

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Thursday, July 22, 2021

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CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:01 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

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

Staff present was as follows: Chris Lohr, Assistant City Manager; Tom Garrett, Finance Director; Dan Stitzel, Fire Chief; Kathy Bartlett, Public Services Director; Gary Burkholder, Community Development Director, Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mrs. Franklin motioned to excuse Deputy Mayor Lommatzsch. Ms. Campbell seconded the motion. All were in favor; none opposed. **Motion carried.**

ADDITIONS OR CORRECTIONS TO AGENDA: There were no changes to the agenda.

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

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

MINUTES: Mr. Denning motioned to approve the minutes from the July 8, 2021 council meeting. Mr. Maxfield seconded the motion. All were in favor; none opposed. **Motion carried.**

FINANCIAL REPORT: Mr. Denning motioned to approve the financial report from June. Mrs. Franklin seconded the motion. All were in favor; none opposed. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizens who would like to speak should fill out a petition or sheet in the back and turn in to the clerk.

DEPARTMENT UPDATES:

A) Finance Department – Mr. Garrett stated that income tax was slightly down, but that CCA just sent a check in the amount of \$584,542. He is working on the curb assessment for Honeyleaf. The Rescue Plan registration is available and the city still needs to submit for that. The city is using Dinsmore to assist continuing financial disclosure relating to Springfield Street.

B) Community Development Department – *(audio began during Mr. Burkholder's report)* Mr. Burkholder stated that maintenance is responding to some of the minor issues within the buildings, and is providing more timely service to tenants. Two letters will go out, one from Collier's introducing themselves, and one from city staff notifying of the transition to Collier's managing the two buildings. Mayor Williams stated he was glad to hear the Landbank is going to assist them with the Comprehensive Plan.

Mayor Williams stated that Mr. Lohr was fixing the audio on YouTube during Mr. Burkholder's report as it is an important meeting and he was notified people could see them, but not hear them. Mr. Lohr stated he was unsure of what the issue was, but he restarted the program and it is working now.

C) Administration Department/City Manager Report – Mr. Lohr stated there are two ongoing large IT projects. The first is an internal GIS for staff. They are

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working with MVRPC to set that up. Staff will have access to the same map across the board, which will be a big benefit in service and community development. It may be accessible to city council should they have questions about properties or zoning. The second IT project is digitization of some of the records, personnel files, and contracts. They are working on with Perry Protech, a document-record electronic management system, and are finalizing details on implementing that. In August, they will be able to get it on the desk top for department heads and admin assistance so they all have access to the same system to search contracts and eventually legislation, minutes, and agendas. There will be access to the same records across the board. On HR, they are in the process of hiring two admin assistants, and because of the job market they are struggling a little bit. They have one good prospect and are looking for another part-time assistant for the front desk. Anyone who is listening and knows of someone who has clerical and administrative skills and is looking for a part-time job, please contact the city. Mr. Lohr stated he and Ms. Bartlett had been in discussions with the CWA and one of the part-time admin assistant positions has a parallel in the CWA contract as they previously had a full-time secretary. They would like to discuss having that part-time position in the union. There are plans for an executive session at the next council meeting to discuss that in full. He announced that PG Global garage is having a grand opening tomorrow and there are lots of good things happening in that area.

Ms. Fry asked with Mr. Lohr being interim city manager and the time table to the end of the year, what are the budget plans as normally at this time they start to see the activity and she noticed they do not have it in the upcoming sessions. Mr. Lohr replied that department heads have submitted their capital improvement requests so that will be complied and updated in the CIP. He wants to know if council would like the packets as done in the past, if the binders were helpful, if so, he will move forward with that. He is waiting to see if they have enough residents for the budget committee and have them review and make recommendations, but he would like to bring the CIP to council in August and start having conversations.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated a few people wished to comment on agenda items and will do so during the public hearing portion.

