauch stated that they are in contact on numerous levels. There is an internal meeting next week to discuss all the meetings that have been happening externally. The goal is to be as flexible as possible regardless of what happens. There will be a northern command center and southern command center since the geography of Riverside is broken up. This way if Route 4 or the bridges back up they are not stuck; they want to build redundancy to react where needed. Mr. Denning stated that the base will be starting things early that day. Mr. Rauch stated if the event at the base draws a lot of people and they begin to limit the attendees, then the city will have the challenge of redirecting traffic. A communication plan is being developed once details are finalized.

CITY MANAGER UPDATES - Mr. Rauch stated there is information going in the packet for Montgomery County 9-1-1 services. This does into impact the relationship with Huber Heights for dispatch. This is due to recent state legislative changes. The county has a 9-1-1 planning committee, and while Riverside is not a voting member, the state requires every municipality to approve the plan the committee produces. It is a list of all dispatch centers, how they are staff, who they cover, and if they are going to do next-gen 9-1-1. The resolution states they have seen and received the plan. It needs to be approved by April 1, 2024, which is why it is coming to them at the next council meeting.

Mr. Joseph stated that he was recently at the NLC Congressional Conference and met a councilmember from Youngstown, Ohio, who is on the Ohio 250 board. Ohio 250 is a bipartisan resolution passed by the State House; there is a planning committee with all the municipalities in the state of Ohio to commemorate our country's 250th anniversary or birthday. There is a templated resolution he gave to the city manager that he would like for council to consider adopting at a future meeting. It shows council's support, and they could think about something that they can do with Ohio 250 to celebrate America's 250th birthday, some type of community engagement. He added that the state has allocated funds to different programs or community events. Funding is listed on their website. He would like the city to have some engagement. The 250th is in 2026, but there is a series of

events happening up to then. Mr. Denning stated that in 1921 is when the city was chartered by the state making 2026 the 105th birthday of the city, of the village. Mr. Rauch stated he will get it put on as a work session item. Discussion was held on when the city/village became incorporated. Mr. Denning stated they need to give credit to the village to be able to become a city. He stated the village was incorporated in late June of 1921.

COUNCILMEMBER COMMENTS: Mr. Brown thanked the city manager for the eclipse preparedness. There are no hotels available in the area around that time. Mr. Joseph stated the trip to DC was neat to go and meet other elected officials from Ohio. He had a brief discussion with the Secretary of Transportation and talked about the infrastructure projects in Riverside. He stated they are not alone as a city with big infrastructure projects coming along. With the right planning, right staff, and the right grants being written, federal dollars are attainable. Discussion was held on planning for Woodman redesign and when it started. Mr. Rauch stated it was a team effort with Ms. Bartlett, the TID, with engineers to try to find a way to bridge the gap. He is excited they are at a point to do some community engagement to get feedback on what people want. They were part of the first round of funding that was awarded, and Riverside had the highest award for a planning grant in the state of Ohio. Mr. Joseph stated the delegation he was with was able to meet with Congressman Turner and his staff and just bringing up Riverside he obviously knew because he was directly involved with that. Mr. Joseph stated he thank him for working with Riverside. They met with Sherrod Brown and J.D. Vance. State Senator Brown asked him where he was from, and he said Riverside. Brown then said Riverside has some exciting things going on there. He stated that the work they are doing is reaching those levels in government, and it gives them adequate recognition. He reminded everyone to go out and vote on Tuesday. The police levy is on the ballot, and he would appreciate it if voters supported it. He added that severe weather is coming tonight and reminded everyone to be weather aware. He suggested having a plan to wake up to get them to safety. Deputy Mayor Maxfield thanked the city manager and finance director on the work they are doing. He thanked police, fire, and public works for future events to take place.

ADJOURNMENT: Being no further business, Deputy Mayor Maxfield adjourned the meeting at 7:09 p.m.

Pete Williams, Mayor

Katie Lewallen, Clerk of Council

MINUTES

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

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

Staff present were as follows: Josh Rauch, City Manager; Kim Baker, Finance Director; Jim Miller, Legal Counsel; and Katie Lewallen, Communications Manager/Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Joseph moved, seconded by Mr. Brown, to excuse Ms. Lommatzsch and Mr. Maxfield. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO THE AGENDA: No additions or corrections were made.

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

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

SWEAR IN: Mayor Williams swore in three new full-time firefighters/paramedics: Brennan Arrell, Gavin McGriff, and Mason Waite. Mayor Williams swore in three firefighters promoted to lieutenants: Tyler Bever, Derek Fourman, and Isaac Hivner.

MINUTES: Mr. Joseph moved, seconded by Mr. Denning, to approve the March 7, 2024, council business meeting minutes. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated that anyone wishing to speak should fill out a form located in the back of the room and hand it to the clerk.

PROCLAMATION: Mayor Williams recognized March 21, 2024, as World Down Syndrome Awareness Day and presented Councilman and Mrs. Denning with a proclamation as they have recently had a great-grandson born with Down Syndrome. Mr. Denning stated this has just become something that has touched their family. He stated society needs to get away from talking like it is a bad thing. Often his granddaughter was told by doctor's that they were sorry for the diagnosis. She had been pressed both directly and indirectly to consider termination of the pregnancy. He stated children born with this extra chromosome are a blessing and not that it is something terrible that has happened to someone. He spoke about URS being in the city and helping those with disabilities find jobs and contribute to society. They all need to be more aware.

Mrs. Denning thanked the mayor and council for issuing the proclamation. She stated that 3/21 is used as it indicates the extra chromosome (3) on the (21st) chromosome. It has been an eye opening experience for them. It was amazing how many people told her granddaughter they were sorry. When she was told about a grandbaby, all she told her was how exciting it would be. Her granddaughter told her that she was the only one to respond that way as everyone was sorry for the news with Down Syndrome. Mrs. Denning stated it is a child; it is a disability that may take them a bit longer to reach a milestone or do something. She stated that he has already rolled over being only two months old even though doctors told her granddaughter it would be almost six months. She stated Down Syndrome is a diagnosis, and they need to make sure they are treated like any other person. She added that no parent should have to be advised to terminate because of a diagnosis.

PUBLIC COMMENT ON AGENDA ITEMS: No one wished to speak on an agenda item.

UNFINISHED BUSINESS

A. ORDINANCES

- I) Ordinance No. 24-O-848 – An ordinance to establish the Unclaimed Money Fund, and declaring an emergency. (2nd reading, public hearing, adoption)**

Mr. Rauch stated this ordinance establishes an unclaimed money fund pursuant to state code.

Mr. Joseph moved, seconded by Mr. Brown, to approve the second reading by title only of Ordinance No. 24-O-848. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:23 p.m. No one came forward to comment. Mayor Williams closed the public hearing at 6:23 p.m.

No further discussion was held. Roll call went as follows: Mr. Joseph, yes; Mr. Brown, yes; Mr. Denning, yes; Ms. Fry, yes; and Mayor Williams, yes. Motion carried.

NEW BUSINESS

A. ORDINANCES

- II) Ordinance No. 24-O-849 – An ordinance to make supplemental appropriations for the current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2024. (1st reading)**

Mr. Rauch stated this is a housekeeping supplemental ordinance that will use additional appropriations in several fund balances; these are available reserves as described in the packet.

Mr. Denning moved, seconded by Mr. Joseph, to approve the first reading by title only of Ordinance No. 24-O-849. The clerk read the ordinance by title only.

No further discussion was held. Roll call went as follows: Mr. Denning, yes; Mr. Joseph, yes; Mr. Brown, yes; Ms. Fry, yes; and Mayor Williams, yes. Motion carried.

