

Thursday, December 5, 2019

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, absent; and Mayor Flaute, present.

Staff present was as follows: Mark Carpenter, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Major Matt Sturgeon, Police Department; Chief Dan Stitzel, Fire Department; Jay Keaton, Public Services Department; and Katie Lewallen, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS: Deputy Mayor Denning motioned to excuse Mr. Teaford. Ms. Lommatzsch seconded the motion. All were in favor; none opposed. **Motion carried.**

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

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

ITEM 6: WORK SESSION ITEMS:

A) Park Fees – Mr. Lohr presented a slide comparing shelter reservation fees and field usage fees. He stated they did not have a set of guidelines on how and when they allow park shelters to be reserved, which has led to some issues. The city currently does not have any fees and so they reviewed other cities on their charges. Mr. Lohr reviewed the various charges for the following cities: Trotwood - \$65/day for residents and non-residents, Kettering – no charge, Huber Heights - \$25/day residents and non-residents and a \$25 additional for alcohol permit, Dayton - \$50-\$75/day for residents and non-residents, and Fairborn - \$10 for residents and \$25 for non-residents. The city of Riverside parks and recreation commission passed a motion in support of \$15 for residents and \$25 for non-residents for shelter reservations. He stated for 2019, there was a total of 180 park shelter reservations. If they were to implement a fee, that could generate a number anywhere around \$2,700 - \$4,500, assuming the numbers stay the same. With regard to the field reservations, he reviewed the fees charged: Trotwood – none, Kettering - \$10-\$25/hour/field, Huber Heights - \$300/field/season and \$1,300/day for all, and Fairborn – none. The city of Riverside parks and recreation commission decided on a \$50 application fee per organization. Over the past few years only four organizations have reserved field time so it wouldn't generate a lot of money.

Mr. Lohr discussed some of the issues with soccer organizations and getting them compliant with submitting information to the city. He hopes through policy revisions and a possible fee this may encourage them to be more compliant. Ms. Fry asked if there were any intentions to make park shelter reservations reservable online. Mr. Lohr stated they did look into that but it is somewhat cost prohibitive and added an additional layer of work to staff on top of what they were already doing. He added that it would be complicated with a two-tiered price system and the best way to handle that would be in order to receive the resident discount a person would need to come in to the office and pay in person and show a utility bill or drivers' license.

Ms. Lommatzsch asked if any input was given by grounds people regarding to what it takes to maintain the shelters after events. Mr. Lohr replied that there was not a cost analysis done. He has spoken to Kathy, Jay, and Kevin off and on about some of the issue.

Thursday, December 5, 2019

Ms. Lommatzsch stated that \$2,700 a year can't be anywhere near what it takes to maintain the shelters. She understood the point in the fees, but asked if that created more of a burden rather than being helpful. Discussion was held on how the reservations was to try and stop one person from continually reserving it and how putting money toward a reservation could alleviate that. The idea is to stop the abuse of reserving it and no one getting to use it. Mr. Lohr said it could be fixed with a policy. It would add a bit more work, but they are already spending time processing the reservations by putting and tracking it on a calendar. He feels it would be worthwhile to have the fee to offset some of the costs mentioned previously. The fee would help cover some of the city costs. The commission would like to see the fee earmarked for parks and recreation and put back into the parks. Deputy Mayor Denning would like the fee to more than cover the additional time that it will take staff to collect the fees. The clerk mentioned that in Fairborn everyone who wanted to reserve a shelter had to originally come in to the city and pay in order for it to be reserved; nothing was done over the phone; it was first come-first serve. Mr. Carpenter stated he is aware that a lot of the reservations are made over the phone at the front desk. Documentation is done by staff upfront.

Deputy Mayor Denning mentioned his time on the parks and rec commission that team sports had to have their reservations in by the end of January and it was put into a calendar at that time. Inside Riverside organizations got priority over other organizations, but if reservations weren't done in time they didn't get the field. He asked if it still works that way. Mr. Lohr replied that is the way it should work. His challenge has been getting submittals over the last four years. Ms. Lommatzsch stated they need to get a letter if they don't reserve then they don't get the field. Discussion was held on teams being on the field using bad language and possibly drinking. Deputy Mayor Denning stated that they made rules at that time about adult groups not being allowed. Mr. Lohr stated some of the organizations tell him that the schedules aren't set until mid-summer, which is why he doesn't get information in March.

Mr. Keaton stated that some of the adult groups didn't claim they were in a league, but that it was pick-up, and then they claim it is a public park and they aren't interfering with anyone. It then became a police matter when name calling or elicit behavior was going on. Some of these people come in when fields aren't occupied and they come and play. Then, they have the football organization that puts money into the Community Park field and doesn't want people coming in there tearing it up. This is the same at Rohrer park.

Ms. Campbell suggesting hiring a security guard for a day. Discussion was held on why this may or may not work.

Deputy Mayor Denning stated when he reserved Sinclair Park if he wanted it on a particular day he needed to be in and pay for it. If people want it bad enough they will make reservations. Mayor Flaute suggesting bringing forward a resolution for the fees discussed and recommended by the commission.

Mr. Curp asked if there were restrictions on the city providing restrictions if they have used federal or state funds to do work in the parks; he suggested they may need to look at this. Mr. Lohr replied that his familiarity with parks and rec grants is with the Land and Water Conservation Fund, which is federal money, and other through ODNR, when he submitted those grants he was not aware of any restrictions on providing shelter fees. He was not aware of anything, but will look into it. Mr. Curp questioned the cost analysis to charge a fee and discussed past experience with internal transfers and paperwork. Mayor Flaute equated the park and rec fees the same as if he was doing a wedding and taking the check to the finance director and getting that to the bank. Discussion was had on the process of receiving payments.

Deputy Mayor Denning asked for clarification on what a 'field' refers to. Mr. Lohr stated it is an application fee. If they were to charge a per field fee, there was concern from the

Thursday, December 5, 2019

parks and rec commission that it would make it cost prohibitive for some organizations. This is why they settled on the \$50 application fee.

Deputy Mayor Denning stated he would like to think about it a bit longer before a resolution came forward. He would like to know if it would be cost effective for the city and know the time it would take to process payment. Mr. Carpenter stated they would do a cost analysis. Mayor Flaute stated it can be brought back at a future meeting.

B) Budget – Mr. Carpenter stated if there were any questions with the updated budget he could respond to those. Mr. Curp asked how the elevator in the 5200 building that is to be replaced will be paid for as the debt for the buildings allowed a certain amount for the buildings and then a certain amount for operating. Mr. Garrett stated there was the purchase price plus \$1.0 million for building improvements and \$1.0 million for operating. Mr. Curp indicated at the current rate of spending they may run out of that funding next year. He asked if that was correct and if so, where will the money come from to pay for the elevator. Mr. Carpenter replied they are getting numbers for the cost to do the job. Currently, the budget shows \$70,000 for building maintenance and \$70,000 for tenant improvements so they could use the funds to do the project; they would not be using general fund money, only Wright Point money to do the repair. He was conservative on the revenue side because of Tenet 3's build-out. This build-out is to be complete in Feb./March 2020; if that is the case, it will generate another \$200,000 on the revenue side. He did not include that in the budget. Additionally, he omitted the transfer of \$100,000 so they would have roughly \$100,000 to do more maintenance work. Mayor Flaute asked if they were operating in the red. Mr. Carpenter stated they have been, they have been drawing down the balance; the projection of the Tenet 3 project will have them balanced or in the black. The budget is very tight; the carryover balance will be a little bit higher than they have put on the balance sheet. Mr. Garrett stated it all depends on the current rents as they have added on a couple of tenants so he estimated based on what they had been doing over the past few months. Mr. Carpenter stated it shows a carry over of \$31,000, but it may be a little higher.

