

Thursday, October 4, 2018

ITEM 1: CALL TO ORDER: Mayor Flaute 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.

ITEM 2: ROLL CALL: Council attendance was as follows: Ms. Campbell, present; Mr. Curp, present; Mr. Denning, present; Ms. Fry, present; Mr. Fullenkamp, present; Deputy Mayor Lommatzsch, present; and Mayor Flaute, present.

Staff present was as follows: Mark Carpenter, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Frank Robinson, Police Department; Dan Stitzel, Fire Department; Jay Keaton, Service Department; and Katie Lewallen, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS: There were no members absent.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: Corrections were made to the agenda to add two items to the work session: Airway Road East Project and Background Check for Board and Commission Applicants.

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

ITEM 6: WORK SESSION ITEMS:

A. Purple Heart Presentation

Mayor Flaute: Tonight we have a special guest, a council member, Ms. Janell Smith of Huber Heights, is going to talk to us a little bit about something they started in their city recently and would like to give us information about it, also.

Ms. Smith: Thank you so much, Mayor, Council, and staff; thank you so much for having me this evening and come and speak to you tonight about becoming a Purple Heart City and what it means to become a purple heart city. I brought with me a good friend Randy Howson with the Military Order of the Purple Heart. He is also going to explain the process. What I have recently done is brought the recognition of the Purple Heart city to Huber Heights. We got with this gentleman right here, and if the mayor will make a proclamation and dedicate this city as a purple heart then you can vote on what date you want to have it and when you would like this gentleman here. Once you decide on a date, the Military Order of the Purple Heart will come to your city; they will bring their honor guard, it is the most wonderful thing I have ever seen in my life. You get a wonderful plaque that you will receive just for dedicating the city as a Purple Heart City. This is the presentation I have presented to my council.

Mr. Howson: We take for granted a lot of times in the military order at the Purple Heart that people understand what the Purple Heart is. We are finding that more people don't know than do know. We started the organization way back, George Washington founded the Purple Heart and it is the oldest American medal in our nation's history. We try to honor the combat wounded veterans in all wars and all veterans. We try to get communities and municipalities involved in honoring their citizenry who have gone off and fought, come back to work and nobody knows anything. They just went off, fought and come back, went to work and get no recognition usually outside of their own immediate unit or military organization. We are asking more and more cities to embrace the idea of becoming a Purple Heart City, which really means you are honoring your citizens, your constituents in your community as combat wounded veterans and recipients of the Purple Heart. You become a designated Purple Heart City and on the national trail across America. It starts in Mount Vernon, but it doesn't skip just west, it goes east and

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west. It is really a national event. The importance of it, we seem to have some challenges sometimes, recently, in honoring what we feel is important. Honoring our American flag, veterans who fought, some who died, the importance of our National Anthem, what freedom costs so those are various reasons to embrace the Purple Heart City concept, but it shows anyone that comes in and out of Riverside how important you think your veterans are. In my opinion, they are all gold, but I happen to be one of them so I might be a little biased. In so doing, it says to someone who feels forgotten already that maybe they aren't so forgotten. It is really important when they see that; they may not say much. It is like sometimes you pass a flag and if you think about the cost of that flag and how it got its colors it might bring a tear to your eye. It may not, some people take it for granted; we get complacent sometimes, but I think those of us that believe in the constitution and in Americanism, it is important for us to keep that going in future generations so our charter in the Military Order of the Purple Heart is to accept the baton and to keep that going and keep it alive and well. I think there are a lot of veterans in your community. I am one; I spent 45 years there one day, I was military and civil service and so I know the cost of that. I am also a wounded Vietnam Vet. There are many of us here. Some of the businesses try to embrace that in the extension that if you become a Purple Heart City by putting up the parking placard for those who have been awarded the Purple Heart. Not many of us walk around, and I don't hardly ever unless I'm in a place like this, to advertise the fact that we have medals or that we have been combat wounded. Thank God I didn't lose any limbs but there are many that have. If you ever wonder about that go by the VA one day; you'll get an eye full. It is so important to embrace this. We have many cities, I think we have 26 or 27 that we have done. It amazes me that there are so many cities right outside the gate of Wright-Patterson, a major installation in America, that have not become a Purple Heart City. I'm chalking that up to not that you may not care; you just may not know that is available to you or how to do it. That is the purpose of our presentation tonight is to really let you understand that it is available and how it works once the mayor and city council approves the proclamation; we read that in an active council session and then we have a formal ceremony that will put you sanctioned as a Purple Heart City. Normally, we have a great many cities that come to us and ask about it, but we are finding more and more cities don't know about it. We recently did Huber Heights, Beavercreek, Kettering, Centerville, Bellbrook, West Carrollton, Miamisburg, so there's a lot of cities in the community. I am going to knock on the door of Fairborn next because it hurts my heart to come back here, and this is my home, I've been around the world four times, when you see other communities in other countries honor their veterans and you come home and there is thing available called the purple Heart city and nobody knows about it right outside the gate of Wright-Patt. Our chapter is the oldest chapter in the country, the one in Dayton, the Order of the Purple Heart, so that has significance too. There are 361 of us trying to actively pursue this, not many people know that either, but we thought it was important. Janell thought it was important to contact someone here in the city and offer the hand out to Riverside to consider this possibility. I am hoping that you do that and help us to continue to honor our national heroes.

Ms. Smith: I'd just like to add that it doesn't cost a lot. People are wondering what the cost of this is. The cost is really to put up signs by the highway. We are looking at the gateway entrances of Huber so we ordered about seven signs that are approximately \$35 each. That is really all that it is. You make a proclamation, you dedicate the day to the Purple Heart Medal recipients, they come to your city, you invite the media, and it makes you a destination on the Purple Heart Trail. This is something that is near and dear to my heart. We are members of the National League of Cities and I am with the Military Communities Council and I thought this would be a great way for us to support our military communities around Wright-Patt. I realized you were not a Purple Heart City so I reached out to your mayor and asked if I could come here and speak this evening. I will be escorting Randy here to some of the other municipalities around the tri-county area asking if we could help promote this. As far as the signs here, I have purchased four myself that I am donating to the City of Huber Heights and as long as you take a picture and show they are actually being put in a spot then we are allowed to purchase these. You are not supposed to have

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them and put them in your basement; you have to show you are putting it out there. I am here to answer any questions you may have.

Mr. Howson: By the way, the company that makes the signs for Purple Heart City is in Riverside. It is called DanCo.

Mayor Flaute: Thank you, we appreciate you guys coming.

A motion was made by Mr. Denning to move forward with becoming a Purple Heart city. Deputy Mayor Lommatzsch seconded the motion. All were in favor; none opposed.
Motion carried.