III) Ordinance No. 24-O-850 – An ordinance declaring improvements to certain real property located in the City of Riverside, Montgomery County, Ohio, to be a public purpose; declaring such property to be exempt from real property taxation; designating specific public infrastructure improvements that directly benefit the parcels for which improvements are declared to be a public purpose; establishing a Municipal Public Improvement Tax Increment Equivalent Fund; and providing related authorizations pursuant to Ohio Revised Code Sections 5709.40(B), 5709.42, 5709.43, 5709.832, and 5709.85. (1st reading)

Mr. Rauch stated this ordinance is to establish a TIF District on Springfield Street on the map shown in the packet.

Mr. Denning moved, seconded by Mr. Joseph, to approve the first reading by title only of Ordinance No. 24-O-850. The clerk read the ordinance by title only.

Mr. Denning asked if it was just for 10 years. Mr. Rauch stated it was for 10 years at 75 percent.

No further discussion was held. Roll call went as follows: Mr. Denning, yes; Mr. Joseph, yes; Mr. Brown, yes; Ms. Fry, yes; and Mayor Williams, yes. Motion carried.

B. RESOLUTIONS

I) Resolution No. 24-R-2925 – A resolution declaring certain police department vehicles owned by the City to be surplus and no longer needed for city purposes and authorizing its disposition.

Mr. Rauch stated this resolution is for police vehicles no longer being used.

Mr. Denning moved, seconded by Mr. Joseph, to approve Resolution No. 24-R-2925.

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

II) Resolution No. 24-R-2926 – A resolution adopting a popular budget book for the City of Riverside, Ohio, for Fiscal Year 2024.

Mr. Joseph moved, seconded by Mr. Denning, to approve Resolution No. 24-R-2926.

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

III) Resolution No. 24-R-2923 – A resolution approving the countywide 911 Service final plan as approved by the Countywide 911 Program Review Committee.

Mr. Rauch stated this is to approve the countywide 911 plan approved by the program review committee. This does not impact the dispatch services with Huber Heights.

Mr. Denning moved, seconded by Mr. Joseph, to approve Resolution No. 24-R-2927.

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

PUBLIC COMMENT ON NON-AGENDA ITEMS: Mayor Williams stated that one form had been received for comment on non-agenda items. He invited Ms. Fletcher to the podium and asked her to state her name and address for the minutes and to keep her comments to three minutes. Ms. Ellen Fletcher, 5201 Huberville Avenue, Riverside, Ohio, stated she was there last fall and had a chance to do a tour with others regarding the Brightview clinic. They went to four schools: Merry-time, Spin-Kemp pre-school, St. Helens, and East Dayton Christian, to speak with the principals/superintendents and got their concerns on Brightview Clinic opening at Burkhardt and Spinning. She stated on May 2, 2024, Brightview would like to come speak to council. On Monday, they are going to have their outreach manager hired. She stated they will come to the council meeting to give an update. Mayor Williams stated that many of them were at the Brightview ribbon cutting and open house. He was thrilled with how welcoming they were and how much of a community partner they wish to be. He has found them to be a neighbor to the community. Mr. Joseph asked if there had been an increase of crime, vandalism, or any of those types of concerns. Mr. Rauch stated he has not been informed of any. Mr. Joseph stated there were murmurs that they would not be good in the community; he is excited they are here and a place to go for people needing help. They provide a service needed for the area.

CITY MANAGER REPORT: Mr. Rauch stated they had a good staff meeting today for the eclipse planning, and they will be in front of everyone with a communications plan. He stated there will be a number of gates open around the USAF museum. People should expect heavy traffic, and some lanes will be closed along Airway, Harshman, and Springfield Street. Traffic patterns will change during the day to facilitate getting people into the base in the morning and out of the base once the eclipse has passed. He asked people to be patient, be aware, and be safe. More information will be forthcoming on the City's website and Facebook page. Temporary signs will be out to divert traffic from Woodman at the bridge and others indicating lane closures.

COUNCILMEMBER COMMENTS: Mr. Brown stated regarding World Down Syndrome Awareness Day there is an important individual in his life, Bo Begley, who he has seen grown up from a four-year-old to a fine young man. He is proud of him and the things he accomplishes in his life. He wanted to shout him out and tell him he loves him.

Mayor Williams shared Mr. Brown's sentiment and the Dennings for sharing the value of life on World Down Syndrome Day. It is a wonderful story to hear a story of a young mother getting through and getting advice that is not something that everyone can get through. He wished God's blessings on the Dennings' grandchild and their family that is bravely soldiering thought this. It is a blessing to hear how quickly their grandchild rolled over. He thanked the Dennings and families that support all of these kids. He congratulated the fire staff and the growing public safety staff.

Ms. Fry stated she saw a recent awareness campaign where the crux of the message is if you expect down syndrome kids cannot do things, then they do not get the resources to do the things; it becomes a self-fulfilling prophecy. When you expect they will do well, you give them the tools to do well. They may need a little extra, but give them the tools, and they can succeed. The message resonates with her as an advocate for autism. That is something this generation needs to learn over and over again. Give people the tools to succeed in life and support them and they can. They do not have to expect the worst of a situation. She stated that upcoming blood drive is scheduled for April 3, 2024. The incentive is an umbrella, but an extra incentive is eclipse glasses. Those wishing to help reach the goal and donate can go to www.donortime.com and search for the City of Riverside to sign up.

Mr. Denning thanked everyone for listening to their story.

EXECUTIVE SESSION: Mr. Denning moved, seconded by Mr. Joseph, to enter into executive session for the following: 103.01 (1) - Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official. Roll call went as follows: Mr. Denning, yes; Mr. Joseph, yes; Mr. Brown, yes; Ms. Fry, yes; and Mayor Williams, yes. **Motion carried.** Council entered into executive session at 6:39 p.m.

RECONVENE: Council reconvened at 8:25 p.m.

ADJOURNMENT: Being no further business, Mayor Williams adjourned the meeting at 8:25 p.m.

Pete Williams, Mayor

Katie Lewallen, Clerk of Council

CITY COUNCIL
CALENDAR

2024 COUNCIL CALENDAR

- Creating Springfield St. TIF District (Nia)
- Personnel Manual Updates (Josh)

February 15, 2024

- Proclamation: CTE Month
- Ordinance: Repeal Section 125.01 (2nd reading)
- Resolution: Bob Chiles Golf Outing
- Resolution: Then and Now – Stoops Freightliner Invoice
- Resolution: Surplus – Service Department
- Resolution: Then and Now – PNC
- Resolution: Then and Now – All-American Fire Equipment
- Exec Session: Personnel

March 7, 2024

- Ordinance: Unclaimed Monies Fund (1st Reading)
- Resolution: Fisher-Nightingale Houses All-American Evening
- Resolution: Delinquent Income Tax Collections (Kim)
- Resolution: Personnel Manual Changes (Accruals, Probation, Education Reimbursement)
- Exec Session: Personnel, Litigation
- Resolution: Amending Moratorium

March 14, 2024 – Work Session

- Presentation: Airway Shopping Center
- Monthly Update: Finance, Administration, Community Development
- Supplemental Appropriations Ordinance (Kim)
- Springfield St. TIF
- UDO Rewrite Update
- CIC Update
- FY2024 Budget Book
- Eclipse Update

March 21, 2024

- Swear-In: New FF/LTs
- Proclamation: World Down Syndrome Awareness Day
- Ordinance: Unclaimed Monies Fund (2nd Reading)
- Ordinance: Supplemental Appropriations (1st Reading)
- Ordinance: Creation of Springfield St. TIF District (1st Reading)
- Resolution: Adopting FY2024 Budget Book
- Resolution: Surplus – Police
- Resolution: 911 Services
- Exec Session: Personnel

