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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; Deputy Mayor Denning, present; Ms. Fry, present; Ms. Lommatzsch, present; Mr. Teaford, present; and Mayor Flaute, present.

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

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

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the revised agenda.

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

ITEM 6: WORK SESSION ITEMS:

A) Vacant Property Registration Program – Mr. Michael Halpern explained that vacant property registration ordinances are tool used by over 80 communities in Ohio. This ordinance will help building and code departments to have information on hand as opposed to them beginning the process of identifying the homeowner and/or bank. He stated he has worked for the past 17 years at Safeguard Properties in Cleveland, OH. This company is the largest mortgage field services company working on behalf of banks and mortgage companies. His role for the last eight years was as director of community initiatives, which had him speaking at local, state, regional, and national conferences to educate municipal governments on how banks operate, how zombie foreclosures operate, and giving them tools and resources to help them in the fight against zombie foreclosures. He was the conduit to helping building and zone departments identify the banks. He saw an opportunity to help municipalities by creating a strong ordinance and helping with administration so the burden doesn't fall on the departments in helping them. There is no out of pocket expense to the community with this program. He explained registration programs across the country have a fee, and his compensation would come from that fee. The community gets information, primarily, who the points of contact are, regarding legal issues and maintenance issues.

Deputy Mayor Denning asked what was his definition of zombie property. Mr. Halpern stated it is really vacant, abandoned properties. A true zombie property is when a bank has decided to walk away from a property as that is the worst of the worst. Those are few and far between, however, they have the greatest impact on the community. With the foreclosure crisis, the term zombie foreclosures has expanded to include all types of vacant properties. The idea behind the program is to proactively capture all vacant, abandoned properties; also, to capture any properties that have had a public filing of a notice of default. Once that information becomes public, he would work with approved agencies to help them intervene and stem the tide of those properties. Deputy Mayor Denning stated they have quite a few where a person has passed away and there is nobody to maintain it. If it is paid off, and the bank doesn't own it, then what happens? Mr. Halpern stated there are three buckets of vacant properties: bank owned, individual investment property, and probate cases. Probate cases are the most challenging. He cannot make a person register, but the benefit of outsourcing the administration of it, is that he is incented to go out and do the best to get the information for the city. Deputy Mayor Denning asked what percentage of the properties are bank owned versus probate. Mr. Carpenter reported that a majority are probate. Ms. Lommatzsch asked

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if he dealt with business properties or residential only. Mr. Halpern recommended it be all inclusive, but it is up to the community to decide. The concept works across commercial, industrial, and residential. He added that the concept of the underlying program is not only to alleviate the administrative burden, but leveraging his expertise of identifying who these homeowners are. He provided an example from Buffalo, NY where he was able to help them escalate a HUD contract. The biggest challenges are the time and effort spent chasing after the owners, especially the banks, including probate. This is meant to alleviate the burden to let code and building officials do what they are trained to do, which is inspect the properties.

Deputy Mayor Denning stated he was thinking ahead to make a list available to investors and they could possibly talk to whomever they need to to invest and buy the homes or go through the REAP process, somebody to take care of the property. Mayor Flaute asked if this was an ordinance for all landlords to register as he did not think they would be interested in doing that. Mr. Halpern stated a majority of communities have separate registrations and this is strictly for vacant, abandoned properties and properties that have a public notice of default. Discussions was held on why or why not to have landlords register. Mayor Flaute stated the county already has landlord registrations. Ms. Fry asked for an example of an ordinance. Copies of the sample ordinance were made and distributed. Mr. Halpern explained his sample uses the best verbiage from across the country and it well defines vacant, abandoned properties along with strong exemptions because of snowbirds, military active duty, and other exemptions that are critical. Ms. Fry asked how he got paid through the model. Mr. Halpern stated he would notify necessary parties of the ordinance that he would be enacting on behalf of the municipality and he would reach out to various entities to identify vacant properties. When the registration comes in, the information will be on his website, and there is a fee that comes along with that. If the fee is \$200, he would retain a portion of the fee and the rest of the fee would come to the municipality. It is a per registration fee/form. The portion he keeps is typically 50 percent.

Mr. Teaford asked if he has a team, and how long has his company been around. Mr. Halpern replied that he began on January 1, 2019. He is the company and has everything lined up. He is awaiting his first client, upon which there would be more employees to do the website and customer service.

Mr. Curp stated a number of years ago a number of government entities were looking for landlord registration for some of these same reasons. The real estate lobby and landlord folks got legislation passed to put the responsibility on county auditors. Those records pre-empted the local governments. He asked if he was in tune with the state legislature and if the mortgage loan industry talking with the legislature about putting limits on business organizations like his and local governments like them to keep them from doing this. Does he see legislation coming down the road? Mr. Halpern stated there is nothing in Ohio; there have been concerns raised in New Jersey, but nothing in Ohio. Some action has happened in New York where some people have voices concerns about the local ordinances, but Buffalo enacted theirs a couple of months ago. There is a separation between vacant and rentals. The banking world does not get involved in the landlord conversation. At the height of the foreclosure crisis there was some communication, but at this point he has not heard or seen anything engaging state legislature on any of these types of issues.

Mr. Carpenter asked if once it is registered if there was a re-registration. Mr. Halpern stated he advocated for an annual registration with an annual renewal/recertification. It is a requirement in the model ordinance to make sure the information is updated. Meaning if one bank sells it to another bank, he advocates for de-registration to get everything clean so it can be re-registered and whether or not it involves another fee or not, that is a concern for the banking world for properties in probate. There are those types of conversations that need to be had, but on a very high level he feels there should be a renewal and a de-registration.

Mr. Curp asked him if he tracks change of ownership in his service. Mr. Halpern replied that he did. Once the property is registered, to a certain extent he is relying on the registering

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party who is compliant with the ordinance to keep it updated. Any red flags that indicate a change of ownership falls to him to make sure it is updated. The theory behind relying on the registering party it is in their best interest to de-register the property as soon as they have sold the property because as long as their name is on the paper work that is who the city goes after. Mr. Curp asked how he got alerted to red flags. He mentioned the landlord registration program being pushed to the county auditors and in the past year there was a dearth of inaccurate records where landlords hadn't registered, but had abandoned rental properties demolished either by them or by the city that were still on the rolls of getting homestead exemptions. Mr. Halpern stated if a renewal is not done that is a red flag; the second red flag would be if there is a registered property and the city code officer calls to say there is an issue with a property and he contacts the bank it is registered to and they say it is no longer their property. The third would be to still monitor the banking world and if he finds out one bank sold to another that is a red flag.