OLD BUSINESS

A. ORDINANCES

I) Ordinance No. 21-O-771 – Amending Chapter 1105 Development Procedures of the Unified Development Ordinances (UDO) of the City of Riverside. (2nd reading, public hearing, adoption)

Mr. Denning motioned to approve the second reading of Ordinance No. 21-O-771. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at **6:20 pm**. No one came forward to speak. Mayor Williams closed the public hearing at **6:20 pm**.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

II) Ordinance No. 21-O-772 – Amending Title Seven, Chapter 182, Income Tax Sections 182.01, 182.03, and 182.06 of the Administrative Code of the City of Riverside, Ohio to provide for imposition of annual income tax at the rate of two and a half percent (2.5%) per year on income and restoring a one hundred percent (100%) credit for taxes paid by residents to other municipalities on such income on or after January 1, 2022, when the city's income tax rate is increased to two and

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one half percent (2.50%) for the purpose specified herein. (2nd reading, public hearing, adoption)

Mr. Denning motioned to approve the second reading of Ordinance No. 21-O-772. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at **6:21 pm**. He asked those who wished to speak to give their name and address at the podium and keep comments to three minutes.

Ms. Angel Patterson, 102 Prince Albert Boulevard, Riverside, OH, stated that she is a resident who voted no on the recent city levies, primarily because her household does not receive full credit for the local income taxes paid to other municipalities. This costs her family hundreds of dollars each year and to her is viewed as theft. However, she does respond first responders and would be supportive of a 1% city income tax increase, but she has concerns. Are there any guarantees that the 100% credit for resident taxes paid to other municipalities is going to last for the life of the increase? Are there any legally binding guarantees that the entire 1% increase will solely be used to fund police, fire, and EMS, permanently? Are there any other legally binding guarantees that no other funds currently dedicated to first responders will be cut in any way? She stated the 1% increase should be a permanent increase to the police, fire, and EMS budget. If all those things are not in place or there are no guarantees, then she has concerns that this increase could be a back door attempt to divert funds elsewhere under the pretense of helping our first responders.

Ms. Freda Patterson, 335 Marjorie Avenue, Riverside, OH, asked with the 1% increase and the 100% being given back what is the actual number that would be obtained by that increase for fire and police? Mrs. Franklin replied it would be \$3.4 million. Mayor Williams confirmed that was accurate. Ms. Patterson stated she is confused why they were going for a city income tax proposal for funds for fire and police instead of a fire and police levy. Most residents have already expressed a distrust in the city. This type of proposal adds more distrust and confusion. She stated people on social media are already saying they will not vote 'yes' because they are not seeing it as a fire and police levy where they believe they will be given the funds. She feels the same way; it seems like a backdoor way of getting funds for something else. She stated if they need funds for police and fire, why aren't they putting it as a fire and police levy. She stated there is an old levy for fire from the 70s; they just renewed a police levy a year or so ago, which is not enough to sustain what they need. She asked why they aren't doing away with the separate levies and making one that is enough to sustain for all their needs, which in turn frees up the general funds and has been council's goal for years. She stated she sees a fire and police levy passing faster than a 1% income tax increase. If a fire and police levy was put on the ballot and passed, then they still need to budget the general fund wisely. She used as an example if her roof was leaking and plumbing didn't work and electricity was bad, would she take her money to make her yard look beautiful or should she repair her home to make it livable. She is aware the city needs beautified, but there are more important, relevant issues that need to be done. She still stands by her previous statements of Riverside needing to sell off lots and working on economic development at the Center of Flight. She hasn't heard anything about it and if something is being done, it is not being made known to residents. She is not seeing lots go for sale; she did see one lot go for sale, but not the little lots the city owns, nothing is being done. The majority of residents are still looking at that and asking why. If the city wants the residents to do their part, then why isn't the city doing its part. She further discussed the lots that need sold along with the Center of Flight area needing developed for visitors and patrons, and not more empty office space. She stated if they want any chance of a levy passing, to her, the city needs to have a police and fire levy. They want proof it will be their levy. They still need to give the 100% credit back to the residents because it was taken from them unfairly.

