

# RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Thursday, May 7, 2020

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**ITEM 1: CALL TO ORDER:** Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:03 p.m. via the Zoom virtual meeting.

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

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

**ITEM 3: EXCUSE ABSENT MEMBERS:** No council members were absent.

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** There were no changes or corrections to the agenda.

**ITEM 5: APPROVAL OF AGENDA:** Mr. Denning motioned to approve the agenda. Deputy Mayor Lommatzsch seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 6: PLEDGE OF ALLEGIANCE:** Mayor Williams led the pledge of allegiance.

**ITEM 7: MINUTES:** Mr. Denning motioned to approve the minutes from the April 16, 2020 combined work session and regular council meeting. Ms. Fry seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 8: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS:** Mr. Lohr monitored the meeting for those wishing to make a comment. No one requested to make a comment.

**ITEM 9: DEPARTMENT UPDATES:**

**A) Finance Department** – Mr. Garrett: The month of April has been closed and reports are posted. There were some reductions in income tax and local government and gas tax. We did get our real estate tax distribution from the county that was stable with a very slight increase from last year. I am starting to work on the supplemental to make the official adjustments for the budget reductions we talked about last week. Ms. Fry: When you make the updates from the legislation we passed last time, when will we see that reflected in the chart that comes with the income tax score card, where it shows our budgeted and actuals? Mr. Garrett: We are going to pass the supplemental appropriations which will change the month to date fund reports and the current expense reports. Normally, you wouldn't see those until the end of June because at the next council meeting we have to pass the supplemental and get it implemented. There hasn't really been any change for our income tax collections, yet, since last week when we made our presentation. Ms. Fry: On the chart it had the budget line so when we do the supplemental will that alter the budget line? Mr. Carpenter: That is based on the revenues. Ms. Fry: There are several lines on that graph. Mr. Carpenter: There is last year's tax, what we budgeted, and what we actually collected. You are talking about the income tax graph? Mr. Garrett: No, I think she is talking about your chart for the various impacts. Ms. Fry: I was talking about the income tax one. If we are changing our budget, there is a budget line on that graph. Mr. Garrett: That is the expected revenues. We are talking about the supplemental is going to change the expenses and reduce our expenses. Ms. Fry: So, the answer is, when we pass the supplemental, it will not change the budget line on that graph. Mr. Garrett: That is correct.

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**B) Administration** – Mr. Lohr: I'm working with Ms. Myers to get a drug-free workplace training scheduled via Zoom. We are hoping to have that completed by the end of the month at the latest. We are also getting back on our health and wellness program. If you remember back a couple of months ago, we had sent out a survey to all employees to gauge their level of interest in various health and wellness activities and just in a program, in general. We have the results. We had an in-person meeting scheduled in March when everything shut down, so now we are getting that scheduled to have a meeting on Zoom and see how we can move forward with that given the circumstances. I met with the parks & rec commission last month. Earlier in the year, they were hoping to be able to hold three in-person events: a park clean-up, and two music events. They decided that is probably not a good event. If it was safe to hold in-person events later in the year, it would be difficult to plan for them without knowing what precautions would be needed at the time or if we would be able to hold them. They have opted to do some activities that allow people to be engaged in the parks, but not have to worry about being in large groups. I anticipate sending out an email to the city manager and council detailing those events. They are looking at a park clean-up to do individually, take some gloves and trash bags and share a picture of you cleaning the parks, and we could share that on social media. They are also looking at a picture or art contest. I will provide full details in the near future so council has an idea of what is going to happen prior to that going out to the public.

**C) Community Development Department** – Mr. Burkholder – I am happy to report that everyone in our department is doing well and we have had an increase of activity in terms of code enforcement. Since April 8, when we returned to the field, our code enforcement officer has issued over 90+ new violations and he is following up on those as well and will be issuing new ones as we receive the complaints. In economic development, we continue to work on the marketing website and that is a project in process. In addition to that, Lori Minnich is working diligently and keeping up with the conference calls relative to Covid-19 and the resources available for local businesses. She has also been keeping up with the Census 2020 efforts to increase the turn out participation for our community. Zoning is picking up as it always does this time of year with a lot of permits regarding fences and decks, but then we also have a lot of inquiries for economic development people who want to do different things with their property. There has been a high volume increase in that as well. The zoning administrator has been catching up on some of the other items we have had backlogged due to a lack of staff. In addition to that, we have a planning commission meeting that is coming up on May 18, so we are preparing for that meeting. Later in the month, the BZA will be meeting as well. Both meetings will be conducted via Zoom so we can continue to practice the social distancing.