Ms. Lommatzsch asked how he establishes his database and how will he know to go looking for them until the city contacts him. Mr. Halpern stated the business model he uses has the city department with a working list and then being proactive by reaching out to his former employer and others in the industry. It is an act of community engagement.

Mayor Flaute invited Councilwoman-Elect April Franklin to comment. She mentioned that the state of Hawaii does it as they are not allowed to use rentals for holiday travel because then they are 'in business'. Her property in Wisconsin has a small fee applied. All of this money can be written off on taxes so at the end of the year the \$200 paid into the fee they will write that off for their taxes of business or rental properties. Mr. Halpern added that \$200 for a rental property is on the high side if they decide to go that route the fee would typically be lower; he was here to talk about vacant, abandoned properties.

Ms. Fry asked if the ordinance in section 5 was targeting creditors meaning banks and why is there a distinction between the two. Mr. Halpern replied that the municipal code typically targets the homeowners and this is an enhancement on the maintenance code of a municipality. It is a general draft. It was based on the belief that a municipality would have a homeowner's code to abide by and the enforcement would be bound by the maintenance code. There is no difference between creditors or banks. Ms. Fry asked if he recommends treating the homeowner's differently than the banks. Mr. Halpern replied no with one caveat; the idea is to provide a tool to fight blight. What does the community need to fight blight? The idea is to capture all vacant, abandoned properties into a database that the city is armed with including banks, individual homeowners, LLCs, and properties in probate. The reality is there are some valid exemptions that have to come out. The enforcement should be across the board, but there are exemptions. Ms. Fry stated that most of the time they are facing children or grand-children not interested in the property, and that is not a creditor; is it his recommendation they be treated differently than banks. Mr. Halpern replied no. This doesn't force anybody to register nor does it enforce someone to maintain the property, it is a proactive tool to preempt as much as possible and he is incented to go above and beyond as opposed to the staff. He stated that if they choose to keep it in-house, they will get some compliance, but not maximize compliance as it becomes another function for the staff.

Ms. Campbell asked about exemptions people claim and that they need to live in them or else they are committing fraud. Mr. Halpern stated that if a person claims an exemption they would want to check and see if they are a service member or whatever the case may be. Ms. Campbell asked if he had handled that already and what they did. He stated all his experience is from his former work at Safeguard, and he does not have any current clients as he is just starting. Ms. Campbell asked what he meant by similar. Mr. Halpern stated that if they have a vacant property someone is claiming an exemption on, as an administrator of the program it is his responsibility to get the registrations for every property bound by the ordinance. For every exemption that is requested there should be some documentation and communication with the municipality. Ms. Campbell asked what he does if a person commits fraud. Mr. Halpern stated this is when it is escalated to the police or legal counsel. Ms. Campbell stated

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a lot of the things he talks about the city gets through the county now. Mr. Halpern replied that some of the issues he is seeing is that the county information isn't as forthcoming as a lot of municipalities would like. He discussed the process he would go through at his previous job and his difficulties with county records. Ms. Campbell asked how they will know he is not doing the same thing the city manager is doing. Mr. Halpern replied that to a certain extent he will be, but the idea is to remove the burden from the city manager and staff as this is his expertise, and he is incented. Ms. Campbell asked for the cost to do that. Mr. Halpern explained that it is \$200 per home and the city gets half of that while he gets the other half. He stated that he had been speaking with Springfield where they have a \$100 fee, and he told them if they would like to proceed with using Munireg then either they need to raise it to \$200, or for his fee of \$100 they would get the information, but they won't get any revenue. He added that if the city does enact an ordinance, there should be no fee involved and they will get information, and some compliance. His job is to take that off staff. There is no cost to the city. The registration fee is paid for by the registering parties and he would then split the fee with the city and provide the information back to the city. Ms. Lommatzsch added that it would take this work off the staff, which is already stretched, and gets the city more information and referrals. Deputy Mayor Lommatzsch stated it also provides information when the grass isn't cut or there is graffiti on the house and they can go to the direct owner or person who has control of the property; the city doesn't have to chase five different banks who may own it. Ms. Campbell asked who pays court cost is something goes to court. Mr. Halpern replied that is the city.

Ms. Lommatzsch asked if he had any track record to share. Mr. Halpern replied he does not have any active clients, currently.

Ms. Franklin asked who are they targeting? Is it on everybody or on rentals? Deputy Mayor Denning stated it was zombie and vacant properties. Ms. Franklin stated that they have a property and the owner of the property has been dead 35 years. When she called the county, they said there is nothing they can do about it if the taxes are paid. She asked if that would change. Mr. Halpern stated that is a probate issue, and her situation is far more exaggerated. The answer is that it is not going to change, he would just provide the city with as much information as he could. He would help the city to make the right connections on what they could do legally. Ms. Franklin asked how would he know what a property would become to know it has become a vacant property. Deputy Mayor Denning stated that if a call comes in to Tamara on a property and it is not already on their list, then they give it to him and let him tell the city what bank controls it or who owns it. This is for vacant and abandoned properties. The city already has a list.

Mr. Halpern stated when he worked at Safeguard a municipality would ask him to share with them all the vacant properties and he told them he couldn't because of contractual obligations Safeguard had with the banks. This is a way to accomplish that legally. This is being proactive as it makes the banks register the properties even before it gets on the radar.

Ms. Fry stated that if they require registrations to be done within 15 days, it may sweep in a lot of landlords as it doesn't seem unreasonable that there would be more than 15 days between tenants. He replied that Springfield does 90 days, 15 days is the low side. As long as the definitions are clear as abandoned and vacant as opposed to rentals; this targets vacant and abandoned as early as possible. It just gives a window for compliance; 15 days is reasonable for the banking world.

Mayor Flaute asked if council would like to move forward. Ms. Lommatzsch stated they needed to talk more about it as without a track record she is unsure. It was determined that they would bring it up at the next meeting to discuss.

