

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, June 2, 2022

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, absent; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Chris Lohr, Assistant City Manager; Bob Turner, Fire Inspector; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to excuse Ms. Fry. All were in favor. **Motion carried.**

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.

PROCLAMATIONS – Mayor Williams presented proclamations recognizing two Class of 2022 Valedictorians of the City of Riverside: Miss Sophia Hatton of Walter E. Stebbins High School, and Miss Kelly Dong of Archbishop Carroll High School.

MINUTES: Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the minutes of the May 12, 2022 council work session and the May 19, 2022 council meeting. 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) Finance Department – Mr. Rauch stated they received kick-off information from the new software vendor, SSI, about the materials they need to get started so the process is underway. They hope to get farther down the line by the end of the year on the implementation. He stated that income tax collections in May were more in line with what they had budgeted so that is good news. Once they receive June's collections he will update the graph and bring to council for a quarterly update. He believes he will have an estimate of what they should bring in for June by the June 16, 2022 council meeting.

B) Administration Department – Mr. Lohr stated he has been working to get Office 365 up and running. He was hoping to be done by Memorial Day weekend, but they still need to get the network backups updated prior to that happening. They are now looking at a June/July time frame. It makes sense to wait a bit to have the upgrade in place, so they can

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, June 2, 2022

make sure they have the backups and don't lose anything in the transition. Mr. Rauch stated they have been exploring pricing to get help in exploring that transition as there is some technical expertise required. They have to change how the server works as far as email records go. They want to get help at a competitive price.

C) Community Development Department— Mr. Rauch stated they had a good meeting with Kroger and that project along with the new signal going on the south side of their development. The underground plumbing and electric for the development started in late May and will continue through June. They should see the structural steel go vertical later this month. They are working their way through the ground level elements of the development. They have been great partners to work with so far; they have been excellent. He stated he met with Congressman Turner today as part of the Council of Governments for the WPAFB area. He was able to get about \$1.0 million for the Council of Governments that is using it for land use planning for the land that directly abuts the base. That includes the Center of Flight and parcels a little further out. The Council of Governments is working with a consultant to help evaluate not only WPAFB's planning efforts, but things like Riverside's land use plan and other city's land use plans to triangulate on highest and best uses of the land near the base. He is excited to use the Council of Governments for other opportunities like land banking, the port authority, and continuing to work with the DDC to help move this area and the region forward. He reviewed the schedules for work session on June 9 and the next council meeting on June 16. He is planning to suspend the schedule to accommodate for vacations and have them meet again on July 21. Discussion was held on having one meeting only in July. Deputy Mayor Denning stated if they don't need it that is fine, but not to stretch things out if they do need to meet. Mr. Rauch stated he is not trying to stretch it out, he thinks the normal course of business will accommodate it, but he will call a meeting if it is needed. Mr. Joseph commented that he will not be present for the meeting on June 9.

PUBLIC COMMENT ON AGENDA ITEMS: No one wished to comment.

OLD BUSINESS

A. ORDINANCES

- D) Ordinance No. 22-O-796 – An ordinance to approve employee position titles, number of positions and pay ranges and to repeal Ordinance No. 22-O-791 passed March 3, 2022. (2nd reading, public hearing, adoption)**

Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve the second reading of Ordinance No. 22-O-796. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:17 pm. No one wished to speak. Mayor Williams closed the public hearing at 6:17 pm.

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

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, June 2, 2022

NEW BUSINESS

A. RESOLUTIONS

- I) **Resolution No. 22-R-2774 – A resolution declaring the necessity of assessing numerous streets between certain termini in the City of Riverside, Ohio for various types of street lighting for one year, beginning January 1, 2023.**

Mr. Rauch stated this is a housekeeping resolution for the annual street lighting assessment.

Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2774. All were in favor. **Motion carried.**

DISCUSSION ITEMS: Mr. Rauch stated these items will be coming before council in the near future.

