

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Thursday, February 27, 2020

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

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

Staff present was as follows: Mark Carpenter, City Manager; Chief Frank Robinson, Police Department; Major Adam Colon, Police Department; Tamara Ennist, Zoning Administrator; and Katie Lewallen, Clerk of Council.

ITEM 3: PLEDGE OF ALLEGIANCE: Mayor Williams led the pledge of allegiance.

ITEM 4: EXCUSE ABSENT MEMBERS: No council members were absent.

ITEM 5: ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the amended agenda.

ITEM 6: APPROVAL OF AGENDA: Mr. Denning motioned to approve the agenda. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 7: WORK SESSION ITEMS:

A) Student Resource Officer – Major Adam Colon presented information proposing implementation of a school resource officer (SRO) program as a collaboration between the City of Riverside, Riverside Police Department and the Mad River School District. The SRO program would be for Stebbins High School and Mad River Middle School. He stated that the city is the fourth largest in Montgomery County and of all the cities in the county, the City of Riverside is one of the few cities without an SRO. In previous years, there was an SRO but financial issues in the mid-2000s caused the position to be canceled. He listed the reasons for needing an SRO, and defined what an SRO is. He explained that this SRO would be used at Mad River Middle and Stebbins High School; it would spread the SRO to thin to serve at the elementary schools as well.

Major Colon presented the guiding principles of the SRO; they are not there to be cops nor to handle all disciplinary actions. They are to focus on assuring the safety of the school community by addressing and preventing serious, real and immediate threats to the physical safety of the school and the wider community. Arrests and citations are to be used as a last resort; they are to intervene. They are trying to make students comfortable with law enforcement. Officers already conduct numerous hours of school visits and community policing in the schools as time permits; however, it is not always feasible and so there is a need for an SRO. He explained the staffing of the Riverside PD and structure of the staff. He added that Officers Stamper and Toscani are widely known for being some of the best officers of getting into the schools and interacting daily. For the reasons presented, they want an officer assigned to the school district. Their current staffing does not allow for it. He presented the schedule of the SRO. The SRO would participate in special events the schools have and would have some flexibility factored in for those events. He presented what the SRO would be doing during the summer months indicating additional training, conference attendance, and summer lunch programs.

Major Colon stated that the Mad River School District has an armed response team in each of the eight school buildings. Not all the officers know the response team though they have different markers on what they wear when something happens. Having an SRO in the schools would be helpful to provide real time information and not a delay so that if a

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teacher was engaged with someone on the other side of the school, then the PD would know that and it would be safer for officers, teachers, and students. An SRO would facilitate a response more efficiently. He provided the officer selection criteria as per the National School Resource Officer Association. The SRO has to have a minimum of three years full-time service with the Riverside PD, have no disciplinary infractions, have no history of sick time misuse, demonstrated interest in community policing and interacting with youth in a positive manner, excellent work ethics and judgement, excellent oral and written communications skills, above average organizational skills, flexibility, a great attitude, and be classroom oriented. He reviewed the selection process of the SRO indicating the school administration would also have a part in the process. He reviewed the Triad Concept: SRO is a law enforcement officer and has full arrest and powers and should carry all the tools of the trade; SRO serves as a teacher to the educational community sharing his/her expertise with students, staff, and members of the community; SRO acts as a counselor by making appropriate referrals to the proper authorities based on information he/she receives. Students will feel more comfortable in talking to an SRO when seen on a regular basis.