B. Work Place Housing

Mr. Carpenter: I just wanted to give council an update on what was happening there. We received a call last week that the original idea of the two buildings will be changed. They will come back with a rendering of what it would look like if they want to meet all of our codes and standards we have set. I tried to get a hold of Pete Schwiegeraht to get some information prior to the meeting, but unfortunately he was not able to set up a meeting with us until tomorrow. I will meet with him tomorrow, he may have some rendering with him tomorrow; I'm not sure. Mayor Flaute: This is what we had originally (referencing a rendering), and this is going to change, is that what you are saying? Mr. Carpenter: That is what I have been told. The original plan is going to change. What it is going to look like, I don't know, yet; but they are willing to come in for council's pleasure at the next work session to present what they are looking at doing. If council would like that I will invite them. I am meeting with them tomorrow. Mayor Flaute: I believe that is probably important to have them come back in and talk to us, if council agrees. It looks like we have agreement. Have them come in that will be great.

C. Airway Road East Project

Mr. Carpenter: This project has been a little bit complicated. Early on, we told council that we received an email quote that the project would cost somewhere around \$500,000 to \$550,000. We had our engineers give a visual look at it and they said that is about where it should be. Once council authorized us to move forward, we had the engineering firm take a look and draw up the specs. As you may have seen in your bid packet, the estimate was over \$700,000 and the low bid came in at \$694,000. We made a call to them to say what if we postpone the project until spring to possibly get better prices, how much could we save. The feedback we got was that maybe the estimate could be closer to \$600,000. Part of the reason that the cost is higher is the timing. When Choice One put together the estimate, they were factoring greater mobilization costs in the fall than would be in the spring. I am sure that is not all of it, but that was part of the explanation for the costs. We put both of the resolutions on the agenda this evening so Council could decide how they wanted to move forward. Our thoughts and internal discussions were to do some durapatching prior to winter to have less pot holes. It will not be the end all be all, but we do expect some pot holes. There is a cost to that and we figured \$15,000 to \$20,000 possibly so that needs to be considered. Do we want to put that money into this project and then go ahead and do it again and rebid it in the spring, are we going to get that savings? I just want council to be aware of those considerations before we get to the vote this evening. Along with that, the supplemental appropriation, most of that money that is on there is tied to the project. There is some related to the retainer fee for the police and fire income tax.

Ms. Fry: What is the difference again that we expect to save? Mr. Carpenter: We were told that it could be around \$600,000; the low bid right now is \$694,000. Mr. Fullenkamp: You said it was mobilization costs, do we have a guarantee on this or are we guessing that it will go down to \$600,000 in the spring. Mr. Carpenter: No, there is no guarantee, but that is their opinion. Mr. Fullenkamp: I'm going to go back in time. Why did we start this

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whole process so late? Why didn't we start this in April when we knew that this road was falling apart? Mr. Carpenter: It was budgetary reasons; it wasn't in the budget and the thought at the time, at least it was my understanding, is that we were going to hold the line on the budget. Mr. Fullenkamp: But we knew this road was falling apart and I am not sure I quite understand, yeah, we had budget problems, but we had an immediate need, an emergency need, to fix this road now we are saying we are going to put this off until next spring and continue to accrue the maintenance cost that otherwise we might avoid by doing it now? Mr. Carpenter: During that time we also bid different views. We got the estimate to do the whole thing; we got estimates to do the patches of the areas that are going to need repaired to try to extend the time where we have to do the whole project that is what we were shooting for. Mr. Fullenkamp: I want to remind you the same person at the engineering firm that told you \$550,000 and was way off is now promising you \$600,000; I'm not sure why that is a believable estimate at this point. Looking at these and looking at the engineering estimate, the engineering estimate is going to go up because the amount of decay of that road is going to increase. To assume that nothing is going to change and the price is going to come down is a little looney. Mayor Flaute: I don't see that as looney because we did this at the last minute. Mr. Fullenkamp: We did it at the last minute, but that is my problem with this, we did it at the last minute. Mayor Flaute: Well, since we did it at the last minute, I think we are going to get a better price in the spring. The other advantage is, of course the winter is going to be rough on the road, so this way it will rough on the old road. Mr. Fullenkamp: But, we are going to have a lot of maintenance cost on the old road, and you have to add that in to this. Mayor Flaute: I understand that. Mr. Fullenkamp: So, if we are going to spend another \$50,000 this winter on maintaining this road, but that is not including labor. Mayor Flaute: No, we said less than that, hopefully not more than \$20,000. The other advantage is we need to get hold of Wright-Patterson as we had discussion, the deputy mayor and I had some discussion with some folks over at Wright-Patt who might help us with this road. We need to pursue that, maybe it should be us who pursue that, and we need to pursue that help, too. Mr. Fullenkamp: Don't talk to me; talk to council. Mayor Flaute: The road is designated as a road that they have jurisdiction over so since they have jurisdiction over that road, I think that they certainly could help us with the repair. Deputy Mayor Lommatzsch: Back in the spring wasn't Airway part of a long range plan to do it in 2020? Mr. Carpenter: Well, Airway west is being done in 2020. Deputy Mayor Lommatzsch: No, I mean back when before we moved this project up, Airway East was also in the long range plan. Mr. Carpenter: As I understand, Airway East had been applied for a few times and it got denied. Deputy Mayor Lommatzsch: Yes, so it wasn't like it was being ignored. I did receive a call from Colonel Winn at the Base just very recently; we do need to pursue that interest from the Base. Sorry, I have been gone out of town. I thought maybe the mayor would have done this. Mayor Flaute: I should have moved forward on it; I have not, so we will. Deputy Mayor Lommatzsch: But I will see that happens because the General and Colonel Sherman are very concerned about this. Not just the safety issue and the damage issue to vehicles, but also the appearance when they entertain guests at the Base, new people come and what their first impressions are. They are interested in seeing how they can help, but that is not going to fix our problem tonight.

Ms. Fry: A follow up question to Steve's and point of clarification, we didn't think we could do it in the spring because of budgetary concerns, and then we pursued doing it this year, and now we are potentially thinking of doing it next year. What has caused those shifts in perspective? What moved it up and what made us think we could delay it? Mr. Carpenter: We got the estimates, I want to say it was April to May when these estimates started coming along, and then we pursued to get councils approval to proceed, and then we had the engineering firm take a look at it and then along the time we were also scouring the budget to find dollars out of the money already appropriated to pay for this work. Ms. Fry: So it was the estimate that drove us to think we should do it this year? Mr. Carpenter: I would say that is a big part of it, but it turned out to be more expensive than the \$500,000 to \$550,000 that we were saying. Mr. Fry: So it wasn't the condition of the road. Mr. Carpenter: We knew the condition; it's poor, it had to be done. Mr. Fullenkamp: And that

