

Pride ~ Progress ~ Possibilities

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

December 1, 2022

Council Meeting

6:00 P.M.

City Council

PETER J. WILLIAMS, MAYOR

MIKE DENNING
APRIL FRANKLIN
BRENDA FRY
ZACHARY JOSEPH
SARA LOMMATZSCH
JESSE MAXFIELD

Josh Rauch, City Manager

Katie Lewallen, Clerk of Council

Calendar for year 2022 (United States)



January

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Jan 6 • Council Meeting
Jan 13 • Work Session
Jan 20 • Council Meeting
Feb 3 • Council Meeting
Feb 10 • Work Session
Feb 17 • Council Meeting
Feb 21 • Offices Closed
Mar 3 • Council Meeting
Mar 10 • Work Session
Mar 17 • Council Meeting
Apr 7 • Council Meeting
Apr 14 • Work Session
Apr 21 • Council Meeting
May 5 • Council Meeting
May 12 • Work Session
May 19 • Council Meeting

May 30 • Offices Closed
Jun 2 • Council Meeting
Jun 9 • Work Session
Jun 16 • Council Meeting
Jul 4 • Offices Closed
Jul 7 • Council Meeting
Jul 14 • Work Session
Jul 21 • Council Meeting
Aug 4 • Council Meeting
Aug 11 • Work Session
Aug 18 • Council Meeting
Sep 1 • Council Meeting
Sep 5 • Offices Closed
Sep 8 • Work Session
Sep 15 • Council Meeting
Oct 6 • Council Meeting

Oct 13 • Work Session
Oct 20 • Council Meeting
Nov 3 • Council Meeting
Nov 8 • Election Day
Nov 10 • Work Session
Nov 11 • Offices Closed
Nov 17 • Council Meeting
Nov 24 • Offices Closed
Nov 25 • Offices Closed
Dec 1 • Council Meeting
Dec 8 • Work Session
Dec 15 • Council Meeting
Dec 23 • Offices Closed
Dec 26 • Offices Closed

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, December 1, 2022
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) PROCLAMATIONS – “Hometown Heroes” Dan Ryan and David Palmer.
- 8) MINUTES – Approval of minutes from the November 3, 2022, council business meeting and the November 10, 2022, work session.
- 9) BOARDS & COMMISSIONS – Application of Ronald Elliott Jr. for the Property Maintenance Appeals Board; Application of Lisa Carpenter for the Board of Zoning Appeals.
- 10) PRESENTATION – Property Tax Delinquency Update, Montgomery County Treasurer John McManus
- 11) LIQUOR CONTROL - Transfer of license from Shreeji of Dayton LLC DBA Airway Drive Thru to VJP LLC DBA Airway Drive Thru, 4836 Airway Road Riverside, OH.
- 12) UPDATE COUNCIL CALENDAR
- 13) ACCEPTANCE OF CITIZEN PETITIONS
- 14) DEPARTMENT UPDATES:
 - A) Finance Department
 - B) Administration Department
 - C) Community Development Department/City Manager Report
- 15) PUBLIC COMMENT ON AGENDA ITEMS

*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.*

16) NEW BUSINESS

A) ORDINANCES

- I) **Ordinance No. 22-O-811** – 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, 2022, and declaring an emergency. (1st reading)
- II) **Ordinance No. 22-O-812** – An ordinance to make permanent appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period beginning January 1 through December 31, 2023. (1st reading)
- III) **Ordinance No. 22-O-813** – An ordinance establishing a Stormwater Management Utility in the City of Riverside, Ohio. (1st reading)
- IV) **Ordinance No. 22-O-814** – An ordinance repealing the process of adopting the Personnel Manual of the City of Riverside, Ohio. (1st reading)

B) RESOLUTIONS

- I) **Resolution No. 22-R-2809** – A resolution authorizing the city manager to procure additional software modules from Software Solutions, Inc.
- II) **Resolution No. 22-R-2810** – A resolution authorizing the city manager to enter into an agreement to become a member of the Ohio Benefits Cooperative, Inc. (OBC) and adopting its By-Laws and Code of Regulations.
- III) **Resolution No. 22-R-2811** – A resolution adopting a legislative policy for the City of Riverside, Ohio, regarding the assessment of curb, gutter, sidewalk, and driveway approaches.

17) PUBLIC COMMENT ON NON-AGENDA ITEMS

18) COUNCIL MEMBER COMMENTS

- 19) 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; and 103.01(2) To consider the purchase of property for public purposes, or for the sale of public property, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal or private interest is adverse to the general public interest.

20) RECONVENE

21) ADJOURNMENT

PROCLAMATION

City of Riverside, Ohio
A Proclamation Honoring

David Palmer

As a “Hometown Hero” to our Community

Whereas, the City of Riverside, Ohio is fortunate to have several residents, local volunteers, and members of our business community that work to improve the quality of life of our citizens; and

Whereas, David Palmer is a valued employee of Republic Services in Riverside, Ohio; and

Whereas, David Palmer, has routinely gone above and beyond to serve our residents in his role and has selflessly gone out of his way to help citizens in Riverside when needed;

Now, Therefore, I, Peter J. Williams, Mayor of the City of Riverside, Ohio and the Council of the City of Riverside, Ohio do hereby proudly recognize David Palmer as a Hometown Hero to our Community, Riverside, Ohio.

Signed under my hand and seal this 1st day of December 2022.

Peter J. Williams, MAYOR

City of Riverside, Ohio
A Proclamation Honoring

Dan Ryan

As a "Hometown Hero" to our Community

Whereas, the City of Riverside, Ohio is fortunate to have several residents, local volunteers, and members of our business community that work to improve the quality of life of our citizens; and

Whereas, Dan Ryan is a community volunteer without peer in Riverside, Ohio who leads by doing; and

Whereas, Dan Ryan, spearheaded a crucial and impactful city-wide project to paint several dozen fire hydrants in 2022, coordinating with the Montgomery County Water Department, the Riverside Fire Department while activating the energy of local Girl Scout Troops, Boy Scout Troops, and inspiring the spirit of volunteerism across several neighborhoods,

Now, Therefore, I, Peter J. Williams, Mayor of the City of Riverside, Ohio and the Council of the City of Riverside, Ohio do hereby proudly recognize Dan Ryan as a Hometown Hero to our Community, Riverside, Ohio.

Signed under my hand and seal this 1st day of December 2022.

Peter J. Williams, MAYOR

MINUTES



MEETING DATE: December 1, 2022

AGENDA ITEM: Minutes

TO: Riverside City Council

FROM: Katie Lewallen, Clerk of Council

SUBJECT: Minutes

EXPLANATION

Consider the approval of the minutes from the November 3, 2022, council business meeting and the minutes from the November 10, 2022, council work session.

RECOMMENDATION

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

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

EXHIBITS

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 located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

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

Staff present was as follows: Josh Rauch, City Manager; Tom Garrett, Finance Director; Frank Robinson, Police Chief; Dan Stitzel, Fire Chief; Nia Holt, Zoning Administrator; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: No council members were absent.

ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

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

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

PROCLAMATION: Mayor Williams read a proclamation recognizing National Veteran Owned Small Business Week.

MINUTES: Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve the minutes of the September 15, 2022, council business meeting, and the September 22, 2022, work session. All were in favor. **Motion carried.**

LIQUOR CONTROL: Mr. Rauch stated there were not issues with the two liquor license transfers: 1) Transfer from Pla Mor to DYBO, 4901 Linden Avenue, and 2) Las Margaritas Mexican Bar & Grill LLC to Medina Rodrigues Family LLC DBA Las Margaritas Mexican Bar & Grill, 5526 Airway Road. Council did not request a hearing for either transfer.

BOARDS AND COMMISSIONS: Deputy Mayor Denning moved, seconded by Mrs. Franklin, to send a letter of reappointment to Francesca Hary to the Personnel Appeals Board. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizen wishing to speak should fill out a petition found at the back of the room and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Police Department – Chief Robinson stated that Major Angie Jackson was accepted to the Public Leadership Academy Command School in Columbus and will begin in March. He stated the police department got involved with Halloween by handing out candy for trick-or-treat, and they will be involved with the upcoming Hometown Holiday. He stated they

are having issues with their Motorola training as it has been put on hold. He needs to have a meeting with the city manager regarding their future plans as it seems they are moving backwards and not forward with Motorola. Mr. Rauch stated it is not just Riverside specific; it involves anyone using dispatch through Huber Heights. Chief Robinson stated it is two parts. The first is the CAD, which is the dispatch center, and that is working fine. The other part is the RMS, the reporting system, Motorola is underachieving at this point; and they are not happy with it. He stated they may have to change going into next year and determine what they will keep. He stated the Grand Theft Auto Task Force in Montgomery County is making headway on some stolen vehicles. Major Jackson and K-9 Tina have gone out with the task force and ended up getting two from Riverside. In the last two weeks, the task force has gotten 17 cars in Montgomery County. They have found several weapons and a lot of drugs in these cars. This is making a difference finding stolen vehicles. He is thankful for Montgomery County for putting that together. Ms. Lommatzsch asked if the drugs and weapons are from the owners of the vehicles or the people who stole them. Chief Robinson stated it was from the people who stole them.

B) Fire Department – Chief Stitzel stated they are going through year-end maintenance and identify anything that needs repaired. They had already rebuilt the pump for one of the fire engines and have found that the other fire engine now needs to have its pump rebuilt. This will be a \$10,000 - \$12,000 repair. One of the medics was towed to the garage and it is at Main's in Springfield getting a cross-member on the rail frame; they will be getting that back quicker than expected. He stated that the medic that was totaled a year ago is now here. The radios are installed, but they found a few things that Horton missed so it will go back to Columbus and will only be gone a couple of days. He stated that they did get all of their hose testing and auto-extrication completed last month. They are starting fall hydrant inspections where crews drive around to inspect all the hydrants this month. Part-time firefighter Bradley Carter has been moved to full-time to fill the one vacancy. He added they participated in the fire prevention event, trick-or-treating, STEM night at Stebbins, and were very interactive last month. They received a lot of positive comments. They are looking forward to dropping Santa Claus off for the Hometown Holiday. He added they are going to do the Christmas engine tour as they did last year and decking the engine in lights. They will make the route go throughout the city. They are still working through the process with the CAD software and getting mobile computers up and running with the image trend to work with that. There is a new CAD integration they have been spending a lot of time on this last week to make sure they can speak the different languages and come out to what they need it to say to their RMS. Deputy Mayor Denning asked if the pump was on the newer engine or if it was under warranty. Chief Stitzel stated he tried, but it wasn't. The last one they took apart and the company told them it was cavitation damage, which is not covered by warranty. This other pump has the same problem. Discussion was held on potential engineering problem with the design. Chief Stitzel stated they should not be replacing two pumps on six-year-old apparatus, especially for the reason the company is saying. They are not buying it.

C) Public Service Department – Mr. Rauch stated that an informational flyer will go out to residents in the vicinity of the Woodman Phase I Project between SR 35 to Eastman. Part of the process is for the city to try and line up grant monies to help pay their portion. One requirement for the federal grant is to let residents know of the project and ask what

kind of amenities they would like to see connected to the project and share what is being contemplated at a high level along with providing contact information. He stated that the Lynnhaven-Meyer Project is coming along nicely and most of the asphalt work is complete or close to complete. The Burkhardt intersection is near completion with all the mast arms up. The pedestrian signals and rest of the traffic signals should be up by tomorrow. On the Harshman Wall Project, they are working in the middle of the wall with a few forms up and two to three different places and will pour tomorrow into next week. Mr. Joseph asked if he had an idea on the Kroger completion date. Mr. Rauch stated they are still targeting first quarter. There were some delays with roof clips, but that is now done and the large construction fence is down. The idea is to be inside the building by January to work on the interior. Ms. Lommatzsch stated she understands the gas station will open December 1. Mr. Rauch stated they can open earlier because it is a small box where the attendant sits and they have all their required permits. They will be getting inspections from the state this month.

D) City Manager Report – Mr. Rauch stated they continue to be on target with income tax. He is still working on the draft budget document. He is looking to have a draft to the budget committee tomorrow. He stated that at the work session next week they will hear from Choice One with an update on crosswalk design standards. They will present their findings and suggestions on what a crosswalk design standard looks like. He will update them on storm water and the plans for that. They will also discuss a couple of items connected to the budget like a lease agreement with Enterprise, and a health insurance update. The city was accepted into the OBC, which is an advantage to the organization and to the employees. Mr. Joseph asked when they would discuss aggregation should they pass next Tuesday. Mr. Rauch stated should they pass, they will then put a plan together on how to implement and develop a program. They will flesh that out and come back to implement the process. If the residents decide they want it; then they will prioritize developing it.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated that one form had been turned in. He invited Mr. Dwight Williams to come forward and state his name, address, and keep his comments to three minutes.

Mr. Dwight Williams, 200 Monk St. SW, Pataskala, Ohio, stated he is here to vouch for Miami Valley Metal for the rezoning of a cache lot to the property where he is trying to expand the business. It is a small business owned by one person trying to bring up the community. They deal with the community everyday as they have people coming in everyday to recycle items. They also work with businesses that come with recyclable items like cans and metals. They take in metals from other junk yards. The business itself has existed for 30 years and the lot associated with it; they need the lot so they can expand the business and make it more customer friendly and better traffic flow. The way it was before, over a year and a half ago, it was muddy and junky. They have cleaned it up, painted the building, and put new pavement down. They want it to be a community friendly junk yard. They have added on computer recycling. They want to branch out to paper recycling. They will actually pay people to do their recycling. They just need the lot that is associated and attached to the present property. He is aware that it needs different zoning. He added they spoke to the neighbors across from them and next to them and they stated they have no

problem with what they are doing as they have improved the place. He stated they are trying to get things more customer friendly and for the community.

NEW BUSINESS

A. ORDINANCES

- I) Ordinance No. 22-O-810 – An ordinance approving a change in the district boundaries as shown on the zoning map of the City of Riverside, Ohio for the property located at 2449 Valley Pike, Parcel ID No. I39 00714 0007 from B-2 General Business District to I-1 Light Industrial District. (1st reading)**

Deputy Mayor Denning moved, seconded by Mr. Joseph, to approve the first reading of Ordinance No. 22-O-810. The clerk read the ordinance by title only.

Mr. Joseph asked for a read out on the city's stance and a little more detail. Mr. Rauch began by thanking Mr. Williams for the work he has put into the property and recognizes and appreciates the work small businesses do. They need to balance the zoning considerations against larger planning initiatives they have undertaken as a community. They also have recently spent a lot of money and time updating the comprehensive land use plan. Even the existing plan does not contemplate industrial uses along this corridor, so they have to look at what is there now and how it fits into their future. He explained that this site is non-conforming and the rezoning impacts only one parcel. That would be permanent, and should a new business come in in the future they could then develop as industrial on that parcel with the city having limited opportunity to weigh in on the direction of development of that corridor. Ms. Holt explained that one of the concerns of the planning commission was that this parcel would be spot zoned as it would not apply to all of the lots. It is also in a source water protection area, and it would be allowing an industrial use in one of the more sensitive areas above the wellfield.

Mrs. Franklin asked why the business would need to change the one parcel to industrial. Ms. Holt stated that is what the applicant chose to do to expand that one. Her understanding is that it is to expand to allow parking on the inside; however, how it is in the code, the non-conforming use cannot be expanded. The existing footprint they have is what has to be used. The parcel they own is currently vacant. Mrs. Franklin stated that they cannot do anything with the parcel. Ms. Holt replied no. They are non-conforming with an industrial use on a business lot as it is a B-2. Mayor Williams added that a non-conforming cannot be expanded; it can be maintained, but not expanded.

Mr. Joseph stated the ideal situation would be to try and get all six parcels to be rezoned to I-1. Mr. Rauch stated that is one option, but he thinks that would not be supported by staff as the Land Use Plan does not accommodate industrial uses along the corridor. Mr. Joseph stated they have been operating in this environment for 30 years. The case is more of a technicality as he wants to put in a parking lot, but to do so has to rezone that one parcel of land to conform with the use that he's using the entire other five parcels of land. Ms. Holt

stated she spoke with Mr. Williams shortly after he bought the property about the non-conforming use. He did some research and had the city look in their files as well, so he had full information. She added they are allowed to operate in what they have, but the expansion would not be allowed. Mr. Joseph reviewed what the comprehensive plan recommends having there. Discussion was held on the planning commission's concerns.

Roll call went as follows: Mr. Denning, no; Mr. Joseph, yes; Mrs. Franklin, no; Ms. Fry, no; Ms. Lommatzsch, no; Mr. Maxfield, no; and Mayor Williams, no. **Motion failed.**

B. RESOLUTIONS

- I) Resolution No. 22-R-2799 - A resolution authorizing the city manager to enter into a renewal agreement with Colliers International for professional services as the commercial leasing agent for the Wright Point Office Park, 5100 and 5200 Springfield Street, Riverside, Ohio.**

Mr. Rauch stated this renews the lease agreement with Colliers for the Wright Point Office Park.

Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2799.

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

- II) Resolution No. 22-R-2800 – A resolution recognizing the Mad River Lions Club's "Project Share" as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.**

Mayor Williams stated this is a resolution for a donation to the Mad River Lions Club's Project Share that is vital to the contentment and welfare of citizens in the amount of \$250.

Ms. Lommatzsch moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2800.

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

- III) Resolution No. 22-R-2801 – A resolution authorizing the city manager to enter into preliminary consent legislation with the Ohio Department of Transportation to remove and replace various guardrails in the City of Riverside.**

Mr. Rauch stated this allows ODOT to come and replace guard rails at their expense.

Mr. Joseph moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2801.

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

IV) Resolution No. 22-R-2802 – A resolution authorizing the city manager to enter into preliminary participatory legislation for resurfacing of Spinning Road from Linden Avenue to 75' south of Eastman Avenue in the City of Riverside.

Mr. Rauch stated this commits the city to their local share for the resurfacing of the Spinning Road Project from Linden to Eastman and is required by ODOT.

Ms. Lommatzsch moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2802.

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

V) Resolution No. 22-R-2803 – A final resolution with ODOT for the reconfiguring of US 35/Woodman Drive interchange, including the rehabilitation of Bridge No. MOT-835-0002 and Bridge No. MOT-74-0065, full depth pavement, widening, resurfacing, curb, curb and gutter, sidewalk, curb ramps, a shared use path, guardrail, concrete barrier, fence, drainage, lighting, signage, pavement markings, and traffic signals, lying within the City of Riverside.

Mr. Rauch stated this commits the city to their local share for the US 35/Woodman Bridge, which is anticipated to go out to bid next month.

Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2803.

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

VI) Resolution No. 22-R-2804 – A resolution declaring the official intent and reasonable expectation of the City of Riverside on behalf of the State of Ohio (The Borrower) to reimburse its OPWC Valley Pike Fund for the CD16Y/CD17Y, Valley Pike Resurfacing with the proceeds of tax exempt debt of the State of Ohio.

Mr. Rauch stated that for this resolution and the next one, OPWC is requiring council to approve the reimbursement requests that are normally processed through them. This gives them the resolution to attach to the paperwork requesting to be repaid the money spent on those projects.

Mr. Joseph moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2804.

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

VII) Resolution No. 22-R-2805 – A resolution declaring the official intent and reasonable expectation of the City of Riverside on behalf of the State of Ohio

(The Borrower) to reimburse its OPWC Needmore Road Fund for the CD18Y/CD19Y, Needmore Road Resurfacing with the proceeds of tax exempt debt of the State of Ohio.

Mr. Maxfield moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2805.

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

VIII) Resolution No. 22-R-2806 – A resolution recognizing the Riverside Area Chamber of Commerce’s “Hometown Holiday in Riverside, Ohio” as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.

Mr. Rauch stated this is a \$250 donation for the Hometown Holiday.

Ms. Lommatzsch moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2806.

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

IX) Resolution No. 22-R-2807 – A resolution authorizing the city manager to enter into a managed IT services agreement with Tech Advisors for the ongoing maintenance of the City IT Infrastructure.

Mr. Rauch stated this resolution authorizes them to enter into an agreement with Tech Advisors to do IT work for Riverside.

Mr. Joseph moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2807.

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

X) Resolution No. 22-R-2808 – A resolution authorizing the finance director to adjust city fund balances pursuant to audit finding recommendations.

Mr. Rauch stated that pursuant to their audit, there is a difference of about \$7,600 between the bank balance and what is shown in the finance system. The auditor has indicated this has existed for some time and recommends writing it off. This will readjust the book balance to match the bank balance and start afresh.

Deputy Mayor Denning moved, seconded by Mr. Joseph, to approve Resolution No. 22-R-2808.

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

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one came forward to speak.

COUNCIL MEMBER COMMENTS: Mr. Maxfield thanked police and fire for everything they did in the past month as there were a lot of activities in the community.

Mr. Joseph congratulated Mr. Denning on the Jaycee's Haunted House and a job well done. He mentioned Issues 10, 20, and 21 that are on the ballot. He stated that Issue 10 is the Sinclair issue and that many people reap the benefits of what comes out of the property tax dollars. It will not raise taxes. On Issues 20 and 21, those are for energy aggregation. This is a good way for the city to do collective bargaining and try and get a lower rate for the citizens. He stated that he has heard democracy is being attacked, and the best way to combat that is by going out and voting. It is an important civic duty. He encouraged everyone to get out and vote.

Mayor Williams congratulated the clerk who was installed as the secretary of the MVMAA and has been serving in the role for several months now. He congratulated Mr. Joseph on his recent wedding as well as the law director, Dalma Grandjean, on her recent marriage. He thanked police and fire for the phenomenal job during trick-or-treat and on being great ambassadors of the city to the children. He added that it is important to get out and vote as it is often taken for granted the ability to express opinion through actual means of change.

Ms. Lommatzsch stated the MVMAA, an organization she has been a part of for 20 years, does a lot of things under the radar that people aren't aware of and is delighted the clerk is on board with the organization. The city and chamber have supported their main money raiser, the Bob Chiles Golf Tournament, every year in May. It is an opportunity to raise money to support airman and lower ranking and their families with activities and taking care of them. She stated that voting is very important and echoed the previous comments. She has heard a lot of good feedback from citizens on the community involvement of police and fire. She also spoke with MVRPC about the noise from US 35 that Mr. Nieberding spoke to council about recently. She has listened to the sound for so long that she just didn't hear it. Several things have come in to play because it is now six lanes, speed is an issue, and the number of trucks on the highway has mushroomed. The braking has become much louder. There may be some efforts they can take to get help to put up a sound barrier from Woodman to I-675 on the north side. MVRPC can step in and help them to find money.

Deputy Mayor Denning thanked staff for all they do; they are appreciated. He encouraged people to go out and vote. They have done their part to check on aggregating electric and gas, now they need to vote if they want the city to negotiate prices for gas and electric. The citizens give them the authority to do that.

ADJOURNMENT: Ms. Lommatzsch moved, seconded by Mr. Joseph, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 6:50 pm.

Peter J. Williams, Mayor

Clerk of Council

CALL TO ORDER: Deputy Mayor Denning called the Riverside, Ohio City Council Work Session to order at 6:01 pm at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

PLEDGE OF ALLEGIANCE: Councilman Zach Joseph led the pledge of allegiance.

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

Staff present was as follows: Josh Rauch, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Director; Kathy Bartlett, Public Services Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Joseph moved, seconded by Mrs. Franklin, to excuse Mayor Williams. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

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

WORK SESSION ITEMS:

I. Crosswalk Design Standard, Choice One – Mr. Craig Eley presented standard drawings for mid-block pedestrian crossings for crosswalks in Riverside. He indicated that each of the three main ones shown were a little bit different, and their goal was to try and standardize the city on a certain number of treatments. He introduced Mr. Alan Heitbrink, who will review how they came up with the standard drawings and how they can be implemented. Mr. Heitbrink handed packets to each of the councilmembers and city manager. The first standard was RRFB, Rectangular Rapid Flashing Beacon, where a pedestrian would press a button and LEDs would flash. He stated that the passive mid-block crossing just had signage with reflectors. A two-lane pedestrian crossing had the RRFB. As the roadways moved to four-lane crossing and a four lane crossing with median where the RRFB was up on a mast arm. The four scenarios are consistent with what Riverside would use. He added on four lanes they can have the RRFB on the mast arm as well as one on the side. The pedestrian will still need to look both ways and yield to traffic, but the light alerts the motorists that someone there is crossing. Mr. Eley added on the signal portion in their notes it is an option for them to look at the pedestrian hybrid beacon; if they get that far with it, they go to hot manual uniform traffic control devices and it will give the full guidance in there on that. This does require a warrant study and there would have to be a certain amount of pedestrian traffic for that. This is not very common.

Mrs. Franklin stated in some cities with more walkability they just have signs where the beacon goes around the sign. She asked if it was not overkill to have it on the bar that goes across the road. Mr. Eley stated if they go back to the passive on top it is similar, but the sign

would just have the rotating lights around it. That is a little different than the pedestrian active button. Discussion was held on the lighting. Deputy Mayor Denning stated that the combination of the two makes the most sense to him as they push the button, and the lights light up around the sign rather than the big bright strobing light. If the light goes all the time, then people get used to it and don't pay attention. It makes more sense to have a push button activated and lights go around. Mr. Eley stated that standard is the flashing strobe, but it is also allowed to have the LEDs around the traffic sign; they can modify the standard drawing to show either or. Mr. Maxfield asked if the standard is the wig-wag lights. Mr. Eley replied the standard is referred to as the RRFB. Mrs. Franklin stated that in Cleveland she sees the yellow lights, but not the white strobing lights. She stated more cities are adding walkability and it doesn't seem like the white strobing light is the norm as the yellow means caution. Mr. Eley stated he believes they are yellow strobing lights.

Ms. Fry asked what drives these design decisions and what are they trying to accomplish with their land use plan and how does that drive the decisions they make. She wants to bring that together. Mr. Rauch stated that is legitimate; this conversation came about partially because of those reasons and how to encourage development and looking at the corridors. They want to be sure when there is need for a crosswalk, they don't have six or seven versions. Discussion was held on different areas of the city and the crosswalk that would be needed. Mr. Rauch stated staff can discuss and build on the conversation and make some adjustments to get it back to council. Mrs. Franklin asked if they could get actual pictures of what they are talking about so they can see it in action. It will give them a better understanding. Mr. Rauch stated they will bring this back to council in January or February. Ms. Fry asked when it gets brought back could it include details for the safety reasons or walkability reasons. Mr. Rauch stated they could do that. There could be a variety of rationales for why things are the way they are. If council has specific questions, they can get council connected and provide a breakdown. Mrs. Franklin asked if they could also get a PowerPoint rather than paper copies that would be great. Mr. Eley stated there is a multimodal guide put out by ODOT and during the planning and study stages of a project it has things in there they look at with a decision matrix. What they are presenting is something the city would have as a standard. They would use this in construction and the multimodal would be used ahead of this. Ms. Fry asked what it means to do it for construction. Mr. Eley replied that they would do it during the planning stages while designing it. It would be run through this matrix and make all the decisions coming down to the best treatment that would then be brought to council. Discussion continued on what the standard is and what the design is and how each are applied. Deputy Mayor Denning asked if they could possibly get video of these crosswalk designs in action as that shows more than the drawings. Mr. Maxfield asked if these standards are based off the State of Ohio. Mr. Eley stated they will share the matrix with them as well. Mr. Rauch stated he appreciated the conversation, and this is a preview of what they want to do across a variety of infrastructure they will talk about over the next couple of years.

II. Curb Assessment Policy Update – Mr. Rauch stated they have a policy that has been in place for a few years and is prescriptive in terms of how to assess back for curb and gutter. However, they have noticed that with many grants through the state, penalize them as an applicant if they assess for curb and gutter. This means they would not get any grant

funding for a particular project, get less funding, or have to use more loans in order to get a project through. This sparked the conversation several months ago on how they can address the policy to account for that. He presented two revisions he made to the policy. He removed sections to an old city code that is no longer on the books regarding frontages, so he pulled those out. The substantive change is at the end where they added a blanket statement that effectively says they can adapt, waive, or adjust the policy, as needed, if a state grant would penalize them for assessing. This will help them to get the most amount of grant money possible for a project. If the state or whoever is funding doesn't have an opinion on whether the city assesses or not and there is no penalty, then they will continue to assess as per the policy. It is a quick and clean way to address the language without rewriting the policy. Mrs. Franklin stated when they look at curb assessments most streets that would be paved would not fall under a grant, anyway. He plans to finalize this and bring to them in December or January.

III. Stormwater Utility Ordinance & Calendar - Mr. Rauch stated after their last conversation he made some revisions to the ordinance. It includes references to adopting the stormwater utility fee rate by resolution, having multiple billing tiers, and clarified assessing the rail rights-of-way and bike paths (which he intends to leave out). There was another round of staff comments and legal review. He did some streamlining for readability and having legal review it currently. He plans to bring the ordinance forward in December unless council has an objection. No one objected. He reviewed the next steps once the ordinance passes. The ordinance requires a rate to be set by resolution. The ordinance gives the city the ability to start the assessment process and requires them to have a master plan. By March 2023, they will have finalized calculations on all of the parcels and the impervious surface along with what they expect costs will be. He will give them a firm idea on what the rate is. Between April and May 2023, they will finalize the strategy on how to communicate this to the public: what is stormwater, what is a stormwater utility fee, what are the additional services that are provided. Ms. Bartlett has begun this already. By May, he expects them to commit to a collection strategy. They could buy the utility billing module through the SSI finance software. Given some of the changes that are likely to occur next year, they may or may not be at a place where trying to implement that utility billing on top of everything else may be a tall order. He would prefer to do that, but he will do more homework on a third party to do billing for them as it may save them time and still be accurate. He will have an answer by May 2023. By June, they should have a rule book as required by the ordinance. This includes the design standards, forms used for people to appeal rates, and a companion administrative manual. In August, if they decide to use a third-party he will present a contract to council. If they decide to do everything in-house, they will have everything ordered and ready to roll. By fourth quarter, he will be able to put numbers into the budget for 2024 and be able to say how much is needed from the general fund for public service in conjunction with the stormwater utility fee. The funds not allocated can then be used elsewhere. In November 2023, he will finalize the billing for each parcel. Then, in December, he will ask them to adopt the rate by resolution. This will allow him to put it into the budget formally, and they would start collections in 2024. This is the roadmap to get them there with the ordinance being the easy part and framework for the stormwater utility fee. He is confident they can follow this calendar and implement it. Ms. Fry asked for this information to be shared with them. He will put it in the next packet.