B) Table of Organization – Ms. Kathy Bartlett presented some ideas for efficiencies for the service department. She is suggesting some proposed changes that would help in her department. She would like to move Jay into a position of engineering technician, which

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would change his workload. She would then keep the maintenance aspect of the department the same moving Kevin up to an operations manager. They are filling a position this year that was vacant last year and that open position she has as the working foreman. She stated that the operations manager position, currently, looked like someone compiled enough work for six people and put it under one job description making it very inefficient when she got here and saw the overlap with repeat calls from residents as everything was funneling through the operation manager position. A lot of that has been eliminated because she has pulled Kevin and Jay to both get the information, but Kevin assigns the crews. She also wants to match tasks to skills. Jay has helped immensely in what she refers to as engineering tasks. He is proficient at GIS and that has helped the city in applying for grants and long-range planning. By separating the two roles, it holds staff accountable. You have one person responsible for one thing rather than two people sort of doing it. It will also allow them to rethink ways to save money rather than continuing to do things because they have been doing them that way for so long. One example is striping the thoroughfares. It costs the city \$100,000 a year; doing some traffic counts for the paving program with 1,000 cars a day, those roads shouldn't have to be restriped every year.

The engineering technician duties were tasks straight from the operations manager description. She reviewed the duties that the engineering technician would be responsible for. She reviewed the operations manager duties indicating that this position is the key maintenance overseer. She would like to fill the working foreman position creating a list of monthly duties which are more specific than the job description. This position would be responsible for building maintenance issues. This person would assess vehicle and equipment issues for repair. This position is also responsible for ordering signs and picking them up. She reviewed the working foreman's regular job duties.

Ms. Fry stated that it seems like there are a lot of duties for the working foreman and based on the org chart all the workers report to him so she asked what was left for the operation manager. Ms. Bartlett stated that is a transition. By contract, they have to try to fill the role internally. There is no one able to step into the foreman role. This is where they want to get to; the operations manager and foreman are going to be sharing some responsibilities. Ms. Fry stated she thought the goal was to get where they had less overlap. Ms. Bartlett replied that it is, but there will be a lot of training and teaching that foreman. It could take six months to a year to get the foreman fully functioning. Ms. Fry asked when they get to where they want to be what will be left for the operations manager to do. Ms. Bartlett replied that they are reactive; they go by work orders. They need to be better at going out and looking at our parks and looking at things before they get the phone calls. The operations manager would have a lot of that responsibility. Ms. Fry asked if the operations manager would then be more proactive and the working foreman would then be reactive. Ms. Bartlett agreed.

Mayor Flaute stated in regards to the engineering technician he sees a lot of the things that she would be doing. He asked if she was doing the same work. Ms. Bartlett replied that she does not do these things in the field that is what Jay does and that has been part of what the operations manager has done. Mayor Flaute asked her why she doesn't do it. Ms. Bartlett replied she is swamped with work. She takes work home and works over her 32 hours a week that she is paid for. She has emails and the grant processes that she has been successful at is time consuming. She has meetings regularly with different entities and has a list of duties that she can provide council.

Ms. Bartlett added that they have five potential retirements in the next five years. This is five people out of ten. The other five people remaining have less than 10 years' experience right now.

Ms. Bartlett reviewed the cost to the city for these positions. The engineering technician would be at no change in salary. The foreman promoted to operations manager would be a \$6,240 increase to the city; and the maintenance worker promoted to foreman would be an approximate \$10,400 cost to the city depending on if they hired someone within.

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Ms. Lommatzsch asked if she felt they had people qualified to move into the positions. Ms. Bartlett stated by contract she has to post internally, first. When Kevin has been off work, they have been letting guys train to take over and have been evaluating that, but that is only 24 hours a month to do that. She would like to open it up to the outside, but she doesn't think she can by contract. Ms. Lommatzsch stated when she defines the qualifications and training and the expectations of the job, it seems that it would be up to her as a manager to define the job in the specific areas. Ms. Bartlett stated that is why she broke down the duties of the working foreman by hours. Ms. Fry stated she sees that the working foreman and her will be managing budgets; she asked if the operations manager also managing a budget. Ms. Bartlett stated they need to be aware of the budget as they are making decisions. They have to be able to work with the budget; managing may not be the right word. Ms. Fry asked her to clarify the natural progression from the working foreman to the operations manager as she recalled that is one of the objectives to have the progression to have the person ready to fill the operations manager when the time comes. Ms. Bartlett stated that the working foreman is doing more work than is for the position and there are too many tasks for one person as the operations manager. Mr. Carpenter stated that when the operations manager position was created everything was put in that person's lap. When there is a lot of things that need to go through the operations manager, but they are so overwhelmed, it creates like a choke point so some of the work gets delayed, or gets lost, or gets dropped. By splitting some of those tasks, the workflow should be better and done in a timelier manner. Ms. Bartlett stated there is a real need for more than even Jay in engineering. They could do more things with more bodies. Ms. Bartlett stated she is trying to make the best of the situation.

Ms. Lommatzsch stated that a lot of this is holdover from when they were a township and that was how they did it. No one has taken the look that she has and Ms. Lommatzsch was thankful for that.

Deputy Mayor Denning asked if the \$16,640 was built into the 2020 budget. Mr. Carpenter replied that they had the current draft in front of them and they had \$23,000 available to enact this. Mr. Garrett asked if they promote a maintenance worker to foreman will that leave a maintenance worker position she will need on top of the \$16,000. Ms. Bartlett stated it will be an open position. The open position moves from foreman to maintenance worker. It wouldn't change the budget, if they promote somebody higher salaried, they would actually save some money. Mr. Garrett stated she was adding a position. Mr. Bartlett commented they are filling Runyon's position and creating the engineering tech position out of that. Mr. Carpenter stated they would have the same number of people filling the vacant supervisor position. They have had a vacancy for a year. Mr. Curp asked if the position would be filled or vacant. When he looks at the salary appropriation at \$590,000 and the proposed budget for next year is \$690,000 that is \$100,000 difference. He is trying to make the numbers work. Mr. Carpenter stated it is essentially filling that vacant position. The funds are available to do this. He added that they wanted to do this for the Table of Organization as he wants to bring that before council and identify the positions so it can be on the version they will vote on at the next meeting. He discussed changing an admin position from full-time to part-time so there will also be a part-time admin position they had not seen before; that is already in the budget. Discussion was held on the part-time position with the fire department. Ann would be moved from admin full-time to records clerk full-time and a part-time admin would be added.