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is the point, the point here is that you can't do an "on-the-napkin" estimate on these types of things. I don't believe you should have relied and brought that \$550,000 number to council that was a misrepresentation of what the cost would be. I have a problem with that. Mayor Flaute: That was the estimate from the engineers. Mr. Fullenkamp: No it was not. This is the estimate from our engineers in the packet \$789,000. Both of these bidders came in under that estimate. Correct? Mr. Carpenter: Yes. I will just say the \$550,000 estimate that we got was actually the low bidder. The email we got was from Booher. Mr. Fullenkamp: But he didn't do the analysis either. Mr. Carpenter: He did not; he told us approximately what it would cost. Mr. Fullenkamp: You should have never brought that to us. Mr. Carpenter: That is fair. Ms. Fry: So both of the decisions were budgetary, we thought we could afford it and that is why we moved it up, and now we are thinking we can't afford it so that is why we are considering putting it off? Mr. Carpenter: It is the savings part. If we do it now, it will cost more, and there are no guarantees, but the expert opinion is that it would cost less if we waited in spring. Ms. Fry: Is the risk to the degradation of the road going to drive more costs? Mr. Carpenter: Potentially. Mr. Denning: What I remember is the reason we pushed to get a ballpark bid is because the road was in such poor condition to start with. So we got the ballpark bid so you could scour the budget to come up with something close to see how much we could get. Then, this council said as long as it is not tremendously greater than that we are going to make this happen because that road is in such poor condition, we have to get that done this year regardless because of the condition of the road. Now we are saying that basically for \$80,000 because you have \$15,000 you have to put into it, I am guessing that does not include labor that is just materials, then you have how many hours of labor to do that. Mr. Keaton: Two weeks. Mr. Denning: How many guys? Mr. Keaton: We will have four guys on that. Mr. Denning: Now we are talking another \$20,000 so we are going to save maybe only \$70,000. Mr. Fullenkamp: To Ms. Fry's point, you got further degradation of the road which may make the next bids higher. Mr. Denning: We know they are going to mill off three inches or whatever it is, but we don't want that degradation to get below that. Mr. Fullenkamp: I think we should do it now. Mr. Denning: I think we need to finish what we started and get this done and if we can get funding from the Base, that would be great, we could tell them we are moving forward and we want to get this done and if they can come up with something because it is almost October and they may be able to find fall out money that would be great. But, if they can't, they need to start thinking about Springfield Street because we are going to definitely need it for there. My answer would be we got Airway taken care of can you come up with a nice piggy bank so we could get Springfield Street looking as good. I think we have to get this done. We can't wait another year and that is what we said when we started down this path is the reason we were doing it was we can't afford to wait another winter because if it fails as much as it did this last winter this coming winter that will be a gravel road and that is not something I want to see in our city.

Mayor Flaute: Any other comments from council? Ms. Campbell: I thought they were going to discuss priorities as the worst ones first. Mr. Denning: That is the worst one. Ms. Campbell: I thought Springfield was. Mayor Flaute: Springfield is going to be done next year. Ms. Campbell: They are going to help us, the Base? Mayor Flaute: We have to talk to them; it was just a conversation. Deputy Mayor Lommatzsch: They are interested in talking to us about some funding. Mayor Flaute: Any other comments? Alright, we do have the resolution coming up at the regular meeting; we will vote accordingly. Mr. Fullenkamp: We can choose which resolution we do right now in terms of accepting the bids. Mayor Flaute: If that is council's pleasure, but we can wait until we get to the resolution. We will wait until we get to the resolution.

D. Background Check for Board and Commission Applicants

Mr. Carpenter: This is something that came up as a topic for discussion and we did check with some other cities may be doing as part of the application process we could do background checks for applicants which council would be able to view prior to

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appointment. It is just a policy decision, throwing it out there as an option and how council feels about it and if they would like to do this going forward.

Mr. Fullenkamp: I don't think it is necessary. Deputy Mayor Lommatzsch: What would be gained by doing this? Ms. Campbell: It is necessary. Deputy Mayor Lommatzsch: What would be gained by that, I think we already have issues in filling our seats; we don't want to put any more encumbrances in their path. I don't think anybody that has anything big to hide is going to apply. Mayor Flaute: Even if they do, they aren't handling money. Ms. Campbell: They could come back and sue the city if something goes wrong. I think you all know who I am talking about. Deputy Mayor Lommatzsch: No, I don't know who you are talking about. Ms. Campbell: There have been some complaints on some of the people. Mayor Flaute: I don't know if that's a witch hunt or whether that is a legitimate complaint.

Mr. Denning: Other cities do background checks? Mr. Carpenter: Katie and I were talking about it and I think Fairborn is one city that does do it. Ms. Campbell: Is it in their contract, not contract, I will let her explain it. Ms. Lewallen: It is actually just on the application. It is on the application, they request a driver's license number, their electronic signature as it's an online application to indicate that they understand they may get a background check and that they are okaying that. The third question asks have they been convicted of any crime other than a minor traffic violation. Those three are on their application. Mr. Fullenkamp: I don't see any value to this. Deputy Mayor Lommatzsch: We already ask if they have anything. Mayor Flaute: Yes, we ask them that. I'm sorry Mr. Fullenkamp. Mr. Fullenkamp: I don't see the value in it. We have never had a problem and I don't see the value in it. I don't know what the concern is to be quite honest with you. These are pretty minor positions for the most part and there is no money involved. That is all I got to say about it. Mr. Denning: We do have some of our volunteers working with children like at the bike rodeo and things like that. Mr. Fullenkamp: I don't want to go down that route. Mr. Denning: I know that if you want to be a Girl Scout leader or volunteer of any sort, they go through a rigorous background check, FBI and everybody. Mayor Flaute: Yeah, but they are spending camp nights with the children. Mr. Denning: No, I'm talking about just if they want to volunteer to help with basic stuff. Ms. Fry: Even school volunteers are required to do some level of background check. Mayor Flaute: I understand that. Our parks and recreation folks, our health and safety, they are never alone with a child. Mr. Denning: It is just a conversation. Mayor Flaute: Right, I'm just saying. Mr. Denning: I'm not going one way or the other; unfortunately, in the way of the world today people are becoming more and more paranoid. Mayor Flaute: I guess my question would be, if we find out something on someone's record then we say no, we would have to have some kind of standard as to why we would say no and why we would say yes. I am not sure what those standards would be. Mr. Denning: If you don't or if there is a problem, we could be sued because we didn't. It could go either way if there is ever an issue.

Ms. Fry: How much interaction do they have with children? Mr. Fullenkamp: Very little; and they are in a large group. Deputy Mayor Lommatzsch: They just fit them with a helmet. Mr. Denning: And then you have parks and recreation helping with that. Mr. Fullenkamp: It is just not parks and rec people that are fitting helmets; you have people from the community so it's not as if that is an excuse to do this. I don't think so. Mr. Denning: I don't know if there is a lot of value to it. Mayor Flaute: Yeah, I tend to agree.