Ms. Fry stated she had asked where all the extra money was coming from, and it looks like they are moving money around in the service department. She stated Fund 229 is pretty much zeroed out for the 2020 budget. The net result she can see is a decrease of about \$200,000 toward the service department, whereas, there are increases of about \$200,000 for the other departments after getting additional monies in to fund those type of public works projects. She asked what the rationale was for doing less in 2020 than in 2019. Mr. Carpenter stated they have not used a lot of general fund dollars to do infrastructure projects like the 229 account. The projects from last year were more of an exception than a rule. There is no major project that need funded next year. Ms. Fry was concerned about asking the residents to pass a levy for road projects and their response was 'no, if we give you more money you will put it in the general fund and spend it on other things'. There are also additional funds from the state and that is what those monies need to be used for. She stated that this budget does not help them to have the conversation with residents to spend the money from the state to fund these projects they know they need to do. Mr. Carpenter replied they have been deficit spending for the last several years to do infrastructure work. He was directed to bring a balanced budget. Ms. Fry asked if they are deficit spending then how are they justifying excess spending in other departments. Mr. Carpenter stated he did not agree there was excess spending in other departments. Ms. Fry asked if they are spending more in other departments than last year. Mr. Carpenter replied they were; payroll, because of the contract. The filling of the service department position that was vacant. They are moving and administrative position from the city manager account to the police department as the records clerk. That will cause the police department budget to be higher, plus contractual raises, plus extra payroll makes it look a lot higher than last year. The increases include 2.5% on personnel and 10% increase on health insurance, but that is the increase on those departments. The fire department added three positions with \$213,000 from the SAFER grant, \$90,000 is the city match. All departments

Thursday, December 5, 2019

had contractual raises and health insurance increases. The operations are a 2% increase across those departments; they put additional training funds, uniform winter coats, and Lexipol policy and procedure updates in the fire department. Ms. Fry asked how they address that it looks like they are not spending the state revenue on service projects. Mr. Carpenter replied that they are and he provided that list last week, which included where the gas tax dollars are being spent and the tax credit how it was being spent. Ms. Fry asked if he did a comparison of 2018 and 2020, and what did he target. Mr. Carpenter stated he did a comparison and targeted the transfer of the general fund to the other accounts. Last year, \$899,540 transferred out of the general fund into other accounts like the 229. In 2018, they transferred \$154,093; in 2017, it was \$190,681; in 2016, it was \$361,000; in 2015, it was \$685,000. Last year was well above what had been transferred out of the general fund into doing road projects. Ms. Fry asked where is their target. Mr. Carpenter stated council can direct where the target is, but the reason they did it was for the major thoroughfare projects: Springfield Street, Airway Road, Valley Street sidewalk, and ADA ramps. With residential streets in 2019, they started with \$350,000 with change orders it took it up to \$370,000; this year, they increased it to \$550,000 for residential streets. Ms. Fry stated they are using the CIP to set benchmarks for what they are going to spend; she asked if they used that in coming up with the budget this year. Mr. Carpenter stated they used it, but it had to be modified for what the budget will allow. He had to modify to make sure they spend the gas tax money on all eligible gas tax projects, and the tax credit being spent on capital and infrastructure type work. Ms. Fry stated that her concern, when the budget gets tight, is to do less road projects that personnel cost seem to be the thing that they need to make sure they do those and they set out to do the CIP to set benchmarks so they know year after year what they are targeting. She stated that the benchmarks are not part of their conversation right now and it is a 'squishy' topic. They just got more money to spend on the roads; how is that translating into projects. Mr. Carpenter stated they were deficit spending. He explained the budget done last year. He asked if they want to balance the budget, then how much roadwork do they do? He is being compliant with spending tax credit dollars as they are to be spent, as well as the gas tax dollars. The two combined is over \$2.0 million. Ms. Fry stated that what that implies is that he satisfied everything else in the budget first and whatever is leftover that is what they spend. Mr. Carpenter stated he knows what needs to be spent with gas tax eligible items. Mayor Flaute stated there is direction on what he has to spend gas tax on. Deputy Mayor Denning added they have been doing that. He stated they had been pulling money out of the general fund to subsidize to make sure they got major thoroughfares done and things like that. They were subsidizing the gas tax money and the income tax money; they were using it, but they were adding money to it. The 2020 budget does not have them adding as much to it; they do not have a major thoroughfare in the budget this year because they paid it last year. He explained how Airway Road and Springfield Street were paid. He added that it looks like they are getting about \$150,000 more done this year than last year on residential streets. Mr. Carpenter confirmed that was so; he added they are using permissive tax dollars to do more road work where, historically, they have done more paint striping and crack sealing. Deputy Mayor Denning added that Kathy indicated they would be painting when they need it rather than every year. Mr. Carpenter stated with permissive tax dollars they will do N. Union School Road and Schwinn Dr.

Ms. Fry stated she understood that they don't have major projects in 2020, but she would expect to see that reflected in spending that is in reserve, money not spent. She is not seeing a surplus; she is seeing it spent elsewhere. Mr. Garrett stated that the biggest share of the budget goes to pay the people, except for road projects, which are really expensive. Ms. Fry asked how they continue this conversation with the residents about how to pay for roads when their response to the levy is not being reflected in how they are accounting going forward. Mr. Carpenter stated they may not have shared the information that they were deficit spending to do the infrastructure work that was the reason they asked for the additional funds so that they are not continually spending cash reserves to do work. He stated he was to submit a balanced budget and that council has the prerogative to designate where those funds be spent. Mayor Flaute commented that the conversation is

Thursday, December 5, 2019

that they have increased the money they are spending because they have more permissive tax than what they have had, and increasing spending on residential roads by a little bit to get some roads done. Mr. Carpenter stated he cannot show dollar for dollar where each general fund dollar transferred to the service department goes. They were subsidizing the service department as they have done with the fire department and police department. The service department received all the gas tax dollars to pay for gas tax eligible items so it goes towards mill and fill, road salt, payment for work to be done, pot hole patch, street signs, signal maintenance; that was all being subsidized by the general fund. Ms. Fry asked what their responsibility to spend out of the general fund for those things themselves. She doesn't want the conversation to be that the general fund dollars are for everything else and the state is responsible for the service department and they have no responsibility from the general fund to pay for things. When they supplant the general fund dollars and have leeway in spending general fund dollars they spend it in different places; she wants to know they are thinking about what their responsibility is. She is aware they need more revenue to pay for the roads; they need to continue that discussion with residents, but it is helpful to have that discussion when they make a commitment to what they are willing to spend out of general fund dollars.

Deputy Mayor Denning stated next year with Springfield Street they will be putting a lot of funding from the general fund to make sure that is fully funded. Mr. Carpenter stated they will have to borrow some money to do the Springfield projects and the 35 interchange. Ms. Lommatzsch said they stated that at the community meetings; they would still have to borrow money to do the 10-year plan. Mr. Carpenter stated that some of the debt this year will be retired and they will try to use that amount for the loan payment.

ITEM 7: RECESS: Council recessed at 7:03 pm.

ITEM 8: RECONVENE: The meeting reconvened at 7:17 pm.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Flaute asked Councilman Curp to lead the Pledge of Allegiance.