Major Colon stated that current staffing does not allow for a full-time SRO and they would need to hire for the position. They would hire an entry level officer to take the place of a person already meeting the qualifications for the SRO. The Mad River Local School District has agreed to pay half the salary for the SRO. The approximate cost to hire the new officer would be \$100,000 inclusive of salary, benefits, equipment, and training. There is also a Federal COPS hiring grant that will be sought to initially fund the program. This grant will pay 75% of the cost, similar to the SAFER grant, for the first three years. They have to then agree to the fourth year to fund it. For the first three years, the schools and city would each pay roughly \$12,500, and in the fourth year they would each pay \$50,000. He provided alternative funding options they could work on until they get to year four. He found back in July 2019 they could write citations under city ordinances or the ORC. Issuing traffic citations under the ORC meant fine amounts were collected by Montgomery County, however when issuing citations under city ordinances, fines collected are issued to the City of Riverside. He provided a chart indicating the increase in revenue by writing citations under the city ordinances. He added there are reasons why they would write under the state code versus city code, particularly if it is an arrestable offense. In 2019, the police department also implemented a new administrative tow fee of \$30.00 to each towed vehicle by the Riverside PD. Approximately 760 vehicles were towed by police in 2019, based on this amount, it should generate an approximate \$20,000 per year. He added that approximately 80% of all car crashes that occur in Riverside are from people who do not live here, both cars in the crash. He said that to point out that often times city resources are used by people who don't live here. The two revenue streams if able to be saved could fund a good portion of the \$50,000 in the fourth year for the SRO.

Major Colon stated they have great community support for the SRO as he has spoken to parents, teachers, the Chamber of Commerce, school board members, and such during different events. He coaches basketball and has spoken to a lot of parents and all who talk to him are for the SRO. He added the requirements from the State of Ohio for having an SRO. They have an annual operation plan they must update yearly with the state for a critical incident at a school.

Mr. Denning asked if there were any safety grants through the governor and if they have come out yet. Major Colon indicated he would have to check, but the school just applied for something. Mr. Denning suggested there may be some state grants in addition to the federal grants to help at least partially fund this. Deputy Mayor Lommatzsch stated she had been a part of the council the last time they had an SRO, and it was not all about the money. The SRO was being abused by the school district doing tasks the officer should not have done. She stated there needs to be agreement on who is paying for extra time when things are done beyond school hours. She stated her concerns from what happened before and what should happen now and how extra time should be paid for time. Chief Robinson

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stated it seems like she is looking for a policy on anything extra-curricular outside of the SROs normal time. Discussion was held on having the SRO present during the school day and then being used for additional time by the school and those concerns with who pays for overtime. Chief Robinson stated it should not occur that often, and that there should not be that much overtime and for the requests to be at the basketball games, the school would pay the overtime. Ms. Fry mentioned that SROs she heard at a First Suburbs meeting mentioned that the success of the program is the quality of the contract between the police department and the school. She stated that if they don't know what would be in that contract then they may be a bit premature. She asked about mental health resources in the school and asked if they were putting an officer in there with no mental health resources available or are there places to refer students to when they get involved with the SRO. Major Colon stated that their current victim advocate worked at the schools through Samaritan Health and he believes the school did replace her so there is a mental health person. Ms. Fry stated she felt that would be key as to whether they were doing more harm than good. Chief Robinson agreed they need to sit down with the schools and discuss the policy and contract, but they are not premature to talk about it. They still need to apply for the grant and receive it. They just need to know if council would like them to apply for the grant to see if they can get it. Ms. Fry stated she was not comfortable with what was before them. Deputy Mayor Lommatzsch added when they did away with the SRO that is when the school district hired Moonlight Security. Prior to that, they had the SRO directing traffic and that is not what the SRO is for. Major Colon stated the SRO is not what they are there for and that is not going to happen. He added they need to go after the grant to even have this position. He would gather various city and school contracts to help create the best contract for Riverside.

Ms. Campbell asked if something was to happen to the person put in that role could they change officers. Major Colon stated if somebody got sick or left or removed, they would be replaced. He added that the grant also provides \$1,000 for additional training.

Mr. Teaford asked about the hours that officer would work since Riverside officer's work 12 hours a day. Chief Robison stated they would work five days a week for eight hours a day. Major Colon added that the SRO would get the same normal holidays, and he knows there are questions and concerns, but this is not the end game of it. There are things they need to work out, and there needs to be flexibility and compromise.

