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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, absent; 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; Chief Frank Robinson, Police Department; Chief Dan Stitzel, Fire Department; Kathy Bartlett, Service Department; Jeff Green, Zoning Administrator; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

**ITEM 3: EXCUSE ABSENT MEMBERS:** A motion was made by Deputy Mayor Denning 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 additions or corrections were made to the agenda.

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

**ITEM 6: WORK SESSION ITEMS:**

**A) BZA Applicant Reece Timbrook:** Mr. Timbrook: Good evening, my name is Reece Timbrook. I recently heard about the position on Facebook and then went to the City of Riverside website. I have lived in Riverside since my dad was stationed at Wright-Patt in 2003. We lived in Page Manor. I went to St. Helen's school; graduated from Stebbins, Class of 2011. I went to Bowling Green and moved back to Riverside. I worked at the Board of Elections in Montgomery County for about two years, and I now work on base. I work at Air Force Research Laboratory, Air Space Vehicles Division. I'm not smart enough to be a scientist or an engineer; I do finances, my degree is in accounting. I work with the business enterprise that goes along with all the projects that go on in the research lab for the Air Force. I don't have a ton of specific knowledge about urban planning or about zoning, specifically. I did deal a lot with political boundaries working at the Board of Elections; I saw those every day, pulled up GIS maps all the time determining addresses; questions of my zip code says this, my mailing address says this, what city do I live in, where do I vote, what is my school district. I am a little familiar with those as far as how zoning can impact people; you see that with different political boundaries and different zoning boundaries within our municipality. I haven't had a ton of time to review the different things in the charter that spell out what those differences are although I do have an appreciation for what they are and that there are clear differences in them. I hope to learn more and to give back to the City of Riverside; I've worked in public service working for Montgomery County and now working for the Department of Defense on the federal government level. Now, I am looking to give back to my city a little bit. It said that was one of the main criteria was some interest in civic service.

Ms. Fry: Is your interest specifically in BZA or just in general public service? Mr. Timbrook: My specific interest is with BZA; I am interested in public service, but BZA was the first one I saw and I latched onto it and read about it. It is something I like. I love maps; I really love maps. I know it is weird; I can't go to a museum because I get caught up on a silly map. We were down at Carillon and it has the map of when the Ohio border was here instead of here and my friends are 20 minutes away. That probably helps that I do live maps. Ms. Lommatzsch: I love maps, too, that's why I don't use...(inaudible).

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Mr. Curp: So do you know the significance of the cities of Marietta and Chillicothe? Mr. Timbrook: Chillicothe, yes; Marietta, I'm not sure; I don't know much about Marietta. Mr. Curp: What did you do at the Board of Elections? Mr. Timbrook: I started out working where most everyone starts working in registration, a lot of filing forms. I then moved on to work in absentee, which dealt a lot with voter interaction. One of the specific interactions I had a lot was with voters who cannot actually make it to their polling locations so we would have to go out to some nursing homes that was a significant part of what I did. I also dealt with the FPCA, Federal Post Card Applications, which involves a lot of military voters, which the Riverside area has a lot of military voters. I worked in absentee and was cross training a bit in campaign finance. Campaign finance is not just money; it actually deals a lot with the process of applying for and running for any elected position. I do have a little bit of knowledge of how that goes on. I never finished that before I decided to move on from the Board of Elections, but I did cross train a bit into that. Mr. Curp: Do you have a spouse? Mr. Timbrook: I do not. Mr. Curp: Any children? Mr. Timbrook: No. Mr. Curp: There's a reason I ask; you can for an appointed position like this. I am getting to a point. At the board of elections and those roles that you played, you had to understand processes and procedures; you had to understand rules and regulations and dealing with voter registration and those kinds of things making sure if you were registering people or taking ballots out for people to vote. You followed specific regulations making sure that their vote counted. Much of that was probably imparted to you through training programs and how much of it was documents you had to read and understand and ask questions to make sure you had the proper understanding of what those rules and regulations are. That is the same thing you would find with the Board of Zoning Appeals. You have to take it upon yourself to read and understand the zoning regulations. You can piece that together as you are dealing with individual cases and build your knowledge and become more robust in your knowledge of the literal word and the application of the literal word towards different situations that would come before you as a member of the Board of Zoning Appeals. It is a quasi-judicial position in that people come to the BZA when they have a disagreement with how the zoning code itself impacts them. They are looking for an arbitrator and that is pretty much what the BZA does. They listen to the facts as can be presented to them and they make a decision and that decision is binding unless either party, the city or the applicant, decides they want to go to court to get that decision overturned. It is a quasi-judicial position that requires the building of that kind of knowledge and that understanding of the content of the zoning code and regulations. The reason that I asked you the other questions was that sometimes you have to say no to people. You hear the story and understand the plight, but I'm sorry, which is something that happens quite often with raising children. Johnny, Sally, you know, I understand, but you aren't getting the new bicycle, no you can't go outside to play; you have to eat your spinach, and no I am not going to countermand what your mother told you. Sometimes you may have disagreements with a spouse; the question is, can you tell your next door neighbor 'no'. Mr. Timbrook: Sure, so referring back to my BOE experience with voting and people, it becomes contentious sometimes. There are a lot of laws and regulations around voting, the ORC gets updated all the time in regards to voting and you sometimes have to tell people no or give them an answer they don't like and that happens a lot. That is something I ended up being the go to for coworkers because I was well versed in what it was that we did and I was able to let people down easy for lack of a better phrase. It is hard to do because you respect them as a person, like you said they can be your neighbor, your friend, your kid who doesn't want to eat spinach, but spinach is what is for dinner. It is mandated and we have to follow those rules and laws, and so I have dealt with that before, professionally, I guess maybe not personally to the questions you asked earlier, but certainly professionally.

Mr. Curp: One of the other aspects is that there are five members of that Board of Zoning Appeals and there will be these sometimes robust discussions and it requires empathy in that you have to be empathetic to the desire or the want of the applicant, empathetic to the positions of the other members of the BZA have even if yours is different, and there is nothing wrong in having a different position and voting a different way. That is what I am

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looking for, are you able to say no, are you able to say no to the other members of the BZA even if that means you are the lone ranger. Mr. Timbrook: I expect that will probably happen sometimes and you have to balance the empathy with the facts and what is the law, regulations and rules.

Mayor Flaute: Well, it is a hard job; it is one of the most difficult jobs. I even think it is as difficult as or more difficult than sitting up here sometimes because the folks really want what they want and the staff has usually already said no. The last guy was on there 10 years so you have some big shoes to fill. We do appreciate you coming forward and talking to us. I will entertain a motion to move forward with legislation.

Deputy Mayor Denning motioned to bring legislation appointing Mr. Timbrook to the BZA. Ms. Fry seconded the motion. All were in favor; none opposed. **Motion carried.**

**B) Title Five: Chapter 139, Contracts and Purchasing:** Mr. Carpenter: On the first page at your dais, I talk about Chapter 139 and some of the changes we were looking at doing for the ordinance, and I just wanted to get some feedback from council if there were any questions or comments. The most obvious ones in Chapter 139, there are a lot of references to 1791 Harshman Road; we can update that language in the ordinance, but the biggest change would be increasing the bid threshold from \$25,000 to \$50,000. The state of Ohio has a \$50,000 bid threshold and a majority of the cities are at that level, and there are some more that are above it, not really sure how that is, but a majority of the cities on the back of the page are. We contacted the OCMA to do a quick survey of cities and what their bid thresholds were and this was the response. Some of the other items we need to update are some of the exceptions comparing what the ORC language is and to what we have in our 139 to update our language to align with the ORC. Ms. Fry: Which language were you talking about? Is it on this paper? Mr. Carpenter: No, what we will do is complete the draft and then we will send it out to council before we bring in legislation. These are just some of the items; really, the biggest one is the \$50,000 threshold. Some cities don't have it that high, a majority of the cities do. Ours is \$25,000. If council has any concerns, I want to know now so I don't have to update that part of 139. Ms. Fry: Can you speak to the exceptions on competitive bidding you have here? Mr. Carpenter: Not to a lot of depth. Ms. Fry: Is that what we currently have or is that what we want to add? Mr. Carpenter: There is some of that we need to update with the ORC. We don't have the exceptions of professional services in 139; we don't have language that addresses emergencies; and we don't have language that talks about purchasing used equipment or equipment from other sub-divisions. It is not in our current 139, but the state level has language that addresses that to use as exceptions to competitive bidding. Ms. Fry: On the \$50,000, do you have a sense of what percentage over the past year or two if we made this change. Mr. Carpenter: We did a look back and there was, I believe, five to seven times. Not all of those required a competitive bid because there was a state bid that we used, but purchases over \$25,000 and just under \$50,000 and I think it was five - seven of those. Ms. Fry: What percentage, five to seven out of how many? Mr. Carpenter: It's tiny. Mr. Garrett: I didn't count that, I just counted the exceptions; five times we found that would have made a difference. Mr. Carpenter: We could do a better calculation on every time we bid; I don't know the percentage of that. We just know it was about five to seven times. Mr. Garrett: A majority of our contracts were clearly well over the \$50,000 for street paving or whatever. I didn't pay much attention to those. Ms. Fry: So the sense is that it was a negligible percentage? Mr. Carpenter: Yeah, and then if you factor in how many times you used a state of Ohio bid. Like the IT contract, the bid came in at \$37,000 we would not have had to bid that. We could have gone out and sought quotes, but we wouldn't have to go through the bidding process. We used the state to do the computers for police and fire although we did it as one lump sum. If it was done individually they would have fell underneath the \$50,000 mark.