- **Fire Code Changes** – Firefighter Bob Turner stated that within the Ohio Fire Code are Appendices that are not officially adopted by the city and are authored through the International Fire Code. They have selected three specifically that they have used as reference guides that gives them more definition to sections of the Ohio Fire Code they often use. Number one is fire flow, water that is available for fire fighting whether through the firefighter use or sprinkler system. It gives more definition as far as how much needs to be available for a structure in occupancy use and also the size of the building. It is precalculated and provides more detail than the Ohio Fire Code; it helps the planning and inspection process as they approve new buildings within the city. Number two, hydrants – how many there are and their spacing and how far are they from a property. This is only for new development going forward. Number 3, fire apparatus access roads; any structure that is more than 150' from an existing or approved roadway on the property, they would require an additional roadway, so they have access to get to the building. He stated that the city manager is working with legal to bring forward legislation to approve this. Mr. Rauch stated they adopt the Ohio Fire Code at one time, but appendices have to be done separate. What they are asking to adopt has come up recently as far as development projects.
- **4835 Airway Road** – Mr. Rauch stated this is a parcel near the intersection of Woodman and Airway Road. It is currently a used car dealership with the owner having a secondary use as a U-Haul truck rental. The owner has been through the planning commission to ask for an additional overlay for heavy commerce on this site. Staff recommended against that overlay as did the planning commission. Because of the way the Charter is written the planning commission makes recommendations to the council and the council has to act on those recommendations. Staff and planning commission recommend no action to not apply this overlay. To do this, council will have to vote on this via ordinance. The ordinance will be written to say this parcel will have the overlay applied to it; the recommended action will be to vote against that. This is so they follow the process of the code.

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, June 2, 2022

- **Strategic Planning** – Mr. Rauch stated that he and Mayor Williams spend some time with the Wright Brothers Institute, which is catty-corner to their building. They explained a little bit about what they do as they do quite a lot of work for federal and other clients with regards to strategic planning and development activity. They offered to work with the city on a heavily discounted rate to do a strategic plan. They will be at the meeting on June 9 to make a short presentation. They do have a draft time line and draft scope of work including two facilitated meetings for council with the idea being it is an opportunity for council to talk about the specific goals and vision for the city organization are or should be over the next several years. They have a land use process that talks about the overall community. This strategic plan would be more for city departments and what they should focus on and what the priorities should be. They have a timeline to have the process wrapped up by year's end. They also asked for council to consider adopting a resolution of support; this will recognize the value that WBI brings to the community as an employer and the services that they provide. They will explain more about this next week.
- **Electrical Aggregation** – Mr. Lohr stated with the rise in energy costs recently they have received calls from people asking if they were participating in any utility aggregating. Aggregation is combining purchasing power and the ORC allows for jurisdictions to draft legislation to let residents combine purchasing power in hopes of getting a preferential rate on gas or electric. Those are the two utilities this can be done for. The ORC allows for an opt-in and opt-out model. The opt-in aggregation allows residents to participate if they want to; they need to elect to participate. This gives the resident more power as they have to sign up individually but is more of a risk for the utility supplier as they are unsure of how many will participate. The opt-in process requires a resolution by council followed by a plan of governance for it. They have SOPEC, which is an opt-out electric aggregator. He stated they do not have a gas or an opt-in aggregator at this time and that would make the timeline uncertain. Deputy Mayor Denning asked if this included businesses. Mr. Lohr stated it does up to a threshold of 700,000 kwh/year per business. The opt-out aggregation automatically enrolls residents and businesses using up to 700,000 kwh/year. If the resident or business did not wish to participate, then they would have to take the action to unenroll/opt-out of the program. Any resident with an exiting agreement with an energy supplier can stay on that agreement or take the steps to get on with the city energy supplier. The process with opt-out is a bit more complex as it requires a vote from the residents. He reviewed the process for the opt-out aggregation and the dates for legislation to have it on the November 8, 2022 ballot. If a majority of voters approved the aggregation, then council would proceed to join SOPEC as well as establish a plan of operation and governance, which is required by the ORC. They would then enter into an agreement with an energy supplier. Deputy Mayor Denning asked if they went through the process would it be for both gas and electric or do they need to be done separately. Mr. Lohr stated they need to be done separately. He added they could look into getting gas on to the November ballot, but it will take some time to find a gas aggregator. Mrs. Franklin stated she doesn't have a problem with the opt-in program, but the opt-out program still doesn't guarantee lower rates. If it does go to the November ballot and 3,000 people vote, and it passes by 1,800,