2024 COUNCIL CALENDAR

April 4, 2024

- Ordinance: Supplemental Appropriations (2nd Reading)
- Ordinance: Creation of Springfield St. TIF District (2nd Reading)
- Resolution: First Quarter Then-and-Now (Kim)
- Resolution: Spinning Phase 2 Final Legislation (Josh)
- Resolution: State of Emergency – Eclipse (Josh)

April 11, 2024 – Work Session

- Monthly Update: Police, Fire, Public Services
- CIC 101 (McHugh, Downings)
- Rental Registry (Nia)
- Fee Schedule Resolution (Nia)
- Glendean Development Agreement (Nia)
- Police Property Tax Levy
- Ranked Choice Voting
- SRO MOU Update

April 18, 2024

No Meeting

May 2, 2024

- Presentation: Dayton Metro Library, Adam Schwiebert – Government Relations Director
- Proclamation: Mental Health Awareness Month
- Resolution: Adoption of Records Commission Policy (Katie)
- Resolution: Quarterly Surplus – Fire, CDD
- Resolution: Revised Police Surplus
- Resolution: SRO MOU
- Resolution: Acceptance of Bid for 2024 Paving Program Ramps

May 9, 2024 – Work Session

- Monthly Update: Finance, Administration, Community Development
- Stormwater Utility Fee

May 16, 2024

No Meeting

June 6, 2024

- Charter Review Resolutions

LEGISLATION



**MEETING DATE: April 4, 2024 AGENDA
ITEM: UnfinishedBusiness**

TO: Riverside City Council
FROM: Kim Baker, Finance Director
SUBJECT: Ordinance No. 24-O-849 - An ordinance to make supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2024.

EXPLANATION

Changes since January have prompted the need to authorize additional appropriations for the FY2024 Budget. These include:

General Fund

- \$900 to allow for Planning Commission and BZA member training in 2024
- \$71,600 for Downing contract billings that overlap year and 2024 contract

\$72,500 in additional appropriation in the General Fund is requested to be paid using current fund balance.

Fire Fund

- \$75,000 for insured engine 6 work where insurance monies were received in late 2023 and early 2024
- \$7,500 for additional boot needs for firefighters
- \$7,500 to allow for appropriate level of tuition reimbursement based on contract requirements
- \$118,000 to allow or direct booking of Income Tax Collection Fees

\$208,000 in additional appropriation in the Fire Fund is requested to be paid using current fund balance.

Police Fund

- \$118,000 to allow or direct booking of Income Tax Collection Fees
- \$1,000 to allow for insurance coverage of new fleet vehicles expected to be delivered in 2024
- \$4340 to allow for payment on the Link Layer Project that moved from an expected project year of 2025 to a project year of 2024.

\$123,340 in additional appropriation in the Police Fund is requested to be paid using current fund balance.

Drug Law Fund

- \$876.80 to allow for supplies purchases

This amount will be paid using available fund balance.

ONEOHIO Opioid Settlement Fund

- \$39,968.08 to allow fund balance to be used for 2024 Opioid prevention programs/supplies

This amount will be paid using available fund balance.

State Law Enforcement Trust Fund Fund

- \$4,416.96 to allow for supplies purchases

This amount will be paid using available fund balance.

Eintracht Fund

- \$5665.27 to allow for miscellaneous repairs

This amount will be paid using available fund balance.

Police and Fire Income Tax Fund

- -\$236,000 to relieve appropriations and move them into Police and Fire Funds so that direct booking of income tax revenues and related expenses

This amount reduces entire appropriation approvals from this fund that will no longer be utilized by City of Riverside.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached legislation.

EXHIBITS

Exhibit A

ORDINANCE NO. 24-O-849

PASSED: _____

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF RIVERSIDE, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2024.

WHEREAS, the Finance Director does report and recommend that certain supplemental appropriations be made.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Riverside, Ohio:

Section 1: That the Council of the City of Riverside, State of Ohio, to provide for current and other expenditures for the period January 1 through December 31, 2024, the following additional sums and amounts as listed in Exhibit “A” attached hereto and incorporated herein by this Ordinance be and they are hereby set aside and appropriated as a supplemental appropriation to the existing appropriation.

Section 2: That the Finance Director is hereby authorized to draw warrants on the City Treasury for payments from the foregoing supplemental appropriation as authorized by legislation of Council to make appropriations.

Section 3: That this Ordinance, being an Appropriation Ordinance, shall take effect immediately upon its passage as provided for in the Charter.

ATTEST:

APPROVED:

CLERK

MAYOR

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 Ordinance No. 24-O-848 passed by the Riverside City Council on _____.

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

CLERK

That there be appropriated within and from each fund as follows:

Fund	Justification	Amount
General Fund (1100)	Cost for Online training course for each PC/BZA member.	900.00
General Fund (1100)	Invoice received from 2023 work; New 12 month contract for 2024.	71,600.00
Fire Fund (2201)	Additional boots required this year	7,500.00
Fire Fund (2201)	To allow for appropriate level of tuition reimbursement for fire team	7,500.00
Fire Fund (2201)	Reclass income tax collection fees budget to Police and Fire funds	118,000.00
Fire Fund (2201)	Allow for payment of insurance proceeds received in late 2023 and early 2024	75,000.00
Police Fund (2203)	Additional property insurance related to new Durangos	1,000.00
Police Fund (2203)	Reclass income tax collection fees budget to Police and Fire funds	118,000.00
Police Fund (2203)	Appropriate funds for Link Layer project.	4,340.00
Drug Law Fund (2219)	Appropriate Drug Law fund balance to allow for supplies purchases	876.80
Opioid Settlement Fund (2227)	Appropriate ONEOHIO Opioid Settlement fund balance to allow for purchases	39,968.08
State Law Enforcement Trust Fund (2231)	Appropriate State Law Enforcement Trust fund balance to allow for supplies purchases	4,416.96
Eintracht Fund (2404)	Appropriating fund balance in Eintracht Fund for misc repairs	5,665.27
Police & Fire Income Tax Fund (2410)	Reclass income tax collection fees budget to Police and Fire funds	-236,000.00
	Net Appropriation	\$218,767.11



MEETING DATE: April 4, 2024
AGENDA ITEM: Unfinished Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager
Lori Minnich, Economic Development Specialist

SUBJECT: Ordinance No. 24-O-850 – An ordinance to establish the Springfield Corridor TIF District for the purpose of deriving funding from the increased value of property to make public infrastructure improvements within the TIF district.

EXPLANATION: The Tax Increment Finance program is an economic development tool administered by a municipal government to finance public infrastructure improvements, by locking in the taxable worth of real property at the value at the time the legislation is authorized. Payments derived from the increased assessed value are placed in a TIF project fund and used for public improvements projects outlined in Attachment B.

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

Attachment A, Attachment B

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF RIVERSIDE, MONTGOMERY COUNTY, OHIO, TO BE PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENTS ARE DECLARED TO BE A PUBLIC PURPOSE; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832, AND 5709.85.

WHEREAS, Ohio Revised Code (“R.C.”) Section 5709.40(B) provides that this Council may, under certain circumstances, (i) declare improvements to certain parcels of real property located in the City of Riverside, Montgomery County, Ohio (the “City”) to be a public purpose, thereby granting to those improvements an exemption from real property taxation, and (ii) designate specific public infrastructure improvements made, to be made, or in the process of being made that directly benefit, or that once made will directly benefit, the parcels for which improvements are declared to be a public purpose; and,

WHEREAS, pursuant to R.C. Section 5709.40(0)(2), such exemption may be for up to seventy-five percent (75%) of such improvements for up to ten (10) years without approval of the boards of education of the local school district and joint vocational school district within the territory of which the improvements are or will be located; and,

WHEREAS, the real property described in EXHIBIT A attached hereto and incorporated herein by reference (the “Property”) is located in the City, with each parcel of the Property referred to herein as a “Parcel” (whether as presently appearing on Montgomery County tax duplicates or as subdivided or combined and appearing on future tax duplicates); and,

WHEREAS, the current and future owners of the Property (each an "Owner" and collectively the "Owners"), by and through the Council of the City of Riverside, Ohio, wish to develop the Property by constructing public infrastructure improvements and related improvements thereon and otherwise improving the Property; and,

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the Mad River Local School District in accordance with and within the time period prescribed in R.C. Section 5709.83.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Riverside, Ohio:

Section 1: That the Public Infrastructure Improvements described in EXHIBIT B attached hereto, intended to be made or caused to be made by the City,

are hereby designated as public infrastructure improvements that, once made, will directly benefit the Property.