ITEM 10: MINUTES: Consider approval of the minutes of the November 21, 2019 regular Council meeting. Deputy Mayor Denning motioned to approve the minutes as presented. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

ITEM 11: WRITTEN CITIZEN PETITIONS: Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 12: DEPARTMENT UPDATES:

A) Monthly Update Finance Department – Mr. Garrett the books for November are closed and are now posted as they didn't get posted until this afternoon so you might not have seen them yet. Income tax ticked back up a little for us during the month of November. We are at \$5.8 million, only about \$9,000 below where we hoped to be, our planned baseline so we got a little better than the \$13,000 we were behind last month. I got a copy today of the letter, which all of you should be receiving soon, from CCA announcing that they are taking over income tax. We posted on our website back in October and put it in the newsletter and CCA was getting the name and address files from RITA; they got the letter out the first part of this week, and I have already got a couple of calls. Ms. Lommatzsch: It was in my mailbox today, but with a Cleveland address. I thought the whole point was we were going to have a Dayton office. Everything on that letter reports to Cleveland. I thought the whole point was that we would have a local office. Mr. Garrett: The theory was that CCA used to have a Dayton office. They have representative that roams about the area, Brookville, Riverside, and wherever else. They don't actually have an office. Mayor Flaute: It is my understanding that they have one

Thursday, December 5, 2019

person that takes care of this whole area. She will be here once a month, I don't know the time. Mr. Garrett: Similar to RITA, all of the tax returns, everything gets mailed off to Cleveland so it is just a different post office box of Cleveland rather than one side town is RITA, the other side CCA. Most of the transactions are going to be by mail, but there will be a rep where we can get somebody to do some face-to-face discussion with CCA. They did get the letter out to our residents and businesses, and it has been posted on our website for a bit now. Deputy Mayor Denning: I haven't read the letter; does it say that they will be filing with CCA this year? Mr. Garrett: Yes, any document or transaction you are going to do with your tax agent before December 31, 2019, you send to RITA. After January 1, you send it to CCA. That means your 2019 annual tax return is going to go to CCA rather than RITA.

Ms. Fry: I have not gotten my letter, yet; we had talked about having Riverside markings on the correspondence to the residents. Have we pursued that; does this letter have it? Mr. Garrett: This one just has CCA at the top. They said they could do that, but they didn't. Ms. Fry: Can pursue that for future correspondence. Mr. Carpenter: Yeah, we will make sure we get that taken care of.

Mr. Curp: I agree with Ms. Fry. I thought we were going to see a Riverside logo. There is so much going on, cyber-theft and all that sort of stuff and phishing, that if I got something in the mail with some reference that I never heard of before, even though we put it in the newsletter that we were changing. Not a lot of people get the newsletter as I know there was a newsletter back in October that didn't come to my house with street tax information and I know about the newsletter because I saw it at somebody else's house. If I am out there in the community and some piece of literature comes that says send your money to me and it doesn't have some kind of a city of Riverside official reference; I might be suspicious and wait for them to come get my money instead of me voluntarily sending it. Mr. Garrett: That was indeed the first call I got today. A guy called and said he got a letter from CCA and who are they. Ms. Lommatzsch: A lot of people would throw that envelope in the trash. I knew what it was because I recognized it. In does in the meat of the letter talk about Riverside, but you got open it and you have to read it before you see anything about Riverside. Deputy Mayor Denning: I think the envelope should have our logo at least. Ms. Lommatzsch: I think the letterhead should. Deputy Mayor Denning: And the letterhead so they know that it is part of the city. Another suggestion is to make sure we are putting it up on our Facebook page as well as our website, and then, I would like to see us do a live video and put it on our Facebook page explaining that everything goes to...Mr. Lohr: I thought you might like to star in that video. Mayor Flaute: That is a good idea. Deputy Mayor Denning: We need to put it out there. I would think the city manager, it could be just three minutes, just what you told us starting January 1 everything goes to CCA. You have to file your taxes, even though your money went to RITA, you will get credit for that, but your tax form will go to CCA and they will take care of everything for you and CCA is now our...it doesn't have to be complicated, just get the facts out. People are going to want to know they will get this letter, and it is real, and yes, it is from the city.

Mr. Curp: I suggested this over the years and I know it hasn't happened, yet; the city should look into getting a copyright or trademark or service mark for our logo so we can restrict its use. Right now, someone can go out get a blue shirt and have a Riverside logo put on it and go knock on doors because we have no protection of our mark. The same thing with literature going out in the mail. Someone who wants to run a scam can take our service mark and put it out there on literature and scam because we haven't protected it. I saw our logo on campaign literature and on a sign this past fall and it wasn't about the tax levy, it was about running for office. The city needs to do something to protect its mark. Ms. Lommatzsch: Can we contact the lawyer and get that moving? I will be in favor of that.

B) Monthly Update Administration – Mr. Lohr: You may have been aware that Elayna Myers was on injury leave for a long time and she is back as of Monday,

Thursday, December 5, 2019

which I am very excited about as she is a big help for me. We are doing a lot of hiring right now filling vacancies so to give you an idea of what we are working on; we've just hired one officers and working on hiring a second one, will be in for orientation week after next, I believe. We are trying to finalize an eligibility list to hire our three new firefighters next year with the SAFER grant funds. We are trying to get a community development director, and we also have put out a notice to do a list for maintenance workers. So, as you can see I am very glad to have Ms. Myers back this week. Also, I want to mention council and the city manager discussed revisions to the personnel manual a couple of weeks ago. There was one item, a question about our equal opportunity employer statement and why we had removed ethnic heritage so I spoke to Steve McQue about that. The language that is proposed reflects current statutes and case law as well as the model language from the USEEOC, and if you take a look, ethnic heritage is covered at least in part from national origin and race. It was a duplicate.

Ms. Lommatzsch: I know that there is a vacation issues going on right now. Would it be possible for us to have some sort of list of who is here and when? I understand there are going to be a lot of people on leave this month. It is frustrating to come over and want to see somebody and they are not here. Usually, I call ahead of time, but it would be handy if we could get an email to tell us who is not going to be here and when.

Mr. Curp: I saw a note in here that we are doing follow up interviews for the community development director. We asked for this position to be filled so they can start no later than the first of the year. Where are we on that? Mr. Lohr: We are working diligently on it. We had one interview scheduled, a second interview, and was working on a third; unfortunately, both of those candidates have canceled. One due to the salary range that has been proposed and the other due to a family medical situation. I am trying to get the next candidates on our list scheduled for interviews. Mr. Curp: First interviews or second? Mr. Lohr: Second interviews. The city manager and I did some phone interviews. We had a list of three candidates that we really liked for it, unfortunately, two of them dropped off due to the proposed salary range when they were informed of that. The third one on our list was the one with a family medical situation. We are still working through the list, but it has been challenging getting those second interviews scheduled.

C) Monthly Update Economic Development – Mr. Carpenter: You may have seen the former Bob Evans across from Stebbins had a big sign. I guess it went up pretty quickly. The sign said it was auction; we did inquire. We were informed by the Bob Evans real estate division who said the property did sell as they accepted a bid, but they did not provide us the details. The person we spoke with did not have them available so we are reaching out to try and find out who purchased the property and what the intent is. We continue to work with the owners of the Claypool building. They are looking to apply for an ESID (Energy Special Improvement District); we have had conversation with our law director and the manager of the buildings and Mr. Brunswick with the port authority. We have determined the best way to proceed to get the ESID in place to help the owners and manager of the Claypool building to do this energy efficient project is to piggy-back on the city of Dayton's district they have in place. We have an upcoming meeting where we will hammer out the final details and then we will bring legislation before council to say we can implement an ESID, and allow not only the Claypool but other businesses and companies that wish to apply for this special funding that it would be eligible for them as well.

Mr. Carpenter: You may have seen this in your packet about the Skyward Limited on Huberville. The DDC identifies a few businesses that happen to be in the defense industry and they reached out to us and asked for an update so we are going to get an updated progress or status for Skyward just for business retention purposes to see if there is anything we can do to help them out and what their needs are. We should have a meeting with them as soon as possible within the next couple of weeks. Ms. Lommatzsch: What does Skyward do? Deputy Mayor Denning: They are a government contractor with the

Thursday, December 5, 2019

base. Mr. Carpenter: I know they are a government contractor in the defense industry, but I don't know specifically.