IV. Health Insurance – Mr. Lohr stated they have been accepted into the Ohio Benefits Cooperate, a non-profit organization composed of local governments. They have been accepted as a voting member with some other local municipalities already in membership (Beavercreek, Centerville, Clayton, Englewood, Miamisburg, Springfield and Washington Township). One of the benefits of the OBC is consistent year over year renewals for health insurance. The five year average is around 5.85% annually. They are looking around 8% for the city's renewals alone. They have done that but have had to switch insurance companies twice in five years. This is challenging from an administrative standpoint and for employees. The OBC has consistently been with Anthem. To join, they need a resolution, which he will bring in December. There is also a three year commitment. For the plans next year, they will be able to keep an equivalent plan for employees with both PPO and High Deductible Health Plan options. They will see some reduced costs. They will also be able to start back with an HAS, currently, they are with an HRA, but there is an issue administratively having to reconcile the HRA accounts. They will also have a good wellness plan that offers some financial incentives. Employees and their spouses will receive \$105 worth of incentive payments for doing healthy activities each quarter. Mr. Joseph asked how it is administered. Mr. Lohr replied it is administered through them and not the city. They will not pay anything extra for it as it is part of the premiums. Mr. Joseph asked when they offload the HRA will they plan to fund the HSA with that money or how will they close out the accounts. Mr. Garrett replied that it goes back to the General Fund, then it will be part of the new budget. Mr. Joseph asked if the city contributes that money or if the employee does. Mr. Rauch replied that the city contributes it. Mr. Lohr stated that employees are not able to contribute to their HRA. Mr. Rauch stated they are on a calendar year benefits plan and if employees don't use the HRA they will lose it. Instead of the city making another contribution to the HRA, they will make the same contribution to the HSA. They will no longer have the administrative burden to account for that, which works out to be a big savings to the city.

Mr. Lohr presented a chart showing the renewal budget impact comparing the current plan and the plan for 2023. The plans are very close and the new plan in some ways are a bit better than what they have been able to offer. If they assume everyone takes the same plan next year as they have this year, both PPO and HDHP, the overall savings will be \$73,313.12 in cost to the city. Mr. Rauch stated that although the deductibles may seem higher, the out of pocket expense for employees is lower for the new plans. Ms. Lommatzsch asked if this has been discussed with the unions. Mr. Lohr stated they spoke with them last week and they have addressed all concerns. Mr. Rauch stated a lot of positives come out of this and the consistency will be better overall.

Mr. Lohr reviewed open enrollment and will have some information sessions next week to review the benefits and changes with employees. In December, council will be asked to approve a resolution that also adopts the OBC By-Laws.

V. Holidays – Mr. Rauch stated that they have to change the personnel policy manual with the updating of the insurance. One recommendation he will also make is their holidays. With the difficulties recruiting and inflationary pressure across the board, and what he has heard how other cities are competing for employees and retain employees, one way is to

look at holiday schedules. Huber Heights is up to 15 paid holidays and personal days. He presented a list of communities that Riverside tends to compete with for employees in close proximity. Riverside is at the bottom of the list with respect to holiday pay. He suggested giving employees MLK Jr. Day, which will move them up to 14 paid days and put them mid-range with competitors and peers. It is a benefit to employees that also does not directly hit the budget. Ms. Lommatzsch asked how much that will cost the city. Mr. Rauch stated there is no net cost to the city. They would pay the employee to show up or pay them holiday pay. Ms. Fry asked if it would increase overtime. Mr. Rauch replied it is for the administrative staff, so no. Discussion was held on administrative staff who are paid hourly. Mr. Maxfield stated he would also like them to look at Juneteenth as it is a federally recognized holiday. Most surrounding cities are adding that. Deputy Mayor Denning agreed. This is in addition to MLK Jr. Day. Mr. Rauch stated he would make those changes and get that to them in a December meeting.

CITY MANAGER UPDATES: Mr. Rauch stated there will be some information going out to residents regarding Woodman Phase I corridor area with respect to getting public feedback. They will make social media posts as well to allow them to weight in. He stated the 2023 budget includes a pilot lease program for police cruisers and replacement admin cars. There is a master lease, which is what council will approve, that way they do not have to approve every time a car comes in or out. Legal has looked at it and there are no objections there. There is a companion agreement, which costs \$3,000/year, and Enterprise acts as a fleet manager for the city. They will track the gas usage, when maintenance is due on vehicles, and monitor data on vehicles. He will be able to show them how many gallons of gas are used by department. He did research a classification and compensation study that touches on the broader inflationary environment. He received a favorable quote under the \$25,000 threshold. He is likely to pursue that should turnover occur or other things, he needs to know what the market expects they will pay and make decisions from there. He added they will have an item on the agenda to cancel the work session on December 8, 2022, as there is not much to discuss before January. Finally, he stated that a number of complaints came in about utility work going on in the Valleyview area. AT&T and a couple of other companies are all trying to do last mile fiber runs. As a practice, most utility companies hire private contractors to do the work. Most of the time the work occurs in a utility easement and the city has not involvement in that. They are aware of the complaints and he asked staff to track who they are hearing from as they will reach out to partner organizations next week and let them know some residents are not satisfied with the quality of some work being done. Mr. Joseph stated the number to complain to AT&T is 1.800.924.9420, option 2. He added AT&T has destroyed his fence three times.

COUNCIL MEMBER COMMENTS: Mrs. Franklin stated they have a lot of contractors working in the city right now. Residents need to be aware of the roads posted with no parking signs. If residents leave their cars in a no parking area, then it makes it hard for the contractors to perform the work. She asked residents to park elsewhere so the workers can get it done quicker.

Mr. Joseph wished everyone a Happy Thanksgiving and happy black Friday shopping. He wished everyone to enjoy time with their family. He stated he was thankful for staff and for council.

Ms. Lommatzsch stated that Hometown Holiday is this Saturday at Airway Shopping Center. She will look for them all at this fun event. Santa Claus will come in on a fire truck. The event is from 3:00 – 7:00 pm. She stated on the matter of streets, RVs and boats cannot be parked on the street and must be parked on an impervious surface and not the grass. She stated it is getting abused. Also, trash cans cannot be sitting out in front of the garage; they need to be to the back or side of the home. She added that it is going to snow next week. When the city needs to use plows, cars need to be off the road. Employees are trying to do the best job they can, so residents are safe. She wished everyone a Happy Thanksgiving.

Deputy Mayor Denning restated that Hometown Holiday is this Saturday from 3:00 – 7:00 pm with Santa Claus arriving at 3:00 pm on the fire truck and a motorcycle escort. It will be a wonderful day. Kids can get pictures with Santa in the shop next to the Spirit Halloween store. The Christmas tree lighting is at 6:00 pm. He thanked the service staff because if it does snow, they will be busy. He appreciates all the service department does for them.

ADJOURNMENT: Mr. Joseph moved, seconded by Mr. Maxfield, to adjourn. All were in favor. The meeting adjourned at 7:03 pm.

Peter J. Williams, Mayor

Clerk of Council

BOARDS, COMMISSIONS, & COMMITTEES



MEETING DATE: December 1, 2022
AGENDA ITEM: Boards & Commissions

TO: Riverside City Council
FROM: Katie Lewallen, Clerk of Council
SUBJECT: Boards & Commissions Applications

EXPLANATION

Two applications have been submitted for our Boards & Commissions, one for the Property Maintenance Appeals Board - Mr. Ronald Elliott Jr., and the other for the Board of Zoning Appeals, Mrs. Lisa Carpenter.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council appoint the citizens to the boards, respectively.

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

EXHIBITS

Applications

From: [WordPress](#)
To: [Katie Lewallen](#)
Subject: [SPAM] Boards and Commissions Application
Date: Tuesday, November 1, 2022 9:34:10 AM

BOARDS AND COMMISSIONS APPLICATION:

Name: RONALD L ELLIOTT JR

Address: [REDACTED]

Zip: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Serve (choice 1): Property Maintenance Appeals Board

Serve (choice 2): Property Maintenance Appeals Board

Years in Riverside: 21 yrs

Offices Held: FROC Priority Board - 1997 - 2000

Last Year of School Completed: 12 - High School

Certificates or Degrees: Some college at Sinclair

Employment History: THT Presses, Inc (937-898-2012)

7475 Webster Street

Dayton OH 45414

Machinist 2017 - present

Convicted of a Crime? No

If Yes: N/A

Additional Info: In Spring of 1998, FROC was developing a property maintenance committee. As a member, I was assigned the task of viewing and reporting properties in violation of the maintenance code in the Fairview area.

On a personal level, I have owned three rental properties and been responsible for repairs, remodeling and maintaining them. I look forward to being considered for appointment to Riverside Property Maintenance Board.

To respond to this request, please create a new email to the email address shown above.

From: [WordPress](#)
To: [Katie Lewallen](#)
Subject: [SPAM] Boards and Commissions Application
Date: Friday, November 11, 2022 5:03:56 PM

BOARDS AND COMMISSIONS APPLICATION:

Name: Lisa Carpenter

Address: [REDACTED]

Zip: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Serve (choice 1): Board of Zoning Appeals

Serve (choice 2): Board of Zoning Appeals

Years in Riverside: 5 years

Offices Held: Ambassador with the City of Riverside Chamber of Commerce

Last Year of School Completed: 12 - High School

Certificates or Degrees: Adult continuing education classes

Employment History: Since January of 2022 I have worked part-time as a home health aide Area Agency on Aging.

Convicted of a Crime? No

If Yes:

Additional Info: As a city resident for the past five years, I have had the honor of volunteering for Whiz kids at the Community Church with Pastor Fritz and his wife Claire. I was also a member of the garden club, Seville Hill Toppers. During the Christmas holidays, I participated with the Riverside Jaycee's shopping with local school age children. I have worked as a Poll Election Officer, during the past several elections at the School Administration Office building.

I am interested in continuing to serve my community as a member of the Board of Zoning Appeals.

To respond to this request, please create a new email to the email address shown above.

LIQUOR CONTROL



City of Riverside

Police Department

November 18, 2022

Chief Robinson:

We have received a request from the Division of Liquor Control to determine whether a hearing should be requested for Shreeji of Dayton LLC dba Airway Drive Thru

This check was conducted on November 18, 2022.

The following was found:

No local records were found for Viralkumar Patel

For the address of 4836 Airway Road:

The contact with this property is basic and no criminal activity has been noted. At this time, I do not believe there is any reason for the City to request a hearing on this application.

Anne Wood

Records Clerk


City of Riverside Police Department



City of Riverside Police Department

MEMORANDUM

TO: Katie Lewallen, Clerk of Council

FROM: Frank Robinson, Police Chief 

DATE: November 18, 2022

SUBJECT: Liquor Permit- Airway Drive Thru

Airway Drive Thru has requested a renewal permit to dispense liquor at their location at 4836 Airway Road, Riverside, Ohio. A background check for the address and the applicant, Viralkumar Patel has returned clean, with no results.

Please let me know if you need additional information or have any questions

Thank you.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

9290015		TRFO		TO VJP LLC	
06 01 2022		PERMIT NUMBER		DBA AIRWAY DRIVE THRU	
11 09 2022		ISSUE DATE		4836 AIRWAY RD	
C1 C2 D6		FILING DATE		RIVERSIDE OH 45431	
57 154		PERMIT CLASSES			
A		TAX DISTRICT		F28734	
		RECEIPT NO.			
FROM 11/16/2022					

81129250005				SHREEJI OF DAYTON LLC	
06 01 2022		PERMIT NUMBER		DBA AIRWAY DRIVE THRU	
11 09 2022		ISSUE DATE		4836 AIRWAY RD	
C1 C2 D6		FILING DATE		RIVERSIDE OH 45431	
57 154		PERMIT CLASSES			
		TAX DISTRICT			
		RECEIPT NO.			



MAILED 11/16/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN.

12/19/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 9290015

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF RIVERSIDE CITY COUNCIL
ATTN: CLERK
5200 SPRINGFIELD ST
SUITE 100
RIVERSIDE OHIO 45424-5017

CITY COUNCIL CALENDAR

2022 City Council Calendar

December 1, 2022 – Items Due November 23

- Monthly Update: Finance, Administration, Community Development, CM Report
- Presentation: John McManus, Mtgy. Cty. Treasurer on Property Tax Delinquency
- Appointment: Ron Elliott to Property Maintenance Appeals Board
- Update Council Calendar
- Ordinance: Supplemental Appropriations (1st reading) (Tom/Josh)
- Ordinance: FY2023 Budget Adoption (1st reading) (Josh)
- Ordinance: Stormwater (1st reading) (Josh)
- Ordinance: Repealing existing Personnel Manual (Chris)
- Resolution: Utility Billing Module (Josh)
- Resolution: OBC Health Insurance (Chris)
- Resolution: Curb assessment policy (Kathy)

December 8, 2022 – WORK SESSION - CANCEL

MEETING CANCELLED

December 15, 2022 – Items Due December 7

- Monthly Update: Police, Fire, Public Services, and CM Report
- Monthly Financial Report
- Firefighter Swear-In: Bradley Carter
- Ordinance: Codification of Ordinances (1st reading)
- Ordinance: Supplemental Appropriations (2nd reading) (Tom/Josh)
- Ordinance: FY2023 Budget Adoption (2nd reading) (Josh)
- Ordinance: Stormwater (2nd reading) (Josh)
- Resolution: Enterprise Lease agreements (Josh)
- Resolution: Adopting revised Personnel Manual (Chris)

LEGISLATION

MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: 22-O-811 – An ordinance to make supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period of January 1 through December 31, 2022, and declaring an emergency.

EXPLANATION

The attached ordinance provides supplemental appropriations across several funds to complete major transactions before the end of the fiscal year. In most cases, expenses associated with these appropriations will be paid using other budgeted monies. For example, if personnel expenses are lower in a particular fund than budgeted, the excess may be applied to other operating costs.

The following adjustments are contemplated in the Exhibit:

General Fund

- Appropriations increase of \$125,000 for codification and dilapidated structure demolition.
- \$102,000 reallocated from personnel to operating.
- \$23,000 in appropriations will be covered by reserves.

Fire Fund

- Appropriations increase of \$180,000 for vehicle maintenance and repairs to Medic 7.
- \$150,000 reimbursed by insurance.
- \$30,000 in appropriations will be covered by reserves.

Service Fund

- Appropriations decrease of \$45,000 associated with salary and benefits savings due to personnel reductions. This appropriation amount will be reallocated to operating expenses for mower replacement.
- Mower expenses are estimated at \$45,000 including the outright purchase of one mower and financing of an additional mower over five years.

Police Fund

- Appropriations increase of \$21,000 associated with camera acquisition and installation.
- This amount to be covered using Police Fund reserves.

Brantwood I and II Funds

- More TIF revenues than originally budgeted were collected for these funds. Pursuant to the development agreement, this excess must still be paid to the developer. The appropriations increases of ~\$5,300 and ~\$18,300 cover these payments.



Fire & Police Income Tax Fund

- Appropriations increase of \$455,000 in transfers to the Fire Fund and Police Fund.
- Income tax receipts have been trending slightly higher than estimated in Q4 2022. In order to transfer monies to the Fire and Police Funds as required by Issue 9, the appropriations ceiling for the Fire & Police Income Tax Fund must be raised.
- This transfer does not come from “reserves” – it allows us to preserve cash flow to the Fire and Police funds based on anticipated income tax receipts through the end of the year.

RECOMMENDATION

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

FISCAL IMPACT

These appropriations will result in a net expense increase of ~\$74,000 across all funds using fund balance reserves. Each fund has sufficient reserves to absorb these increases.

SOURCE OF FUNDS

Reallocation of existing resources as well as existing fund balances

EXHIBITS

Exhibit A – Supplemental Ordinance

22-O-811

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, 2022, AND DECLARING AN EMERGENCY.

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, STATE OF 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, 2022, 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.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-811 passed by the Riverside City Council on _____.

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

CLERK

That there be appropriated within and from the General Fund the following:

General Fund

100.101.	Operating Expense	Increase by \$3,000
100.108.	Personnel	Decrease by \$102,000
100.108.	Operating Expense	Increase by \$102,000
100.110.	Operating Expense	Increase by \$20,000

That there be appropriated within and from the Fire Fund the following:

Fire Fund

201.201.	Operating Expense	Increase by \$180,000
----------	-------------------	-----------------------

That there be appropriated within and from the Service Fund the following:

Service Fund

202.202.	Personnel	Decrease by \$45,500
202.202.	Operating Expense	Increase by \$45,500

That there be appropriated within and from the Police Fund the following:

Service Fund

203.203.	Capital Expense	Increase by \$21,500
----------	-----------------	----------------------

That there be appropriated within and from the Brantwood II Subdivision TIF Fund the following:

Brantwood II TIF Fund

218.218.	Debt	Increase by \$5,284.63
----------	------	------------------------

That there be appropriated within and from the Brantwood Subdivision TIF Fund the following:

Brantwood I TIF Fund

218.218.	Debt	Increase by \$18,291.80
----------	------	-------------------------

That there be appropriated within and from the Fire & Police Income Tax Fund the following:

Fire & Police Income Tax Fund

410.410.	Transfers	Increase by \$455,000
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MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: 22-O-812 – An ordinance to make permanent appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period beginning January 1 through December 31, 2023.

EXPLANATION

The attached ordinance and Exhibit A includes budgeted appropriations for FY2023. The appropriations are listed by fund and follow what was presented to Council at the October budget work session. There have not been any significant changes to the proposed budget since that work session.

Exhibit B includes a draft budget in narrative form that seeks to provide additional context and explanation regarding the City's finances.

If any changes to the budget ordinance or the exhibits are required prior to final passage, the exhibits and this COM sheet will be updated for the December 15th meeting. I will also make note of any substantive changes verbally in open session.

Once the budget has been adopted, staff will finalize Exhibit B and post to the City's website.

RECOMMENDATION

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

FISCAL IMPACT

The budget ordinance enables us to operate for FY2023.

SOURCE OF FUNDS

Taxes, fees, and other proceeds as defined in the draft budget.

EXHIBITS

Exhibit A – FY2023 Annual Appropriations

Exhibit B – Draft Proposed Budget

22-O-812

AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF RIVERSIDE, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2023.

WHEREAS, the City Council of Riverside, Ohio has appointed the City Manager to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the City Manager has submitted a proposed budget to this governing body for its consideration.

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

Section 1: That to provide for the current expenses and other expenditures of the City of Riverside, State of Ohio for the period January 1 through December 31, 2023, the sums and amounts as listed in Exhibit "A" attached hereto and incorporated herein by reference thereto under appropriations; be and the same are hereby set aside and appropriated from the General Fund and various Departments and other Funds.

Section 2: That the Finance Director is hereby authorized to draw his warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the board of officers authorized by law to approve the same, or an ordinance or resolution of council to make the expenditures, provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

Section 3: That the City Manager be and is hereby authorized and directed to implement the appropriations as detailed above.

Section 4: That this Ordinance, being an appropriation ordinance, shall go into immediate effect as provided by the Charter and Ordinance.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-O-812

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-812 passed by the Riverside City Council on _____.

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

CLERK

Exhibit A

Ord 22-O-812

FY2023 Annual Appropriation Ordinance

General Fund

Department	Name/Category	Appropriation
100.101	Legislative Department	
	Personnel Services	\$ 127,325
	Operating Expenses	\$ 33,107
	Capital Outlay	\$ -
	Transfers	\$ -
	100.101 Total	\$ 160,432
100.102	City Manager	
	Personnel Services	\$ 393,800
	Operating Expenses	\$ 7,600
	Capital Outlay	\$ -
	Transfers	\$ -
	100.102 Total	\$ 401,400
100.103	Finance Department	
	Personnel Services	\$ 205,100
	Operating Expenses	\$ 56,800
	Capital Outlay	\$ -
	Transfers	\$ -
	100.103 Total	\$ 261,900
100.105	Legal Department	
	Personnel Services	\$ -
	Operating Expenses	\$ 149,000
	Capital Outlay	\$ -
	Transfers	\$ -
	100.105 Total	\$ 149,000
100.108	Community Development	
	Personnel Services	\$ 312,600
	Operating Expenses	\$ 140,200
	Capital Outlay	\$ -
	Transfers	\$ -
	100.108 Total	\$ 452,800
100.110	General Government	
	Personnel Services	\$ -
	Operating Expenses	\$ 798,810
	Capital Outlay	\$ -

Department	Name/Category	Appropriation
	Transfers	\$ 2,575,900
	100.110 Total	\$ 3,374,710
100.120	Boards and Commissions	
	Personnel Services	\$ -
	Operating Expenses	\$ 8,000
	Capital Outlay	\$ -
	Transfers	\$ -
	100.120 Total	\$ 8,000
100.140	Parks	
	Personnel Services	\$ -
	Operating Expenses	\$ 36,910
	Capital Outlay	\$ -
	Transfers	\$ -
	100.140 Total	\$ 36,910
Total General Fund		
	Personnel Services	\$ 1,038,825
	Operating Expenses	\$ 1,230,427
	Capital Outlay	\$ -
	Transfers	\$ 2,575,900
	Total for All GF Departments	\$ 4,845,152

Operating Funds

Department	Name/Category	Appropriation
201.201	Fire Fund	
	Personnel Services	\$ 3,272,500
	Operating Expenses	\$ 495,449
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	201.201 Total	\$ 3,767,949
202.202	Service Fund	
	Personnel Services	\$ 1,200,200
	Operating Expenses	\$ 621,450
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	202.202 Total	\$ 1,821,650
203.203	Police Fund	
	Personnel Services	\$ 4,033,800
	Operating Expenses	\$ 805,622

Department	Name/Category	Appropriation
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	203.203 Total	\$ 4,839,422

All Other Funds

Department	Name/Category	Appropriation
205.205	State Highway Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ 102,500
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	205.205 Total	\$ 102,500
209.209	Permissive Tax Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ 340,000
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	209.209 Total	\$ 340,000
210.210	OPWC Union Schoolhouse	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ 3,000
	Transfers	\$ -
	210.210 Total	\$ 3,000
211.211	FEMA Grant Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	211.211 Total	\$ -
212.212	General Assessments	
	Personnel Services	\$ -
	Operating Expenses	\$ 200,500
	Capital Outlay	\$ -
	Debt Service	\$ -

Department	Name/Category	Appropriation	
	Transfers	\$	-
	212.212 Total	\$	200,500
213.213	OPWC Valley		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	8,800
	Transfers	\$	-
	213.213 Total	\$	8,800
214.214	OPWC Needmore		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	11,500
	Transfers	\$	-
	214.214 Total	\$	11,500
215.215	ED/GE Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	215.215 Total	\$	-
216.216	Brantwood II TIF		
	Personnel Services	\$	-
	Operating Expenses	\$	750
	Capital Outlay	\$	-
	Debt Service	\$	52,050
	Transfers	\$	-
	216.216 Total	\$	52,800
217.217	Federal Grants		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	217.217 Total	\$	-
218.218	Brantwood I TIF		
	Personnel Services	\$	-
	Operating Expenses	\$	1,250
	Capital Outlay	\$	-

Department	Name/Category	Appropriation	
	Debt Service	\$	94,750
	Transfers	\$	-
	218.218 Total	\$	96,000
219.219	Drug Law Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	219.219 Total	\$	-
220.220	DUI Enforcement Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	220.220 Total	\$	-
223.223	CDBG Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	223.223 Total	\$	-
224.224	Nature Works Grant Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	224.224 Total	\$	-
225.225	NEP Grant Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	225.225 Total	\$	-
227.227	OneOhio Opioid Settlement Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-

Department	Name/Category	Appropriation
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	227.227 Total	\$ -
228.228	Victim Advocate Fund	
	Personnel Services	\$ 72,970
	Operating Expenses	\$ 1,860
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	228.228 Total	\$ 74,830
229.229	Transportation Grant Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	229.229 Total	\$ -
231.231	State Law Enforcement Trust Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	231.231 Total	\$ -
232.232	Federal Equity Sharing Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	232.232 Total	\$ -
233.233	Criminal Gang Law Enforcement Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	233.233 Total	\$ -
236.236	Local Coronavirus Relief Fund	
	Personnel Services	\$ -

Department	Name/Category	Appropriation	
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	236.236 Total	\$	-
237.237	Local Fiscal Recovery Fund (ARP)		
	Personnel Services	\$	-
	Operating Expenses	\$	1,013,000
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	237.237 Total	\$	1,013,000
300.300	Debt Service Retirement		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	239,875
	Transfers	\$	-
	300.300 Total	\$	239,875
402.402	Wright Point Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	607,929
	Capital Outlay	\$	25,000
	Debt Service	\$	4,985,750
	Transfers	\$	-
	402.402 Total	\$	5,618,679
404.404	Eintracht Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	404.404 Total	\$	-
405.405	Danis Land Acquisition Fund		
	Personnel Services	\$	-
	Operating Expenses	\$	-
	Capital Outlay	\$	-
	Debt Service	\$	-
	Transfers	\$	-
	405.405 Total	\$	-
406.406	Center of Flight (COF) Fund (TIF)		

Department	Name/Category	Appropriation
	Personnel Services	\$ -
	Operating Expenses	\$ 3,808
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	406.406 Total	\$ 3,808
407.407	Airway Woodman Improvement TIF	
	Personnel Services	\$ -
	Operating Expenses	\$ 650
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	407.407 Total	\$ 650
408.408	Police Vehicle & Equip Replace Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	408.408 Total	\$ -
409.409	General Equipment Replacement Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	409.409 Total	\$ -
410.410	Fire & Police Income Tax	
	Personnel Services	\$ -
	Operating Expenses	\$ 208,000
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ 4,992,000
	410.410 Total	\$ 5,200,000
600.600	600 - Cemetery Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ 7,750
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	600.600 Total	\$ 7,750

Department	Name/Category	Appropriation
702.702	Capital Outlay Infrastructure	
	Personnel Services	\$ -
	Operating Expenses	\$ 80,000
	Capital Outlay	\$ 503,000
	Debt Service	\$ -
	Transfers	\$ 240,750
	702.702 Total	\$ 823,750
703.703	Capital Outlay Equipment	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ 473,293
	Transfers	\$ -
	703.703 Total	\$ 473,293
803.803	Contingency Reserve Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ -
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	803.803 Total	\$ -
804.804	Insurance Deposits Fund	
	Personnel Services	\$ -
	Operating Expenses	\$ 25,000
	Capital Outlay	\$ -
	Debt Service	\$ -
	Transfers	\$ -
	804.804 Total	\$ 25,000
Grand Total		\$ 29,569,909



PROPOSED FY2023 BUDGET

Revision Date: November 4, 2022

Note: This draft budget document is a work in progress. Numbers, figures, and analysis may change pending changes to the City's financial status, adjustments to anticipated needs, and feedback from stakeholders.

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Budget Message/Transmittal Letter

Mayor, Councilmembers, and residents of Riverside:

FY2022 was an important year for the City. The voter-approved passage of Issue 9 in November 2021 provided essential funding to sustain the City's current operations and service levels. Without this revenue, the City's budget picture would be significantly bleaker: our ability to cover ongoing costs and inflationary increases would be limited, and we would not be in a position to add new staff. Because voters approved the income tax, the City's financial position is steady, and we are better equipped to meet the economic uncertainties FY2023 will bring.

Before providing some key highlights for the FY2023 Budget, it is important to consider some additional context about FY2022:

- Income tax revenues throughout the year have trended in line with forecasted projections. Because of this, the City was able to act on the FY2022 Budget largely as planned without substantial pivots or supplemental adjustments.
- A major limiting factor in the City's ability to manage and report on finances has involved software and technology. In December 2021, the City initiated a process of selecting and implementing a new financial software system. The anticipated "go-live" date of the new system (VIP Cloud by Software Solutions, Inc.) is December 2022. While it will take continued time and resources to fully implement the system in FY2023, we are confident that the City's ability to monitor and process finances will significantly improve.
- The City realized some salary savings in FY2022 by absorbing some staff departures and carefully selecting when to replace positions. This practice will continue in FY2023.
- Inflation and supply chain disruptions were a challenge for communities across the country in FY2022. Federal grant awards, particularly American Rescue Plan (ARP) funding, played an instrumental role in equipping the City to absorb unanticipated construction costs. The City will continue to use ARP funds in FY2023 to offset higher construction costs for capital projects and one-time needs.
- Although the City had to withdraw from several capital construction projects in FY2022, the infrastructure projects slated for FY2022 were generally completed on time along with holdover projects from FY2021.
- The City Council completed a strategic planning exercise in FY2022 which will inform budgetary decisions in future years. Further finalization of the strategic plan will occur in FY2023 and will inform the FY2024 Budget.

For FY2023, the City finds itself able to stay the course with sufficient funding to add a few public safety positions, while maintaining appropriate reserves. Notable features of the FY2023 Budget include:

- Three new full-time firefighter positions
- One new police officer position to backfill for the School Resource Officer (SRO)
- Funding for a pilot vehicle lease program related to police cruisers, command cars, and other City vehicles

- Reduced reliance on General Fund transfers to support operating departments, debt service, and other needs
- Reduction of deficit spending and preservation of existing fund balances

However, the City continues to face significant challenges and obstacles, including:

- **Continued reliance on General Fund transfers to support City operations.** While transfers overall have decreased compared to prior years, the Public Service Department is almost entirely funded by a \$1.3 million transfer each year. Additionally, the Police and Fire Departments will continue to receive transfers despite dedicated income tax funding required by Issue 9. **Without these General Fund transfers, it is not possible to increase public safety staffing based on income tax collections alone.**
- **A lack of dedicated infrastructure revenue.** The City has no funding streams dedicated to capital improvement aside from state motor vehicle taxes and gas taxes. After paying for prior year projects and ongoing expenses, the City has about \$400,000 per year to devote to new capital improvement projects. This is insufficient to make meaningful headway on the City's stormwater and road maintenance needs.
- **Debt service related to Wright Point.** The City currently owns the Wright Point buildings located at 5100 and 5200 Springfield St. Outstanding debt associated with these buildings exceeds \$4.7 million. The buildings require significant capital investment to attract and retain high-quality tenants. Additionally, economic headwinds nationwide and the aftermath of the COVID-19 pandemic have reduced the attractiveness of office buildings in general. Finding a more permanent solution to resolve Wright Point will be essential to stabilizing the City's budget in the future.
- **Unfunded mandates.** Like other communities, the City is mandated to comply with various state and federal regulations for which are not accompanied by funding or financial assistance. Stormwater compliance and employee pension contributions are two such examples. The FY2023 Budget assumes the City will continue providing these services as required; however, without additional funding, these mandates will reduce the City's ability to enhance and maintain current service levels in future years.
- **Development trends.** Unlike other communities, the City of Riverside consists of several distinct geographic areas separated by other surrounding cities. Additionally, all of the land around us has already been incorporated, and the City cannot annex new land to encourage growth and development. In order to grow revenue, the City must encourage redevelopment that enhances jobs and raises local incomes. The completion of the updated comprehensive land use plan in FY2022, along with new key developments such as Kroger on Woodman Drive, are essential first steps to encourage more growth and development.

Although we face some headwinds as a community, I am confident that the City's current budget appropriately spends within its limits and begins laying a solid foundation for our community to continue moving forward. It will take several years of sustained attention and effort to solidify City revenues and better control expenses. That work began in FY2022, and it will continue in FY2023 and beyond.