Section 2:

Seventy-five percent (75%) of the increase in the assessed value of (each Parcel within the Property after the effective date of this Ordinance (each of which increase in assessed value is an "Improvement" as defined in Division (A)(4) of R.C. Section 5709.40) shall be a public purpose and shall be exempt from real property taxation commencing for each Parcel the first day of the tax year in which there is an Improvement with respect to the Parcel (as it may be subdivided or combined in connection with the acquisition of the Parcel by an Owner or otherwise) of at least \$35,000 (ie., an increase in true value of \$ 100,000) (the "Commencement Date"), and ending for each Parcel on the earlier of (a) ten (10) years after such commencement, or (b) the date on which the City can no longer require annual service payments in lieu of taxes, all in accordance with the requirements of R.C. Sections 5709.40, 5709.42, and 5709.43 (the "TIF Statutes").

Under Division (G) of R.C. 5709.40, the exemption granted by this Ordinance shall apply to the Improvement to each Parcel on a parcel-by-parcel basis. For absolute clarity as to the immediately preceding sentence, the Commencement Date for an Improvement may occur within a different tax year than the Commencement Date for an Improvement on any other Parcel, and the Improvement on each Parcel shall have a separate exemption term often (10) years, commencing on its respective Commencement Date and ending on the date that is ten (10) years after that Commencement Date or the date on which the City can no longer require annual service payments in lieu of taxes, in accordance with the TIF Statutes. In no case shall any Improvement on any Parcel be exempted from taxation for longer than ten (10) years.

Section 3:

As provided in R.C. Section 5709.42, the Owner of any Parcel with an Improvement will be subject to the remittance as determined by the County Treasurer of Montgomery County, Ohio (the "County Treasurer") as part of the calculation of real property taxes for parcels within the Property. Each such payment (including interest and penalties) is to be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvements if they were not exempt from taxation (with such annual service payments in lieu of tax, including any penalties and interest, being the "Service Payments"). The County Treasurer shall remit all Service Payments to the City for deposit in the Springfield Corridor Municipal Public Improvement Tax Equivalent Fund (the "TIF Fund") established in Section 4 hereof. This Council

hereby authorizes the Mayor or other appropriate officers of the City to provide such information and certifications and execute and deliver, or accept delivery of such instruments as are necessary and incidental to collect those Service Payments and to make such arrangements as are necessary and proper for payment of the Service Payments. Any late payments are to be subject to penalty and bear interest at the then-current rate established under R.C. Sections 323.121 and 5703.47, as may be amended from time-to-time, or any successor provisions thereto, as the same may be amended from time-to-time. The Service Payments are to be allocated and deposited in accordance with Section 4 of this Ordinance.

Section 4:

This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, the TIF Fund, into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements to Parcels by or on behalf of the County Treasurer, as provided in R.C. Section 5709.42, and hereby appropriates all of the moneys deposited in the TIF Fund from time-to-time to pay any costs associated with the Public Infrastructure Improvements approved by the City, including, but not limited to, the "costs of permanent improvements" described in Division (B) of R.C. Section 133.15.

The TIF Fund is to remain in existence for so long as Service Payments are collected and used for the aforesaid purposes, subject to the limits set forth in the TIF Statutes, after which said TIF Fund is to be dissolved in accordance with Division (D) of R.C. Section 5709.43.

Section 5.

This Council hereby designates the Montgomery County Tax Incentive Review Council (the "TIRC") as the TIRC that shall review annually all exemptions from taxation resulting from this Ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. Section 5709.85.

Section 6.

In accordance with R.C. Section 5709.832, this Council hereby determines that no employer located on the Property is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

Section 7.

This Council hereby authorizes the Mayor or other appropriate officers of the City to take such actions as are necessary or appropriate to implement the transactions contemplated by this Ordinance, including the filing of one or more applications for exemption and any related forms in accordance with R.C. Section 5709.911, and (ii) signing of any other documents, instruments, or certificates that are necessary or appropriate to implement the transaction contemplated by this

Ordinance, including one or more tax increment financing agreements allowing for the reimbursement of costs incurred to construct the Public Infrastructure Improvements described herein.

Section 8. Pursuant to R.C. Section 5709.40(1), the Mayor is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development ("ODOD") within fifteen (15) days after its passage. On or before March 31 of each year that the exemption set forth in Section 2 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit, or cause to be prepared and submitted, to the Director of ODOD the status report required under R.C. Section 5709.40(I).

Section 9. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including R.C. Section 121.22.

Section 10. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

ATTEST:

APPROVED:

CLERK

MAYOR

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 Ordinance No. 24-O-850 passed by the Riverside City Council on _____.

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

CLERK

EXHIBIT A

DESCRIPTION OF THE PROPERTY

The Property is the real estate situated in the City of Riverside, County of Montgomery and State of Ohio consisting of the parcels which have been assigned the tax year 2024 parcel numbers by the Montgomery County Auditor set forth below and identified on the map attached hereto (and including any subsequent combinations and/or subdivisions of the current parcel numbers); provided, however, in accordance with R.C. Section 5709.40(B), the Property does not include any Parcel used or to be used for residential purposes for as long as that Parcel is used or to be used for residential purposes:

Further, for ease of reference, the Property to be exempt is graphically depicted in the following maps: A-1



EXHIBIT B

Public Infrastructure Improvements

All of the Public Infrastructure Improvements described below are hereby determined to be "public infrastructure improvements" (as defined in Division (A)(8) of O.R.C. Section 5709.40) and are intended to directly benefit the Property described in EXHIBIT A. The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of costs of permanent improvements described in O.R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which said costs specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and any debt service on and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The Public Infrastructure Improvements include, without limitation:

- **Roadways.** Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks and walkways, pathways, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, and all other appurtenances there to, including the continued maintenance of those public roads and highways; and,
- **Water and Sewer Lines.** Construction, reconstruction or installation of utility improvements (including any underground utilities), storm and sanitary sewers (including necessary site grading therefore and including the continued maintenance of those storm and sanitary sewers), water lines (including the continued maintenance of those water lines), fire buildings and improvements, public water and fire protection systems (excluding any in-unit, private water and fire suppression systems), and all other appurtenances thereto; and,
- **Utilities.** Construction, reconstruction or installation of gas, electric, and communication service facilities, and all other appurtenances thereto, and including the provision of gas or electric service facilities owned by nongovernmental entities when such improvements are determined to be necessary for economic development purposes; and,
- **Parks.** Construction or reconstruction of one or more public parks, including grading, trees, sod, shrubs, and other park plantings, park accessories, park structures, irrigation, lighting, flatwork, playgrounds, fountains, water fountains, water features, sports facilities, including, but not limited to, public tennis courts, sculptures, public art and related improvements, and all other appurtenances thereto; and,
- **Streetscape/Landscape Improvements.** Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash

receptacles, benches, newspaper racks, irrigation, burial of overhead utility lines and related improvements, and all other appurtenances thereto; and,

- **Public Parking Facilities.** Construction of one or more public parking facilities, including public surface parking and public parking structures and related improvements, and all other appurtenances thereto; and,
- **Demolition.** Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes; and,
- **Acquisition of Real Estate.** Acquisition of real estate or interests in real estate (including easements and rights-of-way) necessary to accomplish the foregoing improvements or in aid of industry, commerce, distribution or research; and,
- **Environmental remediation;** and,
- **Stormwater and Flood Remediation Projects.** Stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety, and welfare; and,
- **Ongoing Administrative Expenses.** Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenue, including but not limited to engineering, architectural, legal, TIF administration, permitting and public infrastructure construction management, and other consulting and professional services; and,
- **Inspection/Governmental Fees.** All inspection fees and other governmental fees related to the foregoing; and,
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.