Mr. Denning: Have we heard anything about the car wash that was supposed to go in at Airway Shopping Center and has Circle K sped up or slowed down, what is the deal on them? Mr. Burkholder: Circle K, the last report I got from the zoning administrator, that is on hold. As far as the car wash, I recently had contact with that company and they are looking at a different property at this time so we are still researching that to make certain where they possibly want to go. Since that is an economic development thing in progress, I want to keep that confidential until we have more of an idea. Mr. Denning: Is it still in Riverside? Mr. Burkholder: Yes, that is correct. Mr. Denning: I'm okay with that. Mr. Burkholder: I am glad you asked because that telephone call took place last week and we have done some follow up this week. I appreciate the interest. Mr. Denning: It was just that it was going to take a nice portion of Airway Shopping Center's parking lot, and it was kind of we wanted it, but we didn't so having it someplace else may be better. I am okay with it going in; I was just curious what was going on with it.

**D) City Manager Report** – Mr. Carpenter: Republic Services is back to normal operations. There was some concern about scheduling a bulk pick-up; they assured me it was likely a miscommunication in the office as they did resume normal operations this week. It was a total of 17 dumpsters that were filled and hauled away by Republic during that short span. The lobby will be opened to appointments beginning next week. If people

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have business that cannot be resolved remotely, we ask they call the office to schedule an appointment because the doors are locked and we need to know when to expect people to be arriving. I will continue to work to establish a way to have the council meetings in the chambers. I know most of the cities are continuing to do Zoom; there is one city doing them in chambers and I will try to see if I can work it like they do and see what that looks like. If we have work sessions or meetings where the public does not comment, we can practice the social distancing and do those in council chambers and try to adhere to the limitations to the number of people at the meeting. Speaking of the work session next week, U-Haul has reached out as they want to present before council so we do have them on the schedule for next week. They do have an option on the property that is time sensitive. This works out where they can do the presentation before council and get some feedback before they take the next step, which would be the planning commission.

Mr. Denning: Would the U-Haul be in person or via Zoom, what is the deal on that. Mr. Carpenter: I asked them what their comfort level is; I believe they would like to be in person so I think we can arrange it with social distancing that they can present. We could have 10 in a room that I can begin the meeting and Mr. Burkholder and council and the gentleman from U-Haul be in the room. Mr. Denning: They do understand, at least for me, this is a waste of their time, but okay. Mr. Carpenter: All the sentiment that I have picked up, I have shared with them. Mrs. Franklin: Have we got that marketing plan for that piece of property back yet, Mark? Mr. Carpenter: We have some updates that I will be sending to council; I just have to confirm the latest version and make sure that is ready to be sent. The plan is not final, but we do have some information that I think council should consider and digest prior to the U-Haul presentation.

Deputy Mayor Lommatzsch: I would like to know if anyone investigated if there is going to be an impact on the income tax from our rental properties in those two buildings due to the fact that people have been working from home. Will they be filing their income tax hours for wherever they live instead of in the buildings? I'm concerned that it could have an effect on our income tax return because if they are not working in Riverside, are they going to pay their income tax to where they live? From what I see in the parking lot, there doesn't look like there are many people working over there. Mr. Carpenter: That is a great question and I have not heard that from anyone else that has employees working from home; most of the employees that work in our buildings are working from home. Mr. Garrett: When the Ohio legislature passed HB #197 they did put in a provision that companies should continue to withhold based on the normal workplace rather than the alternative workplace. I did have at least one company contact me to find out if they needed to register for Riverside withholding rather than continue to do their withholding. There is probably going to be some variation. My understanding is they are to continue withholding for their normal workplace as this was a temporary interruption. Deputy Mayor Lommatzsch: Is there any way we can be sure that happens? Mr. Garrett: Well, they will be filing tax reports, but that will be after the fact. Deputy Mayor Lommatzsch: Okay. I'm not real excited to be talking to U-Haul either, I will get on Mike's side with that one. I am also concerned. I would like a little investigation to why...where is it determined that we have to have public input to our meetings on Zoom? Are we not allowed to have the meeting? We are required to make it live and available for folks so they can observe, but where does it say that we have to make it available for them to participate? I would like to know what we are doing to accommodate that requirement; why are we having to accommodate that? I know we have to make the meeting available, but I don't know where it says we have to make it available for public input. Mr. Carpenter: I can forward that information. I don't have the documentation...Deputy Mayor Lommatzsch: Is it in the charter, it is not in Sunshine Law. Mr. Carpenter: No, it was part of the...the amendment was made where you could actually have video or telecommunication type meetings with the caveat that the public still have opportunity to provide input. Deputy Mayor Lommatzsch: I have been participating in other Zoom meetings where that doesn't seem to be a problem. I just wondered what was making that requirement necessary for us that we are unable to meet in the chambers. Thank you.