Mr. Carpenter provided council with a current draft of the budget that can be discussed at the next council session where he can go into more detail. Deputy Mayor Denning asked if the budget he gave them was in the black. Mr. Carpenter stated it is.

ITEM 7: RECESS: Council recessed at 7:30 pm.

ITEM 8: RECONVENE: The meeting reconvened at 7:40 pm.

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ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Flaute had City Manager Mark Carpenter lead the Pledge of Allegiance. Ms. Lommatzsch asked that it be on the record the loss of John Beals, a longtime activist in the region and Chairman of the Board for the Miami Valley Regional Planning Commission. He died very unexpectedly two-and-a-half weeks ago. John and Sally Beals have been stand out folks in the region for many years; it is a great loss to the MVRPC as well as the nine-county region. He was also a Centerville city council member and his wife was mayor for many years.

ITEM 10: MINUTES: Consider approval of the minutes of the October 17, 2019 regular Council meeting. Deputy Mayor Denning motioned to approve the minutes as presented. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 11: PRESENTATION – WIDOW’S HOME AMENDMENT: Mr. Carpenter stated that representatives from Dinsmore & Shuhl wanted to restructure the loan agreement that they heard earlier in the year. Mr. Michael Dean: Thank you for accommodating the ordinance we are asking you to consider tonight and the next couple of weeks for the second and third readings. My name is Michael Dean. I’m from Dinsmore & Shuhl down in Cincinnati; we represent Fifth-Third Bank in this series of transactions with Widow’s Home. Back in 2013, the city acted as a conduit issuer to help the Widow’s Home to get essentially better financing rates to refund some prior existing debt from 2000 and 2006. Fifth-Third Bank stepped in with a master lease purchase structure and that is the existing structure that this financing is under. We were here earlier this year, a colleague of mine Brad Ruwe came up here to discuss a first amendment to the least purchase agreement. That first amendment dealt with a couple of prior events of noncompliance with some financial covenants in the master lease purchase agreement of the debt service coverage ratio for a couple of quarters. I think it was the quarters ending September 30 of last year and maybe December 31, I might have that a little bit off, it might be June 30 and September 30 of last year. What is going on now is that they are still in a noncompliance state. So, for the last three quarters they have continued to not meet the debt service coverage ratio covenant under that agreement. Fifth-Third at this point is willing to waive those events of noncompliance with some amendments to the reporting requirements and testing requirements of those financial covenants to be more frequent into the future. Until June 1, 2020, these covenants will be tested quarterly instead of semi-annually so that problems can be identified earlier. This amendment waives additional events of noncompliance of the same type that the last one did and to increase the frequency of their financial reporting and testing requirements. I know we are here a second time in the same year, and as a representative of Fifth-Third, we want to state that Fifth-Third has the intention to exercise its “put” option under this agreement as of June 1, 2020. There is a 60-day notice period upon the happening of that date that Fifth-Third can “put” the obligation back to Widow’s Home. So, Widow’s Home will go out and refinance this obligation with probably more of a private structure to take the city out of it, to take Fifth-Third out of it and let Widow’s Home find a lender that will be hopefully be more accommodative into the future. Another nine months or so of this obligation and Fifth-Third intends to exercise the “put” option. The city would effectively be out of the transaction at that point. That is what this ordinance does. We are asking for a first reading tonight, and two weeks from now the additional readings and passage of the ordinance as well. It is very similar to what was done earlier this year.

Deputy Mayor Denning: The only question I have, it isn’t for this it is for the ordinance. Since the passage of the charter amendments, do we have to read this whole thing. Ms. Lewallen: No, we don’t all the charter amendments had on their they go into effect immediately, I double checked tonight. Mayor Flaute: Is that true, Ms. Grandjean? Ms. Lewallen: It’s true. Mr. Teaford: I do have a question. You are saying in June you guys are coming back to visit this situation and at that time we can get out of the agreement? Mr. Dean: Exactly, there should be no further action that needs to be taken by the city after the execution of the second amendment. Mr. Teaford: And it is not going to cost us anything? Mr. Dean: Right, the whole idea of the conduit structure is to fully indemnify you. Mayor

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Flaute: Whatever cost there is, Fifth-Third reimburses us for any work. Mr. Dean: This would be the last formal action taken by council, the rest of it with the “put” option and all that exercising of options, the city will receive notice, I think, but there is no further action required of council.

ITEM 12: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS: Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 13: DEPARTMENT UPDATES:

A) Monthly Update Finance Department – Mr. Tom Garrett: We are in a new month; the books have been closed on October. The finance reports have been posted to the website. Income tax, which you will be seeing, we are a little behind on our planned trend line for the year about \$13,000 below where we hoped to be by October, but relatively close having received \$5.3 million up through our receipts at the end of October. Our expenses are running in accordance with the planned budget. Revenues, the income tax is slightly below where we thought we would be, but we have had some good fortune in the sense of external events. The state passed the gas tax increase. We have started to receive that. They also started paying us a local government fund, which they suspended for a little while so that started in July so we picked up a little income there. We mentioned before how workers comp gave us a windfall this year. We’ve got a supplemental we are going to talk about tonight; one of the big items in there was the cost for the local share of the Airway Road project coming in lower than we anticipated when we built the budget so we are giving back some of that money. We had the tornados back at Memorial Day; we just in the last week have had the first real contact with FEMA so we started submitting our documentation to get the reimbursement for the grant. We have up until Christmas to get all that finalized and then however long it takes FEMA to get it reviewed so it will be on into next year, of course, before we receive that reimbursement.

B) Monthly Update Administration Department – Mr. Chris Lohr: I will just highlight a couple of things going on in administration. We have been working very hard to fill vacancies or vacancies we have now or coming up in the near future. The city manager and I spent all day yesterday interviewing community development director prospects. We haven’t received a large volume of applications, but we have received have been very good quality so we have a few in particular we thought were especially qualified yesterday when we interviewed them. We are on track to be able to have somebody, hopefully, start January 1, with an offer coming sometime in early December. We also have been conducting fire interviews. We have one opening right now and we anticipate having those three new openings come January; we are working on finalizing an eligibility list for that. We also have some very good candidates for those positions as well. On the police hiring side, we have one police officer that has completed the process and is going to be starting on the 21st of this month. We have one other candidate that is in the middle of the process. Detective Sewart is going to be leaving here towards the middle of the month and we are hoping the second candidate will replace him shortly thereafter. I’ve been working with the parks and rec commission on updating our shelter reservation policy and also our sports field usage policies as well as discussing some fees for that. In the past, parks and rec commission voted on a motion supporting a fee for park shelter reservations so that policy I have completed with them. We are still working on the field usage policy, but the plan would be here the end of the year to bring forth a resolution to set those fees or at least have council consider that so we can have it all in place for next year.