Josh Rauch

City Manager

About the City Organization

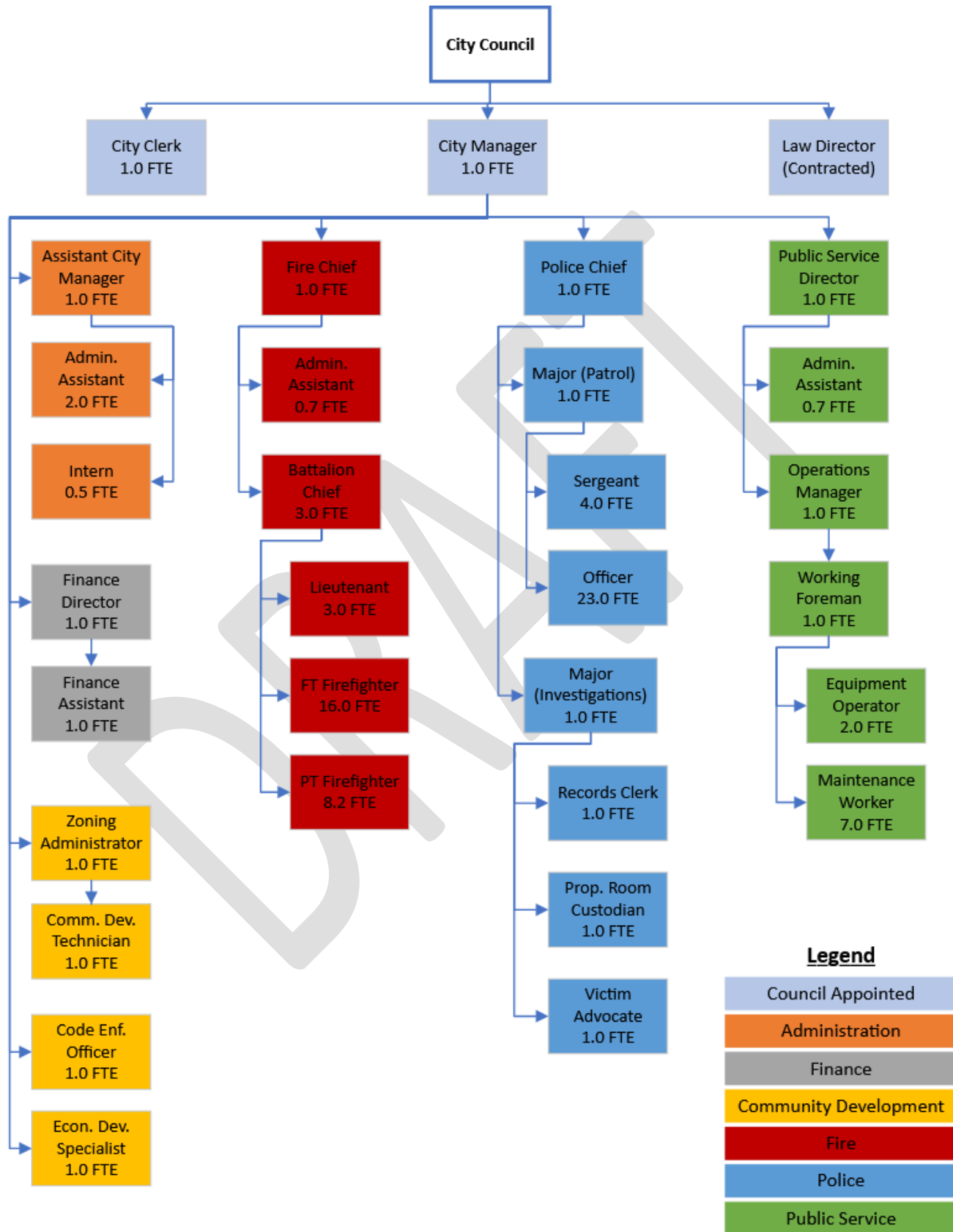
The City of Riverside is organized under a Mayor-Council form of government, with six Councilmembers and a Mayor. The City Manager, City Clerk, and Law Director are appointed by the Council pursuant to the City Charter.

The FY2023 Budget includes funding for 89.11 full-time equivalent (FTE) employee positions across the City. This represents an increase of 12% compared to actual staffing levels in FY2019. Much of this increase is due to the addition of three full-time firefighter positions and an additional police officer position in FY2023. In contrast, staff in Administration have decreased by 1.2 FTE over this same time period, as illustrated in the table below.

City Staffing Trends, FY2019-FY2023

Department	FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Actual	FY2023 Budgeted	FTE Increase	Percent Increase
Clerk of Council	1.00	1.00	1.00	1.00	1.00	0.00	0%
Administration	5.70	4.70	5.03	4.90	4.50	-1.20	-21%
Community Development	3.00	4.00	4.00	3.65	4.00	1.00	33%
Finance	2.00	2.00	2.00	3.00	2.00	0.00	0%
Fire	23.98	27.29	28.11	28.20	31.91	7.93	33%
Police	32.00	32.00	32.00	32.00	33.00	1.00	3%
Public Service	12.00	12.00	12.35	12.70	12.70	0.70	6%
Total	79.68	82.99	84.49	85.45	89.11	9.43	12%

The following figure illustrates the City's organizational structure in FY2023:



Summary of Major Revenues (Where does money come from?)

Like many other communities in Ohio, the City currently operates on a cash basis using fund accounting. This means that the City records transactions as revenues come in and expenses go out. Transactions are allocated among approximately 35 active funds. A fund is a grouping of related accounts used to control resources that have been allocated for specific purposes. There are many different types of funds, but the primary fund for the City is the General Fund. More information about funds can be found later in this document.

The City's FY2023 total budgeted revenue is approximately \$21 million across all funds and sources, as illustrated in the table below.

Total Budgeted Revenue, All Funds, All Sources Except Transfers/Advances, FY2020-FY2023

Revenue (All Funds)	2020 Actual	2021 Actual	2022 Forecast	FY2023 Budget
Taxes	\$10,127,392	\$10,540,384	\$13,240,946	\$13,169,595
Debt	\$6,343,071	\$5,091,423	\$6,318,129	\$4,735,000
Fees	\$1,981,900	\$2,014,703	\$1,689,988	\$1,902,308
Miscellaneous	\$1,277,568	\$646,690	\$637,997	\$618,590
Grants	\$1,841,925	\$1,977,899	\$2,836,072	\$217,115
Assessments	\$148,873	\$223,708	\$208,759	\$196,000
Total	\$21,720,729	\$20,494,807	\$24,931,892	\$20,838,608

***Note: the table above does not include transfers or advances between funds.** A transfer is a permanent reallocation of monies from one fund to another. An advance is a temporary "loan" of monies from one fund to another, which must be repaid prior to the end of the fiscal year. Including these transactions artificially inflates revenues and expenses when examining all funds together.*

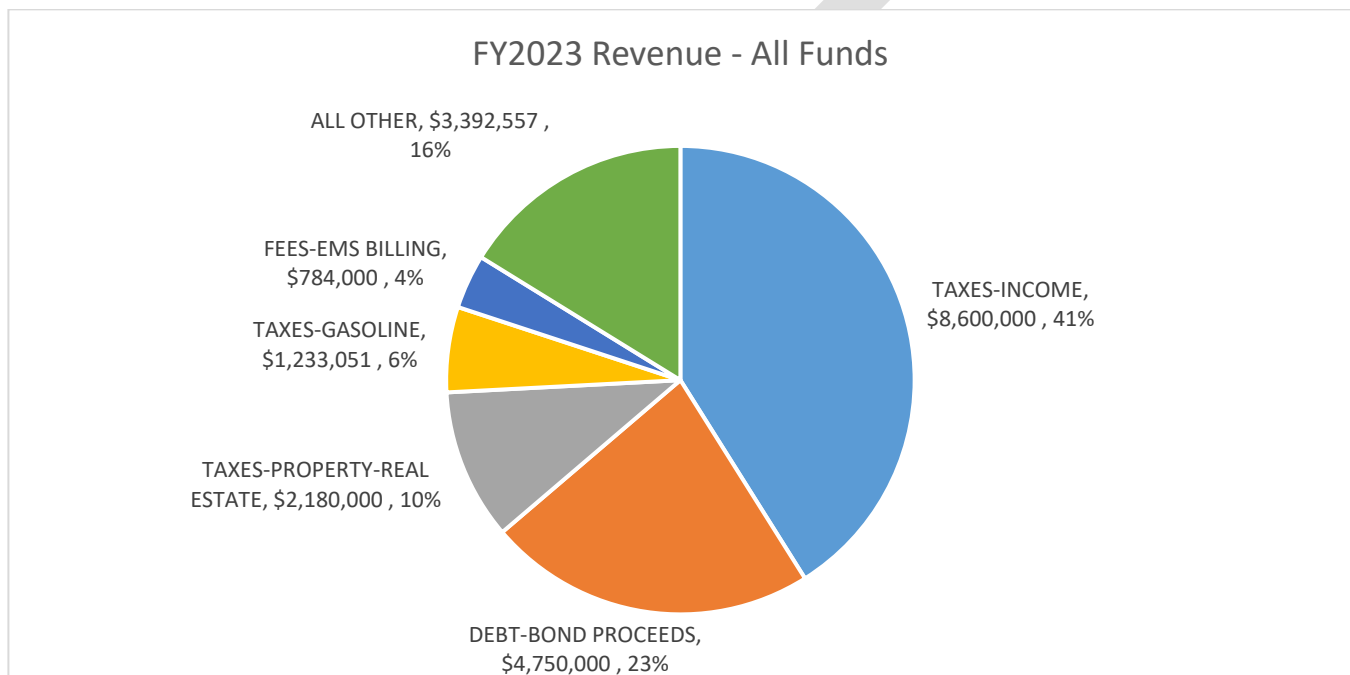
The City is primarily supported by taxes, debt (loans and bond proceeds), and fees. Compared to prior year revenues, the FY2023 Budget contemplates:

- **Higher income tax revenues.** The passage of Issue 9 in November 2021 increased the City's income tax rate from 1.5% to 2.5%, with a 100% credit for residents who live in Riverside but pay income taxes to other municipalities. Additionally, 60% of all revenues generated by the income tax must be dedicated to public safety. The net effect of this change is an estimated increase in total income tax revenues by approximately \$2.4 million compared to FY2021.
- **Lower debt revenue.** In FY2020 and FY2022, the City issued about \$1.5 million in bonds/notes to finance capital projects. No similar capital project debt will be issued in FY2023.
- **Lower miscellaneous revenue.** This category includes local government revenue sharing and other one-time income sources which vary significantly from year to year.
- **Lower grant revenue.** Revenues in FY2020-FY2022 were significantly buoyed by grants from the Federal Government, including the Cares Act (\$1.45 million in FY2020) and American Rescue Plan (ARP) funding

(\$1.3 million in FY2021 and FY2022, respectively). Additional funding connected with these grants will not be awarded in FY2023. Additionally, in FY2022 the City received a one-time \$500,000 grant from the Department of Defense to support reconstruction of East Springfield Street.

It is notable that even with the passage of the new income tax, the total sources of funds available to the City are comparable to amounts in recent prior years. This is because other revenue sources have declined as described above even though income tax revenues have increased.

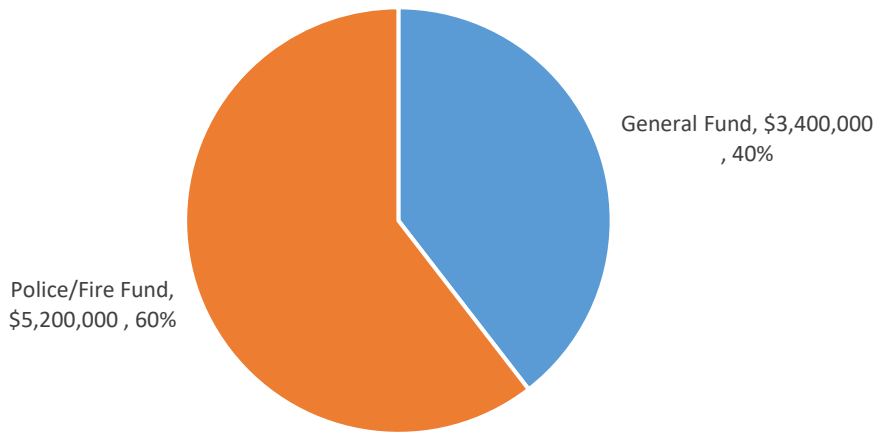
The largest single sources of funds in the FY2023 budget include income taxes, bond proceeds, and real estate taxes, as illustrated in the following figure.



Income Tax

As of January 2022, Issue 9 requires the City to split income tax revenues between public safety (60%) and general government purposes (40%). To accomplish this, the City budget allocates \$5.2 million to the Police/Fire Income Tax Fund where it is then distributed to the Police and Fire Departments, respectively. The remaining \$3.4 million in budgeted income tax is allocated to the General Fund, as illustrated below.

FY2023 Budget - Income Tax Distribution



Income taxes allocated to the General Fund, along with other general revenues, are further distributed among all City departments including Police and Fire as described later in this document.

Property Tax

Property taxes account for about 10% of all City revenue.

Most property taxes paid by residents do not go to the City. The City's current millage rate is 11.34 mills. Actual property taxes paid by residents vary from 69.70 mills to 78.91 mills depending on which school district they live in, as illustrated on the table below. Millage rates shown below are the latest rates available on the Montgomery County website as of the time of this writing.

Riverside Residential Property Tax Rates, 2021 (Payable 2022) ¹

School District	Mont. Co.	School	City of Riverside	Other (JVS, Library)	Total Millage	City as % of Total Millage
Mad River LSD	23.14	70.10	11.34	3.09	107.67	11%
Dayton CSD	23.14	80.05	11.34	3.09	117.62	10%
Huber Heights CSD	23.14	65.75	11.34	7.05	107.28	11%
Fairborn CSD	23.14	58.84	11.34	7.41	100.73	11%
Beavercreek LSD	23.14	54.71	11.34	7.41	96.60	12%

The table above illustrates current millage rates for jurisdictions to which Riverside residents pay property taxes. These rates are summed in the "Total" column. The "Effective Rate" column illustrates the millage used to calculate property tax bills after applying reductions as calculated by the County. The "City as % of Total Millage"

¹ https://www.mcrealestate.org/pdffiles/taxrates/Taxrate_2021.pdf

column divides the City's 11.34 mills by the Total Millage to determine the proportion of property tax mills that go to the City.

Most property taxes paid by residents go to local school districts and Montgomery County. The City's property tax burden represents only 10%-12% of a typical residential property tax bill.

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Summary of Expenses (Where does money go?)

Most of the City's primary expenses are personnel-related, including wages and benefits (fringes). In the FY2023 budget, personnel expenses account for 44% of all City spending. Debt service is also a significant expense for the City. Most debt service includes payments on the Wright Point office buildings located at 5100 and 5200 Springfield St., as well as payments for infrastructure bonds and vehicle loans. Debt service constitutes 27% of the overall budget and is discussed in greater detail later in this document.

Total Budgeted Expenses, All Funds, All Sources Except Transfers/Advances, FY2020-FY2023

Expenses (All Funds)	FY2020 Actual	FY2021 Actual	FY2022 Forecast	FY2023 Budget
Wages & Fringes	\$7,035,741	\$7,867,770	\$8,549,703	\$9,675,295
Debt	\$6,315,453	\$5,604,744	\$6,453,885	\$5,869,018
Fees	\$989,847	\$1,207,335	\$1,346,956	\$1,777,567
Construction	\$2,510,842	\$474,094	\$4,249,212	\$1,643,000
Contract Services	\$1,043,629	\$1,105,888	\$1,256,822	\$994,500
Utilities	\$494,538	\$601,677	\$647,459	\$629,879
Supplies	\$310,476	\$423,824	\$449,410	\$522,200
Activities	\$1,767,757	\$718,239	\$296,208	\$265,800
Infrastructure	\$72,490	\$243,861	\$444,459	\$137,500
General	\$126,788	\$274,716	\$401,631	\$83,000
Prof Dev	\$17,751	\$35,343	\$42,266	\$68,500
Engineering	\$0	\$186,549	\$407,099	\$55,000
Equipment	\$281,221	\$22,179	\$2,052	\$40,000
Total	\$20,966,531	\$18,766,219	\$24,547,161	\$21,761,259

Note: the table above does not include transfers or advances between funds. A transfer is a permanent reallocation of monies from one fund to another. An advance is a temporary "loan" of monies from one fund to another, which must be repaid prior to the end of the fiscal year. Including these transactions artificially inflates revenues and expenses when examining all funds together.

Compared to prior year expenses, the FY2023 Budget contemplates:

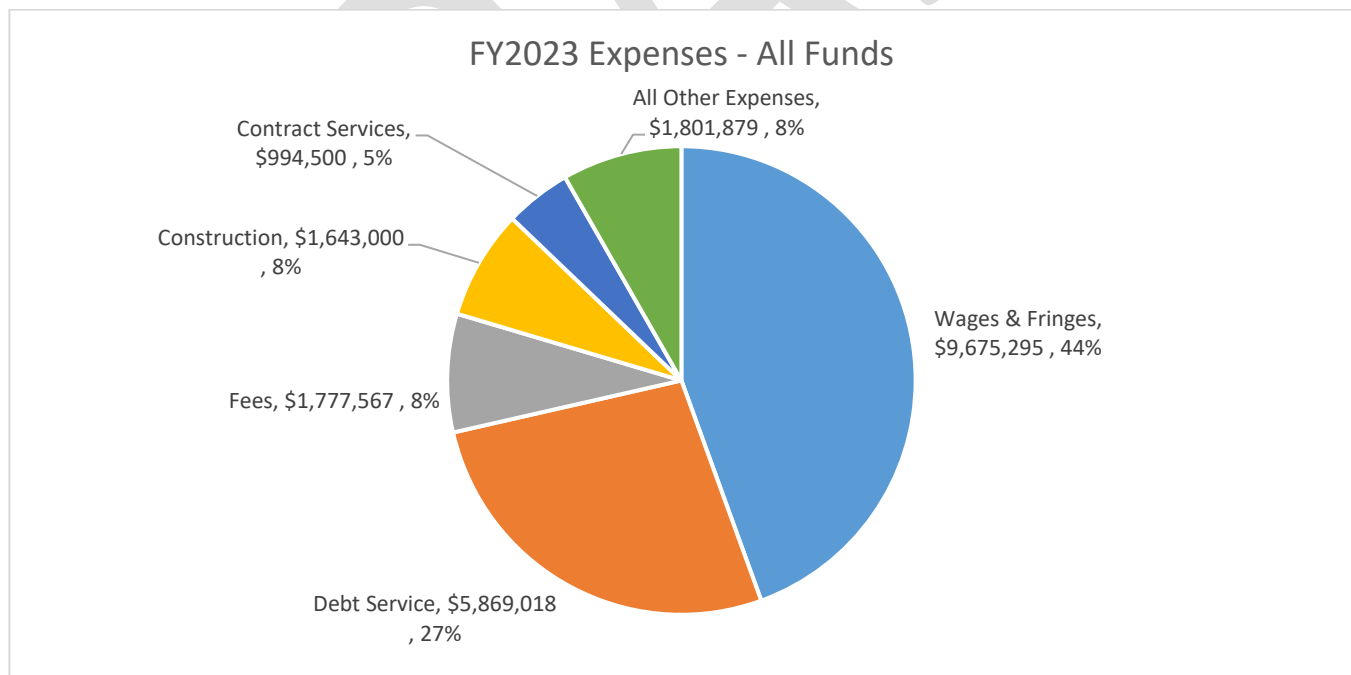
- **Higher wages and fringe benefit costs.** This is primarily attributable to the addition of three (3) full-time firefighter positions and one (1) police officer position in FY2023. Additionally, regular annual wage increases are provided to City staff pursuant to collective bargaining agreements and administrative salary adjustments.

Health insurance and pension costs also continue to be a significant driver of personnel costs. Employer costs for health insurance have nearly doubled from \$886,000 in FY2020 to an estimated \$1.56 million in FY2023. These estimated increases are due to increasing employer health insurance premium costs. At the time of this writing, the City is evaluating the feasibility of joining a benefits collaborative to stabilize health care costs.

Similarly, the City paid approximately \$852,000 in employer pension costs in FY2020, compared to an estimated \$1.3 million in FY2023. These increases are due to increased staffing levels and wage growth, as well as State legislative action. House Bill 512, as introduced, will require the City to pay increasingly higher contributions to the Ohio Police & Fire pension fund in the coming years.² If passed into law, contributions for police will increase from 19.5% of salary to 26.5% of salary by 2027, while fire contributions will increase from 24% of salary to 26.5% of salary by 2027. These increases amount to more than \$47,000 in FY2023, which is more than half the average base wage of a full-time Firefighter or Police Officer in Riverside. By FY2027, the proposed legislation will require more than \$236,000 in increased costs based on current staffing levels and salaries.

- **Higher fees.** The City will pay more in FY2023 for a variety of fees, including dispatch/radio fess, income tax collection, and insurance/bonds. Additionally, the City will pay itself rent for space in the Wright Point facilities beginning in FY2023. This rent payment effectively functions as a transfer to the Wright Point Fund and increases the marketability of the buildings for additional lease or sale.
- **Lower construction expenses.** The City will undertake fewer capital projects in FY2023 compared to prior years. As in prior years, the City does not currently have a residential street maintenance program, and most residential streets are in need of major repairs or reconstruction. The City will continue to defer major maintenance on residential streets, stormwater, and related infrastructure due to lack of funding. The costs of repairing this infrastructure are likely to continue increasing in future years.

The figure below illustrates the largest expense categories in the FY2023 budget.



² <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-512>

Fund Balance Projections

The table below illustrates expected changes in available fund balance after considering the impact of the FY2023 budget. To calculate this impact, the amount of available fund balance in each fund at the end of FY2022 is considered. Next, budgeted revenues and expenses for FY2023 are applied to this fund balance to calculate each fund's reserves at the end of FY2023.

Note: the table below includes transfers and advances between funds. Unlike the summary revenue and expense tables above, including transfers and advances is important here because it illustrates how monies can move between funds to keep them solvent. As a result, the total revenues and expenses in this table will be higher (overstated) than in previous tables.

Fund Balance Projections by Fund, All Sources Including Transfers/Advances, FY2023

Fund	FY2022 YTD Balance -Oct	FY2023 Revenue	FY2023 Expense	FY2023 Net Impact	FY2023 Est. Year End Balance
100 - General Fund	\$2,401,869	\$4,845,400	(\$4,845,152)	\$248	\$2,402,117
201 - Fire Fund	\$1,273,245	\$3,768,033	(\$3,767,949)	\$84	\$1,273,329
202 - Service Fund	\$514,012	\$1,821,650	(\$1,821,650)	\$0	\$514,012
203 - Police Fund	\$848,893	\$4,839,496	(\$4,839,422)	\$74	\$848,966
205 - State Highway Fund	\$349,945	\$105,866	(\$102,500)	\$3,366	\$353,311
209 - Permissive Tax Fund	\$160,574	\$376,978	(\$340,000)	\$36,978	\$197,552
210 - OPWC Union Schoolhouse	\$32,420	\$0	(\$3,000)	(\$3,000)	\$29,420
211 - FEMA	\$0	\$0	\$0	\$0	\$0
212 - General Assessments	\$217,454	\$202,115	(\$200,500)	\$1,615	\$219,069
213 - OPWC Valley	\$317,710	\$0	\$0	\$0	\$317,710
214 - OPWC Needmore	\$347,380	\$0	\$0	\$0	\$347,380
215 - County Grants	\$40,177	\$0	\$0	\$0	\$40,177
216 - Brantwood II TIF	\$2,543	\$52,800	(\$52,800)	\$0	\$2,543
218 - Brantwood I TIF	\$7,918	\$96,000	(\$96,000)	\$0	\$7,918
219 - Drug Law Fund	\$3,971	\$0	\$0	\$0	\$3,971
220 - DUI Enforcement Fund	\$326	\$0	\$0	\$0	\$326
223 - CDBG Fund	\$58,080	\$0	\$0	\$0	\$58,080
227 - OneOhio OPIOID Settlement Fund	\$7,068	\$0	\$0	\$0	\$7,068
228 - Victim Advocate Fund	\$6,694	\$75,000	(\$74,830)	\$170	\$6,864
229 - Fed Transportation Projects	\$19,899	\$0	\$0	\$0	\$19,899
231 - State Law Enforcement Trust	\$4,177	\$0	\$0	\$0	\$4,177

Fund	FY2022 YTD Balance -Oct	FY2023 Revenue	FY2023 Expense	FY2023 Net Impact	FY2023 Est. Year End Balance
232 - Federal Equitable Share	\$625	\$0	\$0	\$0	\$625
236 - Coronavirus Relief Fund (CARES)	\$0	\$0	\$0	\$0	\$0
237 - Fiscal Recovery Fund (ARP)	\$1,179,755	\$0	(\$1,038,000)	(\$1,038,000)	\$141,755
300 - Debt Retirement	\$682,902	\$261,050	(\$260,175)	\$875	\$683,777
402 - Wright Point Fund	\$85,573	\$5,618,708	(\$5,618,679)	\$28	\$85,601
404 - Eintracht Fund	\$5,115	\$0	\$0	\$0	\$5,115
406 - Center of Flight (COF) Fund (TIF)	\$53,518	\$6,600	(\$3,808)	\$2,792	\$56,310
407 - Airway Woodman Improvement TIF	\$239,520	\$43,850	(\$650)	\$43,200	\$282,720
410 - Fire & Police Income Tax	\$1,627	\$5,200,000	(\$5,200,000)	\$0	\$1,627
600 - Cemetery Fund	\$2,443	\$7,750	(\$7,750)	\$0	\$2,443
702 - Capital Infrastructure	\$365,607	\$847,962	(\$844,050)	\$3,912	\$369,519
703 - Capital Equipment	\$301,320	\$473,300	(\$473,293)	\$7	\$301,328
803 - Contingency Reserve Fund	\$331,285	\$0	\$0	\$0	\$331,285
804 - Insurance Deposits Fund	\$12,000	\$25,000	(\$25,000)	\$0	\$12,000
Total	\$9,875,642	\$28,667,558	(\$29,615,209)	(\$947,651)	\$8,927,992

The FY2023 Budget preserves fund balances in each major fund. Total fund balance across all funds decreases from \$9.5 million in FY2022 to \$8.5 million in FY2023 largely due to spending available ARP monies.

The estimated ending fund balance in the General Fund is \$2.5 million. Average monthly General Fund expenses in FY2023 are expected to be approximately \$404,000 (\$4.85 million / 12 months). This means the General Fund will maintain approximately six (6) months of reserves, which is in line with the Citizen Budget Committee's recommendation of 3-4 months of operating reserves.

Nearly all funds spend within their means in FY2023 with a few exceptions:

- The OPWC Union Schoolhouse Fund will utilize about \$3,000 in fund balance to make an annual debt service payment related to road improvements in previous years.
- The ARP Fund will utilize most of its fund balance on one-time expenses, such as inflationary and construction cost increases for current infrastructure projects. This is expected and necessary to utilize available grant funds. No ARP grant monies are allocated to ongoing operating expenses. Pursuant to the terms of the grant, ARP monies must be obligated (committed to a project or expense) by FY2024 and spent by FY2026.

Trends and impacts in each of the City's major funds are discussed in the following sections.

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FY2023 Revenues and Expenses by Major Fund

The following sections illustrate budget trends in each of the City's major funds.

Note: the sections below include transfers and advances between funds. Unlike the summary revenue and expense tables above, including transfers and advances is important here because it illustrates how monies can move between funds to keep them solvent.

100 – General Fund

The General Fund is the City's primary fund for most governmental operations. Virtually all departments and functions are supported to one degree or another by the General Fund, either directly or via transfers to other funds. The table below illustrates General Fund revenue and expense trends by category over the last several years.

General Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

100 - General Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Taxes	\$4,250,887	\$4,624,593	\$4,010,213	\$3,895,000	-8%
Miscellaneous	\$544,447	\$482,509	\$530,202	\$506,000	-7%
Fees	\$316,199	\$356,594	\$348,614	\$354,400	12%
Grants	\$68,353	\$146,107	\$87,915	\$90,000	32%
Debt	\$1,581,711	\$0	\$0	\$0	-100%
Transfers	\$178,000	\$0	\$0	\$0	-100%
Advances	\$220,000	\$731,997	\$530,088	\$0	-100%
Revenue Total	\$7,159,597	\$6,341,801	\$5,507,031	\$4,845,400	-32%
Expenses					
Transfers	\$4,760,245	\$3,415,908	\$3,036,406	\$2,575,900	-46%
Wages	\$731,565	\$755,884	\$748,738	\$844,000	15%
Fees	\$210,402	\$234,671	\$249,567	\$474,217	125%
Contract Services	\$573,097	\$416,057	\$409,959	\$453,500	-21%
Fringes	\$279,948	\$246,220	\$252,207	\$251,825	-10%
Activities	\$65,036	\$71,131	\$84,459	\$111,500	71%
Utilities	\$59,130	\$69,907	\$73,049	\$73,710	25%
Professional Development	\$4,557	\$3,877	\$22,678	\$33,500	635%
Supplies	\$20,773	\$38,477	\$21,132	\$27,000	30%
Expenses Total	\$7,166,750	\$6,590,972	\$5,428,196	\$4,845,152	-32%
Net (Revenues less Expenses)	(\$7,153)	(\$249,171)	\$78,835	\$248	

Revenues

Budgeted revenue is 32% lower in FY2023 compared to FY2020. This is primarily because no debt revenue is being issued in FY2023 for the General Fund.

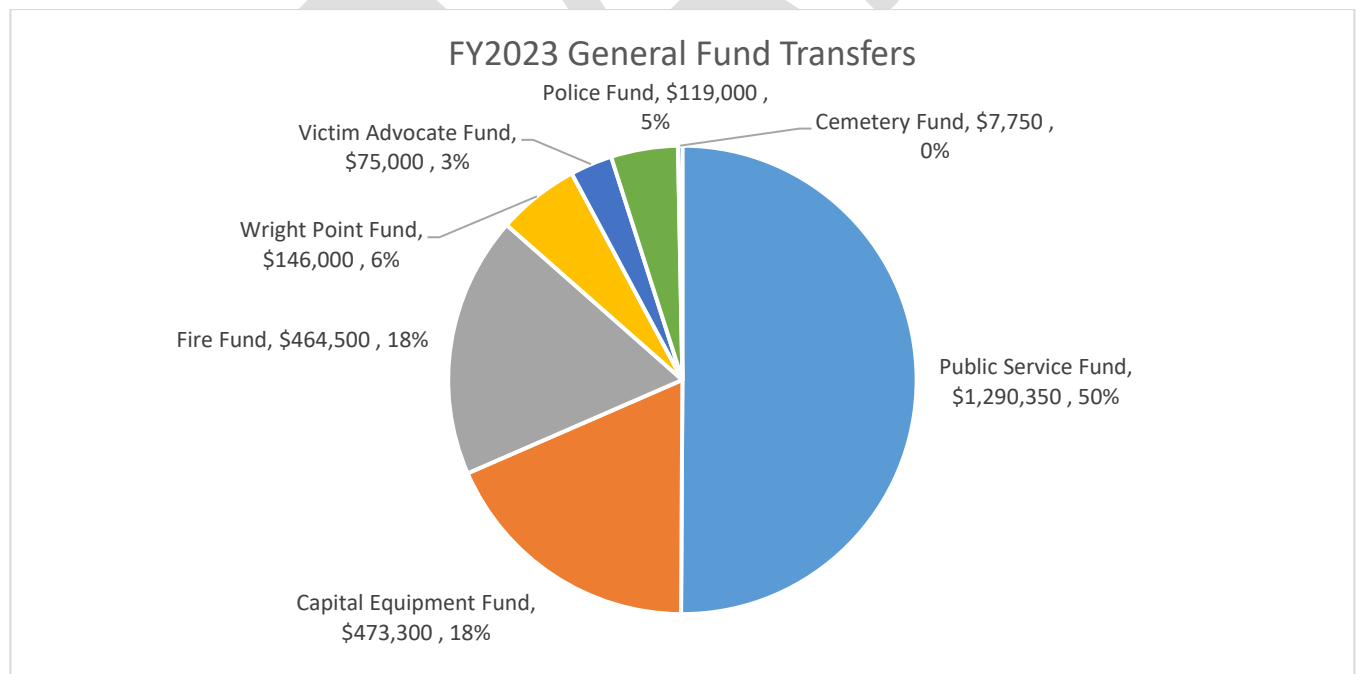
Tax revenues overall are 8% lower in FY2023 compared to FY2020. Although total income taxes collected by the City will be higher, a greater proportion of income tax is dedicated to public safety and is not deposited in the General Fund. As a result, overall tax revenues in the General Fund have declined.