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**ITEM 10: PUBLIC COMMENT ON AGENDA ITEMS:** No one requested to speak on agenda items.

**ITEM 11: NEW BUSINESS**

## **A. RESOLUTIONS**

- I) Resolution No. 20-R-2571 authorizing the city manager to enter into a contract with Barrett Paving Materials, Inc. as the lowest and best bidder for the 2020 Paving Program.**

Mr. Carpenter stated the resolution was for the paving program and has been modified from four streets to three, removing Meadowsweet. They will pave Union School House Road, Schwinn Drive, and Forest Ridge Boulevard. The resolution awards the contract to Barrett Paving.

Ms. Campbell: What is this going to cost? Mr. Carpenter: This is not to exceed \$1,023,263.95. Ms. Campbell: Do we have that? Mr. Carpenter: Yes, a majority of those funds are coming from the Permissive Tax and the Gas Tax.

Mr. Denning motioned to approve the first reading of Resolution No. 20-R-2571. Mayor Williams seconded the motion. Roll Call was requested and went as follows: Mr. Denning, yes; Mayor Williams, yes; Ms. Campbell, yes; Mrs. Franklin, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mr. Teaford, yes. All were in favor; none opposed. **Motion carried.**

- II) Resolution No. 20-R-2576 authorizing the city manager of Riverside, Montgomery County, Ohio to enter into a contract with the Ohio Department of Transportation for reconstruction of W. Springfield St.**

Mr. Carpenter stated this is an agreement that allows ODOT to act as the inspector for the W. Springfield Street Project.

Mr. Denning motioned to approve Resolution No. 20-R-2576. Mr. Teaford seconded the motion.

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

- III) Resolution No. 20-R-2577 authorizing the city manager of Riverside, Montgomery County, Ohio to enter into a contract with the Ohio Department of Transportation for improvements at the intersection of State Route 202 and Needmore Road.**

Mr. Carpenter stated this is an agreement that allows ODOT to act as the inspector for the Needmore/Old Troy Intersection Improvement Project.

Mr. Denning motioned to approve Resolution No. 20-R-2577. Ms. Fry seconded the motion.

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

- IV) Resolution No. 20-R-2578 authorizing the city manager of Riverside, Montgomery County, Ohio to enter into a contract with the Ohio Department of Transportation for replacement of the Olentangy Drive Bridge.**

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Mr. Carpenter stated this recognizes ODOT to act as the inspector for the Olentangy Drive Bridge Project.

Mr. Denning motioned to approve Resolution No. 20-R-2578. Ms. Fry seconded the motion.

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

- V) Resolution No. 20-R-2579 authorizing the city manager to enter into a contract with Aero-Mark Co. as the lowest and best bidder for the 2020 Paint Striping Project.**

Mr. Carpenter stated that this resolution authorizes and awards Aero-Mark Company as the lowest and best bidder for paint striping in 2020. They did scale back the amount of paint striping they intend to do for 2020.

Mr. Denning motioned to approve Resolution No. 20-R-2579. Ms. Fry seconded the motion.