C) Monthly Update Economic Development Department – Mr. Mark Carpenter: The 4740 Linden Avenue, formerly Smiley’s, was showing on Loopnet that it was under contract so we contacted the realtor to learn that it was not under contract so they had some bad information, but have corrected it. I’m planning a phone call next week to get a feel from the realtor to try to find out what the issues they are having trying to have someone purchase that property. Ms. Lommatzsch: Can we have some work on cleaning that

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up a little bit? Mr. Carpenter: That is also on the agenda. We have had conversation with Airway Shopping Center management, Peggy Henthorn, over there and they have vacant space in the shopping center that they have offered to the city to maybe relocate the historical society and then also have some space the city could use of maybe open it up to residents in some aspect for a variety of things, simple as a game night or some other type of recreational function or just a meeting place. We are having further conversations as to what that would entail for the city, what action we would have to take. The Jehovah Witness church, 5636 Burkhardt, is under contract, sale pending. The buyer is the Pentecostal Council; I don't have a date as to when that may close, but they have made an offer for the church. Finally, I have a confirmation on the date of the Goodyear Garage at 151 Woodman; it is listed on the Sheriff's site now as December 13. The starting bid is \$104,000 and there are still a couple of people who have contacted the city that are interested in the property. On the agenda, we have a potential letter of intent from Exeter Group; they are a Beavercreek company and they are looking at locating over here. They did have some issue about the income tax or concern we have an income tax, but the price for the square footage outweighs the cost of the income tax so they are very interested in moving over here. Tenet 3 continues to look to expand here in the buildings. They are busting at the seams so before they can do a bigger build out we do have a vacant suite on the second floor of the 5100 building, 2,100 sq. ft. They have submitted a proposal to rent that space so we are negotiating to allow them to do that as quickly as possible.

Mayor Flaute: Did I hear you discuss 600 Spinning Road? I know you have it in here about a restaurant and a carpet store, do you know any more information on that? Mr. Carpenter: That is the former Capital Cleaners. Mr. Al Lucas is the property manager over there, he is aggressively trying to get someone to locate over there. He is reaching out to some restaurants and carpet stores. Mayor Flaute: So, you don't have anything strong yet? Mr. Carpenter: No, he has just informed us that he is getting aggressive to make something happen over there.

Deputy Mayor Denning: Have we been keeping an eye on the Paradox? Mr. Carpenter: The police chief and I have exchanged some emails; I think we have heard from others there might be some issues over there. Chief do you have something you can share? Chief Robinson: No. Deputy Mayor Denning: I saw something on Facebook or whatever that all of a sudden it has become a BYOB. I want to make sure we are keeping an eye on everything. Mr. Carpenter: We have heard of some of those rumors. Chief Robinson: We have heard the exact same thing. I think it was a little more confirmed today as to what was going on inside. One of our officers, who works nights, sent us an email documenting some of the things we are seeing now. We are looking into that to see what we can do and what zoning can do.

D) City Manager Report – Mr. Carpenter: I do have a couple of things to add. You mentioned about 600, I was thinking 601. You asked me earlier today, I did have some information. The company that was in here the Southwest Properties that was looking at developing the K-Mart; I spoke with them today. They haven't closed on the property, yet, so they are a little behind schedule. They anticipate closing on the property at the end of next week and with a 60-day period where they can do their market analysis. Ms. Lommatzsch: Is this a final purchase? It is not contingent of an option to buy? Mr. Carpenter: It is; it is a contingency offer. Ms. Lommatzsch: Okay, but it is not a done deal. Mr. Carpenter: No, but they have been negotiating to sign the conditional contingent offer. Mayor Flaute: So, we are still going to have a say as to....Ms. Lommatzsch: Once he owns it that is my concern. Mayor Flaute: We still want the library there. Mr. Carpenter: The one thing is, it is zoned as a B-2 Retail so if it is retail they put there it fits the zoning. Anything other than that they have to work with the city.

ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS: No one wished to comment on agenda items.

ITEM 15: OLD BUSINESS

A. ORDINANCES

I) Ordinance No. 19-O-706 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, 2019.

Mr. Carpenter: This is a supplemental appropriation ordinance. We did make some modifications to it and I think Mr. Garrett can explain that. Mr. Garrett: The main item we put into the revised exhibit for the supplemental was the fire department did not get the assistance to firefighters grant for the power cots so we had in the budget some \$200,000 to purchase those power cots. We are taking that out of the budget both the revenue side from the grant and the expense for buying the equipment. On top of that there is some smaller adjustments. We need to add vehicle fuel to both the fire and street departments, and in the police department they were running short on health insurance premiums. There have been several police officers who have made insurance changes that are different then were assumed when we built the original budget. We need another month of insurance premium for the police department.

Deputy Mayor Denning motioned to approve Ordinance No. 19-O-706. Mr. Teaford seconded the motion. The clerk read the ordinance by title only.

Mayor Flaute opened the public hearing for the ordinance. No one came forward; Mayor Flaute closed the public hearing.