Mr. Carpenter: Mr. Lohr attended on my behalf since I was out of town, a land use meeting the second one with the base. It involved Beaver Creek, Fairborn, Dayton, and Congressman Turner's office was represented in the DDC so a lot of conversation on how we can as a broader group support the base outside the fence. There is talk about going as a partnership on the best land uses for supporting the base. There will be a meeting set up and the idea is to do this sooner rather than later. Chris characterized to me they wish this had been done already. This sounds like on the fast track to get this accomplished. As I learn further details, I will share with council. One thing that did come up in that meeting is the NASIC project that is going on at the base with the building that is happening, the companies that are there are looking to relocate while the construction is happening so they are seeking out places for short term leases. We have made ourselves available; we have a little experience with this when the tornado occurred that we had at least one company come and spend some time here while their structure was getting rehabbed. We are looking to work with the offices and businesses over there in the NASIC building. Deputy Mayor Denning: They don't have special needs like SCIFs? Mr. Carpenter: We have gotten inquiries about SCIF space; we've told them we do have some that is old and not compliant and see if they want to invest to bring it up-to-date. Deputy Mayor Denning: There is probably funding available to do that since they have to move out temporarily. Don't be afraid to ask or push for that. Congressman Turner's office may be able to help you get some specialized federal funding to help with that also. Don't give away the world and don't be afraid to ask for funding. Mr. Carpenter: I will reach to them as well. Some of the information that I have heard when companies are bidding the contracts, their work space is included in part of that bid so maybe a SCIF would be a part of that project submittal. Southwestern Properties has submitted a pre-planning commission review set of drawings. Right now, Ms. Ennist is reviewing what they have proposed. They wanted to have this conversation before they take something to the planning commission.

Mr. Curp: My understanding is we have been approached by somebody to put housing in the Center of Flight, are we going to hear anything on what is going on there. Mr. Carpenter: Yes, there was some discussion and that came prior to the most recent meeting that we had about the land use so I want to take those two things together and bring that to council. Ms. Lommatzsch: Are we keeping the folks that are interested updated as to what is going on? Mr. Carpenter: I did not call them while I was out of town; I did call them today. I called the office number and they were not available. Mayor Flaute: Anything from the folks that approached us for K-Mart? Mr. Carpenter: Yes, that was the Southwestern Properties; they have submitted the pre-planning commission drawings. They just submitted December 2. Deputy Mayor Denning: I understand there was another company that was interested in the K-Mart also have we heard anything from them; the nitrogen fire extinguisher lady? Mr. Carpenter: We have heard from her over the years, but she has not submitted the drawings or plans on what she could do for that building. She is missing a lot of the documentation to move that project forward. Deputy Mayor Denning: My understanding is that she was saying 150 – 200 employees. I would think that we would push or help her get her stuff together because that would be more advantageous to us than a storage facility. Whatever she needs, I think we should...or if it is a brick wall at least we would know that. Mr. Carpenter: We have supplied a lot of help. I just don't know how realistic that project is, but we are more than willing to help. Deputy Mayor Denning: I just want to make sure we are being proactive and not reactive. Mayor Flaute: We were going to reach out for the Mike Halpern thing to see if there were other companies that worked like he did. Mr. Carpenter: Just the one so far, Ms. Ennist has the brochure. They were \$300 every six months was the way the sales rep explained it to him. Mayor Flaute: So, we will leave it at that wait until we hear more. I thought we were going to have further discussion. Ms. Campbell: I think she is working on it; she was working on it when I was talking to her earlier.

Thursday, December 5, 2019

E) City Manager Report – Ms. Lommatzsch: I would like to comment on the effort of the police department putting out to have the citizen's police academy. You've had a good response I understand. How many people do you think will be a good number to start that program. Major Sturgeon: We are going to fill it. We are starting with 20 spots and those will be filled. I don't see us coming up short on that. Ms. Lommatzsch: I've seen something how there has already been a positive response; there is an application process? Major Sturgeon: Yes, they can come to the police department or we can email it to them and they can bring it back or scan it, email it back. We just did three today. Ms. Lommatzsch: So, is a background check or anything part of it? Major Sturgeon: Yes, a background check.

Mr. Carpenter: I had a couple of other updates; you may have seen this in your packet, but the Woodman Drive/Route 35 Interchange project had some additional questions. Ms. Bartlett is reaching out to ODOT to extend that deadline so after the next council meeting we can have that in the work session. Also, the service department had a conversation to find a place to store some of the equipment so it doesn't sit out in the weather. Mr. Kevin Miller has identified a space at the end of Radio Road that may be available to house the sweeper, the mower, the back trucks at roughly \$400/month. Just a month-to-month deal; looking at maybe four months. I think it would benefit the city to keep the equipment out of the weather. It has led to a lot of issues, deterioration of our equipment over the years so that it is something we are looking for in this current budget to \$400 for December and see if we can find it in the 2020 proposed budget. Mr. Curp: Is that an indoor, secure space? Mr. Carpenter: Yes; we also informed them we need to have access 24/7 just in case so we have talked about a process to make that happen as part of the arrangement. Also, CTO engineering has submitted a letter to propose constructing a 150' monopole communication tower with a 4' antennae. The space is the north side of Springfield Street that is on the US Air Force Property. It would be situated somewhere between the bike path and the railroad track so the FCC is the lead agency on permitting, but we are reviewing our codes to see what would be required from the city for this process. The engineering firm did say that per Section 106 of the National Historic Preservation Act requires there be a process to determine whether this tower would impact any historic properties. We will look into that as well. Deputy Mayor Denning: If it is where I think it is, if you go down there, there is a nice big brass plaque that says this is an Ohio Historical Site, Wright Field was here, I don't know that the tower is going to impact it because it is a parking lot. Ms. Campbell: Isn't there a limit on the height? Mr. Carpenter: That is one of the things we are looking into to see if it conflicts with anything in our codes that we can enforce. Mr. Curp: This is on federal property? The interesting thing, if you recall, about two years ago when a proposal came to us to put a tower on the Center of Flight and we said 'why'; they said the feds won't let them put it on federal property. We said maybe you should try harder, good things come to those who wait. Deputy Mayor Denning: It wasn't such a sweet deal because you had to keep \$1.0 million worth of liability insurance and the costs were more than they were making off the lease or very close. Mr. Curp: The other application here is that if the council doesn't want to have storage facilities at the K-Mart property, it doesn't have approve storage facilities at the K-Mart property. We just had a discussion two months ago where we had the public works director amend the application for the Woodman Drive overpass at 35 address the aesthetic issues. We wanted to have the entry way to the community dressed up a little bit. If the council doesn't want to have an outdoor storage facility as part of the entry way into the city; you don't have to have it, but you have to be very careful and proactive because I think there are some things that need to be watched as far as the application of granting permits.

Mr. Carpenter: One more item, the RTA has approached us about a project on Airway Road that extends some lines down to Meijer. This comes at the same time we are looking to do the project on Airway so we have an upcoming meeting to try and determine exactly what they have in mind and how that would impact the Airway Road project that will kick off in the spring. Ms. Lommatzsch: You are talking about electric lines? Mr. Carpenter: Yeah, that is what they are telling us with poles. Ms. Lommatzsch: They want to put

Thursday, December 5, 2019

trolleys in. Mr. Carpenter: Yes, we weren't really thrilled. We have a meeting scheduled with ODOT included on what that is going to look like and what they are proposing. Mayor Flaute: That will be from Smithville Road to Meijer? Mr. Carpenter: Yes. Deputy Mayor Denning: Isn't that the one Kathy told us they didn't give them the permit because they were concerned about the project. Mr. Carpenter: Right now, we have said no, but they keep wanting to explain to us what they have in mind.

ITEM 13: PUBLIC COMMENT ON AGENDA ITEMS: No one wished to comment on agenda items.

ITEM 14: OLD BUSINESS

A. ORDINANCES

I) Ordinance No. 19-O-692 approving employee position titles, number of positions and pay ranges and to repeal Ordinance No. 18-O-674, adopted October 18, 2018.

Mr. Curp: I would like for us to consider holding this until after the executive session and expanding the executive session to include personnel matters regarding compensation. Ms. Lommatzsch: Are you making that a motion? Mr. Curp: I'm just suggesting that is what I would like to see happen. The chair can do that or if you want a motion then I will make the motion. Deputy Mayor Denning: You are just saying to take and move this until after the executive session. Mr. Curp: Yes; I'm not saying do away with it all together, just delay it.