While overall grant revenues brought in by the City decline in FY2023 compared to prior years, anticipated grant revenues in the General Fund have increased slightly. This is attributable to increased grant funds provided by the Source Water Protection Board to support source water monitoring and compliance as part of the Community Development Department.

Expenses

Budgeted expenses are 32% lower in FY2023 compared to FY2020. This is due to the reduction of transfers out of the General Fund to other funds, such as Public Safety. Because income tax revenues now directly support public safety functions, the need to transfer money from the General Fund for those functions is reduced.

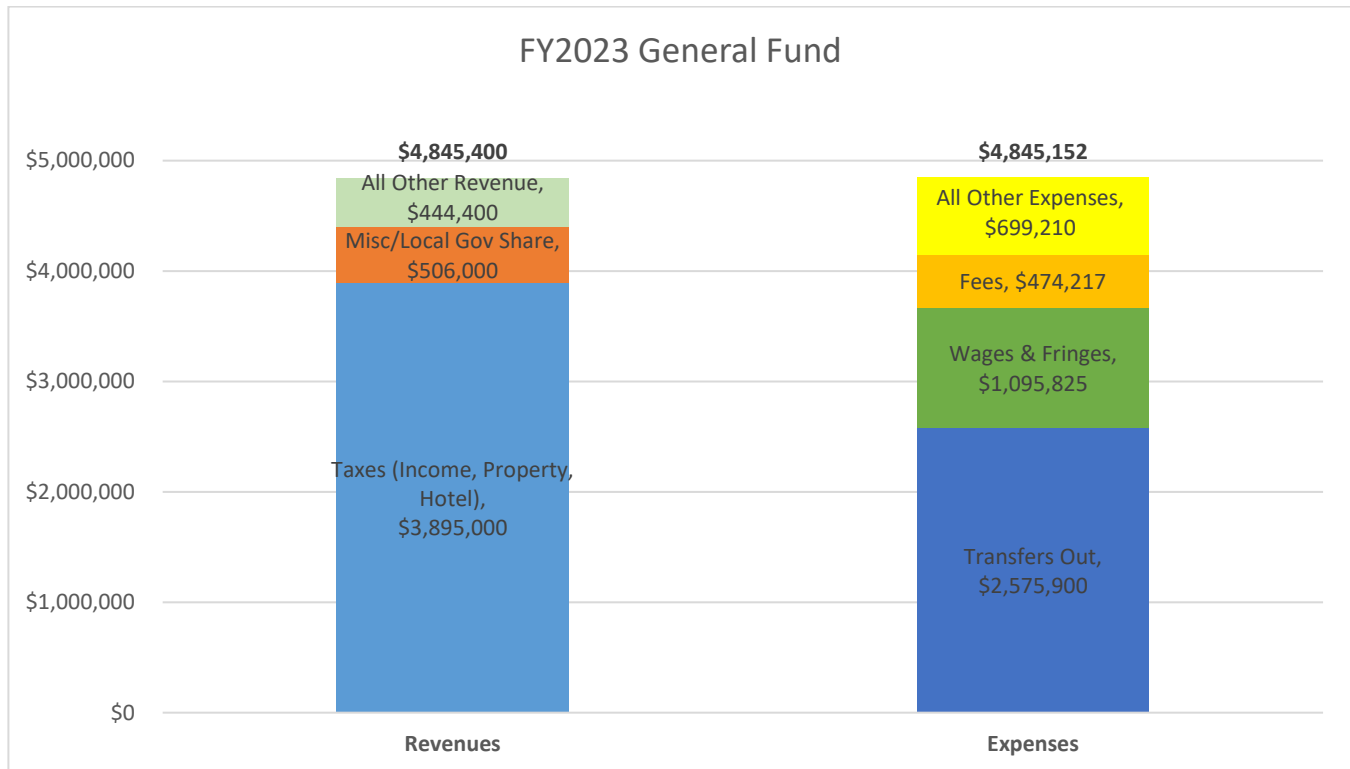
Transfers account for 53% of General Fund expenses in FY2023. In other words, most of the money in the General Fund goes to support specific departments and functions, including Public Service, Capital Equipment Purchases, Fire, Police, and Wright Point. Half of the money transferred from the General Fund goes to support the Public Service Department, as illustrated below.



After transfers, the remaining \$2.3 million in General Fund expenses supports 11.5 FTEs across four departments, including Administration (City Manager, HR, IT), City Clerk, Community Development, and Finance. Collectively, these departments account for about 10% of total City expenses across all funds.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the General Fund.



The General Fund's primary function is to support core administrative departments and services; however, most General Fund revenues are allocated to other purposes. The budgeted transfer to Public Service is significant and limits the City's ability to allocate General Fund monies for other purposes, including public safety, economic development, code enforcement, administrative needs, and capital equipment/infrastructure.

402 – Wright Point Fund

The Wright Point Fund is used to manage the City-owned Wright Point buildings at 5100 and 5200 Springfield St. Rent collected from building tenants is deposited into this fund, along with debt proceeds from financing the buildings using bond anticipation notes each year. The table below illustrates Wright Point Fund revenue and expense trends by category over the last several years.

Wright Point Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-F2023

402 - Wright Point Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Debt	\$4,761,360	\$5,091,423	\$4,900,372	\$4,735,000	-1%
Fees	\$900,435	\$809,040	\$518,258	\$737,708	-18%
Transfers	\$0	\$0	\$478,083	\$146,000	Not Applicable
Miscellaneous	\$0	\$0	\$2,181	\$0	Not Applicable
Revenue Total	\$5,661,795	\$5,900,463	\$5,898,894	\$5,618,708	-1%
Expenses					
Debt	\$5,031,565	\$4,830,233	\$5,104,152	\$4,985,750	-1%
Fees	\$168,519	\$251,837	\$208,963	\$224,655	33%
Utilities	\$216,444	\$222,345	\$203,367	\$210,774	-3%
Contract Services	\$179,911	\$239,425	\$224,854	\$172,500	-4%
General	\$37,708	\$90,408	\$106,463	\$25,000	-34%
Transfers	\$100,000	\$0	\$0	\$0	-100%
Supplies	\$32	\$50	\$0	\$0	-100%
Activities	\$403	\$1,053	\$0	\$0	-100%
Expenses Total	\$5,734,582	\$5,635,350	\$5,847,799	\$5,618,679	-2%
Net (Revenues less Expenses)	(\$72,787)	\$265,113	\$51,095	\$28	

Revenues

Wright Point was acquired by the City in 2015 by issuing bond anticipation notes. The notes provide revenue in the form of debt proceeds, but must be repaid with interest the following year. Historically, the City has re-issued new notes to pay back the prior year's notes and interest, while paying down some principal. In practice, this is similar to taking out a series of 1-year mortgages on a house over an extended period of time.

In FY2022, the City issued \$4.9 million in bond anticipation notes and anticipates paying approximately \$85,000 in interest on those notes. These notes and interest must be repaid in FY2023, and are reflected in the Debt category for the FY2023 budget year. To repay this debt, the City will issue \$4.7 million in new notes (reflected in the Debt category under FY2023 revenue). This leaves \$150,000 that must be paid from other sources (fees and transfers) to satisfy the note repayment.

The Fees category largely consists of rental income, which has decreased compared to FY2020 due to the loss of tenants. The City will begin paying itself rent at market rate to improve the financial viability of the buildings.

An additional \$146,000 is required from the General Fund as a transfer to keep the Wright Point Fund solvent.

Expenses

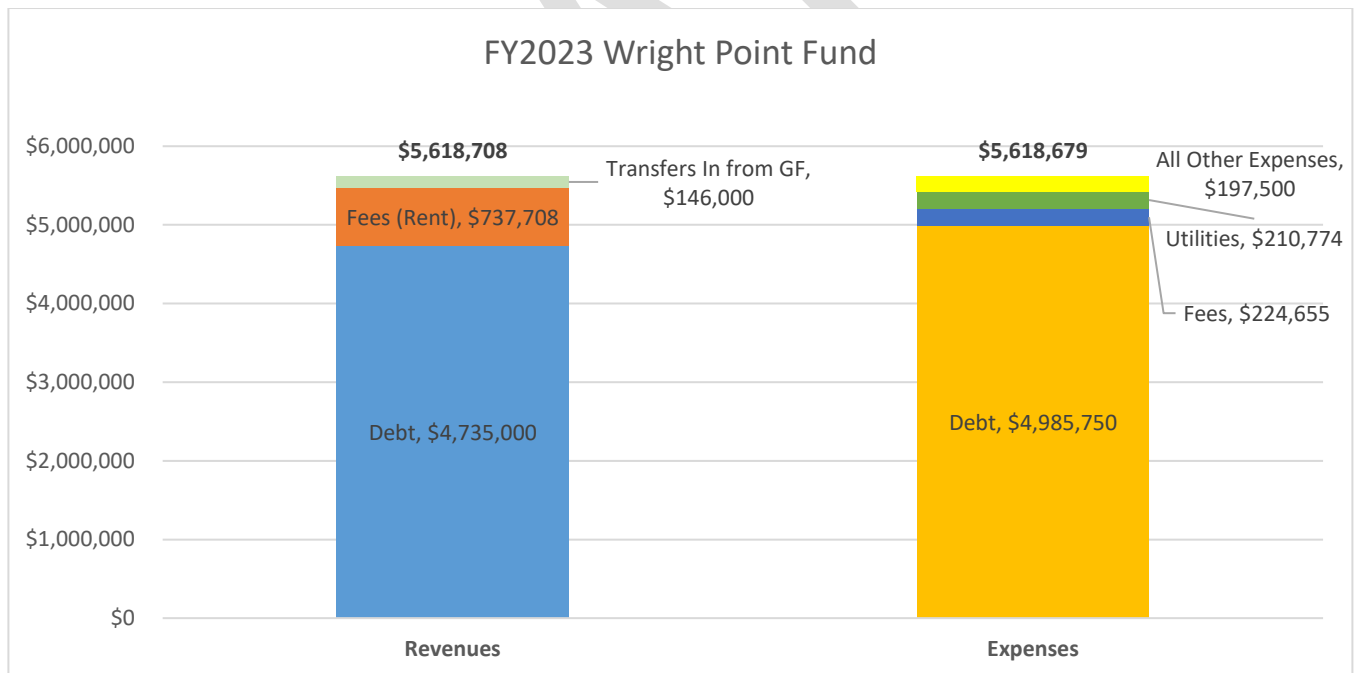
The largest annual expense in the Wright Point Fund is repaying principal and interest on the prior year's note issuance.

Compared to FY2020, the FY2023 Budget includes higher expenses for fees related to debt issuance and property taxes. Other expenses, including general operating and contract services, have been reduced in the FY2023 Budget to help control costs.

Expenses in the FY2023 Budget are generally designed to keep the buildings afloat without significant investment. If major repairs are needed or the buildings experience failures, the City will need to appropriate new funding from reserves to address the issue.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the Wright Point Fund.



The practice of issuing annual notes will become increasingly expensive in the current inflationary environment. Interest rates and costs are likely to increase significantly compared to prior years.

Key capital needs are being deferred, including roof replacement (estimated at \$700,000 in FY2022). The buildings also require modernization and aesthetic improvements to attract new tenants. These improvements are **not** contemplated in the FY2023 Budget.

The City is exploring options to best position Wright Point for sale or development to free up debt capacity and avoid significant capital expenses.

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202 – Public Service Fund

The Public Service Fund is the primary fund supporting Public Service operations (personnel, supplies, maintenance, etc.). Most “traditional” public works and parks functions, such as pothole repair, crack sealing, mowing, trimming, snow plowing, and facility maintenance are supported by this fund. Capital construction is supported by Fund 702, as described later in this document. The table below illustrates Service Fund revenue and expense trends by category over the last several years.

Service Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

202 - Service Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Fees	\$1,893	\$3,300	\$3,900	\$3,000	58%
Assessments	\$30,471	\$21,684	\$19,760	\$15,000	-51%
Miscellaneous	\$139,260	\$28,596	\$6,194	\$55,600	-60%
Taxes	\$1,279,463	\$467,173	\$457,674	\$457,700	-64%
Transfers	\$1,240,000	\$950,000	\$1,366,448	\$1,290,350	4%
Revenue Total	\$2,691,087	\$1,470,753	\$1,853,976	\$1,821,650	-32%
Expenses					
Wages	\$706,146	\$749,042	\$781,915	\$816,000	16%
Fringes	\$328,047	\$341,182	\$357,211	\$384,200	17%
Supplies	\$117,678	\$131,525	\$153,000	\$212,000	80%
Contract Services	\$149,182	\$207,087	\$269,927	\$150,000	1%
Activities	\$253,817	\$155,481	\$69,685	\$125,750	-50%
Fees	\$41,260	\$55,789	\$70,784	\$85,200	106%
Utilities	\$31,989	\$32,196	\$47,178	\$40,000	25%
Professional Development	\$1,452	\$6,039	\$2,670	\$8,500	485%
Infrastructure	\$16,872	\$336	\$0	\$0	-100%
Transfers	\$214,295	\$0	\$0	\$0	-100%
Equipment	\$43,481	\$20,579	\$0	\$0	-100%
Debt	\$176,173	\$0	\$0	\$0	-100%
Construction	\$282,988	\$40,931	\$0	\$0	-100%
Expenses Total	\$2,363,380	\$1,740,187	\$1,752,371	\$1,821,650	-23%
Net (Revenues less Expenses)	\$327,707	(\$269,434)	\$101,605	\$0	

Revenues

Overall revenues have declined since FY2020, largely due to state motor vehicle taxes and gas taxes. More of these revenues were allocated to the Service Fund in FY2020 because the Service Fund also supported capital projects at that time. Beginning in the FY2021 budget, capital projects (and most corresponding tax revenues) were reallocated to Fund 702 – the Capital Infrastructure Fund.

The remaining tax revenues allocated to the Service Fund reflect the proportion of operating costs (personnel, materials, etc.) that can be allocated to road maintenance activities such as potholing, crack sealing, and minor repairs.

The Public Service Fund is heavily reliant upon General Fund transfers and has little dedicated revenue of its own aside from modest gas taxes. Seventy one percent (71%) of revenues into the Service Fund come from the General Fund.

Expenses

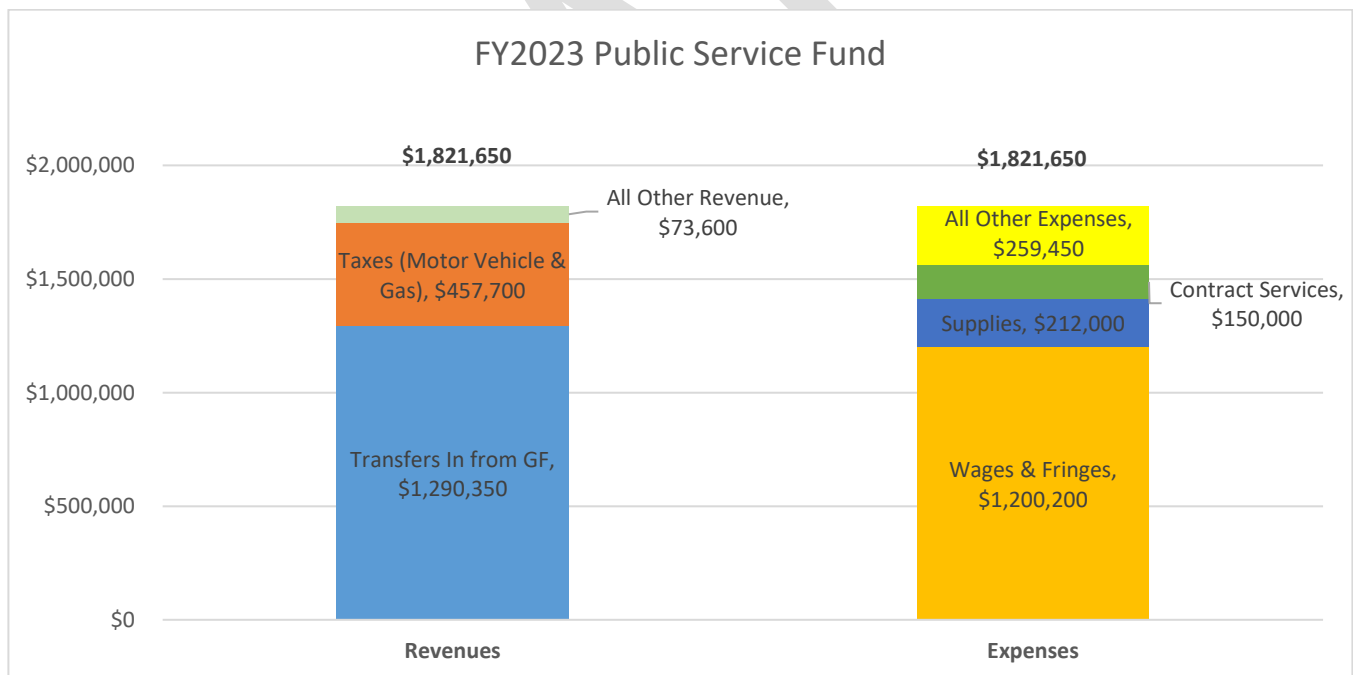
Personnel-related increases (wages, fringes) have increased compared to FY2020 due to contractual wage growth and increasing health insurance costs.

Increases for Supplies are largely driven by higher than anticipated costs for materials, such as road salt, as well as general inflationary pressure in FY2022.

Budgeted FY2023 expenses are 23% lower than FY2020 actual expenses, primarily because the Service Fund no longer directly supports capital infrastructure.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the Public Service Fund.



Reducing reliance on the General Fund is critical for the Public Service Fund and the Public Service Department. Establishing an alternative revenue source for this fund, such as a stormwater utility fee, will reduce the need for General Fund transfers and allow the General Fund to support other public safety, community development, and administrative needs.

410 – Police/Fire Income Tax Fund

The Police/Fire Income Tax Fund is an administrative accounting fund used to collect 60% of income tax revenues prior to distribution to the Police and Fire Departments. As income taxes are disbursed to the City, 60% of the proceeds are immediately deposited into this fund and then distributed to the Police Fund and Fire Fund, respectively. The table below illustrates Police/Fire Income Tax Fund revenue and expense trends by category over the last several years.

Police/Fire Income Tax Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-F2023

410 – Police/Fire Income Tax Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Taxes	\$1,898,703	\$2,070,654	\$5,200,000	\$5,200,000	174%
Revenue Total	\$1,898,703	\$2,070,654	\$5,200,000	\$5,200,000	174%
Expenses					
Fees	\$52,972	\$71,703	\$208,000	\$208,000	293%
Transfers	\$1,755,835	\$2,087,459	\$5,013,682	\$4,992,000	184%
Expenses Total	\$1,808,807	\$2,159,162	\$5,221,682	\$5,200,000	187%
Net (Revenues less Expenses)	\$89,896	(\$88,508)	(\$21,682)	\$0	

Revenues

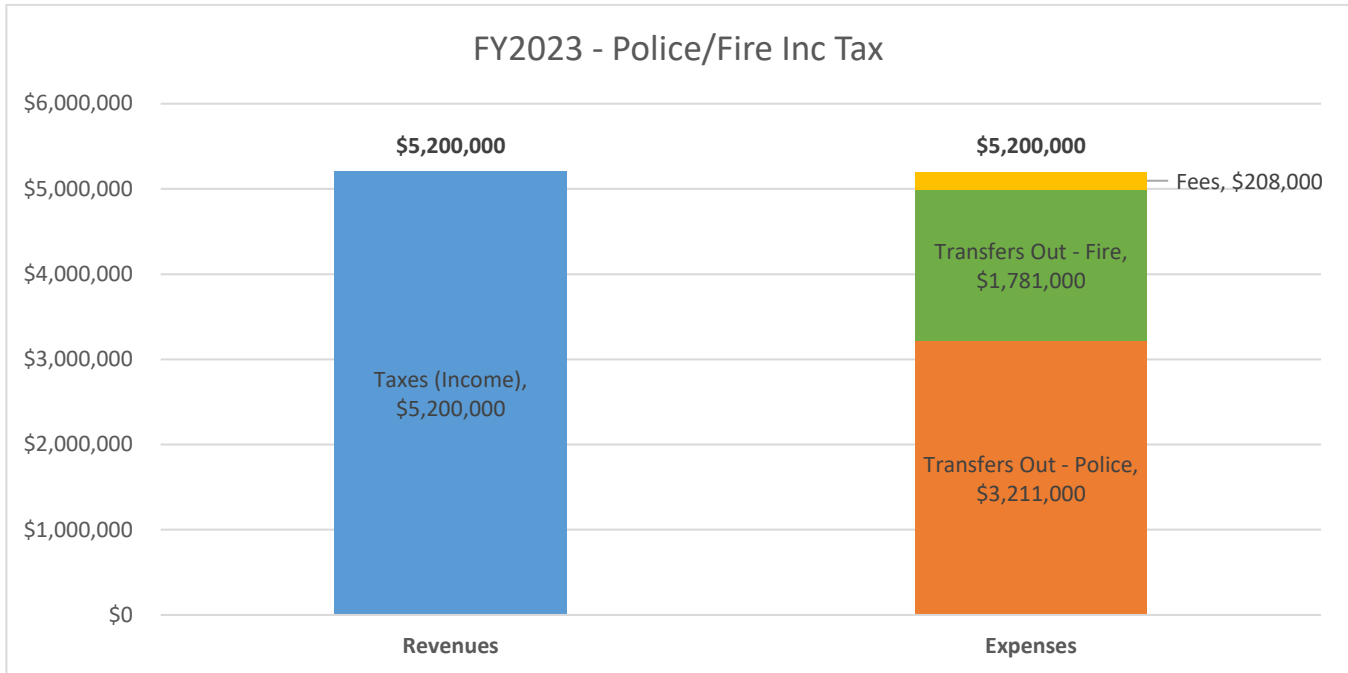
This fund began receiving 60% of income tax revenues in FY2022 following the Issue 9 income tax vote in November 2021. Sixty percent of budgeted income tax revenue is equivalent to \$5.2 million in the FY2023 budget.

Expenses

Fees associated with income tax collection for the \$5.2 million are paid from this fund. The General Fund pays separately for its share of income tax collections. Fees are higher in FY2023 compared to FY2020 due to the significant increase in income taxes for the Police/Fire Income Tax Fund.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the Police/Fire Income Tax Fund.



Income tax is being collected and distributed as required by voters. This income tax is essential to maintain current staffing and support the proposed future staffing included in the FY2023 Budget.

There is no specific methodology that governs how funds are distributed between the Police Fund and the Fire Fund; in practice, this allocation is made based on past history and expected future trends. In the future, the City should establish guidelines/rules of thumb regarding how to split these revenues between the public safety departments.

201 – Fire Fund

The Fire Fund is the primary operating fund for Fire Department operations. This fund supports Fire personnel and operating costs and supplies. The table below illustrates Fire Fund revenue and expense trends by category over the last several years.

Fire Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

201 - Fire Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Transfers	\$995,034	\$834,974	\$1,797,082	\$2,245,500	126%
Fees	\$726,101	\$803,535	\$784,000	\$784,000	8%
Taxes	\$697,646	\$683,467	\$920,377	\$707,533	1%
Grants	\$147,514	\$412,379	\$105,000	\$21,000	-86%
Miscellaneous	\$204,902	\$42,895	\$24,321	\$10,000	-95%
Advances	\$176,997	\$0	\$0	\$0	-100%
Revenue Total	\$2,948,193	\$2,777,250	\$3,630,781	\$3,768,033	28%
Expenses					
Wages	\$1,356,177	\$1,535,808	\$1,865,428	\$2,290,600	69%
Fringes	\$544,317	\$595,073	\$749,096	\$981,900	80%
Fees	\$174,327	\$191,043	\$235,413	\$254,849	46%
Supplies	\$75,067	\$121,395	\$121,023	\$112,000	49%
Contract Services	\$61,963	\$89,339	\$56,508	\$52,500	-15%
Utilities	\$40,363	\$43,888	\$60,371	\$50,600	25%
Activities	\$9,349	\$8,792	\$17,611	\$14,500	55%
Professional Development	\$8,484	\$10,294	\$9,767	\$11,000	30%
Advances	\$0	\$176,997	\$0	\$0	Not Applicable
Equipment	\$237,740	\$1,600	\$0	\$0	-100%
Debt	\$124,093	\$0	\$0	\$0	-100%
Expenses Total	\$2,631,878	\$2,774,228	\$3,115,217	\$3,767,949	43%
Net (Revenues less Expenses)	\$316,315	\$3,022	\$515,563	\$84	

Revenues

Transfers into the Fire Fund have increased substantially since FY2020 due to higher income tax revenue allocations. The \$2.2 million in FY2023 transfers into the fund includes \$1.78 million from the Police/Fire Income Tax Fund as well as \$464,500 from the General Fund. The amount transferred from the General Fund supports the addition of three new full-time firefighters. **Without this transfer, it is not possible to increase staffing based on income tax collections alone.**

Fee revenue largely consists of proceeds collected from EMS billing. The FY2023 Budget amount is consistent with prior years.

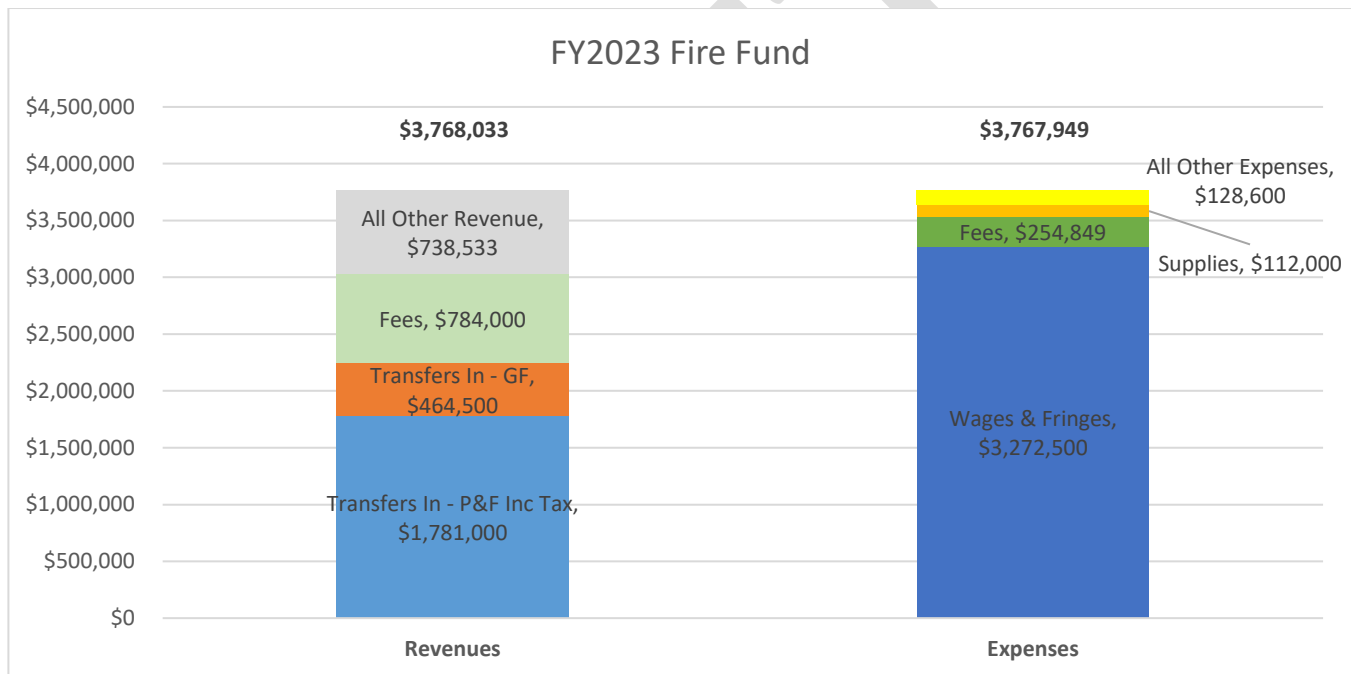
Expenses

Personnel costs (wages and fringes) are the primary cost drivers in the Fire Fund, accounting for 87% of expenses in the FY2023 Budget. FY2023 Budget amounts in these categories are significantly higher than FY2020 due to staff additions, contractual wage increases, and increased health insurance/pension premiums.

Equipment and debt expenses show a 100% reduction from FY2020 to FY2023 because these costs were reallocated to Fund 703 – Capital Equipment.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the Fire Fund.



The FY2023 Budget provides sufficient resources to maintain current staffing and add additional personnel with significant General Fund support.

Controlling personnel costs and sustainably funding positions will be essential for the long-term stability of the Fire Department and the Fire Fund.

203 – Police Fund

The Police Fund is the primary operating fund for the Police Department. This fund supports Police personnel and operating costs and supplies. The table below illustrates Police Fund revenue and expense trends by category over the last several years.

Police Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

203 - Police Fund	FY2020	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2020 - FY2023
Revenue					
Transfers	\$2,513,501	\$2,362,905	\$3,398,600	\$3,330,000	32%
Taxes	\$1,238,621	\$1,215,962	\$1,385,906	\$1,385,906	12%
Grants	\$10,495	\$500	\$9,557	\$85,000	710%
Miscellaneous	\$351,559	\$44,705	\$62,417	\$21,990	-94%
Fees	\$30,532	\$34,654	\$28,561	\$16,600	-46%
Revenue Total	\$4,144,708	\$3,658,726	\$4,885,041	\$4,839,496	17%
Expenses					
Wages	\$2,187,519	\$2,565,980	\$2,672,914	\$2,768,200	27%
Fringes	\$847,199	\$1,024,757	\$1,069,329	\$1,265,600	49%
Fees	\$323,204	\$347,332	\$347,889	\$456,088	41%
Contract Services	\$75,081	\$125,263	\$127,373	\$140,000	86%
Supplies	\$85,209	\$106,337	\$135,490	\$135,000	58%
Utilities	\$36,797	\$37,217	\$52,734	\$52,734	43%
Professional Development	\$1,795	\$13,602	\$5,602	\$15,500	764%
Activities	\$3,522	\$5,589	\$2,031	\$6,300	79%
Expenses Total	\$3,560,326	\$4,226,076	\$4,413,361	\$4,839,422	36%
Net (Revenues less Expenses)	\$584,382	(\$567,350)	\$471,680	\$74	

Revenues

Transfers into the Police Fund have increased since FY2020 due to higher income tax revenue allocations. Like the Fire Fund, the Police Fund receives most of its funding from income tax transfers. Of the \$3.3 million in transfers included in the FY2023 Budget, \$3.2 are from income taxes through the Police/Fire Income Tax Fund, and \$119,000 is from the General Fund. This transfer supports the creation of an additional officer to backfill the School Resource Officer position on patrol. **Without this transfer, it is not possible to increase staffing based on income tax collections alone.**

Unlike the Fire Fund, the Police Fund also receives dedicated revenue from property taxes. The FY2023 Budget includes nearly \$1.4 million in property tax revenues. This is the same amount budgeted for FY2022.