Ms. Fry: Because we are not purchasing the power cots that is a capital expense, and my recollection from approving the budget last year was that the income tax credit reduction that is supposed to go toward capital expenses, we make sure our budget has expenses that exceed that amount. Have we reevaluated the 2019 budget in light of this significant decrease? Mr. Carpenter: Yeah, so Tom and I have been crunching some numbers because we have been paying attention to the \$344,000 budgets and deficit. Tom, do you have that budget handy? Mr. Garrett: I have the list handy, but that wasn't the question. Ms. Fry: The question is with this significant decrease, are we spending what we promised we would spend on capital expenses. Mr. Carpenter: Yeah, the match was roughly \$15,000 so the grant would not count as part of that tax credit expenditure. Ms. Fry: So, this \$200,000 includes the...Mr. Carpenter: It includes the \$180,000 - \$185,000 grant; so, it is really only \$15,000 that would have been our match for capital. I'm sorry; I heard tax credit and I was ready. Mr. Garrett: I'm not sure we did carefully evaluate whether our capital spending still met the original. Mr. Carpenter: We can give it to date how it is looking. We budgeted the \$344,000 deficit and we have...Mr. Garrett: I guess we can say off the top of our head some of the paving projects have been costing more than we had budgeted; I guess that makes up for that. Ms. Fry: Do we have any intention to do any end of year evaluation? Mr. Carpenter: On the budget? Ms. Fry: To make sure that we check that box saying that we did. Mr. Carpenter: Yes, and that is the numbers I was referencing that we were crunching. Tom alluded some earlier, some of the revenues we had not counted on was the local government fund, the gas tax, the workman's comp reimbursement, and the Airway Road where we budgeted \$370,000 came in around \$100,000. We have reinvested some of that money in the supplemental to take care of some bad spots on Harshman so it doesn't turn in to an Airway East. We are trying to be proactive on that part. All in all, we have covered a \$344,000 deficit. Ms. Fry: Okay, and as far as minimum spending for the tax credit reduction, do we have any mechanism in place once the actuals are spent that we go back and make sure we spent what we said we were going to. Ms. Lommatzsch: Track you mean. Mr. Garrett: I don't think we have a mechanism; we have kept it in mind while we were building the budget. At the end of the year, all we would be doing is saying we were successful or we weren't. It is too late in the year to do anything about it. Mr. Carpenter: We can do a tally of what we spent on capital and infrastructure. Ms. Fry: Is that something we

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go and try to compensate for the following year if we don't meet that benchmark. Mr. Carpenter: I went back and looked historically, and I can say some years were heavier than other years. I am confident that it has been spent on capital equipment and infrastructure. Ms. Fry: In the past, I have asked can we have a special line item in the budget. I have heard you talk about the way we structure our budget has to be approved by auditors, am I understanding that right? Mr. Carpenter: If we were creating new funds, so we have had some internal conversations that there are some funds that the city has that are not being used that we can look legislatively to change the titles so we can break out the capital and roadway expenses. Ms. Fry: When we are doing that, can we try to address the issue of having to do the back of the napkin math to make sure we are spending the credit reduction appropriately and that it is handled within how we structure our budget? Mr. Carpenter: That is the intent to try to be more transparent and say these dollars meant for capital and/or roadway that go into those funds the best we can. Ms. Fry: By setting up those two funds, it accomplishes that goal? Mr. Garrett: It would put it there on one place rather than some here and some there, and then add it all up manually. Mr. Carpenter: The difficult part is to determine what that number is ahead of time. We can work off a previous number, because that number changes just as the income tax would change from year to year. We are just doing an estimation. Ms. Fry: My recollection from looking at the budget is that it is a fund, but where we get our income tax credit reduction that is still a calculation and that is a transfer from the general fund, correct? Mr. Carpenter: It goes in the line item for income tax. Like you said, you do the calculation try to find out what share of the income tax is from the tax credit. Mr. Garrett: Council made the commitment to spend the approximate amount of the extra income that came in because of the partial tax credit, but it doesn't really go any one place in the budget. It is just the accumulative; capital expenditures are trucks, computers, as well as road paving and anything else of a long-term nature. Ms. Fry: My concern is that it gets lumped in with...our transfers from the general fund don't match that calculation, right? We could be transferring in more than that form the general fund. Mr. Garrett: Oh yeah, we are, we certainly are. Ms. Fry: So, when you look at the budget, there is nowhere you can look and see that is where that number is. Is there a way that we can see it? Mr. Carpenter: What we are trying to do by creating those other funds is that we would have a dollar amount transferred into the capital fund and/or infrastructure, roadway type projects, so there would be a dollar amount that is transferred into those accounts. Ms. Fry: Okay, well, we don't have to have this conversation right now because I don't quite understand, but I will follow up with you.

Mr. Curp: Does RITA not identify that? Do we not show that on the income tax score card? Mr. Garrett: I came up with that formula and put it on the score card. Mr. Curp: From the revenue side? Mr. Garrett: Yes. Deputy Mayor Denning: So, we know that it is \$750,000 or whatever the answer is and so as long as we know we have spent more than \$750,000 on capital improvements and roadways, but what we want to make sure of is that we do spend \$750,000 not \$700,000. Mr. Garrett: This year, by my formula carrying through as of the October score card, we are about \$935,000. We have another couple of months so...Deputy Mayor Denning: It could be \$1.0 million.

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

ITEM 16: NEW BUSINESS

B. ORDINANCES

- I) Ordinance No. 19-O-707 authorizing a second amendment to the master lease-purchase and sublease-purchase agreement by and among Fifth Third Bank (as Lessor), the City of Riverside, Ohio (as Lessee), and Widows Home of Dayton, Ohio (as Sublessee), under which proceeds in the original principal amount of \$3,900,000 were used to currently refund certain**

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obligations of the sublessee previously incurred for the purpose of acquiring, constructing, equipping, installing and renovating hospital facilities.

Deputy Mayor Denning motioned to approve Ordinance No. 19-O-707. Mr. Teaford seconded the motion. The clerk read the ordinance by title only.

Deputy Mayor Denning: The reason we have to do this is because they are not paying their rent the way they should? Mr. Dean: I can speak to that. They have made all required payments under the agreement. They are continuing to make all the required payments; it is just that under the agreement, they are required to have certain funds on hand in excess of the amount of the debt service. That is the debt service coverage ratio. They have not met that for the last five quarters. Deputy Mayor Denning: But they are paying their rent like they are supposed to. Mr. Dean: Correct.

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

B. RESOLUTIONS

- I) Resolution No. 19-R-2528 declaring various tools and other public service equipment 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.**

Ms. Lommatzsch motioned to approve Resolution No. 19-R-2528. Deputy Mayor Denning seconded the motion.

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

- II) Resolution No. 19-R-2529 authorizing the city manager to enter into a contract with Barrett Paving Materials, Inc. as the lowest and best bidder for the 2019 Woodman Corridor Various Locations – Mill and Fill Program.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2529. Ms. Lommatzsch seconded the motion.

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

- III) Resolution No. 19-R-2530 dissolving the 2019 Charter Review Commission.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2530. Ms. Campbell seconded the motion.

Mayor Flaute asked if thank you notes had been sent out.