Mr. Curp motioned to move Ordinance No. 19-O-692 until after the executive session and expand their executive session to include personnel matters regarding compensation. Ms. Campbell seconded the motion. All were in favor, none opposed. **Motion carried.**

II) Ordinance No. 19-O-705 declaring the property located at 2521 Rondowa Avenue in Riverside Ohio (Parcel ID: I39 00715 0032) to be located in a Neighborhood Initiative Program targeted area eligible for transfer to the Montgomery County Land Reutilization Corporation and authorizing the city manager to execute documents necessary to transfer said property.

Ms. Lommatzsch motioned to approve the second reading of Ordinance No. 19-O-705. Deputy Mayor Denning seconded the motion. The clerk read the ordinance by title only.

Mayor Flaute opened the public hearing. No one came forward to comment on the ordinance. Mayor Flaute closed the public hearing.

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

III) Ordinance No. 19-O-708 renaming and repurposing City Fund 702 commonly known as the Vehicle Replacement Fund.

Deputy Mayor Denning motioned to approve the second reading of Ordinance No. 19-O-708. Ms. Lommatzsch seconded the motion. The clerk read the ordinance by title only.

Mayor Flaute opened the public hearing. No one came forward to comment on the ordinance. Mayor Flaute closed the public hearing.

Thursday, December 5, 2019

Ms. Fry: So, once we pass this, when would we start to see this fund reflected in our budget, would it be in the 2020 budget? Mr. Carpenter: I guess we have to work out the details. The thought was that we convert everything over to the roadway fund and the non-roadway fund. I don't know how that affects the finance department on how they record everything. Mr. Garrett: I think we have to think it through just a little bit because of money has to come in some places and get transferred just to make sure we do it. Mayor Flaute: It won't change the numbers, I mean the amounts of the budget. The final budget number will be the same. Mr. Carpenter: I guess what is going through my mind is do we have to transfer everything through appropriation from where those dollars are now into that account. I think that is what we will have to do. Ms. Lommatzsch: We didn't talk about that before we brought it here? Mr. Carpenter: It is all the same money; it is just where it sits. Mayor Flaute: It is just moving the money around. Ms. Fry: I think it affects approving a budget. Mayor Flaute: There is no change in the money. Mr. Garrett: It certainly does that though because we have the appropriation ordinance, which we are presenting next, is built on the current format of the budget. We would have to change some of the dollar totals to reflect these transfers and the expenses being made out of the different fund. I thought the city manager was saying we are kind of far down the road with the traditional format this time and maybe start using it next year. Ms. Fry: When we start using it, would that invalidate the existing budget that presumably we would approve prior to the beginning of the year. Mr. Carpenter: We would have to do a change. We would have to appropriate the money. Let's just say this, if council would approve this budget that it has before them; then we would have to change or transfer that money from those existing accounts into these new accounts. Ms. Fry: And then would we have to approve that? Mr. Carpenter: Yes, you would have to approve that. Mr. Garrett: Right now, those two funds have essentially a zero balance in them so if you change the name of the fund, it will just sit there with zero in it and continue to operate for 2020 the way we are right now with projects distributed between fire, street, and police funds. Mayor Flaute: Right, because we are renaming and repurposing only. Mr. Garrett: That is correct; we'd have to build the budget to using those funds so we'd have to make some adjustments to the budget as being presented tonight. Mr. Curp: I think that the important thing is to provide some settling to this process so that we know where stuff is and if staff changes it from one version of the printed budget that we get to the next version of the printed budget that we get that we are made aware of where those changes are and there is a very good example in those documents that we've been given the last couple of times and that is the advancements. They were in one place and then they disappeared. There were no totals in those cells and it ends up they showed up someplace else because they changed the way they presented them in the documents. It just needs to get some settlement here so council isn't constantly having to fidget with this stuff and move on to more esoteric things.

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

IV) Ordinance No. 19-O-709 renaming and repurposing City Fund 703 commonly known as the Public Service Replacement Fund.

Deputy Mayor Denning motioned to approve the second reading of Ordinance No. 19-O-709. Ms. Fry seconded the motion. The clerk read the ordinance by title only.

Mayor Flaute opened the public hearing. No one came forward to comment on the ordinance. Mayor Flaute closed the public hearing.

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

ITEM 15: NEW BUSINESS

A. ORDINANCES

Thursday, December 5, 2019

I) Ordinance No. 19-O-710 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 ordinance is to make supplemental appropriations to current expenses. We do have an updated exhibit as we wanted to use the funds in our current 2019 budget. We've looked through the fire fund with the transition of people who have left and who have come aboard; we found some savings there with the health insurance so we are using that money to cover the additional funds in the fire fund and the cemetery fund, I'm sorry, that is new, too, as well, because the cemetery fund is to cover indigent burials and we don't have enough money to cover anything until the end of the year. We thought it best to transfer some money into that account. Also, with the service fund, with the FEMA reimbursement, we believe there is some extra money in the overtime so we were going to use that money to cover the additional salt purchase because we are out of funds to purchase salt.

Deputy Mayor Denning motioned to approve the first reading of Ordinance No. 19-O-710. Ms. Fry seconded the motion. The clerk read the ordinance by title only.

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

Ms. Lommatzsch motioned to suspend the rules dictating the number of days between the first and second reading of Ordinance No. 19-O-710. Deputy Mayor Denning seconded the motion.

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

Deputy Mayor Denning motioned to approve the second reading of Ordinance No. 19-O-710. Ms. Fry seconded the motion. The clerk read the ordinance for a second time by title only.

Mayor Flaute opened the public hearing. No one came forward to comment on the ordinance. Mayor Flaute closed the public hearing.

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

II) Ordinance No. 19-O-711 making permanent appropriations for the current expenses and other expenditures of the City of Riverside, State of Ohio, for the period beginning January 1 through December 31, 2020.

Mr. Carpenter: This ordinance is for the approval of the 2020 budget as submitted to council with the exhibit adding a \$100,000 transfer from the Wright Point Fund to the General Fund.

Deputy Mayor Denning motioned to approve the first reading of Ordinance No. 19-O-711. Mayor Flaute seconded the motion. The clerk read the ordinance by title only.

Mr. Curp: I'm not going to vote for this. I think it needs some work. I've been a proponent of honoring the commitment we made to taking new revenues and putting those into residential street paving. I don't think this addresses that as well as I would like to see it so it is just not something I am willing to support right now.

Roll call went as follows: Deputy Mayor Denning, yes; Mayor Flaute, yes; Mr. Curp, no; Ms. Fry, no; Ms. Lommatzsch, no; and Ms. Campbell, yes. **Motion failed.**

Thursday, December 5, 2019

III) Ordinance No. 19-O-712 amending the personnel policies manual of the City of Riverside, Ohio, and declaring an emergency.

Mr. Carpenter: This ordinance is to amend the personnel policy manual for the City of Riverside.

Ms. Lommatzsch motioned to approve the first reading of Ordinance No. 19-O-712. Deputy Mayor Denning seconded the motion. The clerk read the ordinance by title only.

Mr. Curp: I'm not going to vote for this either. Two problems, one, it adds an additional holiday, which means another day of closing the offices to the public, and I think we are in the business of being available to the public, and when the public gets a day off, it gives them an opportunity to go catch up on things. One of the things they can catch up on is coming to the city and getting their city business taken care of that they couldn't take care of otherwise because they were working. This closes the city offices for another day. Secondly, it expands personal leave days by one additional day. It goes from two up to three. We are having difficulty now finding enough staff to staff the offices during the month of December because everyone has put off taking their leave. All this is going to do is exacerbate that and it creates a problem. I am not supportive of sections 10.1 and 10.2.

Roll call went as follows: Ms. Lommatzsch, no; Deputy Mayor Denning, yes; Ms. Campbell, no; Mr. Curp, no; Ms. Fry, yes; and Mayor Flaute, yes. **Motion failed.**

Mayor Flaute: So, there are things in here other than the things Mr. Curp discussed that we need to talk about. So, do you want to have a new one come forward next time or do you want to vote on this one without the issues that Mr. Curp brought up. I am asking the no voters is there anything else in here that you don't want to see. Mr. Curp: In 10.3, vacations it increases the number of hours that can be carried over from one year to the next; increases it from 40 hours to 80 hours. You have a situation where there are problems managing the scheduling of manpower such that you have so many people with so many days left at the end of the year that they can't take them all, then allowing an additional 40 hours to be carried over just exacerbates that problem, too. Ms. Lommatzsch: Costs money. Mr. Curp: I'm not sure why we'd shoot ourselves in the foot.