Mr. Lohr stated he would like to answer some questions before the vote occurs.

Mayor Williams closed the public hearing at **6:29 pm**.

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Mr. Lohr clarified that this is a police and fire income tax. There is currently 0.5% dedicated to police and fire; this would add an additional 1%. The total tax rate would be 2.5% with 1.5% of that going exclusively to police and fire, by law. That is in writing. When the ordinance and resolution was put together, he worked with the law director to make sure it was very clear and the funding was required to go to police and fire, but also that it was paired with the restoration of the 100% credit. In response to the reduction of that credit, that has been dedicated exclusively to capital purchases and without that reduction in credit, they would have not been able to purchase things like the two new fire engines as well as medics, police cruisers and the like. It has been controversial in the community, but has been necessary for the city to continue day-to-day operations. He hopes the community will support as they have a need in the fire department to transition from a part-time/full-time department to a full-time department. This will get them closer to that.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

III) Ordinance No. 21-O-775 – Amending Section 311.01 Placing Injurious Material or Obstruction in Street, adding 311.01(E) to the administrative code of the City of Riverside. (2nd reading, public hearing, adoption)

Mr. Lohr stated this ordinance updates the language to prohibit leaves from being placed in the right-of-way.

Mr. Denning motioned to approve the second reading of Ordinance No. 21-O-775. Ms. Fry seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at **6:33 pm**. No one came forward to speak. Mayor Williams closed the public hearing at **6:33 pm**.

Mr. Denning asked if this included basketball hoops sitting in the street. Mr. Lohr stated that is part of the current ordinance and they do go out, periodically, before snow season to remind people to remove them.

Roll call went as follows: Mr. Denning, yes; Ms. Fry, yes; Ms. Campbell, yes; Mrs. Franklin, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

I) Ordinance No. 21-O-776 – An ordinance determining to proceed with the improvement of certain streets between certain termini in the City of Riverside, Ohio, by lighting the same with electricity. (1st reading)

Mr. Lohr stated this is an annual process of assessing street lighting costs to properties.

Mr. Denning motioned to approve the first reading of Ordinance No. 21-O-776. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

B. RESOLUTIONS

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- I) Resolution No. 21-R-2695 – A resolution authorizing and directing the Board of Elections of Montgomery County, Ohio, to conduct an election of the electors in the City of Riverside, Ohio, at the General Election to be held on November 2, 2021 on the question: “Shall Ordinance No. 21-O-772 adopted by the Council of the City of Riverside, Ohio, providing on January 1, 2022, for an additional one percent (1%) levy on income to a total rate of two and one half percent (2.50%) with funds generated by the additional 1% to be appropriated solely for the general operation, capital equipment and facilities of the departments of police, fire and emergency services and providing for the restoration of the one hundred percent (100%) income tax credit be passed?”**

Mr. Lohr stated this resolution is the formal way to request the board of elections to put the measure on the ballot in November. The language reflects what is in the ordinance.

Mr. Denning motioned to approve Resolution No. 21-R-2695. Mr. Maxfield seconded the motion.

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

- II) Resolution No. 21-R-2697 – Authorizing the interim city manager to enter into a contract with the lowest, responsive and best qualified bidder, Schindler Elevator Corporation, for the Elevator Modernization Project.**

Mr. Lohr stated this is for a much-needed modernization to the elevator in the building.

Mr. Denning motioned to approve Resolution No. 21-R-2697. Mr. Maxfield seconded the motion.

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

- III) Resolution No. 21-R-2698 – Setting pay for the interim city manager.**

Mayor Williams stated they need to set the pay for the interim city manager notated by a blank line in the resolution. Ms. Grandjean stated they just need to motion to add the pay to the legislation. Mayor Williams stated they discussed the pay at \$50/hour retroactive to July 6, 2021. The entry would need to be set at the annual salary, which works out to \$104,000/annually. The amount of \$104,000/annually was placed on the resolution.