Mayor Flaute: It saves us money not having to go to bid. Ms. Lommatzsch: I know you get tired of hearing me about the good-old-days, but I think that amount was in there for a

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reason and we have had occasions when people have had to circumvent that by breaking up projects, putting them all under \$25,000 to get their way. I think \$25,000 was put in there for a reason. Ms. Grandjean: Breaking up a project in order to avoid having to bid is breaking the law. That is not permitted. If it is one project it needs to be bid if it is over the limit. Mayor Flaute: It used to be \$10,000, right, when we became a city; I think it was \$10,000. Deputy Mayor Denning: How long has it been \$25,000? Ms. Lommatzsch: Probably 15 years. Deputy Mayor Denning: My point is the cost of everything is going up. So the bid costs are going up; I guess putting it, changing the limit, to me ties it to inflation if you raise it. Ms. Lommatzsch: If you look at the list back here the one that have \$50,000 have much higher budgets than we do. Mayor Flaute: And, why is that important, I guess? Deputy Mayor Denning: We are talking about the bidding process, so if we can take it and not go out to bid, which is costly to us, that actually helps us in our budget. Ms. Lommatzsch: I am not sure I agree with that statement. Everybody has their own opinion. Ms. Fry: Do we have a sense of what the process costs? Mr. Carpenter: There is the time and preparation of the bid, the cost of advertisement, the time of opening and contacting the bidder and preparing the legislation. I did not attach a dollar amount to it. Mayor Flaute: And it slows things down. Mr. Carpenter: That is another factor is the timing. Ms. Fry: Can you estimate the number of hours? Mr. Carpenter: I think it depends on the type of bid; I know recently Kathy was putting together the bid package for the streets, which would be over \$50,000, but that is a lot of time invested. If we did the abatement contract since we had a previous contract, doesn't take that long, maybe an hour to put that together; you do the legislation so an hour, then you do the advertisement. Mayor Flaute: We got an hour or two of lawyer time. Mr. Carpenter: Well, well that is true; run everything by Dalma. Mayor Flaute: It is part of the reality. Mr. Curp: Some of that stuff has to be done anyway even if you bypass bidding so for example if the Service Director is going to put out a project under \$50,000 for paving some streets; she still has to put together the specs. She can't go to the company and say, hey, I want you to pave Marblehead, how much will it cost? They will ask what depth you want us to mill, what grade of asphalt you want us to put down. I don't know all the specs, but you aren't getting away from putting together the specs needed to do the job. You are getting away from doing some of the other stuff administratively. Deputy Mayor Denning: You still need the specs whether it is IT, roads... Mr. Curp: Sure, that is the same staff time, same staff cost for putting that stuff together. Now, some of that stuff afterwards goes away or gets reduced, but you still have to put together specs, you have to take staff time to do that.

Mr. Curp: My question is, to make sure we are on the same page; I don't remember what signature authority we have in place for the city manager. I want to make sure we are all on the same page. This is dealing with bids and not the city manager's signature authority, is that correct? Those are two different things. For instance, if the city manager's signature is \$25,000 but we raised the limit for bid threshold to \$50,000 that doesn't raise the city manager's signature authority. The city manager still is limited to signing for \$25,000; he just doesn't have to go through something in the bid process for something that is \$40,000. He can get quotes, but still has to come to council for approval because his signature authority is only \$25,000. Mr. Carpenter: I think that would change. All the language in there, the way I believe it was worded was something to the effect of where the city manager is authorized to enter into agreements less than \$25,000, so if we wrote it up to \$50,000. Mr. Curp: So you are saying to raise both the bid level and the signature authority. Mr. Carpenter: I was looking at it as one in the same. Mr. Curp: They are not one in the same. Mr. Grandjean: That would be up to council. Mayor Flaute: There are the two differences and what would be the difference? Ms. Grandjean: The difference would be the ordinance can specify that the city manager has the authority to enter into contracts up to a certain amount, which right now is \$25,000. It can also indicate that if a purchase or expenditure is over whatever amount, right now \$25,000, then it needs to be bid. Council can choose to have those be different figures so that legislation would still have to be brought to council if it is over \$25,000 even if it is under \$50,000 and doesn't need to be bid. Those are separate processes. Mayor Flaute: What would we gain by only doing one? If we did the bid thing and not the signature, what have we gained? Ms. Grandjean:

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Oversight. Ms. Lommatzsch: And knowing what is going on. Mr. Curp: For example, while it is illegal to split invoices that would be a way to find that you were splitting invoices because those things come to you and you see them whereas if you raise both dollar amounts to \$50,000 splitting invoices could occur and you would never see it. Ms. Grandjean: I would like to point out that would be something an auditor would look for as to whether invoices are being split. It doesn't mean they will uncover them, but I do think that those can be identified; there would be red flags if projects were too similar. Again, it depends, I can't guarantee, but it is something an auditor would look for. I'm not aware there has ever been an auditor exception, which means either they didn't find them because they aren't there or they just didn't find them. Mr. Curp: I am just using that as an example there are other things. For instance, programs, we had a situation where our departments have budgeted for programs, we approve the appropriation, they decided not to do a program and they want to spend the money on something else. In a situation like this, if you raise both of these, the numbers at the same time, then if something like that happens you will never know because it doesn't come to the council for approval. It just depends on how much oversight you want to do.

Ms. Fry: I would like to understand more about what these exceptions to competitive bidding would involve. Mr. Carpenter: Sure. Mayor Flaute: So we wait for legislation to come forward? Mr. Carpenter: I can provide that before then. Ms. Lommatzsch: To all of us. Mayor Flaute: So we won't have legislation at the next meeting, is that what I am hearing? Deputy Mayor Denning: I think if legislation would come forward right now it would be for the \$50,000 threshold for bid but still keep the manager's signature capability at \$25,000. Mayor Flaute: Okay, I just don't see that we gain that much by doing that. Deputy Mayor Denning: The point of raising it is so they don't have to go out for bid for things under \$50,000 that is the biggest time suck of all the stuff that is going on. Then you advertise with Dayton Daily News and all that. Mayor Flaute: So if we raise it to \$50,000 we wouldn't have to do that? Deputy Mayor Denning: Right, for anything under \$50,000. If it was, say \$37,500 the IT one, we didn't have to go out for bid; we got the quotes and the winner was \$37,500. He brings us a resolution that says it is okay for him to sign the contract and then boom we are done. We didn't have to go through all that extra stuff and it moves the time line forward quite a bit. The longest the new time line would be would be two weeks. Maybe three weeks if it happens in between council meetings, but I think for now, to me raising to \$50,000 for the bid process makes sense, mostly because we have had it there for 10 - 15 years and we know prices of everything has gone up. Even something that was at \$24,000, 15 years ago is going to be over the \$25,000 mark now for the exact same service just because of inflation. Ms. Grandjean: I would also point out with the bidding process there is the possibility of a bid protest and then all of the delay and complications and legal tangles...Deputy Mayor Denning: And then we have lawyer time, not that Ms. Grandjean doesn't enjoy it, but I think it would help us long term in the budget process, but again we are talking about seven or eight times in the last three or four years.

Mayor Flaute: So we still want to hold off on legislation; I agree with you, it makes some sense. Mr. Carpenter: It sounds like I need to provide some more information first. Deputy Mayor Denning: You have a good idea of where we are going with this? Mr. Carpenter: Yeah.

**C) Review of the Org Chart:** Mr. Carpenter: On the slide and the next page of the presentation is kind of a breakdown of where we were at the end of 2018. Positions in blue they were abolished in September 2018. The ones in red were never funded like the IT administrator, finance administrator, part-time police officers, and seasonal part-time fire inspector. We also had a vacant records clerk and right at the end of 2018 one of our maintenance workers retired so going into 2019 we had two positions...Mr. Curp: Let me interrupt you for a minute, you are saying on this sheet with red, the red positons are the ones not in place now? Mr. Carpenter: They are on our Table of Organization, but they are not funded. Mr. Curp: That would indicate in the service department you have one foreman and two equipment operators and no maintenance

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workers. Mr. Carpenter: The maintenance workers I meant just to do the seven. We have six; there is one unfunded maintenance position. Ms. Lommatzsch: On this piece of paper? I wish you would have done something to make them a little clearer. This piece of paper? Mayor Flaute: Yeah, we are talking about what is on there. So we don't have a records clerk? I thought Danny was doing it. Mr. Carpenter: He is the property clerk. Ms. Fry: On the seasonal, is that that same deal where some are funded and some are not? Mr. Carpenter: No, there is no seasonal that are funded. Mr. Curp: But you have a contract services budget to do some of that seasonal stuff. Is that correct? Mowing tall grass and weeds? Mr. Carpenter: For abatement, yeah. This was to represent our current table of organization minus three positions in blue. The total number of full time employees is 68 and we have budgeted for an equivalent of 12 full-time firefighters. I'm sorry, the part-time firefighters, the number we budgeted for are equivalent to 12 full-time positions. Ms. Lommatzsch: And how many are there? Mr. Carpenter: Chief, do you have a current count of part-timers? Chief Stitzel: I believe we are at 15 part-time people, which would come up to around four full-time equivalents. Ms. Lommatzsch: But it says 12 full-time firefighters. Mr. Curp: We budget hours? Mr. Carpenter: Yeah, it is an approximation. The dollars, if we paid everyone at \$16/hour we have enough hours for 12 to do every shift. Deputy Mayor Denning: The 2018 or 2019 budget? Mr. Carpenter: The 2019 budget. So taking a look at the year 2020, what I was looking to do was to create the Director of Community Development position; substitute the IT administrator for an Information and Communication Specialist, and then we have to consider whether we are going to pursue the SAFER grant. The SAFER grant applications are open; we could use the part-time money to pay for those three positions; however, that is going to cut a considerable amount of part-time firefighter hours. On the right side column you can see the fiscal impact and it also is including funding the vacant records clerk and funding the vacant maintenance worker.