MEETING DATE: April 4, 2024

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: Resolution 24-R-2928 - A resolution authorizing payment of invoices with “Then-and-Now” certificates for the first quarter of calendar year 2024.

EXPLANATION

The attached exhibit includes various payments for services/supplies which were received prior to official certification from the Finance Department. When this occurs for payments over \$3,000, City Council approval is also required.

It is important to emphasize that sufficient funds were available at the time of purchase and at the time payments were due for the obligations listed on the Exhibit.

Adopting this resolution allows the Finance Director to issue “Then and Now” certificates for the obligations on the exhibit.

City staff continue to monitor the frequency and occurrences of these “Then and Now” payments to increase compliance and proper control over financial procedures.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached legislation.

FISCAL IMPACT

No additional fiscal impact – the obligations on the exhibit were purchased under current budget appropriations authority.

SOURCE OF FUNDS

Various

EXHIBITS

Exhibit A – Then and Now Certificates

RESOLUTION NO. 24-R-2928

PASSED: _____

A RESOLUTION AUTHORIZING PAYMENT OF INVOICES WITH “THEN AND NOW” CERTIFICATES FOR THE FIRST QUARTER OF CALENDAR YEAR 2024.

WHEREAS, the City of Riverside Finance Director had pending invoices, each exceeding \$3,000, for services or supplies that were ordered and delivered prior to obtaining certification from the fiscal officer that funds were available; and

WHEREAS, both Section 5705.41 of the Ohio Revised Code (ORC) and City policy require prior certification of the availability of funds for major purposes; and

WHEREAS, the ORC provides an exception allowing retroactive certification when the requisite funds are available both at the time the purchase commitment was made and when payment is due (known as a “then and now certificate”); and

WHEREAS, the finance director states that sufficient unencumbered money is and was available both at the time the purchase was made and at the time payment was due for the obligations listed on Exhibit “A” and incorporated herein..

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Riverside, Ohio:

Section 1: That the finance director is hereby authorized and directed to issue “Then and Now” certificates for the obligations listed on Exhibit “A” and to pay them from the appropriate accounts upon receiving properly executed “then and now” certificates.

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

ATTEST:

APPROVED:

CLERK

MAYOR

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. 24-R-2928 passed by the Riverside City Council on _____.

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

CLERK

24-R-2928 Exhibit A

Vendor	Invoice Date	Full Description	Amount	Year
Montgomery County, Strategic Initiatives	3/13/2024	JusticeWeb Annual Fee Based on Prior Year Data (database for prisoners)	\$9,032.82	2024
CDW-Government LLC	07/06/2022	NCE M365 Business License	\$3,277.50	2022
CDW-Government LLC	07/07/2023	NCE M365 Business License	\$3,277.50	2023

MEETING DATE: April 4, 2024

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: Resolution 24-R-2929 - A resolution authorizing the city manager to declare a temporary state of emergency during the total eclipse event from Friday, April 5, 2024, at 12:00 a.m. through Friday, April 12, 2024, at 12:00 a.m. and to exercise all duties related to emergency preparedness and management pursuant to the City Charter, ordinances, and general laws of the State of Ohio, in order to minimize the effects upon the civilian population caused or that could be caused by any hazard associated with the total eclipse event and that are necessary to address mitigation, emergency preparedness, response, and recovery within the corporate boundaries of the City of Riverside, Ohio.

EXPLANATION

Pursuant to several discussions at recent work sessions and Council Meetings, the City Manager intends to declare a temporary state of emergency in the days surrounding the total solar eclipse on April 8, 2024.

Adopting this resolution confirms the City Manager's authority to declare the emergency and highlights the importance of public safety, welfare, and good order during the event.

City staff have been publishing information about the eclipse and will continue to distribute information in the days leading up to the eclipse.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached legislation.

FISCAL IMPACT

No additional fiscal impact.

SOURCE OF FUNDS

N/A

EXHIBITS

N/A

A RESOLUTION AUTHORIZING THE CITY MANAGER TO DECLARE A TEMPORARY STATE OF EMERGENCY DURING THE TOTAL ECLIPSE EVENT FROM FRIDAY, APRIL 5, 2024, AT 12:00 A.M. THROUGH FRIDAY, APRIL 12, 2024, AT 12:00 A.M. AND TO EXERCISE ALL DUTIES RELATED TO EMERGENCY PREPAREDNESS AND MANAGEMENT PURSUANT TO THE CITY CHARTER, ORDINANCES, AND GENERAL LAWS OF THE STATE OF OHIO, IN ORDER TO MINIMIZE THE EFFECTS UPON THE CIVILIAN POPULATION CAUSED OR THAT COULD BE CAUSED BY ANY HAZARD ASSOCIATED WITH THE TOTAL ECLIPSE EVENT AND THAT ARE NECESSARY TO ADDRESS MITIGATION, EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF RIVERSIDE, OHIO.

WHEREAS, pursuant to City of Riverside, Ohio, Charter Section 7.09, the Department of Public Safety was established, the head of which shall be the City Manager acting as the Director of Public Safety; and

WHEREAS, pursuant to City of Riverside, Ohio, Charter Section 7.10, the Director of Public Safety shall have all the powers and duties given the Director of Public Safety in municipalities by general law through the Ohio Revised Code and shall have supervision over and responsibility for the efficient operation of the Police and Fire Departments and shall perform such other functions as may be prescribed by the Charter, by ordinance, or by resolution; and

WHEREAS, pursuant to the general laws of the State of Ohio, including Sections 5502.21(A) and 5502.21(C) of the Ohio Revised Code, the chief executive of a public agency is defined as a city manager of a municipality, and such chief executive is authorized to declare or proclaim that an emergency exists during any period pursuant to Section 5502.21(F) of the Ohio Revised Code, and to take emergency management and emergency preparedness measures as defined in Sections 5502.21(G) and 5502.21(H) of the Ohio Revised Code; and,

WHEREAS, pursuant to Section 5502.21(D) of the Ohio Revised Code, the chief executive of a public agency is authorized to engage in civil defense as a crucial part of emergency management and preparedness that includes all those activities and measures designed or undertaken to minimize the effects upon the civilian population caused or that would be caused by any hazard as defined by Section 5502.21(I), including any actual or imminent threat to the overall health, safety, or welfare of the civilian population that is caused by any natural, human-made, or technological event; and,

WHEREAS, pursuant to Sections 5502.21(D), 5502.21(G), 5502.21(H), and 5502.21(N) of the Ohio Revised Code, emergency measures authorized by the chief executive during any hazard include measure to control traffic, mitigate crowds, evacuate areas, employ firefighting, rescue, emergency, medical, health, and sanitation services, and engage in recovery efforts including all those activities required and necessary to return an area to its former condition to the extent possible following the occurrence of any hazard; and,

WHEREAS, this Council finds it to be in the best interest of the health, safety, and general welfare of the citizens of Riverside to recognize that the Total Eclipse Event occurring on April 8, 2024, is identified by a multitude of local, state, regional, and federal emergency and governmental agencies, including the National Aeronautics & Space Administration, the Ohio Emergency Management Agency, and the Ohio Department of Transportation, as a once-in-a-lifetime natural phenomenon that is expected to draw a massive influx of pedestrians, motorists, and visitors to the 124-mile wide path within the State of Ohio affected by the event, which includes the corporate boundaries of the City of Riverside, Ohio; and,

WHEREAS, this Council finds it to be in the best interest of the health, safety, and general welfare of the citizens of Riverside to recognize that various state agencies have predicted increased road and highway traffic for hours preceding and after the event, estimating anywhere from 150,000 to 575,000 motorists on the roadway, and these state transportation and emergency agencies are preparing for hazards, possible disaster situations, and instituting emergency safety protocols to promote safety, peace, and order.