The Police Department will receive grants in FY2023 totaling \$85,000. Most of these proceeds (\$70,000) are dedicated to support a School Resource Officer position.

Expenses

Personnel costs (wages and fringes) account for 83% of budgeted expenses in FY2023. These costs are significantly higher than FY2020 due to staff additions, contractual wage increases, and increased health insurance/pension premiums.

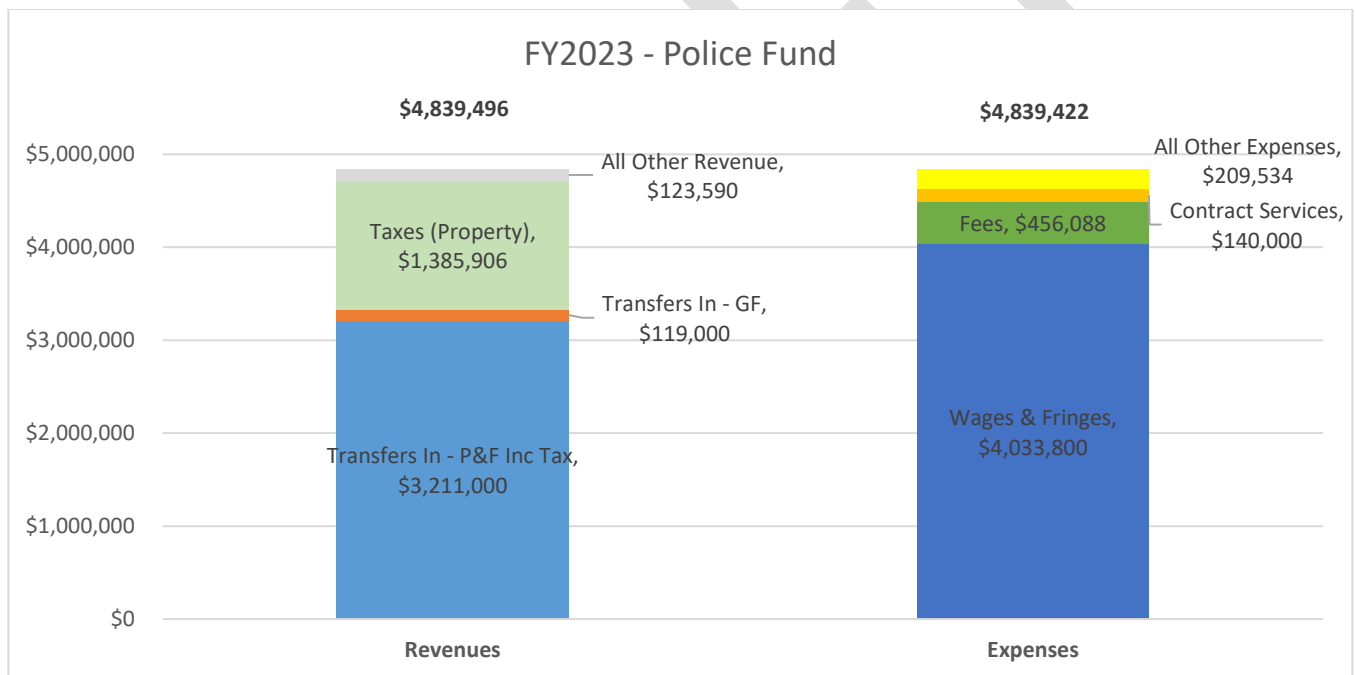
The growth in fee-related expenses since FY2020 is attributable to higher fees for radios and dispatch services. These fees are unavoidable and increased in recent years due to required equipment upgrades.

Contract Services costs have also increased in the FY2023 Budget compared to prior years to reflect higher costs for upgraded body and car cameras.

The FY2023 Budget also includes \$50,000 for a pilot program to lease police cruisers through a third-party vendor. The goal of the lease program is to provide officers with reliable vehicles and regularly replace those vehicles as market conditions warrant.

Key Takeaways

The figure below summarizes FY2023 revenues and expenses in the Police Fund.



The FY2023 Budget provides sufficient resources to maintain current staffing and add personnel with General Fund support.

Controlling personnel and operating costs and sustainably funding positions will be essential for the long-term stability of the Police Department.

237 – American Rescue Plan (ARP) Fund

The ARP Fund is a special fund used to track disbursements and expenses associated with Federal ARP monies awarded to the City. Since its inception, and in the spirit of the ARP grant award, the City has relied on this fund to deal with unexpected costs, supply chain disruptions, and inflationary increases during and following the COVID-19 pandemic. ARP monies are expected to be exhausted by the end of FY2023. The table below illustrates ARP Fund revenue and expense trends by category over the last several years.

ARP Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

237 – ARP Fund	2020 Actual	2021 Actual	2022 Forecast	FY2023 Budget	Grand Total
Revenue					
Grants	\$0	\$1,316,354	\$1,326,865	\$0	\$2,643,219
Total Revenue	\$0	\$1,316,354	\$1,326,865	\$0	\$2,643,219
Expenses					
Harshman Wall Repairs	\$0	\$0	\$16,854	\$345,000	\$361,854
West Springfield Construction	\$0	\$0	\$658,978	\$250,000	\$908,978
Spinning - Linden to Eastman Construction	\$0	\$0	\$0	\$155,000	\$155,000
East Springfield Construction	\$0	\$0	\$85,000	\$0	\$85,000
Penn Culvert Replacement	\$0	\$0	\$0	\$50,000	\$50,000
New Mower – Public Service	\$0	\$0	\$0	\$40,000	\$40,000
Sheller Pipe Replacement	\$0	\$0	\$0	\$35,000	\$35,000
Woodman SS4A Technical Assistance	\$0	\$0	\$42,372	\$28,000	\$70,372
EPA Technical Assistance	\$0	\$0	\$25,000	\$25,000	\$50,000
Stormwater Construction Inspections	\$0	\$0	\$20,000	\$0	\$20,000
Community Paramedicine	\$0	\$0	\$54,000	\$0	\$54,000
Salary Offsets/Miscellaneous	\$0	\$436,563	\$48,422	\$0	\$484,985
Olentangy Bridge Construction	\$0	\$0	\$150,000	\$0	\$150,000
Property Maintenance Code Review	\$0	\$0	\$29,000	\$0	\$29,000
US35/Woodman Bridge Construction	\$0	\$0	\$100,000	\$0	\$100,000
Woodman Phase 1 Technical Assistance	\$0	\$0	\$10,000	\$0	\$10,000
Springfield St. Pole Relocation	\$0	\$0	\$25,000		\$25,000
Total Expenses	\$0	\$436,563	\$1,264,626	\$928,000	\$2,629,189
Net (Revenues less Expenses)	\$0	\$879,791	\$62,239	(\$928,000)	\$14,030

Revenues

The City received two tranches of ARP grant money from the Federal Government in FY2021 and FY2022. Both tranches amounted to approximately \$1.3 million, respectively. This created a pool of approximately \$2.6 million.

Expenses

Pursuant to the terms of the grant, ARP monies may be spent on general government expenses except for debt service.

In FY2021, the City utilized about \$437,000 of ARP monies to offset Fire Department salaries connected with COVID response and relief. The City has not continued this practice to avoid utilizing grant monies (one-time sources) to reduce operating costs (ongoing expenses).

In FY2022, the City utilized APR monies for unexpected costs, particularly inflationary increases for construction projects.

The FY2023 budget continues to utilize ARP monies primary for inflationary increases and construction project overruns.

Key Takeaways

Pursuant to the terms of the grant, any remaining ARP monies must be obligated by FY2024 and spent by FY2026.

Capital Infrastructure

The City currently utilizes Fund 702 to coordinate most capital infrastructure improvements. Fund 702 was created in the FY2021 Budget. The table below summarizes revenue and expense trends in this fund over the last several years.

Capital Infrastructure Fund Revenues and Expenses by Category, All Sources Including Transfers/Advances, FY2020-FY2023

702 - Capital Infrastructure	FY2021	FY2022 Forecast	FY2023 Budget	Percent Change FY2021 - FY2023
Revenue				
Taxes	\$872,674	\$847,962	\$847,962	-3%
Advances	\$450,000	\$430,000	\$0	-100%
Miscellaneous	\$6,210	\$0	\$0	-100%
Assessments	\$0	\$3,055	\$0	Not Applicable
Transfers	\$315,000	\$0	\$0	-100%
Debt	\$0	\$1,400,000	\$0	Not Applicable
Grants	\$7,835	\$628,436	\$0	-100%
Revenue Total	\$1,651,719	\$3,309,453	\$847,962	-49%
Expenses				
Construction	\$96,373	\$2,326,927	\$413,000	329%
Transfers	\$14,300	\$0	\$261,050	1726%
Infrastructure	\$242,059	\$411,959	\$80,000	-67%
Engineering	\$186,549	\$407,099	\$55,000	-71%
Fees	\$7,125	\$10,150	\$35,000	391%
Advances	\$450,000	\$430,000	\$0	-100%
General	\$7,579	\$10,000	\$0	-100%
Expenses Total	\$1,003,985	\$3,596,134	\$844,050	-16%
Net (Revenues less Expenses)	\$647,734	(\$286,681)	\$3,912	

Revenues

Funding for capital infrastructure projects primarily comes from state motor vehicle taxes and gasoline taxes. These amounts are consistent with prior years in the FY2023 Budget.

In FY2022, the City issued bonds to finance the cost of capital projects through the year, including thoroughfare improvements. No similar debt issuances are contemplated for FY2023 due to significant outstanding debt (as discussed later in this report) and a lack of dedicated revenue for capital improvements.

Expenses

Beginning in FY2023, Fund 702 will transfer about \$261,000 to the Debt Service fund to support loan payments related to capital infrastructure. This transfer is essential to relieve pressure on the General Fund, and should be continued in future years.

Capital project expenses in Fund 702 include additional repairs to Harshman Wall and improvements along Spinning Rd. In total, this spending amounts to approximately \$413,000. Anticipated cost increases for these projects are also budgeted in Fund 237 – ARP.

The remaining expenses in Fund 702 (about \$184,000) are necessary to support operating costs related to capital projects, such as engineering, grant applications to secure external funding, and traffic control.

Key Takeaways

After accounting for debt service and operating costs related to capital infrastructure, the City has approximately \$400,000 per year to allocate to capital project construction. **This funding is not sufficient to accomplish major activities like road reconstruction or significant repaving.**

In FY2019, the City conducted a pavement condition index (PCI) assessment of residential streets. Most residential streets are in need of full reconstruction. At the time, the estimated cost of these repairs was \$40 million. Given inflationary increases in FY2022 of 50-100% for capital projects, it is reasonable to assume the total cost of a residential street replacement program is at least \$60 million at the time of this writing.

If the City were to allocate \$400,000 per year to residential street reconstruction, it would take at least 150 years to replace all residential streets – assuming no further cost increases or revenue reductions were to occur. This estimate does not include reconstruction or maintenance for stormwater infrastructure.

Capital Improvement Plan

The table below illustrates proposed capital improvements and estimated capital costs through FY2028. For each fund shown, the estimated sources of revenue are illustrated and totaled. Revenues are held flat over the five-year span to provide conservative estimates of available resources.

Next, specific uses (projects) to be completed each year are itemized and estimated. The “Ending Balance” line in each fund subtracts the total uses from total sources to determine any remaining fund balance. Fund balances are carried over from year to year.

Capital Improvement Plan	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028
205 - State Highway						
Sources						
Beginning Balance	\$338,090	\$443,956	\$48,817	\$154,683	\$260,549	\$366,415
Revenue	\$105,866	\$105,866	\$105,866	\$105,866	\$105,866	\$105,866
Total Sources	\$443,956	\$549,822	\$154,683	\$260,549	\$366,415	\$472,281
Uses						
State Rts 201, 202, 804	\$0	\$501,005	\$0	\$0	\$0	\$0
Total Uses	\$0	\$501,005	\$0	\$0	\$0	\$0

Capital Improvement Plan	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028
Fund 205 Ending Balance	\$443,956	\$48,817	\$154,683	\$260,549	\$366,415	\$472,281
702 - Capital Improvement						
Sources						
Beginning Balance	\$0	\$2,000	\$296,231	\$168,231	\$350,231	\$532,231
Revenue	\$847,000	\$847,000	\$847,000	\$847,000	\$847,000	\$847,000
Total Sources	\$847,000	\$849,000	\$1,143,231	\$1,015,231	\$1,197,231	\$1,379,231
Uses						
5516 - INTERNAL ENGINEERIN	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
5519 - GRANT APPLICATIONS	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
5214 - TRAFFIC CONTROL/SIG	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
5213 - TRAFFIC SIGNAL REPL	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
5211 - GUARDRAIL REPLACE/M	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
5212 - BRIDGE MAINT	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
5517 - EXTERNAL ENGINEERIN	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
5912 - TRANSFER TO DEBT SERVICE FUND	\$262,000	\$262,000	\$262,000	\$262,000	\$262,000	\$262,000
Harshman Wall Repair	\$355,000	\$0	\$0	\$0	\$0	\$0
Spinning Rd. Phase 1	\$58,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000
Spinning Rd. Phase 2	\$0	\$102,769	\$0	\$0	\$0	\$0
Woodman Phase 1	\$0	\$0	\$0	\$0	\$0	\$0
Woodman Phase 4	\$0	\$0	\$0	\$200,000	\$200,000	\$200,000
Valley West	\$0	\$0	\$0	\$15,000	\$15,000	\$15,000
Shellabarger Park Resurfacing	\$0	\$0	\$150,000	\$0	\$0	\$0
Community Park Resurfacing	\$0	\$0	\$175,000	\$0	\$0	\$0
1791 Harshman Lot Resurfacing	\$0	\$0	\$200,000	\$0	\$0	\$0
Total Uses	\$845,000	\$552,769	\$975,000	\$665,000	\$665,000	\$665,000
Fund 702 Ending Balance	\$2,000	\$296,231	\$168,231	\$350,231	\$532,231	\$714,231

The most significant capital projects described above include:

- FY2023: Additional repairs to Harshman Wall and resurfacing Spinning Road Phase 1 (Eastman to Linden).
- FY2024: Resurfacing State Routes 201, 202, and 804 with proceeds from the State Highway Fund, as well as completing resurfacing along Spinning Road Phase 2 (Eastman to Burkhardt).
- FY2025: Resurfacing parking lots at several City parks and properties. Woodman Phase 1 (US 35 to Eastman) is currently scheduled to be constructed in FY2025; depending on available grant funding, monies currently allocated to parking lot resurfacing may be reallocated to Woodman Phase 1.
- FY2026: Construction on Woodman Phase 4 and Valley St. West. The estimated amounts shown are contingent upon grant and loan awards.

Debt Service

The City uses several funds to make debt service payments for capital infrastructure and equipment. The table below illustrates anticipated debt payments in the FY2023 budget by fund.

Fund	Item	FY2023 Payments Due
210 - OPWC Union Schoolhouse	5711 - LOAN PRINCIPAL	(\$3,000.00)
Fund 210 Subtotal		(\$3,000.00)
216 - Brantwood II TIF	5711 - TIF REIMB PRINCIPAL	(\$52,050.00)
Fund 216 Subtotal		(\$52,050.00)
218 - Brantwood I TIF	5711 - TIF REIMB PRINCIPAL	(\$94,750.00)
Fund 218 Subtotal		(\$94,750.00)
300 - Debt Retirement	5289 - OPWC CONSTRUCTION	(\$20,300.00)
300 - Debt Retirement	5745 - OPWC LOAN E SPGFLD	(\$56,250.00)
300 - Debt Retirement	5746 - OPWC LOAN W SPGFLD	(\$11,000.00)
300 - Debt Retirement	5751 - BOND PAYMT - E SPGF	(\$73,500.00)
300 - Debt Retirement	5752 - BOND PAYMT-2022 PAV	(\$99,125.00)
Fund 300 Subtotal		(\$260,175.00)
402 - Wright Point Fund	5711 - PRINCIPAL PAYMENT	(\$4,900,000.00)
402 - Wright Point Fund	5712 - INTEREST PAYMENT	(\$85,750.00)
Fund 402 Subtotal		(\$4,985,750.00)
703 - Capital Equipment	5711 - LOAN PAYMT-2021 AMB	(\$56,498.92)
703 - Capital Equipment	5712 - LOAN PAYMT-FIRE ENG	(\$111,952.90)
703 - Capital Equipment	5714 - LOAN PAYMT-2022 AMB	(\$57,609.11)
703 - Capital Equipment	5721 - LOAN PAYMT-STREET P	(\$38,546.22)
703 - Capital Equipment	5722 - LOAN PAYMT-ST SWEEP	(\$47,085.00)
703 - Capital Equipment	5723 - LOAN PAYMT-DUMP TRK	(\$36,000.00)
703 - Capital Equipment	5724 - LOAN PAYMT-3 DUMP T	(\$35,295.52)
703 - Capital Equipment	5725 - LOAN PAYMT-BACKHOE	(\$19,755.06)
703 - Capital Equipment	5731 - LOAN PAYMT-CRUISER	(\$14,300.00)
703 - Capital Equipment	5741 - NOTE PAYMT - COF	(\$56,250.00)
Fund 703 Subtotal		(\$473,292.73)
Total		(\$5,869,017.73)

Fund 210 involves repayment of an OPWC loan for work performed on Union Schoolhouse Road.

Funds 216 and 218 involve reallocation of tax increment financing (TIF) proceeds connected with the Brantwood I and II developments to the developer, pursuant to the development agreement signed by the developer and the City.

Fund 300 is the City's Debt Service Fund. This fund primarily services debt related to infrastructure projects initiated in Fund 702. The most significant debt in this fund is an annual payment of approximately \$100,000 toward bonds issued to fund the FY2022 paving program.

Fund 402, the Wright Point Fund, is responsible for the largest share of the City's outstanding debt. The City will repay approximately \$5.0 million in bond anticipation notes which fund the Wright Point buildings at 5100 and 5200 Springfield St. Since first acquiring the buildings in 2015, the City has issued annual notes to cover the cost of the buildings. In FY2023, the City will issue \$4.75 million in notes to repay the costs illustrated above, with the balance of the payment coming from the City's General Fund.

Fund 703 is the City's Capital Equipment Fund. In FY2023, the General Fund will transfer sufficient monies to this fund to cover loans for fleet vehicles and rolling stock associated with Fire, Police, and Public Service.



MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: 22-O-813 – An ordinance establishing a Stormwater Management Utility in the City of Riverside, Ohio.

EXPLANATION

Chapter 935 of the City Code is currently the only major code section concerning stormwater regulations. This chapter currently contemplates illegal discharge events only.

Throughout FY2022, staff have prioritized the development of a stormwater management ordinance which expands Chapter 935 and includes provisions for a stormwater utility fee. Stormwater utility fees are commonly used by cities across the United States and locally to generate dedicated revenue for stormwater-related maintenance and repair, including but not limited to curb and gutter replacement, culvert and catch basin replacement, and major infrastructure enhancements.

The proposed ordinance accomplishes much more than simply establishing a stormwater utility fee. It requires the City to adopt and update a stormwater master plan, establishes firm guidance regarding permitting and inspections for stormwater-related projects, and includes enforcement and abatement procedures for stormwater-related violations. The new chapter includes several main sections:

- Definitions
- Purpose, scope, and rules
- Permitting and plan review standards and regulations
- Stormwater utility fee standards and regulations
- Drainage, discharge, and connection standards and regulations
- Enforcement and abatement provisions

A key feature of the ordinance requires staff to develop administrative rules to provide further guidance to applicants and residents regarding stormwater procedures, as well as to promote the fair and equitable administration of stormwater utility fees.

This ordinance, and the potential revenue from a stormwater utility fee, are essential to create dedicated revenue that will allow the City to redeploy General Fund expenses to public safety, infrastructure, and other essential services.

RECOMMENDATION

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

FISCAL IMPACT

Not Applicable – establishing the ordinance does not commit the City to immediate costs and does not automatically generate any revenues.



SOURCE OF FUNDS

Not Applicable

EXHIBITS

Exhibit A – Proposed Stormwater Ordinance

**AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT UTILITY
IN THE CITY OF RIVERSIDE, OHIO.**

WHEREAS, the City of Riverside is required by law to manage the stormwater system which provides for the collection, treatment, storage, and disposal of stormwater in the City of Riverside; and

WHEREAS, the City Manager has recommended creation of a stormwater management ordinance to regulate the collection, treatment, storage, and disposal of stormwater as outlined and attached in Exhibit “A”; and

WHEREAS, the City desires to establish a stormwater management utility fee as described in Exhibit “A” to support the cost of stormwater management in the City of Riverside; and

WHEREAS, the City of Riverside Administrative Code must be amended to accurately reflect these changes; and

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

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

Section 1: That the Council of the City of Riverside hereby adopts Chapter 935 entitled “Stormwater Management Code” of the Code of Ordinances as set forth in Exhibit “A” attached hereto and incorporated herein as is fully set forth is hereby enacted.

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

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-O-813

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-813 passed by the Riverside City Council on _____.

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

CLERK

CHAPTER 935—ILLICIT DISCHARGES TO STORM SEWER SYSTEMS

935.01—Findings and purpose.

(a) The purpose of this regulation is to provide for the health, safety, and general welfare of the citizens of the City of Riverside through the regulation of illicit discharges to the municipal separate storm sewer system (MS4). This regulation establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process as required by the Ohio Environmental Protection Agency (Ohio EPA). Additionally,

(b) These regulations are to prohibit illicit discharges and illegal connections to the MS4, and to establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this regulation.

935.02—Applicability.

This regulation shall apply to all residential, commercial, industrial, or institutional facilities responsible for discharges to the MS4 and on any lands in the City of Riverside except for those discharges generated by the activities detailed in Section 935.07(a)(1)—(4).

935.03—Definitions.

All words used in this chapter shall have their customary meanings as defined in Webster's New Dictionary and/or the Ohio Department of Natural Resources Rainwater and Land Development Manual (current edition), except those specifically defined in this section.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to storm water. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Community means the City of Riverside, its designated representatives, boards, or commissions.

Environmental Protection Agency or United States Environmental Protection Agency (USEPA) means the United States Environmental Protection Agency, including but not limited to the Ohio Environmental Protection Agency (Ohio EPA), or any duly authorized official of said agency.

Floatable material means any foreign matter that may float or remain suspended in the water column including plastic, aluminum cans, wood products, bottles, and paper products.

Hazardous material means any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illicit discharge as defined at 40 C.F.R. 122.26 (b)(2) means any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or noted in Section 935.07(a)(1)—(4) of these regulations.

~~Illegal connection means any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the MS4.~~

~~Municipal Separate Storm Sewer System (MS4) as defined at 40 C.F.R. 122.26 (b)(8), municipal separate storm sewer system means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):~~

- ~~(1) Owned or operated by a state, city, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over sewage, industrial wastes, including special districts under state law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the Clean Water Act that discharges to waters of the United States;~~
- ~~(2) Designed or used for collecting or conveying storm water;~~
- ~~(3) Which is not a combined sewer; and~~
- ~~(4) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 C.F.R. 122.12.~~

~~National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit means a permit issued by the EPA (or by a state under authority delegated pursuant to 33 USC & 1242(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area wide basis.~~

~~Off lot discharging home sewage treatment system means a system designed to treat home sewage on-site and discharges treated wastewater effluent off the property into a storm water or surface water conveyance or system.~~

~~Owner/operator means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.~~

~~Pollutant means anything that causes or contributes to pollution. Pollutants may include, but are not limited, to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.~~

~~Storm water any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.~~

~~Wastewater The spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.~~

~~935.04—Disclaimer of liability.~~

~~Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.~~

~~935.05—Conflicts, severability, nuisances and responsibility.~~

~~(a) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the City of Riverside shall prevail.~~

~~(b) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.~~

~~(c) This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.~~

~~(d) Failure of the City of Riverside to observe or recognize or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the City of Riverside, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.~~

~~935.06—Responsibility for administration.~~

~~The City Manager, or his duly appointed representative, shall administer, implement, and enforce the provisions of this regulation. The City of Riverside may contract with the Montgomery County Board of Health to conduct inspections and monitoring and to assist with enforcement actions.~~

~~935.07—Discharge and connection prohibitions.~~

~~(a) Prohibition of illicit discharges. No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:~~

- ~~(1) Waterline flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated pool discharges; street wash water; and discharges or flows from firefighting activities. These discharges are exempt until such time as they are determined by the City of Riverside to be significant contributors of pollutants to the MS4.~~
- ~~(2) Discharges specified in writing by the City of Riverside as being necessary to protect public health and safety.~~
- ~~(3) Discharges from off-lot household sewage treatment systems permitted by the Montgomery County Board of Health for the purpose of discharging treated sewage effluent in accordance with Ohio Administrative Code 3701-29-02(6) until such time as the Ohio Environmental Protection Agency issues a NPDES permitting mechanism for residential 1, 2, or 3 family dwellings. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance by the Montgomery County Board of Health.~~
- ~~(4) In compliance with the ordinances and regulations of the City of Riverside, discharges from all off-lot household sewage treatment systems must either be eliminated or have coverage under~~

an appropriate NPDES permit issued and approved by the Ohio Environmental Protection Agency. When such permit coverage is available, discharges from off lot discharging household sewage treatment systems will no longer be exempt from the requirements of this regulation.

(b) Prohibition of illegal connections. The construction, use, maintenance, or continued existence of illegal connections to the MS4 is prohibited.

- (1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (2) A person is considered to be in violation of this regulation if the person connects a line conveying illicit discharges to the MS4, or allows such a connection to continue.

~~935.08 – Monitoring of illicit discharges and illegal connections.~~

~~(a) Establishment of an illicit discharge and illegal connection monitoring program. The City of Riverside shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4. This program shall include the mapping of the MS4, including MS4 outfalls and home sewage treatment systems; the routine inspection of storm water outfalls to the MS4, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.~~

~~(b) Inspection of residential, commercial, industrial, or institutional facilities.~~

- ~~(1) The City of Riverside shall be permitted to enter and inspect facilities subject to this regulation as often as may be necessary to determine compliance with this regulation.~~
- ~~(2) The City of Riverside shall have the right to set up at facilities subject to this regulation such devices as are necessary to conduct monitoring and/or sampling of the facility's storm water discharge, as determined by the City of Riverside.~~
- ~~(3) The City of Riverside shall have the right to require the facility owner/operator to install monitoring as equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. All devices used to measure storm water flow and quality shall be calibrated by the City of Riverside to ensure their accuracy.~~
- ~~(4) Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the City of Riverside and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.~~
- ~~(5) Unreasonable delays in allowing the City of Riverside access to a facility subject to this regulation for the purposes of illicit discharge inspection is a violation of this regulation.~~
- ~~(6) If the City of Riverside is refused access to any part of the facility from which storm water is discharged, and the City of Riverside demonstrates probable cause to believe that there may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public, health, safety, and welfare, the City of Riverside may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.~~

~~(7) Any costs associated with these inspections shall be assessed to the facility owner/operator.~~

~~935.09 Enforcement.~~

~~(a) Notice of violation. When the City of Riverside finds that a person has violated a prohibition or failed to meet a requirement of this regulation, the City of Riverside may order compliance by written notice of violation. Such notice must specify the violation and shall be hand delivered, and/or sent by registered mail, to the owner/operator of the facility. Such notice may require the following actions:~~

- ~~(1) The performance of monitoring, analyses, and reporting;~~
- ~~(2) The elimination of illicit discharges or illegal connections;~~
- ~~(3) That violating discharges, practices, or operations cease and desist;~~
- ~~(4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; or~~
- ~~(5) The implementation of source control or treatment BMP's.~~

~~(b) If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.~~

~~(c) Any person receiving a notice of violation must meet compliance standards within the time established in the notice of violation.~~

~~(d) Administrative hearing. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, the City of Riverside Board of Zoning Appeals shall schedule an administrative hearing to determine reasons for noncompliance and to determine the next enforcement activity. Notice of the administrative hearing shall be hand delivered and/or sent registered mail.~~

~~(e) Injunctive relief. It shall be unlawful for any owner/operator to violate any provision or fail to comply with any of the requirements of this regulation pursuant to Ohio R.C. 3709.211. If an owner/operator has violated or continues to violate the provisions of this regulation, the City of Riverside may petition for a preliminary or permanent injunction restraining the owner/operator from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.~~

~~(f) The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the City of Riverside to seek cumulative remedies.~~

CHAPTER 935 STORMWATER MANAGEMENT CODE

935.00 Definitions.

For the purpose of this Chapter, the words and phrases shall be defined as follows, unless the context clearly indicates or requires a different meaning.

“City Manager” shall mean the City Manager of the City of Riverside or their designee.

“Equivalent Residential Unit (ERU)” shall mean the value, based on the average impervious surface (as defined herein) for detached single-family homes within the City, that represents a unit of stormwater runoff. This value is used to facilitate comparison of the number of billing units of various properties.

“Impervious surface” shall mean surfaces on or in a lot or parcel of real property that substantially reduce the rate of infiltration of stormwater into the earth.

“Non-Single-Family Residential Property” shall mean property and improvements thereon used for any purpose aside from detached single-family residences.

“Owner/Operator” means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.

“Pollutant” means anything that causes or contributes to pollution. Pollutants may include, but are not limited, to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

“Premises” or “property” shall mean any parcel or lot and the buildings situated thereon.

“Public Service Director” means the director of the Public Service Department or their designee.

“Single-Family Residential Property” shall mean property improved with and used as a detached single-family residence.

“Storm” and “Stormwater” as used in this Chapter are interchangeable terms. Stormwater means any surface flow, runoff, and drainage consisting entirely of water resulting from any form of natural precipitation.

“Stormwater System” shall mean the City’s system or network of storm and surface water management facilities, including but not limited to: inlets, conduits and appurtenant features, canals, creeks, channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, pumping stations, manholes, storm sewers, storm drains, curb and gutter, and natural waterways.

“Zoning Administrator” shall mean the Zoning Administrator of the City of Riverside or their designee.

[935.01 Purposes and scope.](#)

The purposes of this stormwater management code are as follows:

- (a) To provide for effective management and financing of a stormwater system within the City;
- (b) To provide a mechanism for mitigating the damaging effects of uncontrolled and unplanned stormwater runoff;
- (c) To improve the public health, safety and welfare by providing for the safe and efficient capture and conveyance of stormwater runoff and the correction of stormwater problems;

- (d) To authorize the establishment and implementation of a master plan for storm drainage, including but not limited to design, coordination, construction, management, operation, maintenance, inspection and enforcement;
- (e) To establish a stormwater utility fee based on each property's contribution of stormwater runoff to the stormwater system and use and benefit of stormwater services;
- (f) To encourage and facilitate urban water resources management techniques, including detention of stormwater runoff, minimization of the need to construct storm sewers, and the enhancement of the environment;
- (g) To control pollutants; prevent, prohibit, and regulate illicit discharges; and prohibit illegal connections to the stormwater system;
- (h) To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this Chapter; and
- (i) To comply with the unfunded mandates imposed on the City under the federal Clean Water Act and under requirements imposed under the City's National Pollutant Discharge Elimination System (NPDES) permit.