Mayor Flaute: Who is doing the records clerk work now? Mr. Carpenter: Right now, we have one of our admin assistants over there and she is doing records clerk work in addition to admin work and also the majors have picked up some of those tasks, and maybe some of the sergeants, too. Mayor Flaute: That is a hefty salary. Deputy Mayor Denning: That is fully loaded, right? Mr. Carpenter: Yes, that includes all the benefits; and those are all estimations. Mayor Flaute: So it would probably be \$20,000 less than what you are showing as a starting salary.

Mr. Carpenter: The next org chart is what that would look like. Not a lot of difference, it does combine the planning and economic development department with the director of community development. Also, the IT administrator that wasn't funded, it has the Communications Specialist. The firefighters that have nine full-time would go to 12. Deputy Mayor Denning: And that would be with the SAFER grant, that is why it would go to 12 is because we were getting a grant to cover. Mr. Carpenter: Right, just going forward that is the challenge as I think we would need to find some additional revenue to pay for full-time firefighters. We are just really challenged as far as part-timers go. The pool is not there, and we are not alone in that. You can see the trend of fire departments in the region going full-time. We get a part-timer; keep them for a few months then they go full-time somewhere else. It is a revolving door. I think if we choose to apply and we are awarded and we can start in 2020 with three full-time positions, but I would still suggest we pursue additional revenues for the fire department positions. Mayor Flaute: Let me go back up to the top where you have the assistant city manager and we have four positions there. Mr. Carpenter: Currently, we have three admin assistants. Mayor Flaute: I see that on the old one. Mr. Carpenter: Right, so we have one that is dedicated to supporting the service department and also helps with the planning department. We have another admin assistant that supports the manager...Mayor Flaute: So this here doesn't increase those numbers at all? Mr. Carpenter: Correct.

Mr. Curp: One of the pieces of information that was supposed to be gotten back for us and maybe it did, I just don't remember, is the question about the SAFER funded positions and

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whether any out years if we decided we didn't have the funding to pay for those, are we mandated to keep those positions? Mr. Carpenter: Not beyond those three years. Mr. Curp: Some of the grants for police departments are that you have to keep those positions; you have to budget for them. You have a declining federal component each year. You start at 90 - 100 percent; the second year you have maybe two-thirds; the third year one-third and then after that you have to pick up the full load and keep those people on your staff. Mayor Flaute: It was my understanding that we have to do that. Ms. Lommatzsch: Not on the SAFER grant. Mr. Carpenter: They changed the rule. I think early on that may have been the case, but now 25 percent, 25 percent, and then 65 percent is our share. After year three, we are not obligated to keep those positions. Mr. Curp: The basic position is the city still has to come up with the money for the local share of the SAFER grant, plus these other positions. Is the SAFER grant included in the \$382,000 or is it just for those positions that are there above it? Mr. Carpenter: That would include a total of seven positions: the records clerk, a maintenance worker, three full-time firefighters (our share rounded up to \$72,000), the communications specialist, and then the director of community development. Mr. Curp: Okay, those items in the right hand column total up to \$382,000 so the SAFER would be on top of that, correct? Mr. Carpenter: Well I took year one from the SAFER grant which is \$71,392 on the left hand side and I just rounded up.

Ms. Fry: I noticed that the finance administrator is on the org chart, but not listed in the fiscal impact. Mr. Carpenter: Well, it is unfunded; for 2020, I wasn't looking to fill that position. It is going to be a challenge to fill these. I kept it on there because it is still on the table of organization and I think it is important to keep it on the table of organization, it is just not in the 2020 plans to fill it. Ms. Fry: But all the other ones in red are ones we plan on funding? Mr. Carpenter: Yes, as budget allows. Mayor Flaute: So the new one shows three battalion chiefs, three lieutenants, four detectives and four sergeants and that is what we have now that is not an increase at all. So the only increase is to 12 full-time...Mr. Carpenter: Well it would be three more additional as we currently have nine full-time firefighters so we'd add three more. Mayor Flaute: Bringing it up to 12, but the others, none of those change. Mr. Carpenter: Correct.

Mr. Curp: This would seem to indicate that one of the other changes is that these administrative folks would not be cross-trained since it appears that they are dedicated to individual departments? Mr. Carpenter: Correct. We looked at doing that and it becomes very cumbersome for a few reasons. For example, we have Elayna Myers, she is doing a lot of HR support so learning the HR rules and policies, she can move through that work at a much faster rate. We have Anne Wood over at Police and Fire. She is familiar with the police processes, she has the authority to look at the police records that she is working on and then we also have Pam Rice because she is working on the iWorqs software and making entries for planning and code enforcement. Not that they can't learn that, it is just the time and learning curve and how often they move around. They are at different locations working different types of specialties. Ms. Lommatzsch: There are issues when they are not here? Mr. Carpenter: Sure. People have to pick up their work. Now we do have the admins go to the front desk and if they can do their work from the front desk they will be able to do it that way. We don't run into a lot of situations where we would have Elayna come from here to go over to the police department to do records work or bring Pam from the front desk to do HR work.

Mr. Carpenter: The last one is a chart after speaking with department heads on what we need and want, this is what we came up with. This is a down the road if funding allows chart. If you subtract out the part-time firefighter positions, this is 32 new positions. We know realistically we aren't going to be able to fund that. This is what it would look like. Mayor Flaute: The suggested org is the second page. Mr. Carpenter: For 2020, as funding allows, but the biggest thing I want to ask council about is the SAFER grant. Do we want to apply for that? The window is now, and do we want to apply and if awarded, it would be later this year and then we would bring them on board in 2020. Ms. Lommatzsch: I would say yes. Mayor Flaute: I think so. Deputy Mayor Denning: Our part-time issues are not

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getting better. I don't think we have much choice but to head towards full-time and to not take advantage of the SAFER grant would not be smart on our part. From what you have told us that is probably the direction we are going to have to go. Chief Stitzel: With everything I am seeing surrounding us and statewide, nationwide, it is a growing trend there is going to be less and less part-time people. There are even less full-time. Deputy Mayor Denning: Especially in the urban/suburban areas because of that situation unless we were going to have a regional fire department and tie together with Huber. Chief Stitzel: I went down that research road before and it is not going to happen. Deputy Mayor Denning: I am not saying that is a positive thing, unless we are willing to do something like that or willing to pay someone else to cover and not have our own personal fire department. Chief Stitzel: If we want to continue to provide this service then we are going to have to figure out a way to transition from a combination department to an all full-time department. Three is a small step toward that direction. Even if we do this, I still have to maintain a cache of part-time people. I still need part-time money to continue that the best we can. Deputy Mayor Denning: And you did find out for us that we can continually for the next three years we can apply for the SAFER grants. Maybe at the end of three years we would be at nine, but...that is closer to your 33. Chief Stitzel: If we get the three it is more manageable than if we try for nine. If we try for nine, the government share is going to be quite a bit more than we would get from the government if we can strike while the iron is hot kind of thing, get it all at once. But, we would definitely have to commit going to the voters within the next two years to pass some sort of revenue to substantiate that and continue that. It won't do us any good if in three years we have to lay them all off. If we use the part-time monies to pay for the three, then in the third year my staffing level per day actually drops because I am using the part-time money to pay for the full-time. I would need that increase for them; too, in that year three just to keep staffing level where it is now, which right now we are averaging about seven a day. We have been approved in the past up to nine; it is just not currently funded because the people aren't physically there to do it. I think we need 11 a day; the international city manager's association would support that with their numbers they say we should have based on our population and our call volume. In comparison to other cities our size with our call volume, they're 30 - 45. We do it less expensive, I will say that. Mayor Flaute: To Mr. Curp's point we don't have to keep them if we don't get the revenue, we would have choices. I think this makes sense; this is a no-brainer. Ms. Fry: So, if we proceed with these new positions, the estimated fiscal impact is \$382,000 in 2020. Do you have a plan for where that is going to come from? Mr. Carpenter: To fund all of those? I am not sure we can fund all of those next year. Ms. Fry: But we are going to put them in the org chart and possibly leave them unfunded? Mr. Carpenter: Yes. Ms. Fry: How much do you think we can fund? Mr. Carpenter: Well, if we have the SAFER grant I know we can fund the three firefighters. The other part of it, I believe we can fund one or two of those other positions. Mr. Curp: I am not a mind reader, but for me I think the question is where is that money going to come from for the local share because it could come down to a situation where something else comes up because we are operating in the red and using up our reserves or carryover balance. It could be that something else would have to be cut in some other section of the city operations in order to fund this. The question becomes, is the city staff willing to give up \$72,000 in order to fund this? Our position last year was when people started coming in with additional requests for money and supplemental appropriations we wanted to see these self-funded instead of coming out of the reserves, the carryover balance. Is staff ready to give up \$72,000 or whatever the number is going to be in other areas in order to fund this because it may come down to that. Mr. Carpenter: I will have a better picture for you as we get towards July. Things we are working on currently, capital planning, financial planning, then I can have a better idea of what we can and cannot fund. I'm not sure we can fund all those; I think it is significant we make a decision about the SAFER grant and then plugging these positions in. I am only talking about two more; I'm talking about the communications information specialist to replace the IT administrator and then the other part is combining those departments and creating the director position. That is what I am looking at doing in the immediate. Deputy Mayor Denning: Is the information communications specialist also going to be an IT person? Mr. Carpenter: This person is



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going to oversee the IT contract; they will be focused on social media, just as I wrote there, working on doing the presentations, the newsletter, the website, media relations, those are the things right now the staff everybody has a piece. I think to do it more effectively, one person in charge and that is what they focus on.