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, June 2, 2022

then it is 1,800 people out of 25,000 in the city that are going to be placed into a program. They also have a lot of older people in the community who will then have to figure out how to get out. She added it is also a lot of money to spend to go through on a ballot to get the opt-out put in place. She does not have a problem with the opt-in. Her other concern is if it is put on the ballot and passes, then residents go into the program and assume their bill will be less. That is not a guarantee. Mr. Lohr agreed it is not a guarantee. He stated that Dayton has done this and is in a lower rate. Mayor Williams stated it recently went lower and to Mrs. Franklin's point, there will be times where the market fluctuates, and the conglomerate will be lower. He added that the last time it was discussed was in 2019, and at that time it didn't make financial sense for an individual to be a part of the other side of it. He wants to be able to tell residents that if there is something available to them that saves them money it is there. Mr. Lohr restated there is no cost saving guaranteed. With the opt-out model more people participate, and the potential is there for a lower rate as they are buying in bulk. He explained the SOPEC (Sustainable Ohio Public Energy Consortium) model, which is a council of governments. If Riverside becomes a part, they would be one of the largest jurisdictions in the group and would have a seat on the board of directors. He asked if council would like more information presented. A SOPEC representative could come and speak to them on June 9 or June 16; legislation could also be ready on June 16. Mayor Williams asked for more information and has spoken with a Commissioner Joseph from Dayton and SOPEC; they are happy with the decisions they have made for their community. Right now, it is benefitting their citizens. He wants to make sure that Riverside citizens has an opportunity to benefit should they choose to. He thinks more information will help them to make a better decision. Mr. Maxfield concurred he would like more information. It could be a good opportunity. As far as voting, it is up to residents to go and vote. If only 1,800 people vote and more vote for it that is because they went out and voted. That's why they put it on the ballot. Deputy Mayor Denning stated this is similar to the trash pick-up; they get a better price by having a single hauler and guaranteeing them 17,000 pick-ups and they will get paid. It is similar. SOPEC as a group they get a better deal because instead of 700 million kwh they have 700 billion kwh to buy and brings the cost down as a group of groups. Discussion was held on opting-out and if citizens are in a contract with a supplier already if there are charges for switching to the aggregator. Mr. Lohr stated that there is something that allows individuals to forego a cancellation fee but would like to confirm. Discussion was held on swapping energy suppliers. All agreed to hear more information. Mr. Joseph asked if each municipality in the council of governments was with the same supplier or does the council bargain as a whole and each individual picks their own energy supplier. Mr. Lohr stated it is the same supplier. Mr. Joseph stated that with it being a variable rate and not fixed, if they put it as a ballot referendum and the opt out model is put on the ballot then are they restricted to bring this up as an ordinance for an opt-in model. Mr. Lohr stated he is not sure he saw that in the legislation. It wouldn't affect anything if they opted to participate in the opt-out model. They would not be able to do both. Mr. Joseph clarified by saying if the opt-out model failed, are they limited by bringing it back as an opt-in model at a later meeting. Discussion continued on the opt-out model and collective bargaining.

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, June 2, 2022

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one wished to comment.

COUNCIL MEMBER COMMENTS: Mr. Maxfield stated tomorrow is his one-year anniversary for being on council and thanked citizens for voting him back in. It has been a great year so far.