935.02 Stormwater system.

- (a) The City shall monitor the design, operation, maintenance, inspection, construction and use of the stormwater system. The City shall inspect, operate, and maintain the system on all City-owned public ways and easements. Where public facilities are in easements, the owner of the property is responsible for aesthetic maintenance including, but not limited to, mowing and litter pickup.
- (b) Stormwater facilities located on private property where runoff will principally be collected within that property shall be the responsibility of the property owner. The owner shall clean and maintain the facility as required to ensure proper operation. The owner shall place no structures or plantings that interfere with the facility or its operation and maintenance.
- (c) The City may accept responsibility for the design and construction of private stormwater facilities and shall inspect, operate, and maintain them as approved by the City Council from time to time.
- (d) Where stormwater drains from lands outside the City, facilities within the City shall be designed in accordance with this Chapter as if the entire drainage area was within the City.

935.03 Rules and regulations.

In order to accomplish the purposes of this Chapter; to secure the best results from the construction, operation, and maintenance of the stormwater system; and to prevent damage to or misuse of the stormwater system, the City may make and enforce rules and regulations that are approved by the City Manager, and are necessary and reasonable:

- (a) To prescribe the manner in which stormwater system facilities are to be designed, installed, maintained, adjusted, used, altered or otherwise changed.
- (b) To prescribe the manner in which such facilities are operated.
- (c) To facilitate the enforcement of this Chapter.
- (d) To prescribe fees permitted by this Chapter.
- (e) To prescribe the collection procedures and timing of service charge bills.

- (f) To protect the stormwater system facilities controlled by the City, and to prescribe the manner of their use by any public or private person, firm, or corporation.
- (g) To protect the public health, safety, and welfare.

935.04 Master plan.

The City shall establish and maintain a master plan for a stormwater system. The master plan shall be adopted by approval of the City Manager and shall be effective as of the date of its adoption. The master plan shall provide or be accompanied by maps or other descriptive material showing, at a minimum, the following:

- (a) An inventory of the stormwater system plus the extent and area of each watershed tributary to the main drainage channels in the City.
- (b) The street storm sewers and other storm drains to be built and the basis of their design; the locations of outfalls, inlets and outlets; the receiving stream or channel and its high-water elevation; and the functioning of the system during high water conditions.
- (c) The mechanisms to convey or temporarily store overflow from the stormwater system and runoff over the curb resulting from the heavier rainstorms, and the outlets for such overflow.
- (d) Streams and floodplains to be maintained, enlarged, altered, and eliminated; and new channels to be constructed their locations, cross-sections and profiles.
- (e) Culverts and bridges, drainage areas, and adequacy of waterway openings, including new culverts and bridges to be built, waterway openings and the basis of their design.
- (f) Detention ponds and basins to be maintained, enlarged, and altered; and new ponds or basins to be built with dams, if any.
- (g) The slope, type, and size of all sewers and other waterways.
- (h) For all detention/retention basins, a tabulation of storage volumes with corresponding water surface elevations and of the basin outflow rates for those water surface elevations.
- (i) For all detention/retention basins, design hydrographs of inflow and outflow for the design year under developed conditions and the calculated frequency peak flows from the site under natural and developed conditions.
- (j) An examination of the need for reduction of pollution loads resulting from surface runoff where applicable, now or in the future.
- (k) Estimates of cost.

935.05 to 935.09 – Reserved.

935.10 Permits and plan review.

- (a) It shall be unlawful for any person or organization to construct, enlarge, alter, repair, relocate, or demolish stormwater facilities without first filing an application and obtaining a proper permit from the City. Permits for minor repairs, as defined in the rules and regulations described in Section 935.03, shall not be required.
- (b) Permits are required and may be granted by the City for the following improvement categories:
 - (1) Connection into the public stormwater system, except unimproved creeks or streams.
 - (2) Improvements which are or will become public facilities.

- (3) Improvements within dedicated but unimproved street rights-of-way.
- (4) Improvements which require retention or detention facilities.
- (c) Notwithstanding anything to the contrary herein, permits issued under this subsection (b) shall not be required in instances where the City's approval of the proposed stormwater system improvements is obtained by an owner as part of the City's subdivision approval process.
- (d) Plans for all improvements made within the City that require stormwater facilities or changes or alterations to existing stormwater facilities must be submitted to the City Manager for review and approval. All improvements must conform to the provisions of this Chapter or rules or regulations promulgated hereunder and the master plan. The City Manager shall have 30 days after the date of application to review each plan submitted. Plans that are not approved may be resubmitted after revisions are made. No permit shall be issued until a plan is approved or the need for a permit is waived by the City Manager.
- (e) Every improvement shall be provided with a stormwater system capable of handling stormwaters flowing onto the improvement site from other areas as well as stormwater from the site itself. The drainage system shall be designed to discharge into a watercourse, drainage channel, or other existing stormwater facility. These designs shall conform to the guidelines listed below and the specifications prescribed in the rules and regulations.
- (f) For developed lots and where new structures, additions, or changes are to be made, adequate surface grading shall be extended or runoff shall be collected in inlets and then connected to sewers or drains. This grading, and the drains where necessary, shall be shown on the building permit plan. The plan shall then be reviewed by the City Manager.
- (g) Where plans are being developed, all areas shall be graded and drained to prevent the standing of stormwater, except lakes, lagoons, or retention reservoirs approved by the City. Where necessary, drainage channels or sewers shall be provided to convey the water to an existing watercourse or outlet. The method and means of drainage, including the handling of both paved and unpaved areas, shall be subject to approval by the City Manager.
- (h) Stormwater facilities shall be provided to drain all street intersections, and to care for roof downspouts and drains from yards and driveway aprons. Where foundation drains are installed, the foundation drains must discharge to the surface water drainage system directly or through a sump pump installation.
- (i) Except for existing combined sewers, the stormwater system shall not be combined with any part of the sanitary sewer system, nor shall sanitary waste water be discharged thereto.
- (j) Connection into a storm sewer shall be performed only by sewer tappers who meet the following requirements:
 - (1) They are licensed by Montgomery County, Ohio; and,
 - (2) They have posted a bond with the City in the amount required by the City Manager, which amount shall not exceed the amounts required by the City for work done in any right-of-way.

935.11 Application for permit.

- (a) An application shall be made by the owner of the property involved, or an authorized agent employed in connection with the proposed work.
- (b) The application shall be prepared in writing on forms prescribed by the City and shall contain:

1. The full names and addresses of the owner, applicant, and contractor;
 2. The street and house number of the building or structure;
 3. A brief description of the proposed work;
 4. The estimated cost thereof;
 5. A statement on behalf of the owner that the proposed work will be in accordance with this Chapter and all laws and ordinances applying to the premises; and
 6. Such other information as may be required by the City.
- (c) Except for minor repairs as defined in the rules and regulations promulgated hereunder, all applications for permits shall be accompanied plans and specifications prepared in accordance with City rules and regulations. In addition to the plans and specifications, the applicant shall provide any statements, calculations, drawings and other supporting data regarding the manner in which stormwater runoff from the project site on the proposed development area will be controlled.
- (d) Additional application requirements include but are not limited to the following:
1. A Site location map prepared from a 2,000 scale (one inch = 2,000 feet) USGS topographic base map that shows the area proposed for development and pertinent adjacent areas and features.
 2. A description of the nature and type of the land-disturbing and construction activity.
 3. A photocopy of the appropriate soil survey sheet found in the USDA Soil Survey of Montgomery County with location of site identified.
 4. A Storm Water Management Plan (SMP) prepared and sealed by a Registered Professional Engineer. The SMP shall set forth the plans and practices to be used in the development area to minimize stormwater runoff from the site and to safely convey or temporarily store and release post-development stormwater run-off at an allowable rate to minimize flooding and erosion.
 5. A Storm Water Pollution Prevention Plan (SWPPP) as defined by the Ohio EPA showing the proposed implementation of best sediment and erosion management practices.
 6. Such other material and information as may be requested by the City Manager to determine conformance with, and provide enforcement of these regulations and this Chapter.

935.12 Permits issued.

- (a) The City shall examine all applications for permits relating to proposed stormwater systems in accordance with the provisions of this Chapter and rules and regulations promulgated therefrom. The proposed stormwater system must be designed so as to fit into the City's existing or planned stormwater system. The design, materials, and construction of all parts of the system shall satisfy the requirements of the City and, when involving highways and freeways, the requirements of the Department of Transportation of the State of Ohio and any other applicable regulations.
- (b) If the examination reveals no objections to the proposed plan and it appears that the proposed work will be in compliance with the master plan, codes, laws, and ordinances applicable thereto and the proposed construction or work will be in conformance with this Chapter, such application shall be approved and a permit issued, as soon as practicable, for the proposed work. If the examination reveals otherwise, such application shall be rejected and the findings shall be communicated in writing to the applicant.

935.13 Permit limitations.

- (a) A permit shall expire when no work is started within 180 days from the date of issuance; provided however, that one renewal, which shall be valid from 180 days commencing upon expiration of the original permit, shall be granted upon written application made prior to the expiration of the original permit and payment of any applicable renewal fees.
- (b) A permit shall be revoked when work is discontinued for a period of one year from the determination of work stoppage; when any other City code involving permit revocation is applicable; or when, in the opinion of the City Manager, the completion of the work has been unduly delayed. No revoked permit may be revived until the plans and uncompleted work are made to comply with all the requirements of all laws, codes, regulations, and ordinances then in effect.

935.14 Permit and inspection fees.

A permit fee shall be paid as detailed herein for all stormwater system to be constructed. In addition, the City may charge inspection fees and plan review fees for work done in connection with permits issued under this Chapter. The fees for permits, inspections, and plan reviews shall be established in the City's omnibus resolution setting forth planning and zoning fees. All permit fees shall be in addition to any amounts charged by the City for issuance of permits to work in the right-of-way.

935.15 Posting of permit.

- (a) All permits issued pursuant to this Chapter shall be posted in a conspicuous location at the project site at all times if possible. If not, the owner or contractor shall retain the permit and have it readily available upon request by the City.
- (b) The owner or contractor shall preserve the permit until completion of the work. Upon application by the owner or contractor, the City Manager shall issue a duplicate permit to replace one destroyed by vandals or one which is accidentally destroyed.

935.16 Inspection and surveillance.

- (a) The City Manager shall inspect permitted stormwater system projects and enforce all laws, codes, and ordinances related to the permits and projects, as applicable. When violations of applicable regulations occur, the City Manager shall issue such notices or orders as may be necessary.
- (b) Once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24-hour period, permit holders shall inspect all structural and non-structural controls in the development area. The permit holder shall ensure that all structural and non-structural controls are functional, that all provisions of the SMP and this Chapter are being met and determine if additional control measures are required.

935.17 Right of entry for survey and examination.

- (a) Employees of the City or their authorized representatives in possession of proper identification shall be permitted access to the owner's property for the purposes of inspection, observation, measurement, sampling, making surveys and examinations to accomplish the necessary preliminary findings to establish or update a master plan and for detailed analysis to prepare final plans and specifications for proposed stormwater improvements.

- (b) Where improvements are made that require periodic maintenance or inspection upon the lands by the City Manager, the owner of such lands shall grant the City a perpetual easement and right of entry around and access to any stormwater facility.

935.18 to 935.19 - Reserved

935.20 Stormwater utility service charge.

- (a) A stormwater utility service charge is imposed on each lot and parcel of land within the City, and the owner thereof, with the following exceptions:
 - 1. Property parcels owned by the United States federal government shall be exempted from stormwater utility service charges.
 - 2. Undeveloped land without any building, structure or improvement, or other impervious area shall be exempted from stormwater utility service charges.
 - 3. Notwithstanding all other provisions of the Chapter, public right-of-way [i.e., government-owned roads (whether or not dedicated), utility easements, sidewalks, bridges, bike trails, and the like] and railroad track right-of-way is exempt from the assessment of stormwater utility service charges and no stormwater utility service charge is required to be paid for such property.
- (b) The City's stormwater utility service charges shall be fair and reasonable and bear a substantial relationship to the cost of providing service and stormwater facilities.
- (c) Properties that have existing stormwater facilities may have their stormwater utility service charge reduced as described in this Chapter, in accordance with generally accepted engineering standards and practices, to more accurately reflect the contribution to runoff from the property and the level of service provided to such property, up to an amount equal to 50 percent of the service charge for that parcel. Stormwater facilities of a temporary nature will not be allowed a decrease in their charges.

935.21 Equivalent residential units (ERUs) and impervious surface calculations.

- (a) The City shall calculate the average impervious surface of Single-Family Residential properties within the City. This average area shall be equal to one Equivalent Residential Unit (ERU). Each Single-Family Residential Property within the City shall be assigned one ERU.
- (b) The total number of ERUs of each Non-Single-Family Residential Property within the City shall be calculated by determining the total square footage of impervious surface on each such property and dividing this total by the average impervious surface of Single-Family Residential properties (i.e., the square footage of one ERU). In no case shall any Non-Single-Family Residential Property have an ERU of less than one, unless it is exempt from stormwater utility service charges as provided in this Chapter.
- (c) The total square footage of impervious surface shall be measured by the City based on the records of the County Recorder or Auditor, the City, or through field examination or photogrammetric analysis; provided, however, that owners of properties which are proposed for subdivision and/or development after the date of the adoption of this Chapter shall include on all preliminary plan and final plan drawings submitted to the City in connection with the subdivision approval process, a certification as to the total square footage of impervious surface to be located on the property upon its development.

935.22 Collection of storm drainage service charge.

- (a) The City shall establish at least two billing tiers: Single-Family Residential and Non-Single Family Residential. The stormwater utility service charge per tier shall be established in the City's omnibus resolution setting forth planning and zoning fees, and shall be based in whole or in part on ERUs.
- (b) The stormwater utility service charge shall be paid by the owner of each lot or parcel which is subject to this charge, whether occupied or vacant. The owner of the property or properties is responsible for payment of all service charges whether incurred under their ownership or previously. The City shall use its best efforts to cause bills for the service charges to be delivered to each owner or designee; however, the failure of the City to deliver such a bill to an owner or his designee shall not be cause for non-payment.
- (c) Bills are payable on or before the due date printed on the bill. Any amount not paid by the due date shall be considered delinquent and subject to a late payment penalty as established in the City's omnibus resolution setting forth planning and zoning fees.
 - 1. When a bill or part thereof is delinquent for 30 days, a notice shall be sent to the owner advising of the delinquency.
 - 2. If a bill remains delinquent for 60 days, the City shall certify to the County Auditor all stormwater utility service charges which are delinquent for payment. Such amounts, including any applicable fees and penalties, shall be entered upon the tax duplicate of the property involved and shall be a lien upon such land from and after the date of the entry, to be collected with other taxes and returned to the City.

935.23 Adjustment of service charge.

- (a) Persons who consider the charges applicable to their lot or parcel to be unjust or inequitable may apply to the Public Service Director, on application forms to be prescribed by the Public Service Director, seeking an adjustment or review thereof. The application shall be accompanied by a processing fee reasonably related to recovering the City's costs expected to be experienced in processing such applications, as determined by the City Manager.
- (b) The Public Service Director shall consider the complaint and determine whether an adjustment of the charges for any such lot or parcel is necessary to provide for the just and equitable application of the stormwater utility service charge, and adjust such charge if appropriate.
- (c) An applicant aggrieved by a decision of the Public Service Director under this section may file an appeal with the City Manager within 10 days of the Public Service Director's decision. The City Manager shall convene an appeals panel consisting of the City Manager, the Law Director, and the Finance Director, or their designees. The appeal panel shall consider the provisions of this Chapter, land use data establishing the actual conditions of the property, the application and its attachments, the decision of the Public Service Director and the contents of the appeal document in reviewing the Public Service Director's decision and shall affirm, or reverse, or reverse and remand the Public Service Director's decision. The decision of the appeal panel shall be final. Further appeal shall be to the Court of Common Pleas.

935.24 Stormwater fund.

- (a) The funds received from the collection of the stormwater utility service charges authorized by this Chapter shall be deposited with the Finance Director and shall be accounted for and be known as the Stormwater Utility Revenue Fund.
- (b) When appropriated by the City Council, Stormwater Utility Revenue Fund monies shall be used solely for the payment of the costs and expenses of design, coordination, construction, management, operation, maintenance, and replacement of stormwater system facilities, inspection and enforcement activities pertaining to the City's stormwater system, and administration of the City's stormwater utility fee.
- (c) Any surplus in such Fund shall be used for the payment of the principal and interest on bonds issued or loans obtained and outstanding or which may be issued to provide funds with which to pay the City's portion of the costs of constructing components of such system, and to retire such bonds or loans when they mature, and for the enlargement or replacement of the stormwater system.

935.25 to 935.39 – Reserved.

935.40 Drainage, discharge, and connection prohibitions.

- (a) Whenever the City Manager shall find that:
 - 1. A tract of land is inadequately drained;
 - 2. There is an obstruction to a culvert, covered drain, or other natural or man-made watercourse that interferes with water naturally flowing therein; or
 - 3. A culvert, drain, or watercourse is of insufficient capacity to reasonably accommodate the flow of stormwater, as required by this Chapter

The City Manager shall notify the owner or person having possession, charge, or management of such land to remove the obstruction or provide the necessary drainage as provided in this Chapter.

- (b) No person shall discharge, or cause to be discharged, an illicit discharge into the stormwater system. The commencement, conduct, or continuance of any illicit discharge to the stormwater system is prohibited except for:
 - (1) Waterline flushing;
 - (2) landscape irrigation;
 - (3) diverted stream flows;
 - (4) rising ground waters or natural springs;
 - (5) flows from riparian habitats and wetlands;
 - (6) uncontaminated ground water infiltration;
 - (7) uncontaminated pumped ground water;
 - (8) discharges from potable water sources;
 - (9) foundation drains;
 - (10) air conditioning condensate;
 - (11) irrigation water;
 - (12) water from crawl space pumps;
 - (13) footing drains;
 - (14) lawn watering;

- (15) individual residential car washing;
- (16) dechlorinated pool discharges;
- (17) street wash water;
- (18) discharges or flows from firefighting activities;
- (19) Discharges specified in writing by the City of Riverside as being necessary to protect public health and safety.

These discharges are exempt until such time as they are determined by the City of Riverside to be significant contributors of pollutants to the stormwater system.

- (c) The construction, use, maintenance, or continued existence of illegal connections to the stormwater system is prohibited.
 - (1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - (2) A person is considered to be in violation of this regulation if the person connects a line conveying illicit discharges to the stormwater system, or allows such a connection to continue.

935.41 Monitoring of illicit discharges and illegal connections.

- (a) The City of Riverside shall establish a program to detect and eliminate illicit discharges and illegal connections to the stormwater system. This program shall include the mapping of the stormwater system, including stormwater system outfalls and home sewage treatment systems; the routine inspection of stormwater outfalls to the stormwater system, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.
- (b) The City of Riverside shall be permitted to enter and inspect facilities subject to this Chapter as often as may be necessary to determine compliance with this regulation.
- (c) The City of Riverside shall have the right to set up at facilities subject to this regulation such devices as are necessary to conduct monitoring and/or sampling of the facility's stormwater discharge, as determined by the City of Riverside.
- (d) The City of Riverside shall have the right to require the facility owner/operator to install monitoring as equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. All devices used to measure stormwater flow and quality shall be calibrated by the City of Riverside to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the City of Riverside and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.
- (f) Unreasonable delays in allowing the City of Riverside access to a facility subject to this regulation for the purposes of illicit discharge inspection is a violation of this regulation.
- (g) If the City of Riverside is refused access to any part of the facility from which stormwater is discharged, and the City of Riverside demonstrates probable cause to believe that there may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an

inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public, health, safety, and welfare, the City of Riverside may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

- (h) Any costs associated with these inspections shall be assessed to the facility owner/operator.

935.42 to 935.49 – Reserved.

935.50 Enforcement procedures.

- (a) When the Zoning Administrator finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the City may order compliance by written notice of violation. Notice, as required by this provision, is to be served on the owner, agent, contractor, or other person responsible for the work or violation related to this Chapter, by at least one of the following methods:
- (1) by personal delivery;
 - (2) by certified mail addressed to the last known place of residence or place of business; and/or
 - (3) by posting in a prominent and conspicuous place at the location where the violation/offense occurred and/or the related work is being performed.
- (b) Each notice shall specifically describe the violation or offense along with a reasonable period of time to bring the violation or offense into conformance with this Chapter.
- (c) Actions required by notices may include, but are not limited to:
- (1) Obtaining proper permits for work performed under this Chapter;
 - (2) Constructing stormwater facilities in accordance with approved plans;
 - (3) The elimination of drainage obstructions, illicit discharges, and/or illegal connections;
 - (4) That violating discharges, practices, or operations cease and desist;
 - (5) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and/or
 - (6) The implementation of source control or treatment best management practices (BMPs).
- (d) Any person receiving a notice of violation must meet compliance standards within the time established in the notice of violation.

935.51 Enforcement appeals.

- (a) Any person receiving a notice of violation which has been issued in connection with the enforcement of any provision of this Chapter may appeal the violation in writing to the Public Service Director within 10 days of the notice of violation.
- (b) The Public Service Director shall consider the appeal and issue findings in writing explaining their decision to uphold, reject, or modify the notice of violation based on the facts of the case and applicable codes and regulations.
- (c) An applicant aggrieved by a decision of the Public Service Director under this section may file an appeal with the City Manager within 10 days of the Public Service Director's decision. The City Manager shall convene an appeals panel consisting of the City Manager, the Law Director, and the Finance Director, or their designees. The appeal panel shall consider the provisions of this Chapter, land use data establishing the actual conditions of the property, the application and its

attachments, the decision of the Public Service Director and the contents of the appeal document in reviewing the Public Service Director's decision and shall affirm, reverse, or modify the Public Service Director's decision. The decision of the appeal panel shall be final. Further appeal shall be to the Court of Common Pleas.

935.52 Penalties.

- (a) Any person who violates any of the provisions of this Chapter, or fails to conform to any of the provisions thereof, or fails to obey any order of the City Manager, shall be guilty of a misdemeanor of the first degree on a first offense and a misdemeanor of the fourth degree on each subsequent offense. Each and every day on which such person continues to violate the provisions of this Chapter after having once been notified of such violation shall constitute a separate offense.
- (b) The City may suspend or revoke permits issued under this Chapter in accordance with the provisions of the codified ordinances. In every instance where a permit is suspended or revoked, a notice shall be served in writing upon the owner, agent, or the person having charge of the work, as well as posted alongside the issued permit. After the Notice is received or posted, it shall be unlawful for any person to proceed with any operation for which such permit was issued. No part of the fees for such permit shall be returned. Unauthorized continuance of work shall constitute a separate offense under this section.
- (c) In addition to any other penalties allowed by law, the City shall fine offenders as follows for each and every offense:
 - a. On a first offense, not less than one hundred dollars (\$100.00);
 - b. On a second offense within one year, not less than two hundred and fifty dollars (\$250.00);
 - c. On a third offense within two years, not less than four hundred dollars (\$400.00).
- (d) In addition to the penalties provided within this Chapter, the City Law Director may commence, initiate, continue, or otherwise cause any available civil action to be instituted against any person who violates this Chapter to the extent provided by any applicable local ordinance, state or federal law or regulation, or pursue any other remedy available in law or in equity.

935.53 Emergencies and abatement.

- (a) In case of an emergency, the City Manager may direct that action be taken immediately to correct a condition or abate an activity to protect the public health, safety, and welfare. The City may perform the required work and charge the owner the abatement costs.
- (b) The City Manager shall account for all costs associated with an emergency or abatement, including but not limited to administration, notification, inspection, serving of papers or documents, legal counsel, enforcement, operational services, and outside contracted services. These costs may be added to the owner's storm drainage service charge or invoiced separately.
- (c) If costs are not recovered within 30 days, the City shall certify to the County Auditor all abatement charges which are delinquent for payment. Such amounts, including any applicable fees and penalties, shall be entered upon the tax duplicate of the property involved and shall be a lien upon such land from and after the date of the entry, to be collected with other taxes and returned to the City.

- (d) This section shall not be construed to relieve the owner of any penalties prescribed by other sections of this Chapter.
- (e) Nothing in this Chapter shall be construed to prevent immediate action by the City Manager in emergency situations as determined by the City Manager or their designee.

935.54 to 935.59 – Reserved.

935.60 Flooding, liability.

- (a) Floods from stormwater runoff may occasionally occur which exceed the capacity of the stormwater system. This chapter does not imply that property subject to the fees and charges established herein will always be free from stormwater flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated, or maintained. Nor shall this Chapter create a liability on the part of, or cause of action against, the City or any officer or employee thereof for any flood damage that may result from such storms or the runoff thereof. Nor does this Chapter purport to reduce the need or the necessity for obtaining flood insurance.
- (b) Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this Chapter are promulgated to promote the health, safety and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property.
- (c) This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.
- (d) Failure of the City of Riverside to observe or recognize or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the City of Riverside, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

935.61 Severability.

- (a) If any section, subsection, sentence, clause or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remaining portions.
- (b) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the City of Riverside shall prevail.
- (c) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.



MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Chris Lohr, Assistant City Manager

SUBJECT: Ordinance No. 22-O-814 - An Ordinance repealing the process of adopting the personnel policy manual of the City of Riverside, Ohio.

EXPLANATION

The Personnel Policy Manual has been adopted and modified by Ordinance since its inception in 1996. This process is time and effort intensive for both staff and City Council. Adopting the manual by ordinance rather than resolution is inconsistent with how other employment agreements, particularly the Collective Bargaining Agreements are adopted. Additionally, there is no legal requirement for the Personnel Manual to be adopted by Ordinance. In consideration of the preceding, the attached Ordinance repeals the adopting legislation and sets forth the process of approving and amending the Personnel Manual by resolution.

RECOMMENDATION

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

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

EXHIBITS

None.

22-O-814

AN ORDINANCE REPEALING THE PROCESS OF ADOPTING THE PERSONNEL POLICY MANUAL OF THE CITY OF RIVERSIDE, OHIO.

WHEREAS, the City of Riverside Council began adopting by ordinance its Personnel Policy Manual, Ordinance No. 96-O-64, and has on a regular basis adopted ordinances updating the Policy Manual with the last Ordinance No. 21-O-763; and

WHEREAS, the City Manager has recommended a revision to this procedure that aligns with how the collective bargaining agreements for other departments are adopted via resolution, so that all personnel policies are managed in similar fashion; and

WHEREAS, the City Manager recommends that the Personnel Policy Manual be adopted via resolution to provide for relevant updates more efficiently.

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

Section 1: That the Personnel Policy Manual of the City of Riverside, Ohio, no longer be adopted by ordinance, as recommended by the city manager, and going forward be adopted via resolution.

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

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-O-814

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-814 passed by the Riverside City Council on _____.

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

CLERK



MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: 22-R-2809 – A resolution authorizing the city manager to procure additional software modules from Software Solutions, Inc.

EXPLANATION

As the City moves forward with stormwater utility fees, it will be essential to identify a mechanism for collecting funds. Currently the City does not engage in any utility billing collections. Preliminary conversations with surrounding agencies have yielded no viable leads for partnering with another organization on collections. As a result, it is likely that the City will have to perform collections in-house.

The SSI VIP software package procured by the City supports utility billing collections. The estimated cost of the module is approximately \$41,500. The module directly interfaces with other modules in the VIP program.

The attached resolution authorizes the City Manager to move forward with purchasing the utility billing module license. The resolution provides some overhead (up to \$50,000) in case pricing changes over the next few months impact the quote provided by SSI. Staff will move forward with this purchase early next year using funds encumbered in the FY2022 budget.

RECOMMENDATION

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

FISCAL IMPACT

Up to \$50,000 for the provision and licensing of the SSI VIP Utility Billing Module.

SOURCE OF FUNDS

Fund 703 – Staff will encumber leftover funds initially budgeted for the financial software upgrade. There are sufficient funds left over in this account to accommodate this purchase.

EXHIBITS

Exhibit A – SSI Utility Billing Quote

22-R-2809

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCURE
ADDITIONAL SOFTWARE MODULES FROM SOFTWARE SOLUTIONS, INC.**

WHEREAS, the City engaged Software Solutions, Inc. for the provision and configuration of VIP Cloud financial software; and

WHEREAS, the City Council may implement ordinances, policies, and regulations empowering the City to collect utility fees in the future; and

WHEREAS, the initial procurement of VIP Cloud did not include modules related to utility billing; and

WHEREAS, dedicated software for utility billing will support the City's ability to collect utility fees in the future.

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

- Section 1: That this Council hereby finds it necessary to ensure the City has the ability to collect utility fees if needed.
- Section 2: Accordingly, the City Manager is authorized, but not obligated, to enter into an agreement with Software Solutions, Inc. for the procurement of utility billing software, in an amount not to exceed \$50,000.
- Section 3: That the Clerk be and is hereby authorized and directed to forward a certified copy of the Resolution to the City Manager and Finance Director.
- Section 4: That this Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-R-2809

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. 22-R-2809 passed by the Riverside City Council on _____.

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

CLERK



City of Riverside, OH - VIP Utility Billing Suite

Quote

Prepared For:

Riverside, City of

Joshua Rauch
1791 Harshman Road
Dayton, OH 45431-1265

P: (937) 233-1801
E: jrauch@riversideoh.gov

Prepared by:

Software Solutions

Grant Halsey
8534 Yankee Street, Suite 2B
Dayton, OH 45458

P: 513.932.6667
E: ghalsey@mysoftwaresolutions.com

Date Issued:

10.12.2022

Expires:

01.01.0001

Software & Implementation	Price	Qty	Ext. Price
VIP UTILITY BILLING SUITE			
VIP Utility Billing License	\$25,000.00	1	\$25,000.00
VIP Work Orders License - Included	\$0.00	1	\$0.00
VIP Utility Billing Workflows License - Included	\$0.00	1	\$0.00
VIP Utility Billing Implementation Services Includes implementation, training and project management.	\$15,000.00	1	\$15,000.00
Utility Billing Suite Subtotal			\$40,000.00
Other Services			
Post Live Training Session	\$1,500.00	1	\$1,500.00
Subtotal Other Services			\$1,500.00
Subtotal:			\$41,500.00

Quote Summary	Amount
Software & Implementation	\$41,500.00
Total:	\$41,500.00

Notes

Software prices quoted are valid for 90 days.

Payment Terms: 10% down is required at the time of signing, 60% due when the sandbox is delivered and 30% due on go-live scheduled date.

The purchase of this module will add \$8,000 to the Software Assurance Plan in place and will be prorated to match the existing annual maintenance and support fees. Fees will begin upon your scheduled live date.

A utility billing conversion is not included in this project. Software Solutions has provided an import template to the City to assist in the importing of customer names and contact details into the VIP system. For the import to be successful, it is the City's responsibility to enter the data in the proper format. Anything outside the scope of the import may require additional fees.

The project includes standard implementation and training professional services as part of scope of work. Any customizations the customer may have or want to add are outside of SSI standard project scope will be quoted prior to commencing work. These things may include but are not limited to custom bills, custom correspondence templates for door hangers, letters, delinquency notices etc.

The project does not include ESRI GIS Workforce mobile work orders associated with utility billing. This can be quoted at any time if desired.

Optionally, the City may choose to add the VIP Web Portal. This allows customers online access, eBilling and Payments via credit card online or via Text. A separate agreement would be required.