Mr. Curp: I may have been preoccupied and didn't hear it when the first chart was being discussed, but is the IT administrator that is on the first chart the contract? Mr. Carpenter: No, sir. It is on the table of organization...Mr. Curp: But it is not funded. Mayor Flaute: There's nobody in it. Mr. Carpenter: That is correct. So I would like to bring to council an updated Table of Organization to merge Planning and Economic Development Departments, create the director position, replace the IT administrator with the Information Communication Specialist, and then apply for the SAFER grant.

**D) Live/Work Discussion:** Mr. Carpenter: Live/Work came to council from the planning commission. There were two parts to that a residential and a commercial. I think, this is just my recollection, the residential was well thought of at all and there was a motion about the commercial part a three to three tie. What we would like to know is do we take Live/Work back to the planning commission and what is council's pleasure with Live/Work. Mayor Flaute: So are we going to have any presentation at all? Mr. Carpenter: Not necessarily a presentation, we have the information in your packet, but we can have discussion as we have Jeff Green here to provide information. Mayor Flaute: So are there any questions or comments for Mr. Green?

Deputy Mayor Denning: I actually hoping to see the PowerPoint we go a month and a half ago that is not what we are going to see tonight. Obviously, that is not going to happen. Mr. Carpenter: I was not aware. Deputy Mayor Denning: I went through that and I listened to Mr. Curp's concerns about having Live/Work in residential areas and then I agreed with that. I don't think we want people to be able to put businesses in residential. We have certain businesses that are allowed in residential areas already; we don't need to open up that already. I like the presentation in that somebody that has a business area or an operation that is zoned business could put their residence with that as long as it wasn't, I believe, over 50 percent of the total square footage, or an employee of that business could live there. I know there are a few businesses in the area, places that are zoned business that have been grandfathered in because their residence is there and their business is there, but if their residence burnt down and was destroyed by more than 50 percent they wouldn't be able to rebuild. All they would be able to have is their business there. I think in order to alleviate some of those issues we need to discuss being able to have Live/Work in business areas.

Mayor Flaute: I was hoping to maybe see a little more on what our Live/Work ordinance would look like. Right now, I guess Mr. Green, would you tell us what the UDO says right now about Live/Work and would you tell us what the new ordinance would do for Live/Work? Mr. Green: So everyone knows what a Live/Work is on council, right? Deputy Mayor Denning: Give us a brief... Mr. Green: A Live/Work is essentially where someone can live and work in the same general parcel or building. Traditionally, it has been done in the past, especially in cities that have a commercial area on the first floor and then apartments right above it on the second, third, fourth or fifth floor, etc. As of now, the city has a zoning district that allows for Live/Work units, but that zoning district, Urban Core District; no property is zoned that currently. I would have to speculate that Urban Core was where the Center of Flight was located, but for one reason or another it was never zoned that way. We have it on the books, but we have no property that can actually utilize it. The next closest thing we have to Live/Work is kind of a home occupation, which is extremely limited in scope where we are taking a residential property and someone can utilize their home up to 25 percent of that house or what not for specific commercial use. A good rule of thumb is if I can drive by your house and you are running a business and I can't tell that there is any commercial activity running there then that is a well-run home occupation. When we are talking about proposals in the future, I have read the minutes on what

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council's thoughts were of the previous proposal and it seemed like much of it you wanted it narrowed down, more black-and-white. You can definitely go in here; you can definitely go in there, but under these circumstances. That is what I was going off of. Middletown is where I am previously from and am familiar with their Live/Work ordinance, and then I found the city of Xenia, which is fairly close. I don't know this PowerPoint; I am assuming it was part of a presentation I made back in December. Those are what I would envision would be black-and-white. If you want to go in and do this, these are the standards that have to be met. It also showed which zoning districts those would be in for those cities. Going forward, if this were to be brought back, I think it would be prudent to know where you all feel this should go. Last time, it was like a Live/Work unit can be done, but it requires a conditional use, which for those of you who don't know requires planning commission's approval. That can be done on a case-by-case basis. What I have previously had and what you should have in front of you with Middletown and Xenia is that it is permitted with standards so it doesn't require a planning commission or BZA hearing so long as you meet those standards you are allowed to go in with the required permit. That is where I am. I have an idea of what I think it should be, and I mean for what a Live/Work unit should preserve the base zoning district so if we are talking about commercial, I don't think there should be too many traces of a residential at that commercial enterprise. If we are talking about a barber shop and it is one story, I would hope that when I go in the front door I see a barber shop and the dwelling unit is behind that hidden away. Deputy Mayor Denning: So you envision Live/Work in a commercial area to be similar to a business in a residential area; we shouldn't be able to tell from the street that the opposite is going on in that building. So if it is commercial, we shouldn't be able to tell that someone is living there and if it is a residential area, we shouldn't be able to necessarily that a business is there. Mr. Green: Essentially that is how I think it should go. Now, my opinion is just that, my opinion. Deputy Mayor Denning: No, no, that is what I am asking for, what I am looking for. Mr. Green: If we as a city want to have attractive commercial areas, for me, if I see that I'm driving by and see a cool business but it looks like someone is living there, I might not want to go in there. Deputy Mayor Denning: The other thing I would want to make sure of is that it is limited to either owner-occupied or employee-occupied. That whoever has it can't be rented out to anybody who can afford the \$250 that he is trying to make off of it, whatever the answer is. Mr. Green: That is a fairly common definition now-a-days where it is limited to the business owner or one of their direct employees. Deputy Mayor Denning: So if that employee loses their employment, they have to move out. We don't want it to become a flop house.

Mayor Flaute: Madam Law Director, can you add to that, please? Ms. Grandjean: I might be able to answer any questions; I think Jeff has covered it very thoroughly. Mr. Green: The final thing I think should be noted in both Xenia and Middletown is that it really limits the residential use dependent on square foot. I think we should have a limit to say that residential has to occupy no more than 'x' amount of percent; I would say 40 percent or 50 percent. Again, if we are talking about a commercial property, the building itself, the structure itself should primarily be commercial. As such, a majority of that building should be used as commercial.

Ms. Fry: What is the advantage of pursuing this Live/Work over just zoning an area Urban Core? Mr. Green: So when we are talking about a zoning change or even an overlay, a Greene, an Austin Landing, we are particularly talking about a large development or a zoning district that would potentially allow for uses that a commercial district such as on Woodman may not be compatible with. When we talk about Live/Work it is more of a microscale specific to these 'x' properties and to specific buildings whereas a neighborhood transition overlay or Urban Core Zoning District, we are talking about a much larger macroscale development. Let's say we allow Live/Work to be located in the B-2 General Business District; there's a lot of B-2 in Riverside, especially along Woodman. A lot of those properties could be converted to have a dwelling unit. Live/Work could effectually be more far ranging whereas if we are talking about a certain zoning district it is very

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specific in its scope. If we are talking practically a building would have to be developed ground up to suit that.

Mr. Curp: I spoke out at the previous discussion of this and it was largely because of putting B-1 and B-2 businesses in a residential area allowing that. Live/Work was a conditional use without a lot of structure around that and pretty much left it up to the planning commission to determine what was an acceptable use and what wasn't. It would have made it difficult for the BZA to deal with that when an appellant came before them because of no structure in place. So, how do you tell on they can do it and the next one they can't and be consistent? I think the chair brought up the issue of separating those and just eliminating the residential component and addressing the Live/Work in the business zoning category, and that is fine, I am okay with that. I think as Mr. Green mentioned there are some standards that are in Middletown documentation that he gave us; there are less standards in the Xenia documentation. We had more beneficial restrictions in the piece that came to us from our own planning commission that I think would be well suited to go in. For example, "...business Live/Work unit shall not be established in conjunction with any of the following activities: storage of flammable liquids or hazardous materials, that's a good restriction because you don't want the resident to burn up; welding, machining, or open flame work, that's a good restriction; any other activity determined by the zoning administrator that is not compatible with residential activities that could possibly affect the health or safety of the Live/Work unit resident, that is a good restriction. Examples include: an activity that creates dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts. Those are good restrictions. I think I would be interested in seeing something like that. There was also a provision in our residential piece that came from our planning commission that provided the city with the right to revoke the Live/Work conditional use because it was a conditional use under the way it came forward to us. It gave the city the right to revoke the Live/Work use if it was found that what was going on in the activity was incompatible with all the stuff we put in place. The Middletown restrictions require that a majority (50 percent or more) of the space had to be used for the business itself; Xenia had no restriction. The front façade had to show at least 50 percent business use to make the appearance there is a business here and not the residence. The residential component could not have a separate address so you are not splitting the front of the building. I think if there was some marrying of the three, especially the two with Middletown and Riverside, because the Xenia document doesn't say much. Xenia has two statements that are pretty general, "Whatever is permitted in the business zone can be in here." Maybe we don't want welding in there, but Xenia doesn't say that. I think one of the short discussions we had at the time was if the planning commission keeps sending us stuff and we keep shooting it down then what happens with the planning commission, does it go away, do they give up? I think there is some merit in that discussion. I don't know if we have had that kind of overbearing oversight of the planning commission. We have probably approved more of this stuff than not of what they have sent forward. This just happens to be a situation where that residential component, the R zones, the way it was handled for the R zones. The question was if you allow all this in an R zone, then where can a person go and find a residential environment to live in without fear they are going to have a business next door to them next Monday that they don't even know about and has been administratively approved. Mayor Flaute: That was the other one, not the Live/Work one, right? Mr. Curp: Right.