Mr. Carpenter asked if the agreement with the schools is to pay half for a specific period of time or as long as the agreement is in place. Major Colon stated it is to pay half for all year long; it would make sense to have a four-year contract based on the federal grant and then every four years evaluate and sign a new contract. Mr. Carpenter asked when the grant would be awarded. Major Colon replied that it closes March 11; normally it is within a few months, but he can check. Ms. Fry asked who would come up with the policy. Major Colon stated it would be all of them, the city and the school. Ms. Fry stated she is concerned with how this affects students with disabilities. Major Colon stated it would be handled similar to how it is done now. A student commits a crime, they aren't looking to arrest. If they recognize a student has a mental disability, that is not their first option to arrest. Sometimes they are forced to if it is a crime a violence and someone needs detained. Chief Robinson stated they aren't there to enforce the school's policy; they are there to enforce what the police are to enforce. The school has to deal with the students internally. They are not to act as the tough guy for the schools. The law is what they are to uphold; whatever policy is in the school that is on the school not the police department.

Sgt. Jackson stated she understands their concerns. When they get called they look at the whole situation: is there a reason for acting out, is there a mental disability. Her first call is a parent. They do not go in and snatch kids out. They have worked hard to bridge the gap of getting away from the stereotype of 'you are going to jail'. She always asks school administration if parents have been contacted; they have a good working relationship with the schools. The SRO is bridging gap, intervention, teaching, and building relationships.

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Major Colon added they are doing one-on-one with the students seeing the same face every day. It is much needed and valuable. They are not militarizing schools or making a police state; that is not what they are there for. Arrest is never a first option, it is a last resort if need be. Mayor Williams commented that his children attend school in the city just not in the district and Officer Toscani and Sgt. Jackson when they have time make a point to stop into St. Helen's and have a great relationship with the principal. His sons have a wonderful appreciation for what law enforcement does and they are not going to grow up with a different perception of that. They are creating a great impression of someone they can trust. That is what we want young people thinking and it is great to have that set at a young age. The officers are ambassadors for the city, and they are doing a wonderful job. If they have an SRO in the middle school and high school, parents are going to hear about this and building the trust and looking to police officers and city employees as people they can rely on for their children. He would want them to provide that if they can. Major Colon stated he is confident it would be a great program that they will demand it never go away. Deputy Mayor Lommatzsch asked if in the plan they would get a bi-annual report so they know what is going on. Unless they ask, they don't hear what the victim advocate or what the employees are doing. Major Colon stated there is an evaluation done yearly not only by the police department, but by the school administration as well. Part of the grant does require reports. Deputy Mayor Lommatzsch asked it be added to the job description.

Discussion was had on the commitment and where the funding comes from. Ms. Fry asked how certain they are if they are awarded the grant they don't have to accept it. Chief Robinson stated they are 100% that if awarded, they can still turn it down. She asked if that would harm them for future grants. Mr. Carpenter stated he is not sure on a SAFER grant if that happens. Chief Robinson they will look at all grants they can get for this. Ms. Fry asked is there a certain moment where council gets to make a final decision. Mr. Carpenter stated it would be before they accept the grant. They would also have the policy along with all of the numbers in front of them.

Mr. Denning motioned to move forward with applying for the grant; Deputy Mayor Lommatzsch seconded that motion. All were in favor; none opposed. Motion carried.

B) Food Truck Ordinance – Mr. Carpenter stated that this has been before the planning commission and they have approved the ordinance that will come before them. Ms. Ennist stated the text amendment was in response to a request for mobile food vehicle permits. Currently, mobile food vehicles are regulated under Chapter 711 or under Chapter 719; they are regulated in a manner as door-to-door sales or ice cream trucks. Neither regulation provides sufficiently for mobile food vehicles so it was decided a new ordinance would be needed to encourage and support that type of business use. The proposed ordinance would update Chapter 1117 with definitions. It would also add a section to Chapter 1115, which is Supplemental Standards; they would add 1115.17 Mobile Food Vehicles.