To proceed with this order, please sign and return to Grant Halsey: ghalsey@mysoftwaresolutions.com

Acceptance

Printed Name: _____

Signature: _____

Title: _____

Purchase Date: _____

Purchase Order Number: _____

Law Director, City of Riverside

Date



MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Chris Lohr, Assistant City Manager

SUBJECT: Resolution No. 22-R-2810 - A Resolution Authorizing the City Manager to Enter into an Agreement to Become a Member of the Ohio Benefits Cooperative, Inc. (OBC) And Adopting its By-Laws and Code of Regulations.

EXPLANATION

The Ohio Benefits Cooperative is a collaboration of local government jurisdictions that pool together their purchasing power to get favorable rates on health insurance. While Staff has worked hard over the years to keep insurance costs down, doing so is challenging because the City is a small customer compared to others purchasing from insurers. Joining the OBC allows the City to become part of a much larger pool with greater purchasing power and maximize the possibility of receiving favorable insurance renewals.

RECOMMENDATION

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

FISCAL IMPACT

Joining the Ohio Benefits Cooperative will allow the City to reduce health insurance costs an estimated \$70,000 in 2023 when compared to 2022 costs.

SOURCE OF FUNDS

Health Insurance Line Items Across Departments

EXHIBITS

Ohio Benefits Cooperative By-Laws

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO BECOME A MEMBER OF THE OHIO BENEFITS COOPERATIVE, INC. (OBC) AND ADOPTING ITS BY-LAWS AND CODE OF REGULATIONS.

WHEREAS, the City of Riverside, Ohio desires to find a more cost effective method of providing medical and/or other benefits to its employees; and

WHEREAS, the Ohio Benefits Cooperative, Inc. sponsors a joint self-insurance health care program for municipal corporations and other governing bodies for the purpose of maximizing benefits and/or reducing costs of medical, prescription drug, vision, dental, and other group insurance coverages for eligible municipal corporations' employees; and

WHEREAS, the Council of the City of Riverside considers that it is in the best interests of the City of Riverside to join the Ohio Benefits Cooperative, Inc.

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

Section 1: That the City of Riverside shall become a member of the Ohio Benefits Cooperative, Inc., effective January 1, 2023, and shall abide by its By-Laws and Code of Regulations, Exhibit A, and any other rules and regulations of the OBC as established by its governing body.

Section 2: That the City Manager is hereby authorized to execute on behalf of the City of Riverside, Ohio any and all agreements, contracts, forms, and other documents and take any and all actions required for the City of Riverside, Ohio to become a Member of the OBC, or otherwise effectuate this resolution.

Section 3: That the City Manager or his/her designee, is hereby appointed as the City of Riverside, Ohio Member to the OBC Board.

Section 4: That the Clerk be and is hereby authorized and directed to forward a certified copy of this resolution to the City Manager and Director of Finance.

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

PASSED THIS DAY OF _____.

22-R-2810

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 22-R-2810 passed by the Riverside City Council on _____.

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

CLERK

BY-LAWS AND CODE OF REGULATIONS
OF
THE OHIO BENEFITS COOPERATIVE, INC.

An Ohio Non-Profit Corporation

Dated: September 9, 2016 revised April, 2018

ARTICLE I. MEMBERSHIP

Section 1. Membership. Membership in this Corporation shall be limited to the governing bodies of counties, municipal corporations, townships, special districts, school districts, political subdivisions or other governmental entities as contemplated in Section 167.01 of the Ohio Revised Code authorized by their individual governing laws, including municipal charters, ordinances, resolutions or legislation, if applicable, to become Members of this Corporation. Membership of the Corporation shall be of two types: Member and Affiliate Member. Affiliate Membership shall be defined as political subdivisions which do not participate in either the OBC Medical Pool or OBC Medical Purchasing Cooperative (the "Cooperative"). Affiliate Membership shall be limited such that political subdivisions holding such membership may participate in all Board or corporate activities but shall not be voting members afforded a vote in Board matters. The Membership of the Corporation shall consist of those Members that joined the Corporation at its inception, as listed in the attached Exhibit "A" (the "Initial Members"), plus those Members admitted to Membership or Affiliate Membership thereafter from time to time (the "New Members") which participate in the OBC Medical Pool or OBC Medical Purchasing Cooperative, less any Members that withdraw or are expelled from the Corporation in the OBC Medical Pool or OBC Medical Purchasing Cooperative in accordance with these Regulations.

Section 2. Rights of Members. In addition to any other powers or rights provided under Ohio law, each Member of the Corporation shall have the following rights:

(a) Voting Rights. Each Member of the Corporation in good standing (other than Affiliate Members) shall have an equal right to vote in membership decisions by designating a Member Representative to the Board of Members (the "Board") to vote on behalf of the Member. Membership decisions shall include, but not be limited to, the following: (i) addition of new Members; (ii) expulsion of Members; (iii) election of Member Representatives and Alternate Representatives; (iv) types of insurance/benefits to be provided or risks to be shared through the Corporation; (v) the selection of insurance/benefit providers; and (vi) major transactions which are not in the ordinary course of business. The Members participating in the OBC Medical Pool shall have an equal right to vote on decisions affecting the Pool. Members participating in the OBC Medical Purchasing Cooperative shall have an equal right to vote on decisions effecting the Corporation, but do not have a voting right for decisions effecting the OBC Medical Pool only. Any dispute as whether a particular decision effects a particular pool

shall be determined by a majority vote of Member Representatives (other than Affiliate Members Representatives).

(b) Purchase of Medical Insurance/Benefits. Subject to the provisions of Section 3 of this Article I, each Member shall have the right to purchase medical insurance/pool/benefits through the Corporation at such price as is established by the Board.

(c) Designation of Member Representative. Each Member shall have the right to designate and nominate a Member Representative and Alternate Representative to serve on the Board in accordance with and subject to the provisions of Article II, and to remove its designated Member Representative and Alternate Representative at will by written notice to the Board. New Members and Affiliate Members will designate and nominate a Member Representative and Alternate Representative to serve on the Board as of the date the New Member or Affiliate Member is admitted to the Corporation, and admission to the Corporation constitutes election to the Board of the Member Representative and Alternate Representative designated and nominated by the New Member or Affiliate Member.

(d) Receive Periodic Reports. Members and Affiliate Members shall receive annual reports (or at more frequent intervals as determined by the Board) of the Corporation's operating results and financial position.

(e) Affiliate Members. Affiliate Membership is non-voting. Affiliate Members shall have all rights enumerated in Sections 2(b) and 2(c) herein, but not 2(a). The right to vote is reserved to Members which by definition includes those political subdivisions which join the Corporation and purchase group medical insurance. When an Affiliate Member participates in either the OBC Medical Pool or OBC Medical Purchasing Cooperative, the Affiliate Member shall become a Member with voting rights.

Section 3. Obligations of Members. As a condition of membership, each Member shall have the following obligations to the Corporation:

- (a) Prior to becoming a Member in this Corporation, each Member shall:
 - i. pay any and all required initial membership contributions, as established by the Board; and
 - ii. provide written documentation that it is authorized to be a Member in the Corporation as defined by Section 1 of this Article I; and
 - iii. demonstrate the financial ability to pay all anticipated obligations; and
 - iv. provide a written resolution from the governing board of the participating organization authorizing membership and agreeing to the regulations of the Corporation.

(b) Each Member agrees to do, or cause to be done, the following:

- i. promptly pay all contributions and premiums for OBC self-funded pools in accordance with Board policy, understanding the OBC may assess a late payment fee of 10%; and
- ii. consent to suspension of claim payments until the member is current; and
- iii. consent to expulsion from membership if monies owed are more than thirty (30) days late.

(c) Each Member shall pay for insurance/benefits purchased and contributions assigned through the Corporation in accordance with the terms established by the Board and the insurance/pool/benefit provider, if any, selected by the Corporation. Each Member shall also pay any and all dues and assessments charged against Members pursuant to resolution of the Board.

(d) Each Member is required to direct its Member Representative to vote for election to the Board the Member Representative and Alternate Representative designated and nominated by each Member and Affiliate Member.

(e) Each Member must comply with all terms of membership.

(f) Each Member must comply with any and all insurance/pool/benefit obligations established by the Corporation with respect to an insurance/pool/benefit program in which the Member is a participant.

(g) Each Member shall be individually responsible for any and all insurance/pool/benefit programs provided by such Member which are not purchased and furnished through this Corporation.

(h) Each Member (other than Affiliate Members) must participate in the health insurance/pool/benefit programs and related risk sharing programs, if any, sponsored by the Corporation for a minimum of three (3) years, (or, if deemed applicable by a court of competent jurisdiction, such maximum amount as permitted under Ohio Revised Code Sections 167.01, *et seq.*). Each Member (other than Affiliate Members) participating in the Medical Purchasing Cooperative programs and related risk sharing programs, if any, sponsored by the Corporation, must participate for a minimum of two (2) years, (or, if deemed applicable by a court of competent jurisdiction, such maximum amount as permitted under Ohio Revised Code Sections 167.01, *et seq.*).

(i) Each Member must cooperate fully with the Board, Officers and employees of the Corporation in any matter relating to the purpose and powers of the Corporation.

(j) Each Member shall act promptly on all matters requiring approval by the Board and shall not withhold such approval unreasonably or arbitrarily.

(k) Each Member shall, as determined by the Board and/or the insurance/benefit provider(s) servicing the Corporation, furnish periodic reports to the Board of additions,

deletions, and changes to the listing of covered employees, as well as all other information as may be reasonably required for the purpose of enrolling employees, processing terminations, and effecting changes in family status.

(l) Within one (1) year after becoming a Member, each Initial Member shall identify one or more distinguishable group(s) of its employees, (e.g. well-recognized collective bargaining units, all non-unionized employees, etc.), to participate in the insurance/pool/benefit programs provided through the Corporation. Upon admission to the Corporation, each New Member shall identify one or more distinguishable group(s) of its employees, (e.g. well-recognized collective bargaining units, all non-unionized employees, etc.), to participate in the insurance/benefit programs provided through the Corporation. Each Member shall only offer to each such identified group medical insurance/benefits available through the Corporation.

(m) Within one (1) year after a Member first identifies a distinguishable group of its employees and begins to provide insurance/pool/benefits for such employees through the Corporation, such Member may, without limitation, identify additional distinguishable groups of its employees to participate in the insurance/pool/benefit programs provided through the Corporation. Thereafter, a Member may only identify and provide insurance/pool/benefits through the Corporation for additional distinguishable groups of employees if participation of such additional distinguishable groups in the insurance/benefit programs is approved by the Board.

(n) Underwriting. All Members must meet all qualifications to be a member and meet underwriting guidelines.

(o) Each Member shall provide the Corporation and/or its duly authorized representatives access to records of the Member during normal business hours, upon 24 hours prior written notice and only for the purpose of conducting necessary services related to the operation of the Corporation and for no other purposes.

(p) Each Member shall permit the Corporation and/or its duly authorized representatives to represent the Member in investigating, litigating and settling any claim made against the Corporation or the Member within the terms of coverage provided by the Corporation.

(q) Each Member agrees to be solely responsible for compliance with all federal and state employee benefit laws relative to the benefits the Member secures for its employees through participation with the Corporation. Each Member acknowledges and agrees that no other Member, nor the Corporation, nor the Benefits Pool, nor the Administrator shall be responsible for Member's compliance responsibility nor any civil damages or administrative penalties which may be assessed against a Member for any non-compliance with federal or state laws.

(r) Each Member recognizes and acknowledges that the Member is subject to the Corporation's rules on timely notification of enrollments to and terminations from the plan. In no event will the Cooperative, its insurers, or administrators, adjust overpayments, or accept late

enrollees (without evidence of insurability, if applicable) when notified more than two (2) months after the termination or date eligible for enrollment.

(s) Each Member understands that neither the Board, nor the Administrator, nor the Corporation assumes any responsibility to provide any specified level of benefit, benefits provisions, type of coverage, or amount of allowable payment, in order to meet the requirements of any Member's collective bargaining agreements or satisfy the outcome of any employee or bargaining group member dispute or grievance. The Corporation reserves the right to withdraw plan offerings or change benefit levels at any time after consultations with the Members.

(t) Affiliate Members. With the exception of Section 3(h), above, Affiliate Members shall have all the obligations set forth in this section.

(u) Each member participating in the OBC Medical Pool shall contribute to the Wellness Fund in accordance with policies set by the Board.

Section 4. Withdrawal of Members.

(a) Authorized Withdrawal of Members. At the end of or after three (3) years of membership in the OBC Medical Pool or at the end of or after two (2) years of membership in the OBC Medical Purchasing Cooperative (or after the maximum time period permitted under Ohio Revised Code Sections 167.01 *et seq.*), a Member may withdraw from the Corporation by providing written notice to the Board at least four (4) months preceding the effective date of such withdrawal which may only be the end of a plan year, (i.e. 8/31). Members may withdraw upon fewer days' notice and prior to such required minimum membership period, however, upon the affirmative vote of two-thirds (2/3rds) majority of the Board if such withdrawal is necessitated by the demands of a collective bargaining unit, or such other similar circumstances as are beyond the control of the withdrawing Member and as determined by the Board. Affiliate Members may withdraw from the Corporation by providing written notice to the Board at least four (4) months preceding the effective date of such withdrawal which may only be the end of a plan year, (i.e. 8/31). Affiliate Members may withdraw upon fewer days' notice and prior to such required minimum membership period, however, upon the affirmative vote of two-thirds (2/3rds) majority of the Board if such withdrawal is necessitated by the demands of a collective bargaining unit, or such other similar circumstances as are beyond the control of the withdrawing Member and as determined by the Board.

- i. Authorized Withdrawal from OBC Medical Pool. Any Member or Affiliate Member voluntarily withdrawing from the OBC Medical Pool shall pay all claims of its eligible employees, families, and dependents from the effective date of withdrawal for any claims incurred on or after the withdrawal date. Any Member or Affiliate Member voluntarily withdrawing from the OBC Medical Pool shall be responsible for all contributions, administrative costs, assessments, Run Out Claims in the excess of the member's allocated reserve account, any additional

costs including auditing incurred to calculate the member's withdrawal. Any claims paid by the Corporation on claims incurred after the effective date of withdrawal shall be reimbursed in full by any withdrawing Member or Affiliate Member upon demand of the Corporation. Initial membership contributions as required in Section 3(a), are non-refundable upon the withdrawal of a Member or Affiliate Member.

A) In calculating an authorized withdrawing Member's responsibilities, Member or Affiliate Member shall be credited for its share of any reserve or Wellness Fund based on its proportionate membership in the OBC Medical Pool. In the event there is a reserve or surplus after Run Out Claims are paid, the withdrawing Member or Affiliate Member forfeits the right to receive distribution of any reserve, surplus or Wellness Fund balance. In no event shall any payment from any reserve, surplus or Wellness Fund be made to a Member or Affiliate Member withdrawing from the OBC Medical Pool.

B) Run Out Claim(s) shall mean any claim(s) still pending and incurred by a covered person not yet paid prior to the effective date of withdrawal of a Member or Affiliate Member.

- ii. Authorized Withdrawal from the Cooperative. Any Member, who withdraws from the Cooperative, whether such withdrawal was authorized or unauthorized, shall assume and be responsible for the payment of the following:

A) All Contributions for the period prior to the withdrawal during which participation in the Corporation was extended to the Member,

B) The proportionate share of administrative costs, assessments, Run Out Claims in excess of the withdrawing Member or Affiliate Member's reserve account or any other monies already prescribed by the Board, its agents, Administrator or insurers through the date of withdrawal,

C) Any additional administrative costs, including audit or accounting fees incurred by the Corporation to calculate the Withdrawing Member's withdrawal obligations, including the Reserve Deficit, unless otherwise waived by the Board.

D) An authorized withdrawing Member may be paid any reserve remaining in that Member's reserve account after deduction of all claims, charges and Run Out Claims as detailed in the preceeding subsections.

(b) Unauthorized Withdrawal of Members

- i. Any Member withdrawing from the the OBC Medical Pool or Cooperative in a manner other than as specifically authorized herein shall be an “Unauthorized Withdrawing Member”.
- ii. Unauthorized Withdrawing Members shall be responsible for all the obligations and charges sent forth in Section 4 (a) above, except that the reserve account and any Wellness Fund balance of an unauthorized withdrawing member shall be immediately forfeited and no credit shall be given for any balance in any reserve account or Wellness Fund in the calculation of the unauthorized withdrawing Member’s responsibilities.
- iii. In addition to being responsible for all obligations and charges set forth in Section 4 (a) above, all UnauthorizedWithdrawing Members shall pay the Corporation liquidated damages equal to the last twelve (12) months contribution or premium payments paid by the Unauthorized Withdrawing Member. In the event the Unauthorized Withdrawing Member has not made twelve (12) months of contribution payments prior to withdrawal, said Unauthorized Withdrawing Member shall pay the Corporation liquidated damages equating to the average of all monthly payments made by the Unauthorized Withdrawing Member prior to such withdrawal multiplied by twelve (12). The liquidated damages required under this paragraph may be waived on a case-by-case basis upon the two-thirds (2/3rds) majority affirmative vote of the Board. Notwithstanding anything to the contrary contained herein, the maximum liquidated damages payable by a Unauthorized Withdrawing Member shall not exceed Fifty Thousand Dollars (\$50,000.00). Where applicable and at the discretion of the Board, the provisions of this section shall also govern the withdrawal of Affiliate Members.

Section 5. Expulsion of Members or Affiliate Members.

(a) Basis for Expulsion. Upon the two-thirds (2/3rds) majority vote of the Board, Members or Affiliate Members may be expelled from the Corporation for the following reasons:

- (i) Failure to pay for any insurance/benefit premiums, any dues or any assessments within thirty (30) days after the due date and the total of all delinquent amounts payable to the Corporation is in excess of the original membership contribution; or
- (ii) If a Member or Affiliate Member is not legally authorized, for any reason, to be a Member or Affiliate Member of this Corporation; or
- (iii) If a Member or Affiliate Member transfers or attempts to transfer its membership in this Corporation; or

(iv) The Member or Affiliate Member is determined to be an unacceptable risk by an insurance/benefit carrier servicing the Corporation; or

(v) The Member or Affiliate Member otherwise violates the terms and conditions of membership in this Corporation. Initial membership contributions, as required in Article I, Section 3(a), are nonrefundable to an expelled Member.

(b) Procedure for Expulsion. Upon a vote of the Board with no less than five (5) days advanced written notice, a Member's participation may be terminated, if such a Member materially breaches or violates the terms of this Agreement, the terms of the Administration Agreement in effect at the time of such breach, or makes any misrepresentations to either the Board, the Administrator, or any third party providing services to the Corporation. Without limiting the generality of the foregoing, the failure of a Member to promptly make payments to the Corporation in complete conformity with the provisions of this Agreement shall be deemed to be a material breach and violation of this Agreement, which in and of itself would constitute and warrant termination.

(c) Responsibilities of Expelled Member. A Member expelled from the Corporation shall be considered an Unauthorized Withdrawing Member and have all the obligations of an Unauthorized Withdrawing Member as specified in Section 4. Accordingly, upon termination, the terminated Member shall, effective as of 11:59 p.m. EST on the date on which such termination is effective, be wholly and solely responsible for providing the health care benefits that had previously been provided by the Corporation, including but not limited to any and all incurred but not reported liabilities and/or terminal liabilities related to its prior Corporation participation, and the Corporation shall have absolutely no liabilities related to the terminated Members prior Corporation participation, and the Corporation shall have absolutely no liabilities to the Member in that or any regard.

Section 6. Annual Meetings and Regular Meetings. The annual meeting of the Members of this Corporation shall be scheduled by the Board and be held at the office of the Corporation or at such other place as may be designated by the Board each year for the purpose of electing Member Representatives and for the transaction of such other business as may come before the meeting. Member Representatives (or the Alternate Representative if the Member Representative is absent) will attend the annual meeting on behalf of the Members. Additional meetings of the Members of this Corporation shall be held as needed and scheduled by the Board at the office of the Corporation or at such other place as may be designated by the Board for the transaction of any business that may come before the Board. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 7. Special Meetings. Special meetings of the Members of this Corporation shall be conducted by the Member Representatives, and called by the Secretary upon the direction of the President or upon the written request of any Member Representative or Alternate Representative in accordance with Article II. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 8. Notice. At least ten (10) days prior to the annual and regular meetings and at least five (5) days prior to any other meeting of the Members, written notice of the time, place, and purpose thereof shall be mailed to each Member Representative as shown on the registry of Members. This time and notice requirement may be waived by the written consent of the Board. The provisions of this section apply equally to Affiliate Representatives and Affiliate Alternate Representatives.

Section 9. Quorum and Voting. A majority of the Member Representatives attending a Members Meeting shall constitute a quorum for the transaction of any business at any regular or special meeting of the Members. Unless a higher percentage is specifically required in these Regulations, all actions conducted by the Members through their Member Representatives shall be done by majority vote. For purposes of voting, a majority of Member Representatives present at a meeting at which a quorum is present shall be sufficient. Affiliate Representatives and Affiliate Alternate Representatives are not counted as to whether a quorum is present.

Section 10. Re-Entry of Members. No member will be considered for re-entry until three (3) years after their termination effective date with approval of the Membership Committee. Any Board Member withdrawing from the OBC Medical Pool to participate in the OBC Purchasing Cooperative may be eligible for re-entry to the OBC Medical Pool at the next OBC Medical Pool renewal with approval of the Membership Committee.

ARTICLE II. BOARD OF MEMBERS

Section 1. Member Representatives: Each Member and Affiliate Member is entitled to designate one representative to the Board (the "Member Representative" or "Affiliate Representative"). The Member Representative for each Initial Member is identified on Exhibit A. While an Affiliate Representative may attend all Board meetings and corporate activities, an Affiliate Representative is not afforded a vote in Board matters in accordance with Article I, Section 1 and 2(a).

Section 2. Alternate Representatives: Each Member and Affiliate Member is entitled to designate one Alternate Representative. The Alternate Representative for each Initial Member is identified on Exhibit A. While the Affiliate Alternate Representative may attend all Board meetings and corporate activities, the Affiliate Alternate Representative is not afforded a vote in Board matters in accordance with Article I, Section 1 and 2(a). An Alternate Representative (other than an Affiliate Alternate Representative) is permitted to vote on Board matters when the Member Representative is absent or in accordance with Section 4 herein.

Section 3. Number. Until changed in accordance with the provisions of this Section, the number of Member Representatives shall be limited to one Member Representative for each Member and one Alternate Representative for each Member. The number of Member Representatives and Alternate Representatives may be changed by resolution at any meeting or any special meeting called for that purpose, adopted by a two thirds (2/3rds) majority vote of the Member Representatives, but no reduction shall have the effect of removing any Member Representative or Alternate Representative prior to the next annual Member meeting. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 4. Member Representative Vacancies. A Member Representative vacancy or vacancies on the Board, however caused, shall be filled at the meeting the vacancy occurs, the first Board meeting following the vacancy or as soon as possible thereafter. Until the vacancy is filled, the Alternate Representative shall serve in place of the Member Representative and may vote on Board matters while serving in place of the Member Representative. The vacancy shall be filled by a person designated and nominated by the Alternate Representative and approved by a majority vote of the then-remaining Member Representatives. The Alternate Representative may nominate himself or herself to be the Member Representative and may also nominate a replacement Alternate Representative. Any Member Representative may resign at any time by oral resignation made at a Board meeting or in writing delivered to the Alternate Representative, and such resignation shall take effect immediately or at such other time as the Member Representative may specify, subject to the provisions of Article II, Sections 6 and 7. With the exception of voting rights, the provisions of this section apply equally to Affiliate Representatives and Affiliate Alternate Representatives.

Section 5. Alternate Representative Vacancies. Alternate Representative vacancy or vacancies on the Board, however caused, shall be filled at the meeting the vacancy occurs, the first Board meeting following the vacancy or as soon as possible thereafter. The vacancy shall be filled by a person designated and nominated by the Member Representative and approved by a majority vote of the then-remaining Member Representatives. An Alternate Representative may resign at any time by oral resignation made at a Board meeting or in writing delivered to the Member Representative, and the resignation shall take effect immediately or at such other time as the Alternate Representative may specify, subject to the provisions of Section 6 herein. The provisions of this section apply equally to Affiliate Alternate Representatives.

Section 6. Removal. A Member Representative or Alternate Representative may be removed for good cause by a two thirds (2/3rds) majority vote of the Board at a Board meeting specially called for that purpose. A Member Representative or Alternate Representative may be removed by the Member without cause upon written notice to the Board. The Member Representative and Alternate Representative of a Member who withdraws or is expelled from the Corporation shall be removed as of the effective date of the Member's withdrawal or expulsion. Upon receipt of written notice to the Board by a Member governing body and effective immediately, the Member's designated Member Representative or Alternate Representative shall be removed from the Board. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 7. Election and Term of Office. Member Representatives and Alternate Representatives shall be representatives designated and nominated by the Members of the Corporation in good standing. Member Representatives and Alternate Representatives shall remain on the Board indefinitely until resignation or removal as provided in Sections 5 and 6. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 8. Meetings. The Board shall meet at least annually, and the annual meeting of the Board shall constitute the annual meeting of the Members of the Corporation. Any Member Representative or Alternative Member Representative vacancies on the Board may be filled at

the annual meeting or any other meeting of the Board. The regular election of Officers shall be conducted at the annual meeting. Any other meetings may be held at such times and places as the Board may designate. The provisions of this section apply equally to Affiliate Members and their representatives. Participation of Member Representative and Alternative Member Representative in meetings may be by electronic means that permit the remote Representative to hear and speak during the meeting. The specific means of participation may be determined by Board policy as determined by the majority vote of the board without the participation of remote Representatives. Meetings of the Board other than the annual meeting may be called by any Member Representative or Alternative Member Representative or the governing body of any Member, by written notice given at least ten (10) days before the date of such meeting to each Member, by mail to the Member's address as it appears on the records of the Corporation. Notice of the time, place and purpose of such meeting may be waived in writing either before or after the holding of such meeting by any Member Representative (or Alternate Representative if the Member Representative is unavailable). Such waiver shall be recorded in or appended to the minutes of such meeting. The attendance of any Member Representative or Alternate Representative at any meeting of the Board without protest prior to or at the commencement of the meeting shall be deemed a waiver of such notice of meeting. The provisions of this section apply equally to Affiliate Members and their representatives.

Section 9. Powers and Duties. The powers of this Corporation shall be exercised, its business and affairs conducted and its property controlled by the Board, except as otherwise provided in the Articles of Incorporation or the applicable laws of the State of Ohio. The Board shall have the following specific powers and duties:

- (a) to establish the costs of participation in the insurance/pool/benefits procured and/or provided by the Corporation.
- (b) to employ any necessary employees or independent contractors, including but not limited to a Claims Administrator, and set compensation for such employees and/or independent contractors;
- (c) to delegate to Officers, employees or independent contractors any duties or authority that the Board holds and which it is permitted by law to delegate other than its authority to elect Officers;
- (d) to receive and have charge of all monies and property belonging to the Corporation, to keep an accurate account of all money or property received or disposed of by the Corporation, to prepare and approve an annual budget for the Corporation, and to prepare an annual report of the financial affairs of the Corporation to be submitted to each Member, all according to well-recognized and generally accepted accounting principles;
- (e) to make available additional insurance/pool/benefits through the Corporation (e.g. Workers' Compensation benefits, etc.) over and above the health benefits and to determine what, if any, criteria need be satisfied for the purchase of such insurance/pool/benefits;

(f) to assess dues and/or special assessments against Members and Affiliate Members for operational costs and expenses;

(g) to establish committees and delegate to such committees by resolution any duties or authority that the Board holds and which it is permitted by law to delegate other than its authority to elect Officers. At least one (1) Member Representative and two (2) Officers shall be members of any committee formed by the Board. Committees shall have no more than five (5) committee members. Appointment to any committee shall be appointed by the Board. The authority, duties, and responsibilities of any committee, including reporting requirements, shall be as established herein or as designated in the Board resolution forming the committee regarding committees not established in these regulations;

(h) to elect and contract with a Fiscal Agent for up to a three (3) year term, to oversee, monitor and report: all financial and funding aspects of the OBC Self-Funded Pools, to aggregate reporting provided by support vendors, and to perform all such other financial/funding responsibilities as dictated by Board Members under the supervision of the Treasurer;

(i) to authorize and contract to permit any elected Fiscal Agent to pool the OBC Self-Funded Pools with other funds administered by the Fiscal Agent for up to a three (3) year term during the term of the Fiscal Agent's election on terms satisfactory to the Board;

(j) to authorize and contract for membership under Ohio Revised Code Chapter 167 health plans to administer OBC Self-Funded Pools for up to a three (3) year term; and

(k) to carry out all such other activities as are necessarily implied or required in order to carry out the purposes and objectives of this Corporation.

Section 10. Committees. The Corporation shall have the following standing committees. Membership of the Committees shall be appointed by the Board and consist of not more than five (5) members with at least one (1) Member Representative and two (2) Officers serving on each committee.

(a) Benefits/Finance Committee. The Benefits/Finance Committee duties shall include preparation and presentation of reports and recommendations to the Board with respect to the financial condition of the Corporation. The Benefits/Finance Committee shall be responsible for oversight of benefit policies offered to Members, including solicitation of quotations, preparation of applications, review and evaluation of proposals, and preparation of reports on proposals and recommendations to the Board. Benefits/Finance Committee shall be responsible for oversight/management of all administrative, benefits, financial, reporting and renewal aspects of the self-funded medical pool structure and ancillary coverage benefit lines. The Benefits/Finance Committee shall review renewal methodology to determine if prospective ratings can be established based on benefit structure, experience and/or participation in wellness initiatives. The members of the Benefits/Finance Committee shall be appointed to three (3) year terms.

(b) Membership Committee. The Membership Committee's duties shall include preparation and presentation of reports and recommendations to the Board with respect to the Membership of the Corporation, including new members, Affiliate Members, and requests for withdrawals and expulsion of Members. The members of the Membership Committee shall be appointed to two (2) year terms.

(c) Wellness Committee. The Wellness Committee duties shall include preparation and presentation of reports and recommendations to the Board with respect to the wellness initiatives of the Corporation. The members of the Wellness Committee shall be appointed to two (2) year terms.

Section 11. Compensation. Member Representatives and Alternate Representatives shall serve with no compensation for services rendered but shall receive reimbursement of reasonable expenses incurred while engaged in the Corporation's business and approved by the Board. The provisions of this section apply equally to Affiliate Representatives and Affiliate Alternate Representatives.

Section 12. Quorum and Voting. A majority of the Board Member Representatives (including Alternate Member Representatives replacing any absent Member Representatives and excluding Affiliate Member Representatives and Affiliate Alternate Representatives) shall constitute a quorum for the transaction of any business at a regular or special meeting of the Board. Unless a higher percentage is specifically required by these Regulations, all actions conducted by the Board shall be done by majority vote. For purposes of voting, a majority of the Member Representatives (including Alternate Member Representatives replacing any absent Member Representatives) present at a meeting at which a quorum is present shall be sufficient.

ARTICLE III. OFFICERS

Section 1. Officers. The Board shall elect a President, Vice President, Secretary and Treasurer, and at its discretion it may create any other offices as the Board deems necessary.

Section 2. Term. All of the Officers of the Corporation shall hold office for a term of two (2) years, except for the Treasurer who will hold office for a term of three (3) years. All officers shall serve at the pleasure of the Board and may be terminated from the Board at any time. The term an Officer serves may be extended until the next annual meeting held following election to office. The Board may remove any Officer at any time, with or without cause. A vacancy in any office, however created, shall be filled by the Board at the meeting the vacancy occurs, the first meeting following the vacancy or as soon as possible thereafter.