Mayor Flaute: Those conditions sound fine to me so if we do proceed and have those type of conditions in there, I would tell you we should go forward with an ordinance that does that. Any other comments? Ms. Lommatzsch: Why mess with it? Mayor Flaute: Because it is restrictive right now in which way, Mr. Green? Mr. Curp: Let me give you some background because we talked about this lightly the last time. This came forward to the planning commission because the staff had a request from a non-resident property owner. The way it was postured to the planning commission and was postured to us was that this came forward from a resident who wanted this, a Riverside resident; it was not a Riverside resident, it was a non-resident who owned a business property that was no longer being

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used for the business and he wanted to do something else with it. Whether he truly wanted to have a Live/Work or he just wanted to rent the property out as a residential because he couldn't find a business to put in it and he wanted to get some income in order to pay for the property taxes and what other expenses associated with him continuing to own the property; I don't know, and I'm not going to venture. But, that was the background for how it got to the planning commission and got to us. Somebody else, a single individual, it is not a ground swell movement within a community that I know of.

Mayor Flaute: So, in answer to Ms. Lommatzsch's question, why would we want to change this? What would be the advantages of changing to Middletown's example and putting in the things Mr. Curp just said versus what we have now? That is your question, basically? Mr. Green: The main advantage we are talking about here is lessening regulation. It is currently not allowed and we would allow it with standards. Mayor Flaute: It is not allowed, period. Mr. Green: In any zoning district right now, it is not allowed unless council and the property owner agree to rezone a specific portion of land to UCZD. We are talking about loosening up standards. This would essentially give opportunities to folks that...an example I would use let's say we are talking about a family who wants to start a business and can't necessarily afford a commercial property and a mortgage. This would allow them to focus on one property and free up those funds for other things. Ms. Lommatzsch: I would not be in favor of that. Mayor Flaute: Why not? Ms. Lommatzsch: I just don't believe it's appropriate. Mayor Flaute: That's not a good reason, why would you not think that is appropriate? Deputy Mayor Denning: Right now, we have at least one that I know of, a property that has a residence on it as well as a business. It is zoned business so this would allow us not to give them a conditional use or be grandfathered in to that situation. He is zoned B-1 and it would also allow that if something happened to his home he would be able to rebuild on that same property, is that true? Mr. Green: If we are talking about the removal of the grandfather status, I think that is important, if the grandfather status is removed and he can operate, let's say council and planning commission came together and came up with standards they would like to go by, and those standards could be met, then yes, that person could have a Live/Work there. I don't know how many folks are grandfathered in. Deputy Mayor Denning: I don't know either, but I know of at least one.

Mayor Flaute: I didn't mean for him to interrupt you Ms. Lommatzsch, why do you feel that would be detrimental to our city? Ms. Lommatzsch: I just don't believe that we need to be mixing; we already have too many situations in the city where we are trying to straighten up our image and I don't believe...Mayor Flaute: And you think this hurts our image? Ms. Lommatzsch: Yeah, I do. Mayor Flaute: My grandparents had a store and they lived behind the store. Ms. Lommatzsch: That was a long time ago. Mayor Flaute: But it was a good situation; it wasn't a bad situation. So I don't understand why you think it is a bad situation. Ms. Lommatzsch: Well, I am not going to sit here and argue with you, I just don't think we need to do it. Deputy Mayor Denning: It's her personal opinion. Ms. Lommatzsch: Yeah, and I have my opinion as much as you do. Mayor Flaute: Well, my opinion is that it would help our city. Ms. Lommatzsch: In my opinion is it will not help our city. Mayor Flaute: It will help because it gives people the opportunity to live where they work so they don't have another mortgage that they have or they don't have to get out on the roads like I explained at the other meeting. They don't have to come out of their house and go to work every day. They can live where they work like they do in downtown Dayton, downtown Middletown, in so many cities. Why would you force that landowner to live somewhere else?

Ms. Fry: Downtown Dayton is Urban Core. Those are new developments. Ms. Lommatzsch: Exactly. Mayor Flaute: But it is a good thing. Ms. Fry: What we are talking about here is something different than that where one property here, on property there; it is not necessarily a new development adds on a living space.

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Mr. Curp: I think one of the concerns is that we are landlocked. We have no way to expand no matter what kind of development you want to do: residential, industrial, or business. We are landlocked and we have no way to expand unless we can convince Bath Township to let us annex some of that property, but we have no way to expand. We are looking at primarily redevelopment of spaces that we have and we are looking at limited business zoned properties in the city. The issue is why would you want to give up business use and convert it to residential when you need all the revenue generation that you can get. Mr. Green: If I can make one comment on that, Live/Work is not talking about giving up on the business use. We are talking about basically having an additional accessory use in essence. We aren't talking about saying it can no longer be XYZ Store, now it is a residence; it's zoned commercial now, but still a residence. We are talking about still having that retail space. Mr. Curp: but if I am giving up 50 percent of that building for residential when that 50 percent could be operating as a business and generating additional business income then I am giving up. Mr. Green: Depending on the building layout and what is operated, absolutely. Mayor Flaute: It could be empty because that person can't be in there. Mr. Curp: Then we should have our staff out generating business leads and recruiting businesses.

Ms. Fry: So one advantage I can think of is that we have a lot of commercial space that is not being used at all and it might provide an incentive for a business coming in that didn't exist before. Mayor Flaute: And it might be good for an entrepreneur who wants to do that. We need to encourage young entrepreneurs to come to our city because the small business entrepreneur is the growing trend in our country. My point is because of that reason I think it would be good for our city, and I would like to see legislation brought forward to do that. Madam Law Director, do you see any issues here? Ms. Grandjean: It would need to go back to planning commission if it is going to be changed from what came before. Planning commission approved one version and so we can redraft it and send it back to planning commission and then have it come back before council. Taking into consideration the kind of conditions, safeguards, and restrictions that Councilman Curp indicated and leaving out the residential piece, right? Mayor Flaute: Right, the one we don't want; we all agree we don't want. Ms. Grandjean: It is different enough from what planning commission considered that it would need to go back to planning commission and then come back to council.

Mr. Curp: Let me play devil's advocate here, why do we not want the other piece? Mayor Flaute: Because of all the reasons you said, you don't want someone to be living next to a place....we already have one or two places where there is a garage and work on cars. Deputy Mayor Denning: Because we don't want a situation that we are running into over on Planters where it's residential and he is expanding the business and keep expanding the business and keeps expanding the business and he has been grandfathered in. We don't want those popping up in other places because our code has allowed it. Mr. Curp: Alright, I'm alright.

Mayor Flaute: Mr. Manager I would like for you to take that before the planning commission. Mr. Curp: I think we need to talk about whether there is enough support for that because if there is not then we run into the situation that was brought up the previous time and that is we send something to planning commission and they do it and send it back and we shoot it down and now the question is do they get tired of being told no. It might be best to resolve tonight whether that is what we want to see or if we are done with it. I don't think a single individual whether it is councilmember XYZ or the chair should be pushing work out to a committee and representing that as being the voice of the council when it may not be. Mayor Flaute: I do believe there is enough support here to have an ordinance. Ms. Fry: Perhaps it might be beneficial for each council member to give guidance on what they would like to see coming out of the planning commission. Mayor Flaute: Which means we would move forward. Ms. Fry: It would give them some guidelines. Mayor Flaute: Unfortunately, we are here with six people there is a potential that we will end up with a three to three vote. Mr. Curp: Everybody come back to the next meeting with their

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guidelines, what their expectations are, and their outcomes. This is not something we have to decide tonight. Mayor Flaute: Then we need to put it on the work agenda for next meeting. Everyone the homework is to bring forth the things you want in the Live/Work policy.

**ITEM 7: RECESS:** Council recessed at 7:33 pm.

**ITEM 8: RECONVENE:** The meeting reconvened at 7:45 pm.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:** Mayor Flaute had Finance Director Tom Garrett lead the Pledge of Allegiance.

**ITEM 10: MINUTES: Consider approval of the minutes of the January 31, 2019 special Council meeting and the February 7, 2019 regular Council meeting.** Deputy Mayor Denning motioned to approve the minutes as amended. Ms. Fry seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 11: PRIOR MONTH'S FINANCIAL REPORT:** A motion was made by Deputy Mayor Denning to approve the prior month's financial report. Ms. Lommatzsch seconded the motion. All were in favor; none were opposed. **Motion carried.**

**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: CITY MANAGER'S REPORT:** Mr. Carpenter stated the manager's report was in the packet. He or staff will be happy to respond to any questions.

Mayor Flaute: The only one I have is that I see we have exhausted our 2019 salt budget for snow and ice removal, but we still have salt. Ms. Bartlett: We still have salt, probably good for another snow. Mayor Flaute: One more event, okay. Deputy Mayor Denning: In December, please. That would still be in this year's budget, right?

Ms. Fry: I do have a question about the asphalt patching, we are up 30 percent over last year, about how much are we getting to, just percentage. What is our ability to respond to the potholes? Ms. Bartlett: We are doing very well on keeping up. On the real busy days, we run two crews. It takes four guys to go out to the mains and then we will put two in the residential areas on the residential streets. Deputy Mayor Denning: You might check Bayside. Ms. Bartlett: Yeah, the temporary patch and the rain, the Derma patch, that only lasts about seven days until the hot mix plants open in April. We have to keep going back and the residential streets don't lift up as much as the mains because there is less traffic.