Mr. Denning motioned to approve Resolution No. 21-R-2698. Mrs. Franklin seconded the motion.

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

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

COUNCIL MEMBER COMMENTS: Mr. Maxfield stated he was glad to make it on time from his daughter’s procedure today.

Mayor Williams stated that Piper and Gavin do a snack shack throughout the summer and donate money to the fire department. They are very supportive of first responders, and they are back up and running. They will be on Burkhardt Road in the parking lot by the Pizza Hut and bile path from 12 pm – 3 pm. If police and fire have time, it would be great for them to stop by as well as any member of the public. They are wonderful young people in the

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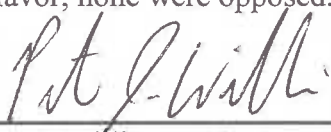
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community and it would be great to support them. He was also able to visit the little library for the opening ceremony on Sunday. It was great to see the passion they have behind literacy and community engagement. Whether it is Piper and Gavin or the Brown Family, it is a site to behold how great our citizens are doing things on their own to make the community better. He is proud to have been a part of those things. Tomorrow, they have a ribbon cutting for another business. He feels like they are doing it every Friday. He spoke with a member of the Dayton Business Journal this week and he recalls 15 months ago talking about 263,000 sq. ft. of empty retail space. Here they are, now, and it is hard to find open space on their main corridor. He is aware of the questions citizens have of themselves and council between now and the first Tuesday in November, but he feels if the citizens look to what the city has been doing even during a pandemic, there is a lot to talk about and a lot that has been happening. There has been private enterprise, public improvements, partnerships with the Landbank and MVRPC; there is a lot happening in Riverside. They have a long way to go, and feels the same way a lot of times as the speakers they had tonight, but there is progress and he wants to keep the momentum going. He hopes people think about that perspective when they make decisions later in the year on where they have come in the face of adversity and where they could go.

Ms. Fry congratulated Freda Patterson as she was honored in the Dayton Daily News; they started a program about a month ago for 'community gems'. She isn't sure if Freda is the first or just the first she saw, but it is an honor to have a community member honored in such a way. Secondly, July is disability pride month and she wanted to touch on aspects of disability pride and what others can do to help celebrate that. One thing is to make sure there is accessibility in public spaces. Last week they were talking about putting in a crosswalk across Valley Street and doing the curb cuts for ADA. Those things are important even if they are baby steps and there isn't a lot of sidewalk. Being able to be out in public spaces is a big deal for the mobility disabled. When they can't get out; they can't participate fully in the community. She asked they keep it present in their mind. She stated that 13% of the population has a physical disability, about 25% of the adult population has a disability in general. Something everybody can do when they have disabled people in the community, show them respect. At times, people may talk to disabled people like children or treat them in such a way. They notice and it is frustrating when a grown woman is treated like a child. She has several disabled friends and she loves them dearly. This is a wonderful opportunity to give them a shout out.

Mr. Denning stated that Flying Ace opened up a month ago. On July 30, 2021, they will present the Jaycees a check for the donations they received for that fundraising week. He knows the number, but isn't going to say it; they can find out on July 30. One of the first things that the Jaycees is going to do is give back to the community with a movie night on August 14, at Shellabarger park with hot dogs and popcorn; it will be completely free to the community. This is something the Jaycees wants to do to give back as they know there is extra funding. The check will be presented on July 30 at Flying Ace around 11:00 am – 11:30 am to celebrate that. Then, come out to the movie in the park on August 14.

ADJOURNMENT: Ms. Campbell motioned to adjourn. Mr. Maxfield seconded. All were in favor; none were opposed. The meeting adjourned at 6:46 pm.


Peter J. Williams, Mayor


Clerk of Council