WHEREAS, this Council finds it to be in the best interest of the health, safety, and general welfare of the citizens of Riverside to authorize the City Manager to exercise his authority granted by the Charter of the City of Riverside, Ohio, and the general laws of the State of Ohio, to declare a temporary state of emergency from Friday, April 5, 2024, at 12:00 A.M. through Friday, April 12, 2024, at 12:00 A.M., thus allowing the City Manager to exercise the emergency preparedness and management activities as authorized by law to promote the orderly administration of city business and protect the health, safety, and general welfare of the citizens.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Riverside, Ohio:

Section 1: It is the legislative intent of this Resolution to authorize the City Manager to exercise his authority granted by the Charter of the City of Riverside, Ohio, and the general laws of the State of Ohio, to declare a temporary state of emergency from Friday, April 5, 2024, at 12:00 A.M. through Friday, April 12, 2024, at 12:00 A.M., thus allowing the City Manager to exercise the emergency preparedness and management activities as authorized by law to promote the orderly administration of city business and protect the health, safety, and general welfare of the citizens.

Section 2: The City Manager is hereby expressly authorized by this Resolution to use his authority pursuant to Section 5502.21(F) to declare a temporary state of emergency as set forth in Section 1 of this Resolution, and to employ all associated duties and authority in administering emergency preparedness and emergency management related to the emergency within the City of Riverside, Ohio.

Section 3: That the Clerk be and is hereby authorized and directed to forward a certified copy of this resolution to the City Manager, who will exercise

the emergency preparedness and emergency management authority prescribed in the Charter and the general laws of the State of Ohio.

Section 4: That this resolution shall take effect and be in force from and after the earliest time allowed by law.

ATTEST:

APPROVED:

CLERK

MAYOR

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. 24-R-2929 passed by the Riverside City Council on _____.

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

CLERK



MEETING DATE: April 4, 2024

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: Resolution 24-R-2930 - A resolution authorizing the city manager of the City of Riverside, OH, to enter into final legislation with the Ohio Department of Transportation for the rehabilitation of Spinning Road Phase 2 (Eastman to Burkhardt) PID No. 116871.

EXPLANATION

This resolution is required by the Ohio Department of Transportation (ODOT) to proceed with the Spinning Road Phase 2 Project. This resolution commits the City to our share of the project or \$88,968.00. This project has not yet bid. Our share was determined by ODOT's independent estimate.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached legislation.

FISCAL IMPACT

The project total cost is estimated at \$577,884, of which we received OPWC grants in the amount of \$488,916. The remaining amount (currently estimated at \$88,968) will be paid using American Rescue Plan Act funds.

SOURCE OF FUNDS

Fund 2237 - ARPA

EXHIBITS

N/A

FINAL RESOLUTION

The following Final Resolution enacted by the City of **Riverside**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the **20th day of April 2024**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of improvements to Spinning Road from Eastman Avenue to Burkhardt Road, including pavement planing, pavement repair, resurfacing, concrete pavement, curb, drainage, sidewalk, signage, and pavement markings, lying within the City of Riverside; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Five Hundred Seventy-Seven Thousand Eight Hundred Eighty-Four and - - - - 00/100 Dollars, (\$577,884.00) LESS OPWC in the amount of Four Hundred Eighty-Eight Thousand Nine Hundred Sixteen and - - - - 00/100 Dollars, (\$488,916.00) leaving a balance of Eighty-Eight Thousand Nine Hundred Sixty Eight and - - - - 00/100 Dollars, (\$88,968.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **Five Hundred Seventy-Seven Thousand Eight Hundred Eighty-Four and - - - - 00/100 Dollars, (\$577,884.00) LESS OPWC in the amount of Four Hundred Eighty-Eight Thousand Nine Hundred Sixteen and - - - - 00/100 Dollars, (\$488,916.00) leaving a balance of Eighty-Eight Thousand Nine Hundred Sixty Eight and - - - - 00/100 Dollars, (\$88,968.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the **City Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on _____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the minutes of the council meeting held on _____.

Legislative Authority of the
City of **Riverside**, Ohio

City Manager

SEAL
(If Applicable)

Clerk (Secretary Ex-Officio)

FISCAL OFFICER’S CERTIFICATE
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$88,968.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **Spinning Road Improvement Phase 2**, lying within the corporate limits of the City of **Riverside**, more particularly described as follows:

The project consists of improvements to Spinning Road from Eastman Avenue to Burkhardt Road, including pavement planing, pavement repair, resurfacing, concrete pavement, curb, drainage, sidewalk, signage, and pavement markings, lying within the City of Riverside; and

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Riverside**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority’s Minutes held on _____

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this _____ day of _____, 20____.

(Fiscal Officer’s Seal)
(If Applicable)

Fiscal Officer of the City of
Riverside, Ohio

C O N T R A C T
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of **Riverside**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of improvements to Spinning Road from Eastman Avenue to Burkhardt Road, including pavement planing, pavement repair, resurfacing, concrete pavement, curb, drainage, sidewalk, signage, and pavement markings, lying within the City of Riverside.

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Five Hundred Seventy-Seven Thousand Eight Hundred Eighty-Four and - - - - 00/100 Dollars, (\$577,884.00) LESS OPWC in the amount of Four Hundred Eighty-Eight Thousand Nine Hundred Sixteen and - - - - 00/100 Dollars, (\$488,916.00) leaving a balance of Eighty-Eight Thousand Nine Hundred Sixty Eight and - - - - 00/100 Dollars, (\$88,968.00).**
5. **The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.
7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,
 - C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
 - D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;

- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

**City of Riverside
5200 Springfield Street, Suite 100
Riverside, Ohio
45431**

Ohio Department of Transportation
Office of Contract Sales & Estimating
1980 West Broad Street, 4th Floor
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.
2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.

3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.
6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL
(If Applicable)

**OHIO DEPARTMENT OF
TRANSPORTATION**

**LOCAL PUBLIC AGENCY
City of Riverside**

Director of Transportation

City Manager

Date

Approved:
Dave Yost
Attorney General of Ohio

Law Director, City of Riverside

By: _____
Corinna Efke
Unit Coordinator, Transportation
Executive Agencies Section

Date

CITY MANAGER

PREVIOUS

UPDATES

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: March 22, 2024
SUBJECT: Weekend Update
CC: City Clerk, Law Director, City Staff

City Manager's Office/Administration

- Staff met this week to discuss eclipse planning and related communications. Staff from Mad River Local also attended the meeting. The Police Department has developed a traffic control plan for each of the gates the Base intends to open for the event (Spinning, Armory, Museum gates). We'll restrict access to parks and vacant land around the Springfield St. corridor to prevent illegal parking/camping/dumping. More info to come over the next 14 days.
- I held the second meeting for the Safe Streets 4 All Task Force this week. We discussed accident rates along the Woodman Corridor and tentative dates for public engagement. The Task Force will meet again next month.
- We made an offer for the Public Service Director position this week. We expect the finalist to start in the coming months.
- I'll be meeting with police officers to debrief the recent police levy and discuss strategies moving forward. While the levy results were a setback, we have a good opportunity to continue demonstrating the value and successes of our Police Department and City as November approaches.
- **The adopted FY2024 Budget Book is available here:** <https://city-riverside-oh-budget-book.cleargov.com/15869>. Thanks to all the staff who had a hand in developing this and to the City Council for approving this document. This will be an important resource in the coming months and years as we engage with our community.
- **Please stop by City Hall to welcome Ashley Couch, our new Administrative Assistant!** Ashley will be helping us full-time at the front desk. Outside work, she assists with Neighborhood Bridges, a nonprofit connected with Mad River Local that meets needs for local children and families. Each community in neighborhood bridges has its own Gateway for Kindness so that we can identify needs and drive support in a quick and efficient way. Welcome aboard, Ashley!