A) Monthly Update Police Department – Chief Robinson: The victim's advocate, I don't want to steal Mr. Lohr's thunder, but we have been working on that together trying to get the position filled. The first person decided to go a different direction so we had to move on to our second pick. I'm happy to say she has passed her background check; she had her CVSAAE yesterday, which is really good. I believe she was made a conditional offer and we are looking at a start date of March 18. We are moving forward; it took us a little more time than we wanted to take because we ended up having to change people but we got it done. The detectives section, I know you guys see these and I don't do a police blotter, but I want you to know exactly what we are dealing with on a monthly basis. The detectives section had 49 new felony cases assigned to them this past month. Detective Abney, Sewart, Kreuger, and Coop, I just want to make sure they know that we know they are doing a great job. The elephant in the room is the Cheryl Coker case. As you have seen there is a lot of information that came out about that this week. I can't elaborate on anything else that we have. The stuff that came out was done with the detectives, the command staff of the police department, and also the prosecutor's office; we all got

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together and had a meeting and decided on what we were actually going to put out and be able to maintain the integrity of the case itself. There is a lot of information that has gone out and it is very important for everyone in the city to know we are working very hard still on this case. It has not gone to the backburner. My detectives work on this everyday so it is important that everybody knows that. The detective's section did indict 11 suspects on felony charges this month. My road patrol did 19 felony arrests and 47 misdemeanor arrests. Just to give you a couple of details on some of the things that go on in the city: we had a shooting on Tyron that was a drug deal gone bad, one suspect shot, the person dealing drugs out of the home was shot. He did survive; we are still looking for some of the folks in regard to the shooting. K-9 Tina with her handler Jackson ended up tracking a homicide suspect in Dayton as well. It has been a very busy month for the police department. Sgt. Jackson is still out on sick leave; she is looking at being off five to six months. She had to have surgery on her leg and then she has to have surgery on her shoulder. The surgery on her shoulder happened at work so after she has that surgery we have been talking about letting her come back and do some light duty work. We can use her in the police department on a daily basis; I promise.

All the officers are going to this thing called A-RIDE, Advanced Roadside Impaired Driving Enforcement. There is no cost for any of the officers to go to it and basically what it is, it's a step up from a standard field sobriety test. We are moving into where marijuana is going to be legal in some capacity; there still are folks that are going to driving under the influence even under marijuana. For some reason, people don't think people high on marijuana cannot get a DUI. That is false. The problem with it is trying to prove what is in their system and the amount that is in their system; it is difficult. They are currently working on machines to do that; there are some already out there. I am sure it is going to have to go through the courts before that can happen; just like the breathalyzers have to be certified. There are ways of doing the field sobriety test even though they are on marijuana, you can still tell they are under the influence. There is a laundry list of folks that have had automobile accidents because of marijuana; don't let anybody tell you that it doesn't happen because it does.

Some general information, we got those four radar units that you graciously let us have this year; we appreciate that; however, one of them was broken and we had to send it back already. We should be getting that back in the middle of next week so we are good. The cruiser tablets are scheduled to go in in March; I'm looking at him (Chief Stitzel) because he does all this good stuff for us. The OLEG, I knew he was going to say tomorrow so I am looking forward to that happening so we can get that letter and get OLEG back on track that would be really nice. There are some things that are piling up that we can get to; they can wait, but it would be nice to get that done.

The last thing I want to say is asphalt patching. The other day I get a call from Jay and he says to me, 'hey, Frankfurter (that's what he calls me), can you help me and assist out there on SR35 with stopping the lanes with a cruiser for us because it is a little dangerous out there'. I said absolutely we will. The next morning they call and we were running short on a few people so I just went out there in a cruiser. I am glad to say that those guys that work on our road crew they are so fast. It looks like keystone cops out there. They jump out of those trucks and smack stuff down and throwing stuff; it was amazing to watch. It was so fast. I thought it would take us an hour and it was like 35 - 40 minutes. They filled some craters out there. I was very impressed with the road department and I want to make sure they get a shout out for the job they do. It was amazing; those guys are good. Ms. Lommatzsch: Was that last Thursday? Chief Robinson: I think it was. Ms. Lommatzsch: I saw them out there; I didn't realize it was you or I would have probably...Chief Robinson: People always say to me you going to give me a ticket? I go not unless you run by my office.

One last thing that is probably going to hit the news, not sure if it will, but I want to make sure you are aware of this. We did make an arrest today of a suspect for the rape of a minor

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today. It may hit the news and I want you to be aware it might come out. It is nowhere near a funny story, but it was very good police work done by the officers in the detectives section and patrol. Even both my majors went out on the search warrant as well. It was the best timing ever; God must have been looking out for us because the guy was leaving. While they were there, his ride showed up to take him to the airport and he was leaving to go to California and right now he is sitting in Montgomery County jail with at least three felony charges on him right now. He is not going anywhere for the rest of his life.

B) Monthly Update Fire Department – Chief Stitzel: Other than what is in your PAR there, I want to mention we have talked in the past and have switched over to new reporting software and we are just a little bit behind that curve getting the people trained and getting the data entered. I was not able to get my stats into that PAR; I got them today for the next one so we will get caught back up. Some things I wanted to share with you, citywide we are busy. We had 314 medic related incidents, 75 fire related incidents; we are averaging about 12 1/2 calls a day. We are at about a 2.1 percent increase from last year; if you remember we showed a decrease almost every month and that was because of the overdose dropping off, also. That has stabilized and what we are predicting now is probably a two to three percent increase this year like we were before the overdose epidemic. We are kind of back on track with that. We are still seeing an increase. One of the new stats you will be seeing is overlapping incidents to show you what is going on and sell my points to you. It is where we have two or more simultaneous incidents going on at the same time. I have explained in the past typically we have five to seven people on duty a day. An auto accident, or an unconscious, a cardiac arrest, takes out the whole shift; five to seven people have to go to that to handle it. So, when we have more than one incident at a time, typically it is 100 percent mutual aid handling that or if I am in the office, I will go first respond and meet the mutual aid there. Out of those 389 incidents that total for January, 122 of those had overlapping calls about 31.3 percent are overlapping that is two or more. Now this last Tuesday morning at 7:30 am, we had a structure fire over in the Avondale plat and within an hour and a half of that structure fire we had nine other calls. I had mutual aid from Kettering, Beavercreek, Dayton, and I think I had maybe two pieces of fire apparatus and two medic units from Dayton, had Kettering medic, and had Beavercreek medic, all at the same time. At one time I think we had four calls going on at the exact same time. When a unit gets back in service, then it all starts over again. You will be seeing that and we have all kinds of graphs and charts we can share with you also. That is what is going on in January, and it hasn't stopped as February is just as busy. In January, we had 19 overdoses and gave 13 does of Narcan that is pretty much on par prior to the 2015/2016 spike so we are back down to where we normally are. In January, we provided 74 mutual aid medics, eight fire-engines; we received 47 mutual aid EMS responses and 26 fire mutual aid responses. We conducted 300 man hours of training. Like the chief mentioned we are still working on the MDTs and the tablets for the cruisers, those are due to be in in a couple of weeks. We had some issues with the antennas; we had to ship them back and are getting a different antenna. That will save us some money on the installation as it would take us an extra three hours per vehicle so by getting a different mounting style we are going to be able to save some money there on that.

I currently have one vacancy; one many decided to go back to Lexington where he came from. I have an on-duty injury; he twisted his ankle on a medic call. It is a significant sprain and he may be off until the end of March that is resulting in about 336 hours of overtime for March. I already have about 100+ for the rest of February so I am going to take a big overtime hit just because I don't have the part-time to offset when a full-timer is off. I also have somebody off on vacation or an EDO and then I have an injury or vacancy that requires overtime almost every day. We are really hoping we are successful with the SAFER grant, and we are hopefully to get some more people in there. We are still striving to get part-time. Out of eight applications, we end up interviewing three; one already turned us down because he got a full-time job in Beavercreek. The other two are going for their physicals and drug screening right now. We are hoping to get them on board as soon as possible. We are still working with the community paramedicine program; it's



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continuing to build. We are doing monthly well checks, blood pressure screenings at the Riverside Senior Lofts, Mad River Manor, and River Cross Way.

Briefly, the water issue we had last week, we did do some prep when we found out how significant the issue was and how more it could be. We communicated through the department heads and key people. We had a plan in place for a water distribution point here, if we needed it. We did do some up-staffing because I didn't want my fire engines to be out of service because a medical was going on. We brought in some extra people; we didn't know how reliable the fire hydrants were going to be. The crews did a great job during that time period in keeping everybody informed and prepared for the worst case scenario that might have come up on this.

Ms. Lommatzsch: I just want to say it was good to see Toscani and Paula over at Mad River Middle School for that event. It was the first and hopefully will be a beginning of a whole continuing thing. It was a good start and they were doing a great job. I was there for a couple of hours and they interacted with lots of people. Chief Stitzel: Paula is doing a wonderful job with the community paramedicine and the outreach program. She struggles because she is still a paramedic firefighter and still going on 12 1/2 calls a day and trying to get all this stuff in between. The grant money we got from outreach, Montgomery County Reach Out, we are hoping to use that and bring in some relief and have her be able to do stuff on duty while we pay overtime to backfill her. With the part-time staffing shortage we are experiencing every day is a struggle to get the basic necessities done. Ms. Lommatzsch: They were both doing a great job; thank them for me.