Ms. Campbell: I say it is better to be safe than sorry, like she said, they could write it in the paperwork they sign. If they don't say anything about a background check, put it in there that you could be subject to a background check. Deputy Mayor Lommatzsch: Well we have to pay for it. Ms. Fry: You could phrase it such that we reserve the right to do a background check, but we don't necessarily obligate ourselves to it. Mayor Flaute: I don't want to chase away a good volunteer who might have something on their record and has nothing to do with what they are doing on the commission. Ms. Campbell: Maybe we should have an executive session about this, can we do that? Mayor Flaute: I'm sorry, what was the question? Ms. Campbell: An executive session in regards to this. Mr. Fullenkamp:

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No, I don't think so. Mayor Flaute: I don't think it is necessary. Mr. Fullenkamp: I think already our classifications are way too broad. Anything but traffic violation is just a ridiculous thing. I already think that is way, way too broad. There ought to be some specific things if you are involved in a major theft or felony. Mayor Flaute: If we do anything, I would say let's do a child protection class for our volunteers if that is what the concern is. I am a volunteer for my church and I had to do a child protection class. If we want to do something like that so people know. I am not sure there is enough interaction. Mr. Denning: What I would say is if folks in the audience have an opinion about it to come talk to us after the meeting, and then we can make a decision later.

Deputy Mayor Lommatzsch: Where did this come from? Mayor Flaute: Bev, do you want me to explain it or do you want to explain it? I will start off. Ms. Campbell: I would rather not mention anybody's name. Mayor Flaute: No, no name. There was a member of one of the commissions started getting involved in an issue and that certain member does have a very hazy background. Whoever he was dealing with knew that and brought up the issue to you, I guess? Ms. Campbell: Not just me. If I say anything, they will know who it is. Mayor Flaute: The guy probably shouldn't have been going out on his own, I guess. Ms. Campbell: Well, he was kind of representing himself as an employee here not just a volunteer. Deputy Mayor Lommatzsch: Well, I can't make decisions on things I don't know about. This isn't the first time. Ms. Campbell: We need to discuss it in private. Deputy Mayor Lommatzsch: If there is something that is going on, then we should all know about it. Mayor Flaute: That is why she wanted an executive session because we don't want to mention any names. Deputy Mayor Lommatzsch: Well I can't make a decision based on information other council members have and I don't have it. That is not fair to me. Ms. Campbell: Well, that's why we are going to have a meeting so I can tell you, fill you all in. I thought most of you knew about it. Mayor Flaute: I hadn't heard anything, I just found out tonight when you told me. So at this point, unless someone else feels we need to have this done, I have a feeling from council that we aren't going to move forward with that.

Mayor Flaute: Mr. Manager, anything else? Mr. Carpenter: Nope, nothing else. Mayor Flaute: Wow, this is like the first time I think we got the meeting over before the recess. Now we will have a 20 minute recess because our regular meeting starts at 7:00 pm. I hope you all stay around for our regular meeting. At this time we are in recess.

ITEM 7: RECESS: The Council took a recess at 6:40 pm.

ITEM 8: RECONVENE: The meeting was reconvened at 7:00 pm.

Mayor Flaute: I would like to ask Ms. Eastyn Foxworth to please come forward. As a form of introduction, many of you know I do have a lot of weddings and I had the privilege of marrying a Jodie Manning and Robert Conell last week and Ms. Foxworth was here for that ceremony and she got real interested in what is going on. Would you introduce yourself? Ms. Foxworth: I am Eastyn and am a junior at Stebbins High School.

ITEM 9: PLEDGE OF ALLEGIANCE: Eastyn Foxworth led all those in attendance in the pledge of allegiance.

ITEM 10: MINUTES: Consider approval of the minutes of the September 20, 2018 regular Council meeting. A motion was made by Mr. Denning to approve the minutes as written. Ms. Fry seconded the motion. Six were in favor; Deputy Mayor Lommatzsch abstained. **Motion carried.**

ITEM 11: PRESENTATIONS

A. Fire Fighter Swear-In

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Chief Stitzel: Mr. Mayor, good evening council, we have two new fire fighters that we are swearing in this evening. We would like to start off with Tyler Bever. Tyler has been with the Riverside Fire Department as one of our part-time people for about six years now. He stated off doing his EMT back in 2008; he got his fire fighter certification in 2011, and just recently became a certified paramedic, which actually got him qualified for the position as that as something we require on all of our full-time staff, a level 2 fire fighter and a paramedic certification to be hired. He just recently received that, which I can tell you if a feat within itself to obtain that certification as it is a pretty strenuous class, process, and test to go through. He has been part-time with Bethel Township and Miami County for about the last ten years and he is continuing to be part-time in the Brookville Fire Department also. He is hoping to spend the rest of his career here with the Riverside Fire Department. He was just married on September 2, so congratulations to him, and his wife, Elayna, who is here with him tonight along with other family members.

Mayor Flaute gave the oath of office to fire fighter Tyler Bever.

Chief Stitzel: Our next fire fighter is Craig Quarles. Craig has been in the fire service for about ten years. He started here with the City of Riverside and worked here for about three years. He left in 2013, to take a full time job in Lexington, KY, and he had an opportunity to come back as he wanted to be closer to his family and to the Riverside Fire Department he always kept contact with his friends and coworkers here since he has been gone. We are really glad Craig had the opportunity and chose to come back and spend some time with us.

Mayor Flaute gave the oath of office to fire fighter Craig Quarles.

ITEM 12: NOTICE TO LEGISLATIVE AUTHORITY FROM LIQUOR CONTROL

Chief Robinson: We have not done a background check on this individual who is applying for the permit. The clerk sent it over to our new person over there; I do not blame her whatsoever she is brand new at the job and probably didn't have any clue what to do with that. We never got a chance to look in the background of the person applying for the permit. We can do one of two things. It is a chain store, not a business that hasn't had this and probably does it at other places; however, we can hold off until the next meeting on October 18, we can check between now and then if you would like to do that. Mr. Fullenkamp: I think we should. Mayor Flaute: Anyone else have any opinion on that? If not, we will move that to the next meeting.

ITEM 13: ACCEPTANCE OF WRITTEN CITIZENS PETITIONS: Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 14: CITY MANAGER'S REPORT:

Mr. Carpenter: In the packet is the report, if anyone has any questions or comments I will be glad to answer any questions. Mayor Flaute: I had one, in the report it says there were many felony charges that were approved regarding the arrest at Speedway involving bulk amounts of marijuana and liquid hashish. Chief can you explain what that was all about; I don't remember hearing about it? Chief Robinson: That was the incident with the gentleman who came from Colorado who had bulk amounts of various drugs in his car and I believe he was drunk driving and was pulled over and stopped and those were located.