Ms. Fry asked how this would apply to out of town food trucks. Ms. Ennist stated they would need permission from a property owner. Ms. Fry asked how they would receive proof of registration for city income tax; she wondered if it would preclude out of state vendors if they have to do additional items for the city in advance. Ms. Ennist stated they would have to ask Tom. Mr. Denning stated they would have to work inside the city 11 days before they have to pay income tax; it may have changed to 20 or 21 days. Discussion was held on workers that are from out of town who come in to do work. Ms. Ennist stated they would include the form Tom requires for any new businesses, but if they don't meet the requirement it would be different.

Mr. Carpenter stated it would be before council at the next meeting. The first reading on March 5, second reading and possible passage on March 19, and then in effect 30 days later unless they declare an emergency to put it into effect immediately upon passage. Ms. Ennist stated she has already received one application from Freda's Food Truck. Mr.

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Denning asked what the cost for the permit is. Ms. Ennist stated it has been awhile since they had discussed it. She believes that the planning commission decided they would make one even fee instead of \$75 for ice cream trucks and make it \$50 for everybody. It is an annual fee, per calendar year.

C) Employee Bonds – Mr. Carpenter stated he and the finance director reviewed the bonds on staff. The ORC indicates the only people who need bonded are the city manager and finance director. They did an analysis of who is bonded and why for the city. They have 30 staff, including council members, bonded. He and Tom are at \$50,000 each and everyone else is at \$10,000 each. The State of Ohio has stated that a policy amendment can be put on the insurance policy to cover the same. He is not sure if it meets the language of the charter and he will look deeper into that. They pay roughly \$1,300 a year for bonds; only about 10 people in the city touch money. If they went to the ten people, the annual cost would be \$665. Council does determine who and how much and he wanted to bring it to their attention.

Discussion was held on what bonding is and how it works. Ms. Fry asked, for example, if Tom were to embezzle \$500,000 then the city would only get reimbursed \$50,000 since that is the bond. Mr. Carpenter replied that was correct. She thought it seemed low. He stated there hasn't been an issue to date. She asked if it was the typical amount of bond to have. He said he would get that answer and find out what other cities are doing. He added they could also not bond and it to the insurance. Deputy Mayor Lommatzsch asked if bonding was cheaper than insurance. Mr. Carpenter stated that it was.

Discussion continued on who should be bonded. Mr. Denning stated if they went to just the two it would save them roughly \$700 a year. Ms. Fry asked if it is a low chance of happening and a low chance of reimbursement is it even worth bothering with it. Mayor Williams stated that it was a recovery vehicle and does not preclude them from getting more money should an event occur; this is just what would be reimbursed as soon as it is uncovered. Deputy Mayor Lommatzsch added that it was a nominal fee for protection.

Ms. Fry restated that the values for the city manager and finance director seem low and would like to see if maybe they should be higher. Mr. Carpenter stated he will contact other cities to see what they are doing. Mr. Denning stated he was confused as to why it cost \$175 to bond his position for \$50,000, and then it costs \$210 to bond Tom for the same amount. Mr. Carpenter stated he did not have a good answer.

Mrs. Franklin motioned to leave the bonding as is. Mr. Denning seconded the motion. Six were in favor; one opposed, Mr. Teaford. Motion carried.