Mr. Joseph wished a belated happy birthday to his new baby nephew born last night. He stated that he is a member of the LGBTQIA+ community and June is pride month. He wished to explain what the month means to him. He stated when June comes around the media and broader conflicting interest tend to confuse what June stands for. He hopes to grant some clarity. The most common misrepresentation he hears is people in his community asking for more rights than heterosexuals; this couldn't be further from the truth. He referenced the Stonewall Riots of 1969 that sparked the pride, President Clinton's "Don't Ask Don't Tell" policy, the Supreme Court decision in Lawrence vs. Texas to strike down sodomy laws, and President Obama's repealing the "Don't Ask Don't Tell" policy, which allowed for gay men and women to be open about their sexuality and serve in the military. He stated that in 2015, Obergefell versus Hodges finally allowed for the marriage of same sex couples. In 2020, the FDA and the HHS revised the deferral period for gay men to be able to donate blood from 12 months to three months though even if in a monogamous relationship, gay men are still not able to donate blood if sexually active in the last 90 days. He cited lawsuits where the U.S. government was attempting to deny American citizenship to children born overseas whose parents are the same sex. He stated the pride movement is asking for equal rights. He stated this is just what has happened in America in the past 53 years. He added there are over 69 countries where being gay is a criminal offense. He has had his share of hate and discrimination thrown at him since coming out seven years ago. He is more afraid for his hypothetical adopted child when he or she goes to school and says she has two dads rather than a mom and dad and then get in trouble for having an age inappropriate conversation as law are being enacted limiting teachers for using their best sense and judgement to explain he and his fiancé are no different from any one else's parents. He fears the day for the child who comes home crying after being humiliated for being different because they have two dads. He commends Councilmember Fry for her continued commitment in promoting blood drives. He stated it stings to hear the Mayor say how easy and simple it is to donate blood when he is a universal donor, Type "O-Negative" blood, could donate to anyone in this room, but due to his sexual orientation he is unable to donate. He stated he joined the military and then later became a councilmember not for the money, but because he cares about helping people. He encourages anyone who is able to and can donate an hour of their time to come to the next blood drive; he hopes to join people there someday. He hopes that one day in his lifetime that pride is no longer a call for activism, but a mere celebration of love and acceptance. He stated that until there is not even an ambiguous sense that LGBTQIA+ people in our country or across the world are being discriminated against, thrown in jail or even executed on the simple basis of loving who they love, pride will carry on.

Mayor Williams thanks Mr. Joseph and commended him on the thoughtfulness and perseverance of getting through that. He thanked him for being one of them and serving his community as a councilmember. He talked about how he and Mr. Joseph became friends.

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, June 2, 2022

While they differ politically, they come together about so many things in the community. He added that maybe pride won't need to be there one day, but perhaps love will always be there.


Ms. Lommatzsch stated she is from a very deep southern Baptist family and has had to make some adjustments in their beliefs and love and caring. She is personally involved with people fighting for the same rights. She works with an employee, who is this month honoring the rights of the Trevor Project. She encourages everyone to read about the Trevor Project and what it is doing for people. She appreciates Mr. Joseph's strength. She reminded citizens of the St. Helen Festival coming up next weekend, and the parking. They need to respect the neighbors around the church. She asked motorists to respect the police signs and not get a ticket. Mr. Maxfield asked if there was free shuttle service to the festival. Mayor Williams stated there will be free shuttle from Carroll High School from when it opens to until it closes. He added that the city manager has met with festival leadership to make sure everyone is aware of areas north and south of the parish where there will be no parking signs on the sides of the streets with hydrants so emergency vehicles can pass through. He wants it to be a community event everyone can enjoy. Ms. Lommatzsch asked parents and babysitters to be watchful of children near water who have recently drowned or almost drowned. Anyone under six years old needs to be watched. Locally, they have had incidents where children have been allowed to almost drown.

Deputy Mayor Denning stated for anyone boating over at Eastwood Lake be sure to have life jackets. They even have life vests for pets, who for some are their children. He added that this Saturday there is a tribute band concert at the Jaycees Haunted House. The street will be blocked off and a stage placed in the cul-de-sac. There will be food trucks. Gates open at 2:00 pm and be done at 10:00 pm with beer sold up until 9:00 pm. Four bands will be performing. This is the first year for the event and they are limiting the number of tickets to 500, which can be purchased on Event Brite.

EXECUTIVE SESSION: Deputy Mayor Denning moved, seconded by Mr. Joseph, to go into executive session for the reason listed on the agenda – personnel. Roll call went as follows: Mr. Denning, yes; Mr. Joseph, yes; Mrs. Franklin, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. Motion carried. Council went into executive session at 7:11 pm.

RECONVENE: Council reconvened at 8:25 pm.

ADJOURNMENT: Deputy Mayor Denning moved, seconded by Mr. Maxfield, to adjourn. All were in favor. The meeting adjourned at 8:26 pm.


Peter J. Williams, Mayor


Clerk of Council

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on _____

Page 1 of 1