A) Monthly Update Finance Department – Tom Garrett: I prepared the finance reports for September, I gave it to the administrative staff to get on the website; I am not sure they actually got there, yet. I did email them to council this afternoon, though. Deputy Mayor Lommatzsch: They are out there. Mayor Flaute: I didn't see them. Mr. Garrett:

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They weren't there when I looked but that's good. During the past month we did get our reimbursement from the state, Ohio Public Works, for the Union Schoolhouse Road. We did receive that money, and I transferred it back to the General Fund. Today we received our reimbursement from the county for our Community Development Block Grant (CDBG) for the 88 curb ramps we did this summer so I will be finishing up getting that posted and the advanced returned to the General Fund. Our income tax runs a little bit ahead of our forecast, in fact, it has increased over where we were last month so we are about \$160,000 ahead of where we thought we would be at this point having received nearly \$4.7 million of income tax. Also, I got the real estate tax distribution posted and that actually came out higher than our estimates do so that was good news for us. Our revenue items are a little bit ahead and expenses are pretty much on track where we thought they would be so I think we are doing pretty good. That's the highlights for you.

B) Monthly Update Administration Department – Chris Lohr: I have finished the changes to the boards and commissions webpage and the volunteer page so it has the complete roster for each board and commission and complete listing of the openings for each board and commission under the volunteer's page. We implemented another layer of content filtering for our internet services. We had a few hic-cups with that, but I think it is at the sweet spot where we want to be blocking enough things and not blocking the things we need for day-to-day operation. I think the city manager sent out the categories to everyone, if you haven't seen them, let me know and I can get those to you. Mr. Fullenkamp: I haven't seen them. Mr. Lohr: Ok we will get those to you. We have our contract completed for the new internet services and hoping to have a time line of getting that new internet service up and running here within a week or so. I am also working on an RFP for managed IT services. We are looking to transition from our current IT services which are with CDO and move to a more comprehensive level of services with constant network monitoring and that sort of thing so that we can have a more secure network here for the city. We are in health insurance season so all the employees are doing their Formfire questionnaires. We are hoping to get those done by early next week; we are doing really well getting those taken care of. If we do that, in November we will be looking at some quotes for health insurance both for traditional insurance plans, self-funded plans, and insurance pools. November some time we should have numbers and have a better idea of what costs will look like for next year. That is all I have.

C) Monthly Update Economic Development Department – Mark Carpenter: I just have a few comments for the economic development update. There is a buyer for the Claypool building and they are interested in the CRA tax credit. We have secured those documents and forwarded them over to the realtor for the Claypool building and will assist them in completing the applications as needed. Also, we are working with a Chris Meyer on the ESID Plan and part of that was going to be used for the Claypool building and see what might be available for Overlook to use also, but Mr. Meyer has changed employers. He was with Energy Optimizers and has changed employment with a different company that possibly offers more services so we are going to meet with him next week; it hasn't been finalized, yet. Also, the La Guadalupana supermarket and restaurant wants to open soon. It seems like there is some disconnect between them and the county as far as getting the final paperwork so I did speak with the county today to get an understanding of what they need from the supermarket in order to get all paperwork finalized so they can get open. I am going to reach out to the supermarket tomorrow to let them know what I learned today so we can get that paperwork finalized. I am also working forward with the City of Dayton on getting the parcels on Carlotta Avenue vacated. There is a short street that is no longer used and a few parcels that belong to the City of Dayton that they are willing to vacate and give to us. The idea is that we can then move the sewer line through those parcels instead of having to try and go around. We are just finalizing that and getting all the necessary signatures to make that happen. There was something in the news about Elder-Beerman closing and there may be some possibilities they would be looking for sites to possibly set up different type of liquidation, or as I understand it, some type of online

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type of warehouse so we have reached out to them to say there may be some properties here in Riverside that they could use. That is all I have on the economic development side.

Deputy Mayor Lommatzsch: I was in visiting with the manager of the Mexican restaurant and grocery store. He is very nice, and the restaurant is going to seat 100 people so it is not just a little bitty place. They are very frustrated. I did not speak with the owner, just the manager. Anything you can do because they are frustrated. They have a lot of stock already in the store that is tied up in a lot of money. I am sure they are interested in getting the registers open and they are hiring, but they have already hired folks anxious to go to work.

Mr. Denning: What is going on with Goodyear? The sign is down; the place is empty. Mr. Carpenter: I have not heard from Goodyear. Mr. Denning: Ok, well you might want to check on that, it looks like they closed up and moved away. Deputy Mayor Lommatzsch: Jamie's in Beaver creek, too? One family owned all of them.

D) Monthly Update Planning and Program Management – Mark Carpenter: I don't have any more updates to provide this evening other than the River Works project. I will have something at the next meeting for that.

ITEM 15: PUBLIC COMMENT ON AGENDA ITEMS: There were no public comments on agenda items.

ITEM 16: OLD BUSINESS

A. ORDINANCES

D) Ordinance No. 18-O-670 to authorize the transfer of the remaining balance in the Danis Land Acquisition Fund to the General Fund (2nd reading and consideration of adoption)

Mr. Carpenter: This ordinance is to authorize the transfer of the Danis Land Acquisition Fund back to the General Fund.

A motion was made by Mr. Denning to read Ordinance No. 18-O-667 for the second time by title only and approve its final adoption. Mr. Curp seconded the motion.

The Clerk read Ordinance No. 18-O-670 for the second time by title only and Mayor Flaute asked if there was any discussion by members of Council.

Being none, all were in favor; none were opposed. **Motion carried.**

ITEM 17: NEW BUSINESS

A. ORDINANCES

D) Ordinance No. 18-O-672 making supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2018.

Mr. Carpenter: This ordinance is supplemental appropriations these funds are targeted for the Airway East Project and also, as the memo dictated, returning some money from the Union Schoolhouse Road Project and also transferring some of the Wright Point funds to operations within the Wright Point budget, and then also the Police & Fire Income Tax

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Fund retainer fee to increase that amount because collections have been higher than expected.

A motion was made by Mr. Denning to read Ordinance No. 18-O-672 for the first time in its entirety and approve its first reading. Ms. Campbell seconded the motion.

The Clerk read Ordinance No. 18-O-670 for the first time in its entirety and Mayor Flaute asked if there were any questions or comments from members of council.

Being none, six were in favor; one, Mr. Fullenkamp, opposed. **Motion carried.**

A motion was made by Mr. Denning to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Fullenkamp seconded the motion.