D) Personnel Policy Updates – Mr. Carpenter stated he will bring the personnel policy update back to council as he has collected a bit more comparative data. He reviewed the information provided. Deputy Mayor Lommatzsch commented she did not know why things keep being brought back that were voted down; until he can show that he is managing the employees time off she will not be in favor of giving any more hours free as losing somebodies working hour costs money. She added it is the third time he has brought this up since the beginning of the year. She does not believe they are expediting hiring practices; the applicants get tired of waiting on hearing from the city on a job. Mr. Carpenter disagreed with most of what Deputy Mayor Lommatzsch stated. She stated that she doesn't understand why he keeps bringing something back when it is not voted to his pleasure. Ms. Fry asked him to remind them of the last time it was brought forward, the second time...Mr. Carpenter stated he has only brought this forward once in December 2019; six people were here and there was a 3-3 vote. He mentioned he was going to bring it back in January. Ms. Fry asked if in the conversation was there a request to bring data. Mr. Carpenter stated he was going to bring it back with additional data. Deputy Mayor Lommatzsch commented they need to focus on income and business coming into the city. Mr. Denning stated he is just talking about adding a holiday to the administrative staff, about 20 employees. Mr. Carpenter stated that was correct, 18 full-time and two part-time.

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20

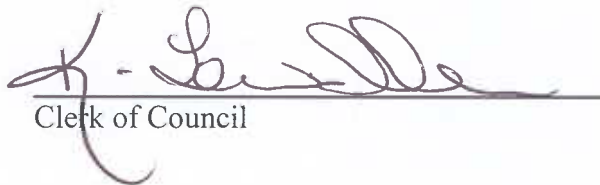
Mr. Denning stated it isn't additional funding as it is already in the budget to pay them. Mr. Carpenter added that the only additional dollars would be upon separation. If a person had above 40 hours of vacation, a week's pay, if they were maxed out on 80 hours carryover at time of separation. It would be closing the offices one additional day they don't already do. The proposal is to add Veteran's Day as a holiday, to make 10 holidays; add one more personal day, to get it to three personal days; and then increase to 80 hours vacation carryover, rather than just 40. Ms. Fry asked about other communities if they get a lump sum vacation at the beginning of the year or if it was an accrual basis. Discussion was held on how Riverside issues vacation time and concerns on how it would be paid out if someone separated before earning. Mrs. Franklin commented that they want to say they do best by the employee, yet, they cannot get in line with surrounding cities on what they offer for some benefits. Deputy Mayor Lommatzsch stated she did not think they should close the city offices for a day. Mrs. Franklin stated it is a government agency and people know most government agencies are closed on federal holidays. Deputy Mayor Lommatzsch stated they don't close; they are here to serve residents. Mr. Denning added they could be opened on Saturdays and closed on Mondays. Mrs. Franklin stated there is no additional cost in the budget as it is there to pay them. There is not an extra cost for payroll. Deputy Mayor Lommatzsch stated they would not get the services of that employee. Ms. Fry stated it is an incomplete reading of the cost because they are a city and several times a year they will be approached telling them the city is understaffed and this reduces the amount of work hours for employees. To say there is no financial impact is an incomplete reading of the situation. Mr. Denning added there is little to no. Ms. Fry asked if there is a comparison to what union contracts stated in the city. Adding up she said that the non-union would then get 13 compared to the 10 by the union employees. Mr. Carpenter stated that was correct, the contract employees get better payouts than admin staff. They get extra pays, seniority pays, bonus pays if they work differentials. They get a lot more perks already than admin folks. Deputy Mayor Lommatzsch stated they are required to work holidays, weekends, and Mondays after holidays. Mr. Carpenter added they get time-and-a-half for that, additional compensation as a result. Mayor Williams stated those are bargaining positions and those folks have fought for and agreed to with the city. Mr. Carpenter asked if they needed any more additional information before he brought it forward at the next meeting. Mr. Teaford told him he thought he needed to bring it forward.

ITEM 7: COUNCIL MEMBER COMMENTS: Mr. Teaford stated that a former member of the BZA, Leon Ridley, passed away this week. He was on for roughly 7 – 8 years, maybe longer. His viewing would be tomorrow morning at the Prairie's Chapel.

ITEM 8: ADJOURNMENT: Ms. Campbell motioned to adjourn. Mr. Denning seconded the motion. All were in favor; none were opposed. The meeting adjourned at 7:45 pm.



Peter J. Williams, Mayor



Clerk of Council