C) Monthly Update Service Department – Ms. Kathy Bartlett: I wanted to talk about the Valley Street Sidewalk project a little bit. I checked with ODOT and our share of the construction dollars is \$80,852 that does not include a small percentage that will be due for construction services during construction that gets tacked on to the bid price because ODOT does that service for us, and any change orders that come up. We are well covered with what we have paid to them for our share. On Airway East, the punch list sent to the contractor we have tied him down with some dates. We want the manhole covers adjusted to grade by the first week of March and then the stone on the north side of the roadway will be placed by the end of April. An update on the Army Corp property on the northeast corner of Airway and Woodman; we were being asked to pay for a 5-year lease on the property for the bus shelter and the Riverside sign and I've been talking with them. There isn't a final word or agreement, yet, but they are looking at possibly letting us use the property in exchange for maintenance on it so no dollars exchanged. Mayor Flaute: Has there been dollars exchanged? Ms. Bartlett: There hasn't been, but they were asking for it. And, we have been maintaining it.

Mr. Curp: Some clarification on the money for the Valley Street sidewalk, because what we were looking for was initially when we costed out the project and got the approval from MVRPC, they committed to a certain percentage which was a dollar amount, which they considered a fixed dollar amount. We had the other percentage and whatever that dollar amount was. When the price of the project went up, they said Riverside has to absorb all of that because they weren't working on a percentage; they initially were, but that percentage generated a fixed dollar amount they were going to give us and we had to absorb the rest. It ended up they came up with some more dollars, but nonetheless, their position was their initial percentage applied to their original costing, generated 'x' number of dollars and that was all they were going to provide. Now that the cost has gone done, what is their contribution because the \$80,000 you mentioned doesn't tell me whether or not they are putting in the total dollars that they indicated they were going to put in after the earlier adjustment. Or whether their amount goes down and ours went up and even thought \$80,000 is still a good deal. Ms. Bartlett: I have to check and see what they are paying; what I did was reach out to ODOT who handles our share. We have to pay through ODOT and they were able to give me an exact dollar amount of what our construction dollar share is, but my guess is that MVRPC did not have to put the full amount in or it would have

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pretty much covered the project because the bids came in \$200,000 less. Ms. Lommatzsch: We can find that out. Mr. Carpenter: So far we had budgeted \$122,000 and that was including the MVRPC contribution and the CDBG. The state asked us for \$103,000, I believe. We hope there are no change orders along the lines, but that could add to the original bid award amount. I would think the MVRPC dollars whatever ratio they decrease, ours should match, but we can find that out. Ms. Lommatzsch: Do you know when that project will begin? Ms. Bartlett: There is a pre-con meeting the first week of March and I will be able to find out for sure what the contractor plans. Ms. Lommatzsch: You may want to let the community know that the people who normally use Valley may want to use another route.

C) Monthly Update Planning and Program Management – Mr. Jeff Green: I'm not going to bore everyone with code enforcement permitting data, but I will say as we are coming out of the winter months and we go into spring and summer we are going to start seeing upticks in both permits received and code enforcement calls. Planning Commission had a special meeting on February 19 as the 18th was President's Day and we were off. They had a public hearing for proposed legislation for small cell regulations, urban chickens, and commercial vehicles. All three were recommended approval and I am assuming this will be to you all come March. Board of Zoning Appeals had no cases. We are looking into doing a few demolitions, possibly one this year and a few more next year so the environmental assessments were required for 2362 Bushnell and 2521 Rondowa to check for asbestos and try to get cost estimates for that. I am happy to say both of those do not have asbestos that essentially cuts the potential cost in half. Continue to work on the comprehensive plan update, staff attended Keeping Montgomery County Beautiful and Montgomery County Crimes meeting. We have also recently met with the county land bank to better understand the resources that are available. Essentially, we are trying to have a little resource book for not only the city but for residents so if a property owner has an issue because of codes, these resources are available to help them. That is the angle we foresee. Finally, 2252 Hazelton, that's the star program, we are looking to schedule a contractor for the framing and roof work and potentially do the whole house. Our hope is before the end of the school year that the house be complete. Mayor Flaute: That is the house we are working on now. Mr. Green: Correct.

Mr. Curp: We have those three cases that were approved by the planning commission and will come to us sometime in the future. I would like to see a little more communication to the community about these cases because there are at least two of them that people may have some interest in. For the stuff that went before the planning commission at their meeting there was no advertising other than the legal advertising in the newspaper. We had nothing on our website; it wasn't on the website calendar for boards and commission meetings. There was nothing that would tell the citizens that they could come and express their feeling for or against, pro or con, and I don't think we should do things in the dark. I don't think it was intended that way, I'm just saying we need to be more open about giving people a chance to come and be heard. We don't do much for our own public hearings that we have on ordinances. We advertise in the newspaper, but we don't tell the community much about our ordinances and the public hearings. I'd like to see us do something. And maybe, with two of these it might be good to have community meetings and have public hearing out in the community, in the neighborhoods because there are a lot of people that are going to be affected by some of this stuff and they have the right to know what's going on in advance. Mayor Flaute: That issue was brought up at the meeting by the chair and that was well heard by Mr. Green and hopefully will be communicated in his absence. That needs to be done. A community member brought it up and the chair brought it up at the planning commission. There is work in progress on that. Mr. Curp: Well I hope there is.

Ms. Lommatzsch: This is for information and it is only the beginning stages, but I'm on the MVMAA Board representing the Chamber and the City, at times. The First Sergeants' Organization at the base has come to me and is interested in having some volunteer time in the city to help veterans with rehab or yard work, or whatever in places where they can't

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afford to buy the supplies or to do the labor. I have been in touch with Dan Ryan who has been over in the plat and he is willing to work with Sergeant Kerns and with me. One more thing, but Dan's big problem when he does work and has painted and the city manager has been in the neighborhood painting is getting funds to pay for the needs: the paint, the caulking, whatever. Some of the churches over there have been providing money to reimburse Dan Ryan for his expenses. I approached the Chamber today and put it on their radar so as the First Sergeants' Organization will need some locations where we have cited folks, and I'm not sure how hard core they will be about veterans but it is an opportunity some of the airmen are willing to volunteer their time in Riverside and do some rehab on some properties. Mr. Green: Can I have that person's contact information? Ms. Lommatzsch: Yes, I have that for you.

Ms. Campbell: I just happen to see urban chickens, what's that all about? Mayor Flaute: That ordinance will be coming to us; it was passed by the planning commission at the meeting and so now it is going to come to us for approval. Mr. Green: Essentially, right now, agriculture uses such as the keeping of chickens is allowable in the R-1 zoning district, which is our low density district. It is larger lots, half-acre. Agriculture is permitted as a principal use to any property that has 10 or more acres. As a conditional use, pending special conditions, planning commission can grant an agricultural use to those properties that have 1.5 acres or more. What this ordinance is proposing to do is basically allow folks to have chickens on R-1, R-2, and R-3 lots pending specific regulations. In other words, it would allow a lot more people to have up to six chickens and/or ducks. Ms. Campbell: On an ordinary lot you mean? Mr. Green: Yes. Ms. Campbell: Oh, that would be not a good idea. Mayor Flaute: Well, we will have that opportunity to talk about that.

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

**ITEM 15: OLD BUSINESS**

**A. ORDINANCES**

- I) Ordinance No. 19-O-687 authorizing an 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 obligations of the sublessee previously incurred for the purpose of acquiring, constructing, equipping, installing and renovating hospital facilities. (2nd reading, public hearing, adoption)**

Mr. Carpenter: This ordinance is authorizing the amendment to the master lease purchase, sublease purchase by and among Fifth-Third Bank and the City of Riverside and the Widows Home of Dayton.

Deputy Mayor Denning motioned to read Ordinance No. 19-O-687 for the second time by title only. Mr. Curp seconded the motion. All were in favor; none opposed. **Motion carried.**

The Clerk read Ordinance No. 19-O-687 for the second time by title only.

Mayor Flaute opened the public hearing for Ordinance No. 19-O-687. Seeing no one, Mayor Flaute closed the public hearing.

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Mayor Flaute asked if there were any comments of council. All were in favor; none opposed. **Motion carried.**

**ITEM 16: NEW BUSINESS**

**A. RESOLUTIONS**

**I) Resolution No. 19-R-2447 reappointing Penny L. Humerick to the Property Maintenance Appeals Board.**

Mr. Carpenter: This resolution is reappointing Penny Humerick to the Property Maintenance Appeals Board.

Ms. Lommatzsch motioned to approve Resolution No. 19-R-2447. Deputy Mayor Denning seconded the motion. Mayor Flaute asked if there were any questions or comments by members of Council.

Being no other discussion, all were in favor; none opposed. **Motion carried.**

**II) Resolution No. 19-R-2448 appointing April Franklin to the Parks and Recreation Board.**

Mr. Carpenter: This resolution is appointing April Franklin to the Parks and Recreation Board.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2448. Ms. Lommatzsch seconded. All were in favor; none opposed. **Motion carried.**

**III) Resolution No. 19-R-2449 declaring various IT, Police, and Wright Point 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.**

Mr. Carpenter: This resolution is declaring various IT, Police and Wright Point equipment to be surplus and no longer needed for city purposes.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2449. Ms. Fry seconded. All were in favor; none opposed. **Motion carried.**

**ITEM 17: PUBLIC COMMENT ON NON-AGENDA ITEMS:** No asked to have comment on non-agenda items.

**ITEM 18: COUNCILMEMBER COMMENTS:**

Ms. Lommatzsch: I have several things; first of all the Chamber dinner is Cedarland on Monday night, and tomorrow is the program at Mad River Middle School honoring the young man who is very ill. I plan to be there, the school is putting on at 10:00 am for Jayden Strong. I have some concerns about not having heard about any plans or program put in place to address our levy that will be our renewal that will be on the ballot. Time is ticking away; we are not many weeks away and I think and money and signs needs to be done. The good news thing, the Volunteer Dinner will be on Friday, April 5, 2019, at Walnut Grove at 6:00 pm. I am very pleased to announce our guest speaker is the newly appointed director of natural resources, in other words, all the state parks in the state of Ohio. That is Mary Cole Mertz, who is a 1983 graduate of Stebbins High School. She is going to talk about the parks and volunteerism. She has agreed to be here and it should be a pleasant evening; it's a young lady who has done well, born and raised here.