Mr. Fullenkamp: I have a questions, for ordinances, we have a requirement for public hearing before the second reading and my reading of our charter does not say that for an emergency that we can avoid that public hearing. We have an attorney here and this issue is going to come up in a later times and it is very clear that we require a public hearing as part of the second reading. There is no exclusion in the charter that says for emergencies you can avoid that. Mayor Flaute: Madam law director are you prepared to discuss that? Ms. Grandjean: I think what is relevant is section 5.03 (d) of the charter which requires a vote of five to suspend the rule preventing adoption of an ordinance at the meeting in which it was introduced, which is waiving the second reading at a separate meeting, which does not address the issue of a public hearing. The first reading, which is 5.03 (a) indicates that; I'm sorry it is 5.03 (b) that provides for a second reading and a public hearing. All interested persons shall be given an opportunity to be heard prior to the final vote, I'm trying to summarize it, but I think I need to read it, after written communications from any person concerning such ordinance shall be received, read and entered into the record. After such reading, council may finally adopt such ordinance except if any amendment changes its substance. So, it can then at that point be affirmatively voted on so the rule suspension applies to whether or not an ordinance can be adopted at one meeting by waiving the rule for two separate meetings. I believe Mr. Fullenkamp you are right, there is no waiver of the public hearing and a public hearing could be conducted. Mr. Fullenkamp: But that has to be published. Ms. Grandjean: Correct because copies of the ordinance in the form it was approved on the first reading shall be available to the public. Mr. Fullenkamp: I'm just bringing up a point that we have been ignoring for a long time. We have a requirement in our charter that says a second reading requires a public hearing and I don't see anything in the emergency that obviates the need for that particular part of passing emergency legislation. Ms. Grandjean: The section on emergency ordinances governs when it can go into effect and requires at least five members to vote in favor of it. It doesn't say that the requirements set forth in (a) and (b) do not apply. Mr. Fullenkamp: That's right, it is silent on that and we should be requiring a public hearing when we do emergency ordinances. Ms. Grandjean: Probably the proper procedure would be when an ordinance is being published that an ordinance will be on the agenda and particularly if it is an emergency ordinance that there will be a public hearing at that time. Now, it requires a super majority vote to suspend the rules so the agenda, I suppose, technically should provide for a motion to suspend the rules with regard to the two separate readings. Mr. Fullenkamp: I realize this is a fine point, but we weren't doing the public hearing for year and I don't see how we got around doing the public hearing for the emergency ordinances. Mr. Denning: I asked that question at the second meeting and they told us that we didn't have to worry about it. It wasn't you (indicating Ms. Grandjean). Mr. Fullenkamp: It doesn't matter; the point is what do we do? Ms. Grandjean: Well, I think we do it correctly from here on. It doesn't invalidate anything that was done in the past. Mr. Fullenkamp: What about tonight? Ms. Grandjean: With regard to the supplemental appropriation ordinance? Mr. Fullenkamp: The supplemental then maybe the medical marijuana issue, too. Ms. Grandjean: I wasn't expecting to be done in a meeting anyone. Mr. Fullenkamp: Well it is in the packet and people don't know. Ms. Grandjean: We will talk about that; it is the same

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issue. So the language of the charter does not provide for the suspension of the rule with regard to a public hearing; it provides for only suspension of consideration on two separate meetings. If we are going to begin to apply that, then the ordinance under consideration this would only be the first reading and a separate reading would be required with a notification of public hearing. Now, what effect does that have on what is under consideration, does it cause a problem? Mr. Carpenter: It would delay the transfer of the funds. Mayor Flaute: For 30 days? Ms. Grandjean: No, until the next council meeting. Deputy Mayor Lommatzsch: Or unless you call a special meeting. Ms. Grandjean: So if there were an emergency that it be adopted, a special meeting could be held, but that is not the case, is it? Mr. Carpenter: I don't believe so because of the nature of the work getting done there would be time. I expect there would be sufficient time. Mr. Fullenkamp: That is why I suggested before we decide which direction we were going to go with the resolution because this resolution isn't necessary, or this ordinance isn't necessary if we don't pass the resolution to go ahead with the work on Airway East. There was a rationale behind why I said it. Mr. Carpenter: It is where there is other funds are needed besides the Airway East. Mr. Fullenkamp: Well the numbers are oddly similar \$694,000 in the supplemental. Mr. Carpenter: Well what I mean is the increased amount for the retainer fee and moving money from Wright Point capital to operating. Mr. Fullenkamp: I understand that part. Anyway, those are just fine points when you start looking at these things carefully. They start popping out at you and I looked at it more specifically for the other legislation and this is the same situation.

Mayor Flaute: OK, so let me get clear, whenever we have something, an ordinance that we want to suspend the rules; we have to say in advance that we are going to do that? Ms. Grandjean: We should provide for a public hearing. Now, it takes a vote so five people have to vote at that meeting to suspend the rules, but technically, the agenda should provide for a possibility of a public hearing in the event the rules are suspended at the first reading. So, if we want to do it at one meeting then there has to be a public hearing. Mayor Flaute: So then we would have the suspension of the rules and then the public hearing? Ms. Grandjean: Right. Mayor Flaute: Then we could do that all in one meeting? Ms. Grandjean: Right, if it is published that way; noticed that way. The clerk and I can work on how to word that in the future. Mr. Curp: We have an agenda calendar so I think it is incumbent upon the staff to get with the clerk if we are going to have the clerk do the public notice that any time we see that there is legislation that is going to require everything being done in one evening that the public notices be handled in advance of the meeting. Then, on the night of the meeting, the public hearing can be any time prior to the ordinance coming before the council; it doesn't have to be at the same time, it could be before. Mr. Fullenkamp: I think it has to come after the first reading; if my reading of the charter is correct. Mr. Curp: Maybe so. Mr. Fullenkamp: It states it that way, the charter language, "the publication by posting and otherwise shall be at least seven calendar days prior to the time set for the second reading and public hearing." Ms. Grandjean: I don't know that is says the public hearing has to be held before; it has to be posted that it will happen at a particular meeting. Mr. Fullenkamp: But, we still need a public hearing when we have an emergency ordinance. Ms. Grandjean: I think you are right, Mr. Fullenkamp.

Mayor Flaute: Alright, so there has been a motion on the floor so we need to pull that motion back. Do the motioners want to? Mr. Fullenkamp: I will pull mine. Mr. Denning: Second. The motion on the floor was rescinded. Mayor Flaute: Alright, we will get that at the next meeting then.

2nd Reading and Public Hearing scheduled for 10/18/18.

B. RESOLUTIONS

I) Resolution No. 18-R-2413 authorizing the City Manager to submit for federal fast act funds through the Miami

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Valley Regional Planning Commission (MVRPC) for portions of the US 35 Woodman Drive Overpass Project.

Mr. Carpenter: This resolution is authorizing the city manager to submit an application for federal fast act funds to the Miami Valley Regional Planning Commission for the US 35 Bridge Overpass project.

A motion was made by Mr. Denning to approve Resolution No. 18-R-2413. Deputy Mayor Lommatzsch seconded the motion.

Mr. Fullenkamp: Mr. Mayor, I am going to vote against this. The reason I vote against it is this is mediocrity; we are accepting a mediocre product here. When I read the minutes, we are going to go from an 'F' to a 'D' in that interchange, which tells me there is very little improvement and this is a long term project. The other thing is we haven't secured the funds, we don't know if we will have the money to do this that is the second reason. So that's my rationale, and I always tell people my rationale for why I don't support something, it is a mediocre project; we have enough of that in this city and I want some excellence to occur and this is just a large compromise. It may be a small improvement, but everything I read was not so much. I am just going to vote no.