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

- VI) Resolution No. 20-R-2580 declaring a flashing arrow board to be surplus and no longer needed for city purposes and authorizing its sale by sealed bid, a broker, direct sale to a public entity, or auction.**

Mr. Carpenter stated this resolution is to declare the flashing arrow board as surplus.

Mr. Denning motioned to approve Resolution No. 20-R-2580. Deputy Mayor Lommatzsch seconded the motion.

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

- VII) Resolution No. 20-R-2581 authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Property Tax Duplicate.**

Mr. Carpenter stated this resolution is to assess delinquent charges for grass cutting and removal of weeds, sending it to Montgomery County Tax Duplicate.

Mr. Denning motioned to approve Resolution No. 20-R-2581. Deputy Mayor Lommatzsch seconded the motion.

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

**ITEM 12: PUBLIC COMMENT ON NON-AGENDA ITEMS:** Mr. Lohr unmuted all in attendance. No one wished to comment on non-agenda items.

**ITEM 13: COUNCIL MEMBER COMMENTS:** Mr. Denning: I just want to thank staff for everything they are doing and trying to keep up with this. Let's just keep doing the best we can to get through this. From the governor's comments today, things will start slowly opening up and as we stated at our work session, we can stay cautiously optimistic and move forward. Please be safe and think of your neighbors and not yourself that is what the masks are for to protect everybody from each other. Everybody has to do their part to make this happen as smoothly as possible.

Ms. Fry: I would like to second Mr. Denning's comments. I am sure many of us have loved ones in the medical field supporting the efforts to combat this illness. It is imperative we

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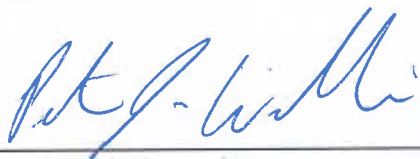
keep the rate of transmission low so we can continue to keep businesses open so when you are out make sure you are protecting your neighbors and wearing a mask.

Mrs. Franklin: Mr. Denning and Ms. Fry covered it. Everybody try to stay safe out there. I believe in face masks; I can't force people to wear face masks, but just remember that you are wearing it for people around you and not particularly for yourself. Stay safe and keep our hospitals free from being overloaded with this virus.

Deputy Mayor Lommatzsch: I would like to bring to council's attention that we have lost a mighty Mad River/Riverside warrior recently named James Weaver. I would like to suggest at the next regular meeting we have a moment of silence in his memory and a proclamation to his family to recognize his many years of service not only to Mad River Township, but to the City of Riverside as a councilman, and to the Lion's Club, and to the many churches he gave his voice to. This gentleman was a wonderful contribution to the city and I feel we are under obligation to recognize his service. I would ask for council support in doing that.

Mayor Williams: I would strongly agree with you on the contribution and memory of Mr. Weaver and thanks for the time he put in for our community. As we enter a new phase of the situation we find ourselves in in Riverside and the State of Ohio, I want to make sure we don't lose sight of some of the things we were working on as a group before. I am reminded of the need for us to have heavy participation in the 2020 Census. I have tried to hit the ground running with when April and I came on board. I know it wasn't always front of mind for the last two months, but as a city and a community that is something we can't miss an opportunity on as that is something we only get every 10 years. I want to make sure we are pushing out as much information as we can to our citizens to take part in the census so we can have accurate size and scope of our community, but also with our school board and places like MVRPC to plan for a better future along with the city council. I want to thank members of council who have contributed to the Stebbins Strong effort in the last week or two. Stebbins High School Booster Club Executive Board is raising money to cover end of year dues that might be owed by some seniors trying to graduate and we want to alleviate any stress that might come their way. The community has responded, and there is still time to contribute to Stebbins Strong. Thank you to everyone who has made that a reality. I want to thank our clerk, Katie, during National Municipal Clerk week. She keeps us organized, especially me. I want to thank you, Katie, for all the time you spend making sure we have everything ready for all these meetings. It really makes our jobs easier for us to come together as a group and discuss important matters and everything is ready for us. There is a lot that goes into that.

**ITEM 14: ADJOURNMENT:** Mr. Denning motioned to adjourn. Mr. Teaford seconded the motion. All were in favor; none were opposed. The meeting adjourned at 6:41 pm.

  
Peter J. Williams, Mayor

  
Clerk of Council