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Deputy Mayor Denning: Mad River Schools has their spaghetti dinner on March 5, at 6:00 pm at Stebbins High School. That is a big community social event. The Riverside Jaycees has their 40th anniversary on March 2; chief you should RSVP if you are going to be there or not. I'm not looking at the chief in the white suit; I'm looking at the chief in the black suit. I was given specific instructions. My wife is in charge of that dinner. It is the Jaycees 40th anniversary and it is also the community partner's dinner so they will be giving awards to people and organizations and businesses that have been helpful to the Jaycees over the year. It should be a pretty nice event. Please RSVP to Julie Denning if you are going or not going.

Ms. Campbell: This is for Sara. You were talking about the levy coming up; can we get like a community meeting in here? Ms. Lommatzsch: I'm saying I need to know something is happening because time is running out. Mr. Carpenter: I had some tentative dates scheduled and I have draft of information for the newsletter; and I know that the police officers are, the FOP is looking to do a campaign. I will get that information to you. Mayor Flaute: And I understand, Mr. Lohr, if you would like to talk about Facebook Live so we can have that meeting here. We can have it Facebook Live, right? Mr. Lohr: It is functional now, so we ran a couple of tests that were successful. The internet service we have here now poses some challenges with the bandwidth so I would like to test it a little bit further. It may be necessary to wait until we get the upgraded internet service from AT&T, but we know it is possible now. It worked with video and audio. We just had a little bit of cutting in and out because the bandwidth wasn't supporting that much. Deputy Mayor Denning: I would rather wait and give an excellent product than give an okay product and get complaints. Mayor Flaute: The new bandwidth is coming...Mr. Lohr: The new bandwidth is coming as soon as AT&T will flip the switch on for us. I wanted it a long time ago and they have been incredibly slow with getting our service installed not only here but at Station 6. Deputy Mayor Denning: The physical stuff is all in place; it is just a matter of them opening the valve? Mr. Lohr: As far as I know all the components are here at city hall there is some additional installation that needs to occur at Station 6, but my understanding is they could flip a switch for us here at city hall and we would have that new internet service, but they have not done that yet. Deputy Mayor Denning: Then I suggest this: at 8:00 am you call them, at 9:00 am you call them, at 10:00 am you call them, and then everybody else until they get the message that we are not going to stop until they get it turned on. Ms. Campbell: Are you putting a camera in here so you can see the person, who is talking? Deputy Mayor Denning: Do we have a high button at AT&T that we can push; do we know anybody? Mr. Lohr: I don't; if you know anybody that would be helpful. Mr. Curp: When we do council meetings on Facebook Live, where all do we post it? It archives on to our Facebook page so people can access it, and we put it out on YouTube, correct? I am going to suggest that nobody should care as much as we care about getting all the technology in place. We don't have to wait for AT&T and Facebook Live; if we want to put together a presentation about the tax levy and put it out on the city's web page, we can stand here in the council chambers tomorrow morning and do a presentation and put it out on Facebook. We can put it out on YouTube. We can do another one next week and the week after that. Mayor Flaute: I'm not saying we should wait. Deputy Mayor Denning: That I agree with; I'm talking about not putting our meetings on live until we have a good product. Mayor Flaute: And I agree with that. I don't know, we should wait. Deputy Mayor Denning: The other suggestion would be to start on AT&T's Facebook complaint board to start getting people to complain there with customer service. Those people get paid on good customer service so start putting it out there and get the name of the person you talk to and if you don't get satisfaction, put their name on there that they didn't give you good customer service.

Mr. Curp: When is the newsletter going out; we are already at the end of February? Mr. Carpenter: I don't have a deadline; I know it is in its final draft. I can provide that for you. Mr. Curp: Are we going to have tax levy information? Mr. Carpenter: Yes, that was the intent, similar to how we did the road tax levy. We put it on the front page. Mr. Curp: Are we going to tell the community that the street levy didn't pass? Mr. Carpenter: Yes, we can

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add that as well. Ms. Lommatzsch: Well that is the whole story, folks. Time is running out, you can't wait until two weeks before the voting time, people are out of town, can vote early. We are nine weeks away from Election Day. That is no time in campaigns, no time.

Chief Robinson: Major Colon is looking into a drone program, fully funded, of course, the schooling and all that. I just want to make sure that you guys know that Montgomery County Swat team actually has a drone with a Taser on it. That's for you, Bev.

Mayor Flaute: As most of you know I have been out of town for the last two weeks. I was out of town for Valentine's Day, which means I missed a whole bunch of opportunities to do weddings so I haven't done any weddings in the last two weeks, the first time since I have been elected mayor that I haven't done any weddings. I had a great time in Florida. Yesterday, I testified in front of the House Finance Committee for the Mayors of Ohio Association regarding the raising of the gas tax. I have my testimony here; I have OML's testimony if anyone is interested or you can go to OML's page and watch me and Mayor Barhorst from Sidney and Kent from OML. We did presentations and there are about five other folks who did presentations. Both of our representatives were in the audience, Representative Butler, Representative Plummer, and Representative from Greene County Rick Perales were all on the House Finance Committee. Ms. Lommatzsch: What was your message? Mayor Flaute: My message was that the Ohio Mayor's Association believes we should increase the gas tax. If we go .24, which was the original number, we suggested that we go .08 one year, .08, and then .08. The governor came out after that meeting and says he is looking at going up .18, but didn't clarify if it would be gradual or all at one time. The big message that many of us gave, including the truckers association, don't do it all at one time, do it in phases. It would be less burdensome. Deputy Mayor Denning: Have you ever seen gas prices go up .29, .39 in one day? So you know what, I agree, but if you are going to increase it, rip the bandage off. Mayor Flaute: In Tennessee, gas was \$1.96, got to Ohio and it is \$2.35 so there are some people driving through our state trying to avoid Ohio because of the high gas prices. We need to be aware of that and lessen the blow as much as we can. Deputy Mayor Denning: But that is not the whole story. The question is what Tennessee's fuel tax is and what Ohio's fuel tax is because that is where the story is. Just because theirs is \$1.96 doesn't mean they aren't getting it from a supplier that is cheaper. Ms. Lommatzsch: They are right on the fuel line. All I can say is the MVRPC meeting director started with a comment with ODOT there is no money. ODOT is \$1.6 million each year in the hole and the opening remarks were there is no money. That project on 35 that has been on the books since the 1990s when I was first on MVRPC is about to run out of all its environmental studying, engineering studying, and all that. It has been long enough that they are going to have to do it all over again. They mentioned in the news even on Woodman when they talked about the deficit ODOT is facing, and that is what the governor...I'm not all for raising a whole lot of money for gas tax, but that is what it is about. Everybody wants their roads fixed and everybody wants their bridges fixed and there is no money.

Ms. Campbell: They do this every year just before the holidays they lower it and after the first of the year they jack it up. Ms. Lommatzsch: That has nothing to do with the tax; it is all the suppliers. It is where the gas is coming from. So, when you want to have your roads fixed and want the Woodman Bridge fixed and all that think of a \$1.6 million shortfall every year for the next five years that ODOT has predicted. Mayor Flaute: I did say though that this is only a temporary fix because I told them I am a proud owner of a Chevy Volt and I don't pay the taxes. Deputy Mayor Denning: They are going to figure out a way to make that happen. Mayor Flaute: I told them they better be thinking about a way to make that happen. Maybe we increase the license fee like right now you go get your drivers' license every four years, you pay \$25. Ms. Lommatzsch: Not anymore. Mayor Flaute: Maybe we should increase it to \$75 or whatever it is, when you go get your license you are going to pay whatever it is. That was suggested and also using a GPS system to charge a per mile fee because electric cars are real. I have 2000 miles out of my last tank of gas and I put in seven gallons. That is the way the world is going and there are more and more.

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Deputy Mayor Denning motioned to go into Executive session. Ms. Campbell seconded. Roll call was as follows: Mr. Denning, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Mrs. Lommatzsch, yes; Mayor Flaute, yes. **Motion carried.** Council went into Executive Session at 8:42 pm.

**ITEM 19: EXECUTIVE SESSION**

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.

**ITEM 20: RECONVENE**

Council came out of Executive Session at 9:02 pm.

**A. RESOLUTION**

I) **Resolution No. 18-R-2430 authorizing the City Manager to enter into a first amendment to lease agreement with LDSS, Inc.**

A motion was made by Deputy Mayor Denning to approve Resolution No. 18-R-2430. Mrs. Lommatzsch seconded the motion. All were in favor; none were opposed. **Motion carried.**

**ITEM 21: ADJOURNMENT**

Ms. Lommatzsch motioned to adjourn. Deputy Mayor Denning seconded the motion. All were in favor; none were opposed. The meeting adjourned at 9:03 pm.

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William R. Flaute, Mayor

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Clerk of Council