Deputy Mayor Lommatzsch: It has to do with a lot of dollars. Mr. Fullenkamp: What I care about is what this city is like in the next 30 to 40 years, not about the dollars we get from the feds and the state. Deputy Mayor Lommatzsch: Well I'm more concerned about people getting killed there in the next five years. Mr. Fullenkamp: What I read was that we go from an 'F' grade to a 'D' grade. Deputy Mayor Lommatzsch: I understand that. Mr. Fullenkamp: That doesn't buy us much. So it is a mediocre approach, we did it because we don't have the money. Now it is all about the state and federal money and what MVRPC can do for us. I'm not trying to convince you to vote against it, I'm telling you how I'm going to vote.

Five were in favor; two opposed. Council voted as follows: Mr. Denning, yes; Ms. Lommatzsch, yes; Ms. Campbell, yes; Mr. Curp, no; Ms. Fry, yes; Mr. Fullenkamp, no; Mayor Flaute, yes. **Motion carried.**

II) Resolution No. 18-R-2414 authorizing the city manager to enter into a contract with Booher Blacktop as the lowest and best bidder for the 2018 Airway Road East mill and fill project.

A motion was made by Mr. Fullenkamp to approve Resolution No. 18-R-2414, awarding the bid. Mr. Denning seconded the motion. Four were in favor; three opposed. Council voted as follows: Mr. Fullenkamp, yes; Mr. Denning, yes; Mr. Curp, no; Ms. Fry, yes; Ms. Lommatzsch, yes; Mayor Flaute, no; Ms. Campbell, no. **Motion carried.**

III) Resolution No. 18-R-2415 confirming the City Manager's appointment of Kathy Bartlett to the position of Public Service Director for the City of Riverside, Ohio.

Mr. Carpenter: At this time I would like to introduce Kathy Bartlett, she is my recommendation to be the next Public Service Director for the City of Riverside. Mayor Flaute: Ms. Bartlett would you please come forward and introduce yourself and tell us a few good things.

Ms. Bartlett: My name is Kathy Bartlett as I was introduced. I have over 30 years of experience in civil engineering, 25 years in consulting engineering, and I have worked in the government capacity for three years. That experience includes primarily roadways those range from interstate to city streets, sidewalks, bike paths, and experience with grants

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and writing. I am excited about the opportunity to be here and work with the City of Riverside in this role and all the responsibilities that come with it.

Deputy Mayor Lommatzsch: You didn't mention any experience working with regional planning commissions, but I am sure out of the Columbus area you had to have some. Ms. Bartlett: Yes, mainly the grants and the grant writing and I did a lot of work with villages. Deputy Mayor Lommatzsch: You are comfortable with working with MVRPC and making sure we are getting everything we deserve? Ms. Bartlett: Yes, that is what I did, I worked for a consultant that told me to go market villages and I went out and found out what their needs were and I went back to find the funding to make those needs happen.

A motion was made by Deputy Mayor Lommatzsch to approve Resolution No. 18-R-2415. Ms. Fullenkamp seconded the motion. All were in favor; none were opposed. **Motion carried.**

ITEM 18: PUBLIC COMMENT ON NON-AGENDA ITEMS

Mayor Flaute invited Jan Pitzer to speak and advised to keep comments to three minutes.

Ms. Pitzer: Good evening. I'm addressing the minutes. I'm going to ask a question, does anyone on council read the minutes in your packet from the previous meeting? OK, you all approved the minutes and this question is to our council clerk. Under whose direction are you editing the actual happenings during the council meeting? Ms. Lewallen: I wasn't editing; I was just typing. Ms. Pitzer: Well, I am here at the meetings, I hear what goes on. Example, during the last meeting, we are excusing the absent members Mayor Flaute states why they are absent, that's not in our minutes. There was an interaction between Ms. Fry and Mr. Denning regarding keeping the \$350,000 in the budget for road repair. The mayor says he agrees. Mr. Denning says who do you agree with, we are on opposing sides? Mayor's response I don't know, I really wasn't paying attention. That is not in the minutes, okay. Then we go to Ms. Campbell who had questions and comments to our state rep Jim Butler. Her conversation is not in the minutes. The police chief giving his report stated I'll make this short and sweet just like me and turned around and looked at us. That is not in the minutes. All of this has been omitted. During Chief Stitzel's report it is a File of Life not a vial. I question your approving minutes, but you are not checking to make sure they are accurate.

Mayor Flaute invited Jake Bontatibus to speak.

Mr. Bontatibus: Thank you for your time as you stated my name is Jake Bontatibus, resident of Riverside. I wanted to address the council on the, I will use the term rumors, I have done a little checking I don't know if they are rumors, but we have a pretty serious deficit in our budget for next year. I have heard numbers as high as a million dollars. What is the plan to get right with that; do we have a plan in place? I know we have a levy going on the ballot for roadways. We desperately need that. You look out at Airway and it looks like Afghanistan out there. What do you plan to do to fix the budget deficit? Are we looking at layoffs? Talking to a number of people in this town, I would advise heavily against any layoffs of any of our first responders, police, EMT, firefighters. Or not filling, back filling any positions that should come open through retirements, leaves, moves on to different jobs, etcetera. I don't understand how this happened. It is \$1 million, we aren't short \$50,000; we are short a million dollars. How did we not plan, how did we not see, how did we not budget for this? What is our plan going forward? As Mr. Fullenkamp just stated a few minutes ago we have an awful lot of mediocrity in this town. Citizens are getting fed up with mediocrity. We just had the state report card come out on our school system; not good. Our roads and infrastructure are falling apart; not good. We have put enough Band-Aids on stuff at what point are we going to address the root cause of the problem? Thank you.

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Mayor Flaute invited Jesse Maxwell to speak.

Mr. Maxwell: Thank you all for allowing me to speak. I guess my big concern kind of goes with this gentleman here, where are we at with our deficit? I know that we have salary expenditures, I work in a school system, I get it, I know how it works, but we are in bad shape right now and I'm concerned. I am a citizen of Riverside and am concerned about losing police, fire, EMT services. They are already short staff most of the days as it is now. We can't afford to lose more firefighters or EMTs or police officers and not filling those positions when they retire. We need to really consider that. I understand that we the road levy road. I don't understand why we aren't looking at income tax instead of property tax. We don't get much money from property taxes; we just don't. Why are we not looking at the income tax? Why are we not raising the income tax? I think we are permitted to raise the income tax without a levy or vote right now. Mr. Fullenkamp: That's not true. Mr. Maxwell: Not true. Okay. Mayor Flaute: Sort of. Mr. Maxwell: Sort of, there is a certain percentage you can raise it? Mr. Denning: No, that's not true. Mr. Maxwell: Anyway, I think we need to be looking more at the income tax than we do the property tax because we do not get a lot of money and funds from property taxes. We really need to consider and worry about keeping our city safe from everything that goes on here; we need to look at police, fire and EMTs and make sure those jobs stay secure. We are already short staffed as it is; we can't afford to lose anyone else.