Ms. Lommatzsch: It is just very expensive to do that. It is allowing people to put money in the bank in their bank out of our resources. Mayor Flaute: It is not like it used to be where you could do unlimited. It is only an additional 40 hours and it would stop the problem we are having right now that you asked about earlier about who is going to be here. People are using it. Ms. Lommatzsch: The place where I work, there are requirements where you have to have staffing and you are just told you can't do it for those periods of time. Everybody can't be gone; you can't have if Suzie Jones is going to go then Johnny Mack can't. You just have to manage your employees. You manage them by...I mean...Ms. Fry: You plan for the leave. The problem that we are having is that we are not planning for the leave. It doesn't solve the problem, it just delays the problem. We get a reprieve for a year and then we are back to the same problem and the expense that comes is when they all have 80 hours to cash out when they leave. Ms. Lommatzsch: Or retire, so they are putting money in the bank. Deputy Mayor Denning: It is built in to the budget for the year that your overhead is set. If you keep moving it, even if it is 80 hours, if you keep moving it down the road, it changes or upset the budget some time. Ms. Fry: Not necessarily, if you are managing the leave...Deputy Mayor Denning: No, no, I agree, what I am saying is that it is a bad thing that you keep moving it down the road because you were paying them \$10 an hour and now you are going up 2.5 percent per year and now maybe you aren't paying them until the 5th or 6th year and now you are paying them more for those hours than when they earned them. Ms. Lommatzsch: It's money in the bank; I just said that.

Thursday, December 5, 2019

Mayor Flaute: Okay, so it looks like a majority is believing that we want to take that out also. Is there anything else that the council members want to take out? So, we will need a new exhibit next time. We will have another ordinance next time with those adjustments.

Mr. Carpenter: If I understand right, we are removing the vacation day, the additional personal leave day, and the 40 additional hours carry over. Mayor Flaute: That is what I am seeing. Mr. Carpenter: That was a three-three vote, right? Ms. Lommatzsch: So, it is down, it failed. Mr. Carpenter: So, what about the budget? Deputy Mayor Denning: It was down. Mr. Carpenter: But what changes need to be made for that? I guess we didn't discuss that did we? If I bring it back in the same format? Mayor Flaute: What do the 'no' votes want to see in the new budget? Ms. Fry: Spending in the service department. Mr. Curp: I want to see more money in residential street paving. That is what we said we were going to do with the new money. Mr. Carpenter: So, I need to add more money to the residential street paving? How much? Ms. Fry: I would like to see a justification for whatever it is. That this is what we planned to do in a typical budget year and we are deviating from that typical budget year because like last year was a deviation. If we are deviating, an explanation for why we are deviating. Basically, the rationale for spending the amount we are spending in the service department so that we can take that rationale and say this is our plan for spending in service. That is what I want to see. I don't want it to be contingent upon what fluctuations are happening in other departments. Mayor Flaute: Do the 'no' votes agree with that? Mr. Carpenter: I am just struggling with how to answer what you are asking. The previous budgets have been deficit budgets; this is a balanced budget so something has to be cut to balance the budget or there are less projects. Deputy Mayor Denning: Or you end up with a budget in the red. Mr. Carpenter: Sure, but I was tasked to have a balanced budget. Ms. Fry: We spend a percentage of our general fund on the service department, or we start by saying we are going to spend at least 'x' number of dollars in the service department. That there is some benchmark that we are starting from. That benchmark would be consistent year over year; there may be deviations that we would have rationale for, but there is a benchmark. Mayor Flaute: Does everyone understand what that means? I don't understand what that means, but that just might be me. Mr. Curp: How much in the black is this budget? Mr. Carpenter: It is balanced; it's even. Mr. Curp: I don't have my worksheets, but it seemed to me it showed a surplus. Mr. Carpenter: That was the earlier version before we did a couple things; that was the earlier version where we had the service department and added another position, subtracted one service worker in exchange for the engineering tech; and then, the additional payroll. What I gave council at the last meeting was a balanced budget. There was a lot of shifting, and I know you got it at the last minute so we didn't have a lot of conversation. It is a balanced budget.

Deputy Mayor Denning: And, we are spending \$500,000 more on streets this year? Mr. Carpenter: We are spending \$550,000 on residential streets; last year we budgeted \$350,000 on residential streets. The one thing in addition to that is the permissive tax; we did not use that money on streets and we do have North Union Schoolhouse programmed with permissive tax dollars in addition to Schwinn Drive. Combing those funds, it is nearly \$1.0 million. Deputy Mayor Denning: So, we are spending more on residential streets than what we were. Mayor Flaute: Right, so, for the 'no' votes, would you like to discuss how much more we want to spend on residential streets even though we have a balanced budget, now? I need to hear from the 'no' votes, Ms. Campbell, is that your issue? Ms. Campbell: If we don't have the money to do it... Mayor Flaute: We don't have any money to do it. Ms. Fry: She didn't vote no. Mayor Flaute: Oh, I'm sorry. Ms. Fry: It was Ken, me, and Sara. Mayor Flaute: How much money would you like to see put in or whatever your issue might be that we can get our balanced budget coming to us next meeting. Ms. Lommatzsch: I want us to be clear on what money is being used for our roads. I want the budget to show us exactly so we can tell Joe Citizen. I have a plan, too, that I am going to talk about later. We need to be able to say, and I understand we use the permissive tax for other than paving roads. I understand we can do other road maintenance, but I don't think that I hear a real commitment of what it is that will happen. You mentioned two streets, Union Schoolhouse and Schwinn Drive. Is that all that will be in the plan for next year.

Thursday, December 5, 2019

Mr. Carpenter: No, we are doing Forest Ridge Blvd. and Meadowsweet. Ms. Lommatzsch: And that is coming out of...Mr. Carpenter: The service department using gas tax funds. Mayor Flaute: That is part of the \$500,000? Mr. Carpenter: \$550,000. Ms. Lommatzsch: Which money? Mr. Carpenter: Gas tax. Ms. Lommatzsch: See, that is pretty simple, but you don't show it to us simple. Mr. Carpenter: I apologize, you weren't here at the last meeting...Mr. Garrett: I don't think you can actually show it in the budget; you have to have an explanatory sheet and a list. Ms. Fry: Charts would help. Mayor Flaute: Your question is the same as Ms. Fry's. Ms. Lommatzsch: Basically, except I am not the money guru that she is. Mayor Flaute: I am trying to get direction or the manager; I'm not able to give it to him. Deputy Mayor Denning: It isn't the numbers right now as much as it is the explanation. It is the explanation and commitment for this year and future years. Ms. Lommatzsch: What are we committing ourselves to do and where are we going to pay for it? I understand that; I don't understand all these numbers and I've never committed myself to understanding them. I have to trust other people, but I do want to know because that came up so many times this fall and took the levy down and took me down because I supported it. I want to see a piece of paper that says this is how much money we get and this is how we are going to spend it. I don't care how you mill it around and how you and Tom pay for it, but that is what the citizens want to see. I understand that you tried really hard and we didn't do a very good job in telling them what they wanted to know. I am suggesting in my remarks in the future that we should pass...and we have to do the budget, I understand, it has to be done by the end of the year, or we go with a supplement or contingent budget. I don't believe, it is clear as mud, and that is what I said to the electorate out there. Maybe we don't have the trust factor that we need; I don't mean that individually to any particular person(s), but they don't believe we are telling them the truth. I don't know how to do that to put a piece of paper to go to somebody who is not willing to spend \$10 a month for street that doesn't believe that we are being honest. We need a piece of paper.