Section 3. Duties of President. The President shall preside at all meetings of the Board, sign the records thereof, and perform generally all of the duties usually performed by presidents of similar corporations and such other and further duties as shall be from time to time required by the Board.

Section 4. Duties of Vice President. The Vice President shall perform all duties of the President in case of the President's absence or as may be assigned from time to time by the

President or the Board, and when so acting, shall have the same power and authority as the President.

Section 5. Duties of Secretary. The Secretary shall keep minutes of all proceedings of the Board of this Corporation and make a proper record of the same which shall be attested by him or her. The Secretary shall maintain a registry identifying each Member, the governing body of each member authorized to remove Member Representatives and Alternate Representatives, the names and addresses of each Member Representative and Alternate Representative, and generally shall perform such other duties as may be required from time to time by the Board. The provisions of this section apply equally with respect to Affiliate Members and their representatives.

Section 6. Duties of Treasurer. The Treasurer shall render financial and other appropriate reports on the condition of the Corporation at the annual meeting, and at any meeting or other time as from time to time the Board or the President may require, and shall perform all such other duties as may be required of him or her by the Board. The Treasurer shall receive and have charge of all monies and property belonging to the Corporation, keep an accurate account of all money or property received or disposed of by the Corporation, prepare the annual budget for the Corporation and annual report of the financial affairs of the Corporation (or at such frequency as directed by the Board) to be submitted to each Member, all according to well-recognized and generally accepted accounting principles. The Treasurer shall have the responsibility for oversight of any Fiscal Agents the Board may appoint. The Treasurer's duties include, but are not limited to, supervising any Fiscal Agents, overseeing and monitoring all financial aspects of the Corporation and aggregate reporting.

Section 7. Compensation. Officers shall serve with no compensation for services rendered as an Officer but shall receive reimbursement of reasonable expenses incurred while engaged in the Corporation's business and approved by the Board.

ARTICLE IV FISCAL AGENTS.

The Board may elect Fiscal Agents as provided in this Article IV, but are not required to do so. The Board may appoint Fiscal Agents for the monitoring and reporting on areas of financial responsibility as the Board may determine. Fiscal Agents may be individuals, Members of the Corporation or third party entities not otherwise affiliated with the Corporation. Fiscal Agents may be affiliated with the same entity or entities with which the Treasurer may be affiliated. Fiscal Agents shall be compensated for their services in accordance with the determination of the Board. Fiscal Agents shall serve at the pleasure of the Board and may be terminated from the Board at any time.

ARTICLE V. POOL PROGRAMS

The Corporation may establish self-funded pool programs as contemplated in Section 167.01 of the Ohio Revised Code. As of the date of adoption of these Regulations, the Corporation has two pool programs: OBC Medical Pool or the OBC Medical Purchasing

Cooperative. Pool Programs may be established by a two thirds (2/3rds) majority vote of the Board.

A. Supervision. The Board through the Treasurer and Fiscal Agent, shall oversee financial aspects of any termination of the pool including distribution of remaining surplus or billing/collection of assessments for deficits. Basis for any surplus distribution or deficit assessments to be prorated share based on participating lives of jurisdictions remaining in the pool as of the first of the month prior to the date the pool is terminated. Timing for surplus distribution and/or frequency for billing/collection of deficit assessments to be determined and stipulated.

B. Commitment. Members participating in the OBC Medical Pool shall make an initial three (3) year commitment, and then an annual commitment thereafter. Members participating in the OBC Medical Purchasing Cooperative shall make an initial two (2) year commitment, and then an annual commitment thereafter. Any participation standards on other pools shall be established by the Board.

C. Initial Funding. All current Members priced into the OBC Pool Programs shall be priced using their projected fully insured renewal premium structure with applicable discount for self-funding.

D. Renewal Methodology. For the OBC Medical Pool, the Corporation shall continue current methodology through the first renewal. Commencing with the second renewal for the OBC Medical Pool, the Benefits/Finance Committee shall review the current renewal methodology to determine if prospective ratings can be established based on benefit structure, experience and/or participation in wellness initiatives. Review and recommendations to be provided to the Board as part of the renewal for the second year under the OBC Medical Pool. For the OBC Purchasing Cooperative Pool. Each member shall pay claims as presented.

E. Assessments. The Board shall have the right to implement assessments where the Board reasonably determines that current funds are likely not to be sufficient to cover any/all costs or appropriate liabilities.

F. Wellness. Within the OBC Medical Pool, the Board may establish a wellness program (the "Wellness Program") as recommended by the Wellness Committee. The Board may establish a fund (the "Wellness Fund") within the OBC Medical Pool to pay for the Wellness Program. Each member participating in the OBC Medical Pool shall contribute to the Wellness Fund.

G. Surpluses. The Board shall have the right to distribute surplus funds where the Board reasonably determines that current funds are likely to be more than sufficient to cover any/all costs or appropriate liabilities.

H. Authorized Withdrawal or Termination. Authorized withdrawal/termination from OBC Pool Programs must occur at end of the plan year (i.e. 8/31) after the Member has

provided written notice of intent six (6) months prior to termination, and four (4) months formal written notice prior to the termination date.

I. Withdrawal or Termination Liability. Withdrawing and terminated members are responsible for all contributions, administrative costs, assessments, run out, any additional costs including auditing incurred to calculate the member's withdrawal. Withdrawing and terminated members forfeit the right to the reserve/surplus.

J. Assessment of Withdrawing and Terminated Members. Subject to the oversight of the Board, the Benefits/Finance Committee with the assistance of the Treasurer and Fiscal Agent will look back 24 months from the date a jurisdiction withdraws to determine any applicable deficit to be paid back to the pool.

K. Claims Exceptions. A Member may not require the appointed Claims Administrator, on an exception basis, to process and pay claims that were denied by the Claims Administrator or take other actions with respect to the Plan that are not specifically set forth in the By-laws or the Plan Document(s).

ARTICLE VI. INDEMNIFICATION

The Corporation shall indemnify each present and future Member Representative, Alternate Representative, and officer of the Corporation against any costs and expenses, including counsel fees, which may be imposed on or reasonably incurred in connection with any claim, action, suit or proceeding made or instituted in which he or she may be involved by reason of being or having served on the Board or as an officer of the Corporation, such costs and expenses to include the costs of reasonable settlements, other than amounts paid to the Corporation itself. The Corporation shall not, however, indemnify any Member Representative, Alternate Representative, or officer with respect to matters as to which he or she shall be finally adjudged in any such action, suit or proceeding to be liable because of intentional wrongdoing or fraud nor, except with the approval of a court of competent jurisdiction, as to any matter on which a settlement is effective, any amount in excess of the costs and expenses which might reasonably be incurred by him or her in conducting litigation to a final conclusion. The foregoing right of indemnification shall not be exclusive of other rights to which any Member Representative, Alternate Representative or officer may be entitled as a matter of law, and which inure to the benefit of the heirs, executors and administrators of any Member Representative, Alternate Representative or officer. The indemnification obligations of this section apply equally to Affiliate Representatives and Affiliate Alternate Representatives. The Corporation shall have the power to purchase and maintain insurance or furnish similar protection on behalf of or for any person, whether or not the Corporation would have the power to indemnify such person under the provisions of this Article.

ARTICLE VII. FISCAL YEAR

The fiscal year of this Corporation shall end on the 31st day of December of that year. The fiscal year may be changed by a majority vote of the Board.

ARTICLE VIII. AMENDMENTS

This Code of Regulations may be amended, adopted or repealed by the affirmative vote of not less than two-thirds (2/3rds) majority of the Board empowered to vote thereon at a meeting called and held for that purpose.

ARTICLE IX. MISCELLANEOUS PROVISIONS

Section 1. Benefit Prices. The Board shall determine the price of the insurance/pool/benefits and shall determine the method to be used in calculating such price. Insurance/benefit prices shall be reviewed by the Board as frequently as is necessary and appropriate adjustments to prices shall be made.

Section 2. Buyers. Non-Members shall not be permitted to participate in the insurance/pool/benefit programs, risk sharing programs or any other programs available through the Corporation.

Section 3. Self-Insurance. This Corporation shall have the authority to establish one or more self-insurance funds to the extent and under the terms which are deemed by the Board to be in the best interests of this Corporation.

Section 4. Function of the Corporation. Except as specifically provided in this Code of Regulations, this Corporation shall not itself offer, provide or guarantee insurance/benefit coverage to the employees or officers of its Members. In all but such specifically designated cases, the Corporation shall function solely as an administrative agency to receive, process and facilitate payments of such claims as shall come within the insurance/benefit or risk sharing programs offered to the Member and purchased through the Corporation.

Section 5. Use of Income of the Corporation. The income of this Corporation shall be used to reimburse losses which are incurred by the Members in connection with any self-insurance program sponsored by the Corporation, to reduce the annual fees that Members would otherwise be required to pay for the insurance/benefits provided through the Corporation and to pay for any necessary administrative costs incurred in connection with procuring such benefits and operating the Corporation. The income of the Corporation shall not serve private interests. Upon dissolution of the Corporation, the Corporation's assets shall be distributed on a pro rata basis to the current Members at the time of such dissolution. The amount each Member shall receive upon dissolution shall be determined by multiplying the total amount being distributed to all Members by a fraction; which fraction shall be equal to the sum of each individual Member's insurance/benefit premium payments paid through the Corporation over the immediately preceding three (3) months, divided by the total of all such premium payments made by all Members over the same period.

Section 6. Construction. These By-Laws shall function as, and be construed as, regulations as contemplated in Ohio Revised Code Section 1702.10 concerning regulations for nonprofit corporations.



MEETING DATE: December 1, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: 22-R-2811 - A resolution adopting a legislative policy for the City of Riverside, Ohio regarding the assessment of curb, gutter, sidewalk, and driveway approaches.

EXPLANATION

The previous curb assessment policy was passed July 18, 2013. Its purpose was to set a uniform policy for the assessment of the costs of installing, replacing or repairing sidewalks and associated items as provided in Section 729 of the Ohio Revised code. It became apparent this year in completing the Ohio Public Works Commission grant application, that the Grant Funding section did not cover the situation encountered by this grant. An additional section, Section (3), has been added to the Exhibit-Grant Funding that addresses it.

RECOMMENDATION

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

FISCAL IMPACT

Not Applicable

SOURCE OF FUNDS

Not Applicable

EXHIBITS

Exhibit A – Updated Curb, Gutter, Sidewalk, and Driveway Approach Assessment Policy

22-R-2811

A RESOLUTION ADOPTING A LEGISLATIVE POLICY FOR THE CITY OF RIVERSIDE, OHIO REGARDING THE ASSESSMENT OF CURB, GUTTER, SIDEWALK, AND DRIVEWAY APPROACHES.

WHEREAS, the City Council previously adopted a curb, gutter, sidewalk, and drive approach assessment policy; and

WHEREAS, since the adoption of this policy, the State of Ohio and other entities have changed rules and procedures for scoring grant applications; and

WHEREAS, the changes in grant scoring often penalize applicants who assess costs related to curb, gutter, sidewalks, and related infrastructure; and

WHEREAS, the City Council desires to amend its existing policy to maximize the likelihood that grant applications will be funded, as well as the amount of funding awarded.

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

Section 1: That this Council hereby adopts the revised Curb, Gutter, Sidewalk, and Driveway Approach Assessment Policy.

Section 2: The City Manager is authorized to apply this policy to all applicable infrastructure projects and related grant funding efforts.

Section 3: That the Clerk be and is hereby authorized and directed to forward a certified copy of the Resolution to the City Manager and Finance Director.

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

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-R-2811

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. 22-R-2811 passed by the Riverside City Council on _____.

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

CLERK

Curb, Gutter, Sidewalk, & Drive Approaches Assessment Policy

Policy: The City of Riverside desires to create a uniform policy for the assessment of the costs associated with installing, replacing or repairing curbs/gutters, sidewalks and associated items as provided for in Section 729 of the Ohio Revised Code.

Procedures: When projects occur, the City Engineer will make a recommendation to City Council on whether to include sidewalks, curbs and associated items with the project or not; this recommendation will be based on factors including the budget of the project, a cost-benefit analysis, safety and other factors. If the City Engineer recommends including curbs/gutters, sidewalks & drive approaches and City Council concurs then the following procedures will be followed. Assessments are based and in accordance with the provisions of Section 729 of the Ohio Revised Code.

Segmented Improvements (residential, collector, thoroughfare and arterial streets)

- a) Program is for the spot replacement of deteriorated curb/gutter, sidewalk, and drive approaches on residential, collector, thoroughfare and arterial streets.
- b) Property owners will be assessed the direct, proportionate cost to remove & replace deteriorated:
 - i) Curb/gutter
 - ii) Sidewalk
 - iii) Drive approaches
- c) City pays for all other project costs, including but not limited to: pavement restoration; turf restoration (when done by City's contractor); maintenance of traffic; catch basin & manhole repairs; curb ramps; project administration costs.
- d) The City reserves the right to remove trees located in the right-of-way if they are causing sidewalk upheaval or curb damage.
- e) Property owners have the option to make repairs themselves by:
 - i) Using a bonded and licensed contractor with a R/W Construction Permit issued by the City of Riverside.
 - ii) Performing the work themselves with a R/W Construction Permit issued by the City of Riverside and proof of homeowner's liability insurance.
 - iii) Under these options, the property owner is responsible for turf restoration.

Large Scale Improvements (residential, collector, thoroughfare and arterial streets)

- a) Program is for the large-scale replacement of curb (typically entire removal & replacement of curb along a street) and drive approaches where the curb profile *is* revised; plus, spot replacement of deteriorated sidewalk and drive approaches. Program may include limited in-fill of sidewalk.

- b) Credits are given to property owners for the cost of removing & replacing curbs and drive approaches that have not deteriorated to the point where replacement is warranted, but are being entirely replaced as part of the overall project scope.
- c) Property owners will be assessed the direct, proportionate cost to remove & replace deteriorated:
 - i) Curb/gutter
 - ii) Sidewalk
 - iii) Drive approaches
- d) City pays for all other project costs, including but not limited to: pavement restoration and/or resurfacing; turf restoration; maintenance of traffic; catch basin & manhole repairs; curb ramps; project administration costs.
- e) The City reserves the right to remove trees located in the right-of-way if they are causing sidewalk upheaval or curb damage,

New Construction

- 1) Sidewalk Construction - Residential Streets & Collector Streets
 - a) Program is for the construction of new sidewalks where none currently exist on residential and collector streets.
 - b) Property owners are assessed for the direct cost of the sidewalk installation, plus the direct cost of drive approach replacement (if condition warrants replacement)
 - c) City pays for all other project costs, including but not limited to: pavement restoration; turf restoration (when done by the City's contractor); drive approach replacement (if in good condition prior to project); maintenance of traffic; curb ramps; project administration costs.
 - d) City pays for the removal of trees that are in the way of the proposed sidewalk.
- 2) Sidewalk Construction - Thoroughfare & Arterial Streets
 - a) Program is for the construction of new sidewalks where none currently exist on thoroughfare and arterial streets.
 - b) Property owners are assessed for 50% of the direct cost of the sidewalk installation. Property owners are also assessed the 100% direct cost of drive approach and/or curb replacement, only if the drive approach and/or curb condition warrants replacement; otherwise the City pays for the replacement of the drive approach and/or curb.
 - c) City pays for all other project costs, including but not limited to: pavement restoration; turf restoration (when done by the City's contractor); drive approach replacement (if in good condition prior to project); maintenance of traffic; curb ramps; project administration costs
 - d) City pays for the removal of trees that are in the way of the proposed sidewalk.

Grant Funding

- 1) Should the City receive grant funding for a street project which includes repair/construction of sidewalks and curbs, the grant funds will be applied to the expenses to repair the street (located from inside seam of gutter pan to inside seam of gutter pan or shoulder to shoulder where no curb exists). The sidewalk and curb portion of the project will proceed based on the above policy provisions for segmented improvements, large-scale improvements or new construction, depending on the project.
- 2) Should the City receive grant funds specifically for the purposes of constructing, repairing or replacing sidewalks; then only those remaining costs to construct, repair or replace said sidewalks not covered by the grant shall be assessed in their entirety to adjoining property owner(s) as outlined in the most appropriate aforementioned policy.
- 3) This assessment policy may be waived or adapted as needed to meet specific grant criteria. For example, if the City's grant award would be increased by not assessing for infrastructure costs, the City may choose not to assess for infrastructure to maximize the likelihood of a grant award and/or grant funding.

CITY MANAGER

PREVIOUS

UPDATES

MEMORANDUM

TO: Honorable Mayor and Councilmembers

FROM: Josh Rauch, City Manager

DATE: November 4, 2022

SUBJECT: Weekend Update

CC: Department Directors, City Clerk, Law Director

City Manager's Office

- This week I attended the Miami Valley Military Affairs Association (MVMAA) annual dinner. Congratulations to Katie on her new role as the MVMAA Secretary, and thanks for her hard work organizing the dinner!
- I completed and distributed an updated draft of the FY2023 Budget Book to the Citizen's Budget Committee. The Committee will provide me with comments and vote to recommend forwarding the document to Council for approval. The next scheduled Committee meeting is November 15.
- Next week I'll be leading two intro sessions for staff regarding our finance software transition to SSI VIP Cloud.
- Reminder that City Hall will be closed next Friday, November 11, in observance of Veteran's Day.

Administration

- **Health Insurance Renewal Update** - Staff is continuing to make preparations for a transition to the Ohio Benefits Cooperative for health insurance. The Health Insurance Committee with representation from the four unions met on Nov. 4th to discuss the insurance changes and provide input to the City Manager. Further details will be provided to City Council at the Nov. 10th Council Work Session.

Community Development Department

- **Planning and Zoning** – Staff are working on text amendments and cases which will go before Planning Commission later this month. Stay tuned for details.
- **Economic Development** – Staff submitted a Dayton Region Priority Development & Advocacy Committee (PDAC) application for a "Riverside City Center Corridor" study this week. The proposed study would examine opportunities to redevelop land along Springfield St. to encourage the development of a city center. This would advance the vision and recommendations in the City's updated comprehensive land use plan. The PDAC process does not directly award grant funding, but will help bring regional awareness and enhance future requests for grant awards.
- **Code Enforcement** – Boarding was completed for 2449 Rondowa on Monday without incident. Staff are evaluating options for proceeding with additional abatement on significantly dilapidated properties. Additionally, 10 new cases of various types were opened this week.

Finance Department

- Initial training invitations were sent to Departments and SSI VIP users this week. Training will be held next week to introduce the new software. Detailed training on Payroll and AP workflow will occur the week of November 28th.

Fire Department

- The Department will request additional appropriation as part of the December supplemental to support repairs for medic units.

Police Department

- 2 Officer candidates are still navigating through the hiring process. We are pushing for the middle of November for the conclusion of the process.
- Property Room Custodian Danny Brodnick's Grandmother passed away this week and we want to give our condolences to Danny and his family.
- Major Jackson has been accepted to Public Leadership Academy command school. The school is in Columbus and is Set to begin March 27th.
- This past Monday was Halloween and the Officers participated in several events his month (STEM) and of course gave out candy from the cruisers on Monday which was trick or treat night.
- I mentioned the GTA Task Force out of Montgomery County. They are up to 17 recovered stolen vehicles in the last 2 weeks. I mentioned we had 2 from Riverside. Unfortunately, being short staffed right now it's hard to participate, but Major Jackson went out one night and Officer Jackson and K-9 Tina went out one night.

Public Service Department

- Lynnhaven/Meyer
 - The pavement interlayer (fiber) was applied to both Lynnhaven & Meyer.
 - Asphalt overlay was finished and rejuvenating agent applied on Lynnhaven.
 - Asphalt overlay was completed waiting on rejuvenating agent to be applied on Meyer.
 - Manholes and water vales still need to be adjusted to grade.
- Kroger
 - South entrance drive apron has been inspected and is schedule to be poured Friday.
 - Northwest entrance on Burkhardt is still waiting on utilities to be relocated.
 - North entrance on woodman is being excavated and is schedule to be poured early next week.
- Harshman wall
 - Crews formed & poured 3 sections of the wall.
 - Crews have 2 more sections to pour.
- Springfield street
 - No work on the job.
- Needmore/ 201 / 202

- (No change) Everything is complete new traffic signals are bagged and waiting to be hooked up.
- Burkhardt/Woodman
 - All mast arms are installed.
 - All signal heads and ped signals should be installed by Friday.
- City paint striping
 - (No change) Everything is complete except in the construction areas around Kroger.
- Sign shop,
 - Asphalt driveway is done.
- Our Crews
 - Repaired tile/sinkhole on Spinning Rd.
 - Finished sealing walking path in parks
 - Finish winterizing mowing equipment and put in storage.
 - Crews applied 2 tons of asphalt on roads.
 - Repaired (3) catch basins in the Right of way
 - Put front bucket on little tractor.
 - Organized sign shop.

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: November 10, 2022
SUBJECT: Weekend Update
CC: Department Directors, City Clerk, Law Director

City Manager's Office

- I attended the Greater Dayton Mayors and Managers Association (GDMMA) yesterday evening, hosted by Col. Meeker at WPAFB. It was an excellent opportunity to meet the Colonel and his staff, and I look forward to growing a relationship with them.
- I met with representatives from altafiber on Monday to get acquainted and discuss Riverside's potential for future development.
- I held two high-level orientations for staff regarding the SSI VIP financial software this week. We remain on target to switch systems December 9th.
- I'll be attending Hometown Holiday on Saturday from 3:00 to 7:00 – hope to see you there!
- **As a reminder, City offices are closed tomorrow in observance of Veteran's Day. THANK YOU to all veterans, families of veterans, and those currently serving.**
- I'll be out of the office Wednesday through Friday next week attending the National League of Cities conference. Chris will serve as acting City Manager in my absence, but I'll continue to have access to phone and email.

Administration

- **Health Insurance Update-** Open enrollment for employees will take place Nov. 14-27. As employees will see changes to health insurance in 2023, HR will be holding information sessions for employees to attending virtually or in-person.
- **E-mail Log-In Heads Up-** To ease the migration to Office 365, accounts were initially set up to use the @riverside.oh.us login as the default id to sign in to Office.com. In the future, this log in will be switching to our @riversideoh.gov e-mail addresses. When this occurs, you will be automatically signed out of your account and will need to log back in with your @riversideoh.gov e-mail. Prior to this transition, you will be notified.

Community Development Department

- **Planning and Zoning** – This month the Planning Commission will hear two cases related to potential gas station developments, as well as text amendments to the UDO. The Planning Commission meeting is scheduled for Monday, November 21, at 6:30 PM.

- **Economic Development** – PDAC submissions were received, and a public comment period will follow. Staff will publish links for public feedback once they become available.
- **Code Enforcement** – Staff are identifying funds to abate several outstanding nuisance properties, including removal of dilapidated residential structures.

Finance Department

- User account configuration and Payroll configuration continued with SSI this week.
- Logins for staff along with high-level training materials will be distributed next week.

Fire Department

- We learned Engine 6 will have to have its pump rebuilt and parts have been ordered. It may take some time to get them in.
- M-7 has returned to full service from the tow damage. Paid by insurance.
- M-6 2022 Horton is back at Horton for finishing touches. We should be back to full fleet in service in a couple weeks.
- Part time Bradley Carter was hired fulltime and brings up to full fulltime staffing.
- Crews will be attending Holiday event the is Saturday and delivering Santa via fire engine.
- We will be doing to Christmas engine tour around the city in the evening on December 6, 7, 8th.
- All the software implementation is ongoing daily.

Police Department

- Officer Witt is attending drug interdiction school this week
- The department is participating tonight with the county auto theft task force.
- The go live date for the new CAD system has been pushed back due to ongoing complications.
- Officer Brewer is leaving the detective section and returning to patrol. Officer Sullivan will take his place.
- Officer candidate Brandon Newton passed his polygraph and is at the final step for hiring. The pension physical which Elayna is helping schedule
- The Watchguard server was decommissioned today.

Public Service Department

- Projects:
 - Kevin went over outstanding repairs on Lynnhaven and Meyer with the Contractor last week. No crews were on site this week.
 - Responded to resident complaints on Lynnhaven and Meyer.
 - Concrete work on the Burkhardt Kroger Drive has been delayed until next week. Issue came up over an abandoned traffic box and relocating a utility pole.
 - Crews repaired a Chevron at top of wall for the contractors on the Harshman Wall project. Contractor is placing the last of the drainage covers today, and are planning to be finished with the project, including striping, next week. Crews will be removing the work zone mid-next week. The project is being completed six weeks early.

- This week the crews:
 - applied 2.0 tons of asphalt
 - had the inspection for the Watershed on Monday
 - cleaned a lot of graffiti from 3 parks
 - made a couple of catch basin repairs
 - did some organizing and grading in the back lot of the sign shop
 - repaired signs
 - spread the rubber mulch in the park play areas
 - picked up dead animals (deer for Police) and took them to Miami County Solid Waste
- Parks have been winterized-except for Rohrer, which has now had a furnace repair also so that the restrooms can be used for Freda's group.
- Jim has been working on finding someone to do the fascia repair at FD 6, our bathroom floor replacement, and I have spoken to a couple of maintenance companies about a service agreement for building maintenance.

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: November 18, 2022
SUBJECT: Weekend Update
CC: Department Directors, City Clerk, Law Director

City Manager's Office

- This week I attended the NLC conference. Many of the presenters were informative and it was good to gather insights into how other cities are approaching infrastructure development, opioid abuse, and governance challenges.
- Next week City offices will be closed Thursday and Friday in observance of Thanksgiving. There will be no Weekend Update due to the short workweek.
- I have a call with Clemans Nelson next week to discuss scope and pricing for a classification & compensation study. I'm optimistic the cost of the study will be less than \$25,000. We are likely to move forward with the study after the first of the year, pending the outcome of my conversations with them.
- Preparations for switching over to the SSI VIP software will significantly ramp up beginning the week of November 28th. This will require a great deal of focus for myself and the rest of the staff throughout the remainder of November and December.

Administration

- **Ohio Benefits Cooperative, Broker Change-** Staff is continuing to work with McGohan Brabender to set up health insurance with the OBC and to transfer brokerage of all benefits to McGohan Brabender.
- **E-mail Log-In Heads Up-** The switch to using our riversideoh.gov e-mail addresses as our Office 365 user ids has been completed. If you have any issues, please contact Chris Lohr for assistance.

Community Development Department

- **Planning and Zoning** – Planning Commission will meet next Monday at 6:30 PM and will hear two cases and a proposed text amendment. We are still interested in volunteers for BZA and the Property Maintenance Appeals Board. Please contact Nia with any recommendations.
- **Economic Development** – The Dayton Daily News ran an article this week about potential development at 4740 Linden. The City has not received any formal submissions regarding this property, and the developer is seeking to engage the community in a neighborhood meeting next week. Staff are prepared to work with the developer and the neighborhood should a viable project emerge.

- **Code Enforcement** – 1,177 cases initiated so far this year. Current backlog is 301. 10 new cases were opened this week. Staff held a meeting early in the week to coordinate code enforcement scheduling and discuss potential process improvement opportunities.

Finance Department

- Departmental training for AP/Budget/General Ledger will occur the week of November 28th.
- Anticipated go-live is still scheduled for December 9th. This date may change/flex depending on several factors over the next two weeks.

Fire Department

- The new medic is back from getting the final touches and will be service after orientation training.
- Still working on getting year end preventative maintenance and repairs finished up.
- Continuing to work on the software transitions and integrations..

Police Department

- 2 Officer candidates are still navigating through the hiring process. The process is a little slow, but we feel that it will be concluded by the middle of December.
- The go live date for the new Motorola CAD system in Huber Heights dispatch has been moved to December 6th. With so many issues with the Reporting system part of the Motorola we have decided to stay with CMI Redhawk until the issues can be worked out. Huber Heights is considering the same. We will however still be dispatched by HH and we will use the Motorola CAD system.
- Closed out the 2021/2022 IDEP STEP grant with our annual report and final claim
- IDEP/STEP 2021-2022 grant objectives were met. Fatal accidents involving alcohol decreased by 50%, injury accidents involving alcohol decreased 25%, and OVI arrest went up 25%.
- Skye submitted her 4th quarter report for the victim advocate grant
- Rotated Detective Sullivan back to the section and place Officer Brewer back on road patrol

Public Service Department

- Engineering
 - The City was notified this week that our 2022 Highway Safety Improvement Program grant was approved in the amount of \$739,428 (90% of design and construction). This grant will construct a signal at Beatrice and Harshman, improve the signal at Valley and Harshman and construct the missing link of sidewalk on the west side of Harshman from Beatrice south. Design of the project will begin in 2023 and construction is scheduled for 2026.
- Department Hiring
 - The department received 8 applications for the open maintenance worker position. Applications were reviewed and 4 candidates are scheduled for an interview in early December.
- Miscellaneous

- Attended Local Public Agency (LPA) Day at ODOT. Many Federal and State funding sources were discussed.
- Working with Choice One and Woolpert to try to reduce construction costs on Woodman Phase 1.
- Worked with engineer/developer on right of way permit for new Dollar General. Several other right of way permits were processed.
- Projects
 - Lynnhaven / Meyer
 - Rejuvenating agent has been applied to Meyer.
 - Contractor is working on punch list items.
 - Some manhole covers and water valves still need to be adjusted.
 - Stop signs still need to be installed permanently.
 - Kroger
 - The South drive apron on Woodman has been poured.
 - The Northwest drive apron on Burkhardt has been inspected and waiting to be poured.
 - The North drive apron on Woodman is still being excavated.
 - Springfield Street
 - Westbound outside lane joint repairs are complete.
 - Contractor working on paving the joint repairs.
 - Joint repairs should be completed this week
 - Burkhardt / Woodman
 - Waiting on taller pedestrian post for signals.
 - Signal heads are installed and bagged.
 - Eastman
 - All pavement marking / striping is complete on Eastman.
 - Couple items remain on the punch list.
 - City Paint Striping
 - Met with A&A this week to put together a punch list of miscellaneous items.
 - Punch list items are to be completed next week.
 - Harshman Wall
 - All sections are poured and forms are removed.
 - Waiting on warmer weather to paint the bottom edge line on the wall.
 - Painting should be done next week.
 - Final inspection is being performed.
 - Traffic control should be removed next week
- Crews this Week:
 - Were called in Sunday to salt slick roads
 - Worked on a big project this week repairing the sinkhole in the right lane of Woodman in front of Roy's. This included a detailed plan of our goal, the process and tools we were using, and individual responsibilities. The unforeseen circumstance was the amount of asphalt that was in the lane. The thickness of it took longer than anticipated to remove it and delayed the replacement. It has been filled with berm gravel temporarily, and will be completed next week.
 - Hauled trash away from the dumpster at Rohrer Park-furniture was left again



- Final pieces of winter preparedness were done. We changed the oil in our brine pump and the pickup truck V-boxes were installed.
- Vac truck was winterized and put away in storage.
- Minor repairs made to vehicles and equipment by the team.
- A catch basin top replaced on Underwood. The concrete work for it still needs completed pending a warmer weather day.
- Worked with PD at their request to supply dowel rods to use for additional window security in the Cyber Unit office.
- Swept "the wall" before the work zone was removed. Also noted, training was provided to Kyle in sweeper use on this project.