Mayor Flaute: On October 9, at 6:00 pm, there is going to be a levy meeting here. We will talk about the levy, talk about what we are doing, why we are doing it. All the issued you discussed will be talked about at that October 9 meeting. Whatever rumors you hear; I only know what some of them are, but you have been talking about police and fire, there has been no discussion that I have been aware of that we are going to layoff police and fire. We have had some other layoffs, but at this point police and fire have not been discussed.

Mr. Fullenkamp: I do want to add a comment. You are correct, sir, our long term planning is really deficient. I am as much at fault as anybody, but it is something we have not done well since we became a city and it is something we have to change. This is on this council. This is our responsibility to make sure, that we make sure this city is sustainable for the long term. You are right, when you see the streets and roads in the condition they are in, that is a real strong indicator of what is going on. When you see this deficit that is another strong indicator. We have seen these; we have had these deficits for several years now. Council was more interested in doing some other things and that has to change; you're right. Come talk to me whenever you want, I will give you a card.

Ms. Campbell: As far as fire and police when we passed the last levy to keep it as it, they can't get rid of anybody, they have to maintain the same amount of people.

Mr. Denning: I would like to say that I got an email that said there was a statement made in a neighborhood section that said there was a possibility they were going to layoff ten police officers. I have heard, I don't know where this gentleman got his information, in his little statement, he said he got it from a city employee. I tried to message him directly and find out exactly where he got his information because I have heard nothing about anything like that sitting on this council. If you would go back and read the minutes of this council over the last three months, we have gone back and forth whether we should do income tax or whether we should do property tax or what we should do to make to make up this deficit. We chose that the roads are our biggest priority right now and we are going to working on the other things in the future, but we have to get the road levy passed in order to be able to do anything with the roads or they are going to fall apart. Yeah, does that make us look like we are behind? The answer is we are. But, we have to start somewhere and that is going to be the first place and the reason, Jesse, that we chose property tax, the majority of it was is that is even across, that charges everyone because the roads are something everyone uses versus putting an income tax on. Yes, the income tax is more sustainable and it increases over the years, but the roads are something we know how

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much we are going to be getting so if we choose to bond we know how much we can afford to pay back as we go forward. Those are the reasons we did what we did. We chose 8 mills because that is what we need, not what we think we could get passed in order to make a difference in the roads that we want and what we want to do in the city.

Mr. Fullenkamp: I want to make a point, too. I don't remember your last name, but your first name is Jesse. (Multiple people speaking different last names) Mr. Maxwell I think it is interesting that you make that statement because you work for a school system that all their local funding comes from a property tax (inaudible comment). But that is the case; that is the fact. I understand what you are saying we do raise money, 8 mills are going to raise \$1.9 million a year; those are the numbers that's commercial and residential properties. We know how much it can raise so I just had to comment; I am not trying to push your buttons (inaudible comments).

ITEM 19: COUNCILMEMBER COMMENTS:

Deputy Mayor Lommatzsch: I was at MVRPC and I would like to make all of you aware you can go on to the website of MVRPC and see all of the reports we were given today, about an hour and fifteen minutes, some very interesting information and statistics about a lot of things going on in the metropolitan area. You click under 'committee centers' the icon and you can bring those up. I would like to publicly thank our first responders, police and fire, I have been to several school events in the recent past and am very pleased to see them showing up and participating and greeting young people and being seen. Showing off that fire truck/medic, I like that. There is an In-Crowd on October 15 at the Eintract Club on Troy and it is a German dinner that I don't think can be beaten anywhere on a Monday night. All of you are welcome to please join and come out and enjoy the facility as well as some really good food. Get in touch with Lynn at the Chamber because you will need a reservation. I would like to personally thank all the care and love I have gotten from the city employees, you all know who you are, in the recent loss of my brother, thank you.

Mr. Curp: I would like to remind everybody there are still migrant children separated from their parents. It is one of the most horrific situations that could happen to be separated from your parents and parents being separated from their child. I hope everybody will continue to communicate with their federal elected representatives and try to get this taken care of.

Mayor Flaute: I just have a few comments, and I want to go back to the discussion we have from public comment because next year there is going to be a renewal of our police and fire (levy). That one is very important; we need to get that passed because if not that could be a big issue for us. I just wanted to make that comment. I did three weddings and I have a few more on board. I was going to talk about the In-Crowd, but we got that covered.

Deputy Mayor Lommatzsch: We have some new people in the audience and I want to thank you for coming and I hope that you will come back.

Ms. Campbell: If you go on YouTube and put in Riverside City Council meeting you could see it on there, if some of you can't get out.

Mayor Flaute: We do have a need for an executive session. We will be going to executive session for the reasons on the agenda. After we reconvene, we do have two ordinances we will be dealing with. Hopefully, we will be in executive session no longer than 45 minutes. If you would like to wait around for how we are going to handle the ordinances, you are welcome to do so.

ITEM 20: EXECUTIVE SESSION: A motion was made by Mr. Denning to enter into executive session for purposes allowed by law: Codified Ordinances Section 103.01 (d)(7) – *To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information*

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confidentially received from an applicant: C. Production techniques and trade secret. and 103.01 (d) (1) – Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official. Deputy Mayor Lommatzsch seconded the motion. On call of the roll: Mr. Denning, yes; Deputy Mayor Lommatzsch, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Mr. Fullenkamp, yes; and Mayor Flaute, yes. The Council entered into executive session at 7:59 pm.

ITEM 21: RECONVENE: The Council came out of executive session at 8:40 pm.

A. ORDINANCES

- I) Ordinance No. 18-O-673 enacting a new Chapter 728, Medical Marijuana Dispensary, to Park Seven of the Business Regulation Code of the City of Riverside, Ohio.**

A motion was made by Mr. Fullenkamp to table Ordinance No. 18-O-673. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

- II) Ordinance No. 18-O-674 approving employee position titles, number of positions and pay ranges and to repeal Ordinance 17-O-622, adopted June 1, 2017, and declaring an emergency.**

Mayor Flaute asked if there was a motion to approve the first reading. A motion was made by Mr. Denning to read Ordinance No. 18-O-674 for the first time in its entirety and approve its first reading. Mr. Fullenkamp seconded the motion.

The Clerk read Ordinance No. 18-O-674 for the first time in its entirety and Mayor Flaute asked if there were any questions or comments from members of council.

Being none; all were in favor; none were opposed. **Motion carried.**

2nd Reading and Public Hearing scheduled for 10/18/18.

ITEM 22: RECONVENE

A motion was made by Mr. Denning to adjourn. Ms. Campbell seconded the motion. All were in favor; none were opposed. The meeting was adjourned at 8:49 pm.

William R. Flaute, Mayor

Clerk of Council