Mr. Curp: I would like to see an additional \$200,000 go into residential streets. I understand the use of permissive tax and the limited uses of permissive tax. I think doing Union Schoolhouse Road is important, but when we use permissive tax dollars, I don't consider that residential streets. Residential streets are the ones you have to fund out of your own pocket; I don't think the citizens care about us trying to move money around and get additional revenues for this fund and department and that fund and that department so that they are all self-sustaining. So that the police levies carry the police department without any money from the general fund; the fire levies carry the fire department without any money from the general fund. Citizens don't care about that. What they know is they give us a certain amount of money and it all adds up to a bottom line big figure, and they want to see us do the right things such as pave their streets. How we move the stuff around on paper; they don't care. Mayor Flaute: So, where do you suggest we...I mean I am not going to vote for a deficit budget; so, you are saying that \$200,000 we need to find it somewhere else, where do you suggest we find that? Mr. Curp: That is the city manager and the staff's job. Mayor Flaute: If he can't find it...Mr. Curp: Then he will tell us; if he can't find it, he will tell us how much he can find. Mr. Carpenter: Where I am going to look is where we could trade other projects or we don't fill positions. That is really the majority of my options. Mayor Flaute: Is that what the rest of council wants? I don't know \$200,000 is the magic number. Without saying what street we are going to do; I don't understand why \$200,000; is that a magic number for all of you? Deputy Mayor Denning: I think the other part of that is, we know the budget. It isn't what we end up spending. If you have your contingency plan for this street and this street and this street, if we could keep the budget balanced and in July we pull all of our money together like Mr. Curp has been advocating for years we know that now we aren't buying new hoses because we didn't get a grant so, now we have the extra money to be able to spend on doing Community Drive or whatever the back up plans are. Mayor Flaute: With that being said, then, you agree with me that we should leave the \$500,000 that is in there now, just have a good explanation for it, is that what you are saying? I want a balanced budget and I don't want to take away. Ms. Fry: Who are you looking at? Deputy Mayor Denning: Everybody.

Thursday, December 5, 2019

Mayor Flaute: I know what Mr. Curp wants, and I don't want to do that. I'm sorry Beverly, I am looking this way, but you are the one I think suggested we keep it as it is. Mike, you are suggesting that. Okay, and if we see something...Deputy Mayor Denning: I would also like to have the back up plan for, and in July, reevaluate the budget and say okay, we have extra money left over, we are going to bid. Ms. Lommatzsch: Doing these contracts and getting these things done doesn't happen...Deputy Mayor Denning: I know, that is why I want the answer by July. I want to know what the cost is; they already know that. Ms. Fry: But, it is cheaper to do it at the beginning of the year then it is to do it later. Deputy Mayor Denning: Yes, I know that, but we don't have it in the budget. Ms. Fry: I will add my concern. I believe, I suspect, there is \$200,000 that ought to go to the service department that isn't going there. My reason for thinking that is that we have additional state money coming in and we had, we were only off by \$350,000 last year, so, it wasn't like we had this bad deficit budget last year and now we are finally coming back in line. We had money last year to spend on these things; we had money to spend on these capital projects to spend last year. Yet, with additional money coming in, suddenly, we are only at a break even point and we can't even fund to the level we were funding last year. I don't believe that the explanation has be adequate to convince me that we are at where we need to be spending on roads. I'm not saying I can't be convinced, I am just saying that it is not convincing. Deputy Mayor Denning: We are adding the economic development position. Ms. Fry: Exactly, the economic development position is not roads. Deputy Mayor Denning: But that money that was going into service department out of the general fund that was subsidizing the service department last year. Ms. Fry: You can make that argument; it might be convincing.

Mayor Flaute: The direction that I am going to give is that we leave the budget at a budget that is in the red and not in the black, a balanced budget, if there is money to be found without cancelling any of our other programs and positions that we have, then bring that forth. Otherwise, we will have the same budget with the explanation that Ms. Lommatzsch and Ms. Fry are looking for. Is that direction adequate? Mr. Curp: I'm looking for more money for residential streets. Mayor Flaute: But, there is no more money, Mr. Curp. Mr. Curp: You don't know that; we don't know that. The manager will take a look and see where he can find money. If he can't find money; he will tell us that. Mayor Flaute: I think he has already told us that. Mr. Curp: No, that's not what he said. Mr. Carpenter: That is kind of what I am saying. Mr. Curp: He said he wants to spend the money where he wants to spend the money; I'm saying we should spend the money where the citizens want the money spent and that is on their street. Mayor Flaute: Okay. Mr. Carpenter: I hear what you are saying; you want to spend more money on residential streets, I hear Mr. Curp saying that. I think I heard Ms. Lommatzsch and Ms. Fry say that. Now, is that what we would rather spend the money on instead of engineering for the Woodman that is one option; is that the direction council is talking about? Ms. Lommatzsch: Are you talking about the bridge? Mr. Carpenter: No, it would be the engineering for Woodman from Eastman. Mr. Curp: It would not be a good strategy to take a position that I am going to teach this council a lesson and cut out somethings that are favorites for these council members. Mayor Flaute: He's not saying that. Mr. Carpenter: I'm not even implying that. Mayor Flaute: He is trying to find the money that you say is there. Mr. Carpenter: There are only a couple of places, either substituting projects or personnel. That is it; that is really our options. Our operating budgets are very lean. Mayor Flaute: Okay, our only choice then is for you to come back with a balanced budget, if you find some money we can put to the streets we will and we want the explanation that Ms. Lommatzsch and Ms. Fry has asked for. That is what we are asking you to do. Ms. Lommatzsch: Okay, we just did not approve the personnel changes that were going to cost the city money, right? Mr. Carpenter: That went down in defeat and you said you were clear about which options. Ms. Lommatzsch: And that was going to cost the city money. More vacation time doesn't cost the city money? Mr. Carpenter: Well, they are either on vacation or they are here; we are paying the same amount. When a person separates, if they have more hours in the bank, yes, that would cost upon separation. Mayor Flaute: Okay, so now the next question is should we put it on as an emergency so that this council votes on it as an emergency,

Thursday, December 5, 2019

otherwise we need to have a separate meeting before January 1 or the old council is going to vote one way and the new council is going to vote a different way. I think that adds a whole other bunch of problems. Mr. Curp: It does not have to go on as an emergency; appropriation measures go into effect upon passage. You can do two readings and suspension of the rules all in one night and that can be done at the next meeting two weeks from now. Mayor Flaute: Is that what council wants? Ms. Lommatzsch: That's fine. Mayor Flaute: Okay, madam clerk, do you have that? Clerk: I have it. Ms. Campbell: I would like to make a comment. When Ms. Lommatzsch was talking about people making bad remarks about an issue we were trying to get done. You were being honest with them and putting it out there and some of them got mad. Well, I was looking at some of these people and some of them said when you get money and it is supposed to be designated for one thing just like a lot of them didn't want to vote on the street levy because they didn't know if it was going to go to that; they wanted to make sure it was going just for that. Yet, they want to turn around and take money away from something else being done. It is like they are contradicting themselves. I was all for what was going on because she was honest and she told it straight out.

B. RESOLUTIONS

- I) Resolution No. 19-R-2539 authorizing the city manager to enter into a service agreement with the law offices of the Montgomery County Public Defender to provide legal counsel to indigent persons charged with violations of municipal ordinances for the year 2020, under certain terms and conditions.**

Mr. Carpenter: Just so you know, this contract with them the fees went up about \$12.

Ms. Lommatzsch motioned to approve Resolution No. 19-R-2539. Deputy Mayor Denning seconded the motion.

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

- II) Resolution No. 19-R-2540 revising the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Tax Duplicate.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2540. Ms. Campbell seconded the motion.

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

ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS: There was no public comment.