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

- IV) Resolution No. 19-R-2531 authorizing the city manager to enter into a letter of agreement with Julian & Grube, Inc. to provide services to convert cash basis financial information to accrual basis information at a cost not to exceed \$8,500 per year for the years 2020-2022.**

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Deputy Mayor Denning motioned to approve Resolution No. 19-R-2531. Ms. Lommatzsch seconded the motion.

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

- V) Resolution No. 19-R-2532 recognizing the Mad River Lions Club's "Project Share" as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2532. Ms. Lommatzsch seconded the motion.

Deputy Mayor Denning asked if it was for \$250. Mayor Flaute confirmed it was.

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

- VI) Resolution No. 19-R-2534 authorizing the city manager to enter into a contract with the lowest, responsive and best qualified bidder, CPM Enterprises, LLC for the abatement services contract.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2534. Mr. Teaford seconded the motion.

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

ITEM 17: PUBLIC COMMENT ON NON-AGENDA ITEMS: Mayor Flaute invited Mr. Frank Smith to come forward to address his issue. Mr. Smith: It is the same old question. I still want the sign put back up, the no thru truck sign. I want it back up. It needs to go back up. If you walk from where that sign was taken down straight through to the other street, the same sign is there. The sign needs to be there because the trucks coming out of Jerry's lot go right instead of going left. They are supposed to take the nearest direction out. They are not supposed to turn right. The sign needs to be put back up. It has been there 10 years. I've lived in my house 10 years and that sign needs to be there. Mayor Flaute: Mr. Smith, unless we hear there is a legal reason for putting that sign up or unless council decides as a group that we want to fund that sign, my answer is still the same as last time, the sign will not be put up. Mr. Smith: I want to see in the charter where it says that the sign can't be put up in writing, or I brought my check book with me tonight so there would not be no bearing on the city on the taxpayer. I will write you a check right now for the sign. I want the sign up. Mayor Flaute: I am going to say this, and council can chime in, if there is no legal basis for doing that there is no reason for us to put up the sign even if you say you are going to pay for it. You can talk to the police chief after the meeting. If you can convince him there is a legal reason to put that sign up. Once we put that sign up, if there is no legal reason, it will be meaningless. Mr. Smith: There is a legal reason to keep the trucks out of the neighborhood. Mayor Flaute: There is already a sign, if I am not mistaken, before you drive onto the street. Mr. Smith: Yes, but there is not one to keep them from going past Jerry's lot. Ms. Fry: Perhaps we could ask the city manager or Ms. Bartlett to reiterate the city's position on why there is no sign there now. Mr. Teaford: Not to interrupt you, Chief Robinson, the ORC, if a truck goes down a no truck route to make a delivery, doesn't he have to go back to the nearest truck route; he can't go driving through a neighborhood to get out? Chief Robinson: He should go the same way he came in, yes. If he goes into a neighborhood to make a delivery he should go back out the exact same way he came in. Mr. Teaford: Exactly, Salmons is not doing it and that is why the no truck route, if he turns to the right, we have a right to fine him because he is on a non-truck route street. Chief Robinson: I would caution you to the effect that is not Mr. Salmons driving those trucks so you can't say we will fine Mr. Salmons or that. Mr. Teaford: They are his trucks so it is his last say. Chief Robinson:

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But, it would go to the driver and not Mr. Salmons, we wouldn't involve him in that aspect of it. It would be the driver's fault for making the wrong turn. Mr. Teaford: I agree, but again it is Salmons property and his trucks. Mr. Smith: The outside people make deliveries there so instead of turning to go out to Springfield Street, they turn right and go through the neighborhood. Years ago, one of Salmons trucks killed a kid in a neighborhood. That is why the signs were put there from my understanding. One of Jerry's trucks went through the neighborhood and killed a kid. These guys don't care how they drive so you are putting the neighborhood children at risk for trucks going through that neighborhood. The sign needs to be put back up. Mr. Teaford: And just like on the other street, that carry-out, those trucks pull in there, they are supposed to turn around and go back the same way they came in. Mr. Smith: But they don't. Mr. Teaford: A lot of them do because there is a sign there; it says no thru trucks. We need to do a better job of stopping them, but that is why that second sign is there. Mr. Smith: Exactly. Ms. Lommatzsch: First of all, I don't think we can start having citizens buying and putting up signs. Mayor Flaute: If we are going to put up a sign, we need to pay for it, but if there is no legal reason to put up the sign and we can't legally enforce anything the sign says; there is no reason to put up a sign. Is that true, chief, did I make a true statement? Chief Robison: True. I will look further into it and I will get back with you at the next council meeting. When I do my report, I will give you the full update on what we can and cannot do there. Also, no sign is going to stop the driver's from making right turns just so you know that. It is like having a piece of paper saying I can't go into this building, people still go there. An officer is not going to be there 24/7, because we just can't do it. However, if we can put the sign back up, we will. Let me look into it; I will get back with you.

ITEM 18: COUNCIL MEMBER COMMENTS: Ms. Lommatzsch: I did attend the MVRPC board meeting this morning. I have all the information about the census and we do need to try to encourage some folks, the jobs in this particular area start at \$16 and pay up to, can be for professional kinds of assistance, as much as \$60,000 jobs. This is the packet that I am going to leave with the clerk that tells all the information and we need to educate our community in the value of the census. The funding that we get from the state and federal levels is all contingent on being sure we counted everybody. A fact I found interesting this morning, the same young lady that was here that gave the presentation to council, gave a little more in depth today. One of the groups that is undercounted, I found amazing, is children 1 – 5 years old. I would think that would be an easy one to count; anyway, we do need to encourage and we have not established a committee for our city to promote the census, which the gal that was here and was downtown suggested that every city should do to make sure everybody is counted. I would encourage us to think about establishing that committee. There is also a training session for GIS training, if anybody is interested, I have that information. The other thing, we had several interesting updates today. I was going to ask, it was brought up at the board meeting this morning the fact that there was a meeting yesterday about a land use plan involving Col. Sherman and the base and I guess Fairborn and Beavercreek are involved in that and so my question is I would like to think we should be involved in that. If Col. Sherman and WPAFB are interested in establishing a regional land use plan, we do have contact with the engineer out there. If you could investigate why we were not included in the meeting that was held yesterday. Ms. Bartlett: I have had contact regarding East Springfield, regular contact. Even on Woodman, the safety study, but nothing on a land use. Ms. Lommatzsch: I think I gave you the name of the gentleman who is reevaluating the use of the property at WPAFB and how they are planning to move some of the operation off of WPAFB, temporarily, while they are reorganizing and upgrading a lot of their facilities. This is all part of that. I do think we need to have skin in the game, if we can please find out from our contacts in Col. Sherman's office why we were not included in that effort. Thanks again for your reorganization of the service department. I would like to thank the folks that stepped up to the bar, including the chamber, that funded the signs for the tax levy and the two gentlemen, one is in the audience tonight, who stepped up and provided the manpower to get those signs done. I think it is very unfortunately that we did not pass the levy and I certainly hope our roads will hold up.