Communications/Public Relations

- No major updates this week.

Community Development Department

General Department:

- Interviews were held for the Community Development Technician position this week. An offer was made to one candidate, and they have accepted.
- Nia attended the month Children's Water Festival Planning Committee meeting on Thursday. This month the meeting was held at the event venue, the University of Dayton.

Code Enforcement:

- There are 393 open code enforcement cases. The department closed 12 cases and open 20 new cases this week.
- Rob reboarded 4540 Fair Park Ave. This property has been on the radar for both our department and RPD for awhile now as a public nuisance property. We are working the foreclosing bank to get the property into responsible ownership.
- Mara designed a Facebook post graphic for the annual grass public notice. The City is required to post the notice for during the last week of March on the City website.

Economic Development:

- Lori attended the I-70/I75 meeting on Thursday.
- Demolition on the residential properties on the 2023-2024 ODOD Demolition list started this week. Demolition on 4740 Linden Ave will begin in 2-3 weeks.

Planning & Zoning:

- Taryn Smith returned to present the on the research she conducted during her internship at the Planning Commission meeting. The Planning Commission approved two cases and tabled the third until the April meeting.
- The BZA staff report and other documents are available on the [city website](#).
- Mara will be taking over the review and issuance of vacant and foreclosed property registrations until the end of internship

Finance Department

- No major updates this week.

Fire Department

Administration:

- Engine 7 was taken to the Dayton Fire Garage for air issues. The parts for the gauge sending unit were ordered for repairs and the unit was returned to Station 6.
- Staff is working on the hiring process for five part-time applicants. We currently have ten unfilled part-time shifted positions out of sixteen.
- We have received a resignation from a career firefighter/paramedic who has decided to change careers. We will be conducting a hiring process for lateral transfers in the upcoming weeks. The opening has already been posted with the assistance of our HR director.

- Fire personnel met with other city departments on Thursday to continue our Total Solar Eclipse planning process. We also continue to work with the WPAFB Fire Department to ensure cohesive operations.
- Our three newest full-time employees and three new lieutenants were sworn in by the council at Thursday's council meeting. The three full-time employees started in December and have all just completed their paramedic and fire inspector certifications. The three lieutenants started on March 17th, 2024. We are extremely fortunate to have the support from the Riverside City Council to add these positions. These essential front-line supervisors will ensure our consistency of operations across both stations and all three shifts.
- BC Taylor and Chief Miller are working on our 2024 SAFER grant proposal for firefighter staffing. We are going to submit for six full-time positions which would take each unit day to eleven full-time personnel. With two being off for EDO and/or accrued time-off, this will keep us at nine per day, which allows all companies to be in-service with at least two personnel. If awarded, this would give the RFD significant breathing room for our staffing and operations for the foreseeable future.

Incidents and Staffing:

- Crews responded to 57 EMS incidents and 15 Fire incidents through noon on Thursday.
 - Averaged 10.42 incidents per day.
- The RFD averaged 6.42 personnel working per day.
- On Tuesday, Station 6 crews provided EMS stand-by for a police investigation in District 6. Engine 6 assisted with some forcible entry of evidence safes late in the event.
- On Wednesday, crews responded to a fully involved detached garage fire in the 1200 block of Jeanette Drive. Crews advised finding a 20'x20' garage and SUV fully involved with two exposure houses. Crews worked with our mutual aid partners for over 1.5 hours at the incident.

Community Outreach:

- Crews conducted three home healthcare inspections this week.
- Orientation continues with our new part-time fire inspector. We hope to have him fully released next week to begin assisting with our business inspections.

Training:

- Crews are beginning to put together in-service training on the new fire equipment that we had purchased to augment our portable equipment on our fire apparatus.

Police Department

- Det. Schmidt completed connected cars training. This training was all about downloading data from vehicles, (entertainment, Wi-Fi connected to car such as phones). Just one more piece of evidence puzzle that we can use to solve cases.
- The Police Department Administrative Staff narrowed down our hiring pool to six candidates currently.

- Chief Robinson and both Majors Jackson and Sturgeon attended an Eclipse prep meeting with the CM along with several of the other cities personnel. Major Jackson presented the Police Department's plan.
- The Task Force TCSU along with the Riverside Police Department conducted a raid on a house on Dundee. Drugs, weapons, and monies were seized, and arrests were made.
- Major Jackson and Sgt. Crigler met with Wright Patt officials regarding their plans with WPAFB on gate control for the Eclipse on April 8.
- Major Jackson and Major Sturgeon are working with Dr. Carla Urbanas, as well as with Lexipol's program called Cordico on a wellness program for the Police Department's staff.
- Major Jackson participated in the Montgomery County OVI Taskforce Awareness Campaign.
- Sgt Schmidt completed training with Ohio Tactical on Supervisor Response to Critical incidents.

Public Service Department

Engineering/Administration/Project

- Staff met with Montgomery County Soil & Water to review our contractual agreement for the City's MS4 reporting.
- All department staff attended in-house training to become Trained Servicepersons to spray weeds in the right of way and our parks.
- The Woodman/35 project is still moving forward with no major delays.
- Montgomery County water main replacement at Bayside/Barrett is ongoing.
- Spinning Rd Phase 1 reconstruction from Linden Ave to Eastman has started.
- Service Dept has been playing an active role in planning for the April 8th Eclipse event.
- Additional port-a-lets are scheduled to be in parks the first week of April.

Crews

- Began street sweeping on main thoroughfares.
- Ran the reach arm mower on the city right-of-way.
- Made repairs to multiple signs.
- Picked up multiple dead animals.
- Performed litter pick up on the sides of Route 35 in both directions and on Springfield St.
- Made repairs to asphalt patching equipment.
- Applied over 12 tons of asphalt to the main thoroughfares and addressed citizen pothole complaints.
- Cleaned the parks at the beginning and end of the week.
- The parks were de-winterized this week turning on the water for drinking fountains.

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: March 29, 2024
SUBJECT: Weekend Update
CC: City Clerk, Law Director, City Staff

City Manager's Office/Administration

- I attended the BZA, First Suburbs, and Charter Review meetings this week.
- Kevin and I toured properties along the Springfield St. corridor to determine where to place snow fence in advance of the eclipse.
- I met with representatives from Congressman Turner's Office to thank them again for the recent funding allocation and discuss coordinating next steps with WPAFB.
- Followed up with the SS4A Task Force regarding upcoming meetings. We intend to host a public meeting on May 21 at Mad River Local Schools to get feedback on parts of the Woodman Corridor that are most difficult for travelers. More information to come after the eclipse.
- Eclipse planning continues to dominate a significant amount of staff time. I expect that to continue until at least April 9th. Thanks to everyone for their continued focus on this regional event and to Katie for keeping the public informed with daily reminders.
- We received one response to our RFQ for Facility Improvement Services at Wright Point. I'll reach out to the service provider to discuss next steps. I'm hopeful we'll be able to work with the vendor to secure grant funding that will support critical investments in the buildings (roofs, HVAC, etc.).
- Happy Easter to all those celebrating the holiday!