ITEM 17: COUNCIL MEMBER COMMENTS: Ms. Lommatzsch: I'm going to read this because I wanted to say a lot, and I'm not really good and I get emotional. It is just the way I am. I would like to indulge the council for a moment. I wish to report on my recent attendance to the NLC conference in San Antonio. As you all know, November didn't begin as well as I had hoped; however, it ended in a very high note. I had not attended learning experiences in the last few years due to the city's financial constraints. I am disappointed in myself for that because learning has been inspiring. The voters cannot extinguish my passion or my sparkle for Riverside. For 40 years, I have worked to make Riverside a better place to live. Unfortunately, my leadership and representation hasn't been enough to get it all done. We are about to lose an amazing council member, Ken Curp, who has been a brilliant mind, and legal mind in bringing financial reality to

Thursday, December 5, 2019

everything he has touched. As he and I began our tour with the schools in the late 70s, the schools were in financial shambles. Partnering with the smart educators and the board, we closed buildings that we underutilized, stopped busing, and were able to bring the schools to a financial stability that still is in place. Unfortunately, somehow, we've been unable to listen here. This all leads me to recent training. I would like to recommend to the new leadership we are about to receive three or four immediate actions. First, we had a presentation, and I remind the council of the census that is upon us, please understand the importance of a good number. The financial impacts are monumental. Please, council, we need a complete count committee. Secondly, the city lost the street levy big time in 2018 only by eight. That tells me we need a commission of citizens to study and drive the need and the vehicle to fix our streets; not a marketing company. I am constantly out of Riverside representing the region, and the first question I am asked, repeatedly, is when is Riverside going to fix their roads. In my tenure on council, I have voiced and fought for the piece of the funding chain. It takes years to make things happen. The battle is constant. Third, as I have represented our city on the Montgomery County Affordable Housing Board appointed by the county commissioners, I would like to see our new leadership support establishing a citizens committee to study our housing needs, what kind, how many, and where. As I had numerous opportunities to network with lots of regional elected officials at the conference, I realized that we have much to do. We cannot expect our very slim staff to carry the whole burden, but every council member has to get involved. Not just attending Thursday night meetings. There is so much to be done. The chamber has been a great asset to Riverside, but could be much more to drive the city's needs. It has been a struggle as I sit on that board and watch. Let's get excited about getting things done; it takes all of us to make it happen. Please get onboard. I've heard it said this fall during the campaign that although she has worked hard, she is getting old. I challenge anyone to follow me for a week. I don't just talk the talk; I walk the walk.

Mayor Flaute: I did three weddings. We also have a calendar here that was put out by the Montgomery County Solid Waste and there are three students in here that were recognized for the artwork they did. The three students are: Bradley D. N. Nelson, he is an 8th grader at Mad River Middle; Jackie Powers, from Stebbins High School; Aniyal Hughes, from Stevenson Elementary. There are more students from Riverside, Mad River, than any other community, I believe. I would like to say congratulations to those folks and we are very pleased. Ms. Lommatzsch: Do you know why that happens? Mayor Flaute: Because we have a good school district. Ms. Lommatzsch: Because there are teachers and administrators very involved in environmental training contrary to some other areas. Mayor Flaute: Last thing, Chamber Christmas party is Thursday, December 12, at 6:00 pm at Walnut Grove. Everyone is welcome; please consider coming to the Christmas Party at Walnut Grove. You do need to make reservations; you need to do that through Lyn Domescik and the Chamber, soon, by tomorrow.

ITEM 18: EXECUTIVE SESSION: Deputy Mayor Denning motioned to go into executive session. Ms. Campbell seconded the motion. Roll call was as follows: Deputy Mayor Denning, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Mr. Teaford, yes; and Mayor Flaute, yes. **Motion carried.** Council entered Executive Session at 8:47 pm for the following:

- A) 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.
- B) 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 19: RECONVENE: The council came out of Executive Session at 9:38 pm.

Thursday, December 5, 2019

ITEM 20: LEGISLATION:

A) Resolution No. 19-R-2541 authorizing the city manager to enter into a lease agreement with Knowledge Based Systems, Inc.

Ms. Lommatzsch motioned to approve Resolution No. 19-R-2541. Ms. Campbell seconded the motion.

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

B) Ordinance No. 19-O-692 approving employee position titles, number of positions and pay ranges and to repeal Ordinance No. 18-O-674, adopted October 18, 2018.

Deputy Mayor Denning motioned to approve the second reading of Ordinance No. 19-O-692. Ms. Campbell seconded the motion.

Mr. Curp motioned to amend Exhibit A, the Table of Organization for Ordinance No. 19-O-692. Mr. Curp: We have been working on the budget for next year. We have added staff in some places in various departments in order to provide and improve service to the community. In this Exhibit A, it shows the authorized positions and the salary ranges for the positions. The city manager has made recommendations to adjust the salary ranges for positions his research has shown him the city is not competitive with other neighboring communities of similar profile as the City of Riverside in tax base, various forms of income and that sort of thing. What he has found is that there are a number of positions being underpaid and he has made adjustments to those positions. In keeping with that, I have conducted a salary survey for the clerk of council position because the city manager has left that to the council to deal with because the clerk falls under the purview of the council. I went out to the State of Ohio Treasurer's website and took a look at the salaries being paid to clerks of council in communities in our area and, also, are of similar profile to us as far as population, tax base, those kinds of things. What the study showed me and in communicating to the council is the pay range for the clerk of council's position is below where the studies indicate that we should be. So, the amendment to this ordinance is to change the clerk of council's pay range showing a minimum of \$45,000 and the maximum of \$56,000. It will make that position more competitive from a pay grade standpoint. It will still place the clerk's position in the city of Riverside down towards the bottom of the findings from the study. We will leave that for future councils to address at their discretion and as budget permits. That is the recommendation to change the pay range in Exhibit A; that is the motion, to a minimum pay of \$45,000 and a maximum of \$56,000.

Deputy Mayor Denning seconded the motion to amend Exhibit A of Ordinance No. 19-O-692. The clerk read the ordinance by title only.

Mayor Flaute opened the public hearing. April Franklin, 5370 View Land Terrace, verbally supported council and stated 'good job'. Mayor Flaute close the public hearing.

Vote went as follows on the motion to amend on the exhibit: Mr. Curp, yes; Deputy Mayor Denning, yes; Ms. Campbell, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Flaute, yes.

Vote went as follows on Ordinance No. 19-O-692: Deputy Mayor Denning, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Flaute, yes.

Mr. Curp motioned to amend the agenda to add Resolution No. 19-R-2542, which would authorize an increase in the hourly wage rate pay to the clerk of council. Ms. Campbell seconded the motion.

Thursday, December 5, 2019

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

C) Resolution No. 19-R-2542 authorizing an increase in the hourly wage rate paid to the clerk of council effective January 1, 2020 and repealing all resolutions in conflict with this resolution.

Mr. Curp motioned to approve Resolution No. 19-R-2542, which would increase the hourly wage rate paid to the clerk of council from \$21.63/hour to \$24.28/hour, effective January 1, 2020. Deputy Mayor Denning seconded the motion.

Mr. Curp: Explanation of this is in wage and compensation policy in the private sector and the public sector, when you adjust the salary schedule for somebody and their position falls woefully at the bottom of the salary schedule, it most often happens you move the person to a particular position somewhere else in the salary structure to fairly compensate the position for the work being done and especially where you have an adjustment in the salary schedule being made to bring the position into a competitive position with other similar jobs, in this case with other clerks of council jobs in the area such as the greater Dayton area. From the study that I conducted from the Ohio Treasurer's website showing the wages and the salary rates of clerks in this area, the Riverside clerk's position is near the bottom of the findings so this would move the position up a few slots, but nonetheless we get the city off the bottom and fairly compensate the position. This adjustment then moves the salary itself to a fair position on that salary schedule. This would put it at about the 90 percent level of the max salary in the position. That is my motion and recommendation.

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

ITEM 21: ADJOURNMENT:

Deputy Mayor Denning motioned to adjourn. Ms. Campbell seconded the motion. All were in favor; none were opposed. The meeting adjourned at 9:49 pm.

William R. Flaute, Mayor

Clerk of Council