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Ms. Campbell: On the census, there are a lot of houses that do not have their address on it and they are supposed to and we need to do something about that, put a letter out in the newsletter or something telling them to get their address on there. Ms. Lommatzsch: There are four levels of contact and I won't bore all of you with all of that, but the last piece of the pie, if people do not respond by emails, and by electronic; right now, I have seen them out in my neighborhood going door-to-door and they are checking already. I'm talking about people working for the census; they are making sure they have a good database. I know what you are saying, you want to be sure the numbers are on the house. The first step is to get people to fill out their census information electronically or by a toll-free phone number if they don't use electronics. The third part of that is that they would then send out somebody to knock on the door. The final count has to be in the president's office by December 31, 2020. I think as a city because our funding is so dependent coming from other sources that we need to make sure that we get a good count. Ms. Campbell: One more thing, this came to me after the gentleman left about the empty buildings, the zombie buildings, now he said that he would get \$100 and the city would get \$100, but do we have to pay them in advance and wait for the people who own the property to pay us because that happened to people who had some cameras put up and stuff and the cities and they were back \$50,000 because the stuff wasn't paid for and the city had to pay it. Mayor Flaute: It is my understanding is that it is not going to cost the city anything. Ms. Campbell: I heard that. How is he going to get paid? Do we pay him and get reimbursed from the property owner? Ms. Fry: The way he described it was that when they would go to register on his website, he would take their credit card information and charge them, and then he would then give the money to us. Theoretically, that transfer of \$100 to the municipality could be withheld if he were struggling financially. Ms. Campbell: And, if it didn't go through and builds up, then what, we are responsible? Ms. Fry: No, we just wouldn't get the money. Ms. Campbell: He's getting his money upfront and we'll have to wait on ours that's not good. Mayor Flaute: Well, he's doing all the work. We can discuss at the next meeting a little more in depth to decide what we want to do with that.

Deputy Mayor Denning: Santa Claus is coming to town on Saturday. It will be at Airway Shopping Center and he is arriving at 3:00 p.m. It is our annual, run by the Chamber, Hometown Holiday, the tree lighting and Santa Claus coming and a lot of folks will be there. It would be nice to have everybody here, there. Ms. Lommatzsch: We are also looking for some volunteers to staff. Mr. Teaford: You still need help, Lynn, I will be there. Mayor Flaute: Unfortunately, I'm going to be out of town at a wedding. Deputy Mayor Denning: I'll be there, but you won't see me. Ho-ho-ho.

Mayor Flaute: I did five weddings and they are coming in slowly. I went to the OML conference and there are a couple of things we need to be watching as the new year comes out. HB 382 is about municipal income tax collection again that Representative Haney tried to put forth to us a couple of years ago. It is back, they want to do it again, so we need to be watching it real close so we don't let that happen. Also, there is the drug companies law suit. There is a lot of money coming to the state by that and we want to have a say in how it is spent. We need to make sure the money is spent to stop the opioid and meth problem that we have. An example of what happened last time, there was a smoking settlement for people who smoked; the money came in and it was to build new schools. I'm not saying that was a bad thing because Riverside really got some nice schools out of it, but there was nothing in there that said you should quit smoking or nothing to help the cancer patients or anything like that. We need to be watching that really close. Ms. Campbell: Can you put it toward anything? Mayor Flaute: At this point, yes, that is pretty much...there is legislation being considered. There was one other house bill, but I don't see where I have that. I went to a meeting regarding the new hotel tax increase and that is to fund the Dayton Convention Center. I saw all of our hotels will have a three percent increase. The big thing I want to talk about is there is a Convention Facilities Authority. They are going to have power like the Port Authorities have over the things they work with. The CFA will have six people from the county. They will have three people that the mayor of Dayton will be putting on this, and they will have two mayors from the remaining municipalities. I spoke up and thought that

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was a big unfair that Dayton should have three people and all the rest of the First Suburbs only have two. I don't think I was heard, so there is going to be two mayors and hopefully we can be a part of that. In the past when we went to executive session, I believe we invited the candidates that won the election to come back with us. I was told by the law director that we are permitted to invite anyone we want, but we should probably have a motion to do that.

Ms. Lommatzsch motioned to invite the candidates elect to join in the executive session. Ms. Fry seconded. All were in favor; none opposed. **Motion carried.**

ITEM 19: EXECUTIVE SESSION: Deputy Mayor Denning motioned to go into executive session. Mr. Teaford seconded the motion. Roll call was as follows: Deputy Mayor Denning, yes; Mr. Teaford, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Mrs. Lommatzsch, yes; and Mayor Flaute, yes. **Motion carried.** Council entered Executive Session at 8:43 pm for the following:

- A) Section 103.01 (d)(3) Conferences with any attorney representing the City as counsel, concerning disputes involving the city, its council, boards, commissions, officials and employees that are the subject of pending or imminent court action or discussions of any matters which are properly covered under the attorney-client privilege as recognized by the law of Ohio.
- B) 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 confidentially received from an applicant: C. Production techniques and trade secrets.
- C) Section 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.

ITEM 20: RECONVENE: The council came out of Executive Session at 9:22 pm.

ITEM 21: RESOLUTION

- A) **Resolution No. 19-R-2533 authorizing the city manager to enter into a letter of agreement with Exeter Government Services, LLC.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2533. Mr. Teaford seconded the motion.

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

ITEM 22: ADJOURNMENT

Deputy Mayor Denning motioned to adjourn. Ms. Campbell seconded the motion. All were in favor; none were opposed. The meeting adjourned at 9:23 pm.

William R. Flaute, Mayor

Clerk of Council