Communications/Public Relations

- Created and published the following:
 - City News article on website regarding eclipse with links to other helpful information: <https://www.riversideoh.gov/total-solar-eclipse-preparations-helpful-information/>
 - City News article on website regarding Grass Mowing Notification: <https://www.riversideoh.gov/grass-mowing-notification/>
- Facebook Posts: <https://www.facebook.com/riversideohio/>
 - CodeRED Emergency Alerts and how to sign up
 - Firefighter/Paramedic hiring opportunity
 - World Down Syndrome Awareness Day – council photo
 - Swear-In Three Firefighters, three Lieutenants – council photos
 - 2024 Mowing Season
 - Charter Review public meeting

- April 3 Blood Drive
- Total Solar Eclipse – Safety & Preparation Tips
- NASA Solar Eclipse video share
- Total Solar Eclipse – Travel & Parking Dos and Don'ts
- Total Solar Eclipse – Have a Plan
- Job Opportunity – Seasonal Maintenance Worker

Community Development Department

General Department:

- Nia and Lori attended the Source Water Protection Program Pre-Fund Board meeting on Monday. There were two grant requests from Riverside organizations and the risk buyback program discussed.
- Rob attended the Montgomery County Hazard Mitigation Plan Meeting on Monday. The Community Development Department submitted a survey in response to the items discussed at the meeting.
- Nia participated in Charter Review public meeting. She was available to answer questions related to chartered Boards and Commissions.
- Mara has begun working on a master fee schedule for Council consideration later this quarter.

Code Enforcement:

- There were 6 public nuisance cases opened this week.
- The department coordinated with the bank on the public nuisance/foreclosed properties at 1514 Phyllis and 4540 Fair Park Aves.
- The annual grass notice was posted to the City website and Facebook page this week. The new code does not require it to be published in the newspaper.
- There are 404 open code enforcement cases. The department closed 10 cases and open 25 new cases this week.

Economic Development:

- Lori attended the TIGERweb training on Thursday.
- The incentive reports for the CRA and TIF Districts were submitted to the State this week.
- Lori met with the Land Bank about the 2022-2023 demolition properties this week. She has approved all the demolition permits related to this round of demolition funding.

Planning & Zoning:

- The Board of Zoning Appeals approved the variance case they heard at this month's meeting.
- Becky has begun to scan the zoning permits to SharePoint. This will allow staff to more easily find records in a digital format.

Finance Department

- PEP Insurance Renewal was sent to underwriting for 2024-2025 coverage
- Worked with Chief Robinson and the treasurer of Mad River Local Schools to agree on SRO funding sources

- Worked with Chief Miller and Enterprise to clear up delivery of our newest fire vehicle
- Worked with Washington DC's division of tax to secure our DC sales tax exemption form
- Distributed rent invoices for the Wright Point leases
- Discussed the Opioid settlement distribution plans with the police and fire departments
- Met with USI representative to learn what resources are afforded to us by our insurance coverage
- Met with Shared Resource Center on continued long-term cashflow planning
- Updated payroll system to reflect personnel policy changes
- Worked with Nia and Josh on reconciling our Downing contracts
- Continued work with IPA on 2023 financial compilation
- Confirmed with Ohio EMA that retention grants no longer require a quarterly performance review to be submitted
- Setup Unclaimed Monies Fund in accounting system. All unclaimed monies will be reported to the state by the end of April.
- Worked with Ashley on accounting entries into VIP. We are lucky to have her and look forward to enhancing our efficiencies with what she brings to the table.
- Thank you to all our teams for the hard work and input over the last year. A special thank you to our administrative assistants who are our eyes and ears into their departments, and to our fearless leader in the corner office. We couldn't move the needle like we are without everyone rowing in the same direction.

Fire Department

Administration:

- Crews began to mount our new rescue equipment on Engine 6 on Monday. Once fully outfitted, this unit will become Engine 5 early next week.
- Chief Miller met with WPAFB, Fairborn Fire, and Beavercreek Fire for our final Eclipse planning meeting with our mutual aid partners.
- Chief Miller and BC Taylor began to put together the RFD officer Eclipse briefing presentation for next week's officer meeting.
- We have added our analytics program, Continuum, to our First Arriving dashboard. This will display real-time data to the screens in our stations to include response time averages, unit incident totals, and hot maps.

Incidents and Staffing:

- Crews responded to 69 EMS incidents and 15 Fire incidents through noon on Thursday.
 - Averaged 12 incidents per day.
- The RFD averaged 7.28 personnel working per day.
- On Wednesday morning, Medic 5 and Medic 6 responded into Dayton for a serious multi-vehicle MVC. Both medic units transported trauma patients to the trauma center.
- On Wednesday afternoon, crews responded to the 4700 block of Airway Road for a vehicle into a building. Crews located a single vehicle into the structure with significant damage to the facade. No injuries or hazards were present. Montgomery County Building Department was notified.

Community Outreach:

- Crews conducted three home healthcare inspections this week.

- Orientation continues with our new part-time fire inspector. He is currently working on getting our inspection reports in order so we can continue with our fire inspection program.

Training:

- Crews are beginning to put together in-service training on the new fire equipment that we had purchased to augment our portable equipment on our fire apparatus.

Police Department

- The Police Department Administrative Staff continues to work on hiring.
 - We still have 2 positions open.
- Chief Robinson and Major Jackson attended the Montgomery County Chiefs Association meeting on Wednesday the 27th.
- The Police Department team, headed up by Major Jackson and Sgt. Crigler, along with many other members of the city team continued to work on the plans for the Eclipse on April the 8th.
- Billing went out this week to Stebbins and Carroll for football and basketball games.
- Awarded the SHEP grant for traffic enforcement during the summer months (\$9,116.53)
- Ordered batteries using ARPA money for police and fire.
- Submitted the DUP grant (SRO) mid-year report.
- Legislation for disposal of 5 cruisers.
- Officer Moffitt is in the middle of Phase 3 and doing well with FTO Waler
- Collaborating with the Department of Public Safety and Montgomery County Auto Theft Group on vehicle thefts
- Congratulations to Major Angela Jackson. She graduated from Northwestern Staff and Command School. The school is one of the most prestigious Command schools you can attend. The course of study is at a master's degree level.

Public Service Department

Engineering/Administration/Project

- We have completed the 2023 yearly MS4 report which was submitted to the EPA.
- New hires are being trained on safe operations of roadside brush clearing equipment (reach arm mower) and street sweeping equipment.
- Staff is continuing interdepartmental preparations and plans for the April 8, 2024 eclipse event.
- The staff has reviewed, approved, and inspected multiple right-of-way permits.
- Staff held a bid opening for the 201/ 202/ 835 Urban project.
- Spinning Rd Phase 1 reconstruction is replacing the storm tile and catch basins on the west side of the road.
- The Woodman/35 project is still on schedule.
- The staff has engaged with CMT engineering about the Beatrice/Harshman/Valley signal upgrade.

Crews

- Came in early for all-hands-on-deck removal of a fallen tree blocking all lanes of traffic on Airway Rd Tuesday morning.
- Applied 3 tons of asphalt on City streets.
- Ran street sweeper on main thoroughfares.
- Ran reach arm mower on the right-of-way areas.

- Repaired multiple signs.
- Cleaned drains at the Linden off-ramp from Route 35.
- Began mowing grass in right-of-way areas of the City.
- Picked up multiple dead animals.
- Made plumbing repairs to the Service Building.
- Replaced a gate at the Rohrer Park entrance.
- Cleared brush and debris from a storm drain between the bike path and Sanford Dr.
- Cleaned the parks at the beginning and end of the week.