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**ITEM 1: CALL TO ORDER:** Mayor Flaute called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

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

Staff present was as follows: Mark Carpenter, City Manager, Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Chief Frank Robinson, Police Department; Kathy Bartlett, Service Department; and Katie Lewallen, Clerk of Council.

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

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

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

**ITEM 6: WORK SESSION ITEMS:**

**A) Recognition of Jay Keaton's 30 years of service** – Ms. Bartlett: We would like to recognize Jay Keaton with his 30 years of service for the City of Riverside. Jay began his work with the Village of Riverside on July 10, 1989. He worked through the merger with Mad River Township to form the city in 1994. Jay started as a maintenance worker, then foreman, then to his current position as operations manager in the department of public service. In addition to his regular duties, Jay is on-call 24/7 for city emergencies from down trees to assisting police and fire with accidents and spills. In the winter, Jay is the first call for snow management driving as plow, as needed. Besides his work with the city, Jay serves as pastor at his church. He loves to spend time on his farm and with his grandkids. We have a plaque here that says, "30 years of service presented to Jay Keaton; thank you for your hard work, dedication, and contributions to our success".

Mr. Keaton: I can't say how thankful I am. I appreciate this very much. It was very unexpected. I have enjoyed working here all these years as a pastor as well as a maintenance worker and manager for all these years. I have about 55 years of public service in this city combined with the pastorate and it has been a very good thing. I am very thankful to the city for all that you have done for me. This is my town. I grew up here; my dad lived here, come up from Kentucky. All my brothers and I went to school here; my kids went to school here. My grandkids were born here. I am so very thankful for all that Riverside has done for me and hopefully, the work and effort I can put forward in the future, even yet, can still go on and pave a good way for the guys that is with us yet today. I couldn't do anything without such a good boss so thankful she got put in this position. For Kevin and all the guys who support us back there in the service department, they are wonderful to work with. Thank you all very, very much; I appreciate you so much.

Mayor Flaute: Thank you Jay, we do appreciate your service to our great city.

**B) Income Tax Collection Services** - Mr. Carpenter: Tonight, we have with us representatives from RITA and, also, from CCA, but RITA has asked to speak on the topic so welcome Mr. Mark Taranto. Mr. Taranto: Good evening, Mayor Flaute; City Manager Mr. Carpenter; members of council. Thank you so much for granting us the invitation to participate in this evening's work session. I brought with me here this evening our transition

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team so I guess maybe some very quick introductions: Mr. Brian Thunberg from the member's services department, Mr. Matt Mau, and Natalie Zinni. I believe you might recognize Natalie as she was here for one of your work sessions or council meetings as well. Our transition team is painfully aware of the fact that the city is considering legislation here this evening to transition your income tax collection services to the City of Cleveland. When we learned of this, naturally, our transition team began putting together a project plan to ensure a smooth transition for the City of Riverside. In doing that, we began to map the current service levels; things that we know will need to be transferred to the City of Cleveland for income tax collections. In going through that exercise, we identified several areas that we think...we did not have a mapped equivalency that your proposed service provider would necessarily be able to meet those expectation. As I go through this, I will refer to these as I did in the email that was sent to council as what we perceive to be as potential service outages. The first of which is governance. As part of the Regional Income Tax Agency or part of a Regional Council of Governments, currently you have a delegate and alternate. Mr. Garrett you serve as the delegate and Mr. Carpenter you are indeed the alternate. What this means is that annually, you both have an opportunity to attend our Regional Council of Governments meeting. They have an opportunity to elect our Regional Council of Governments officers as well as every year we have three board members up for election. Those board members are charged with the responsibility and oversight of the day-to-day operations of the organization. In looking at the governance issue, we didn't see necessarily an oversight provision by moving to CCA. The second area is electronic filing, an important one given the usage here in the City of Riverside. We are projecting there will be thousands of taxpayers who will not be able to file returns electronically, if indeed, you decide to move forward with this evening's legislation. This is true for two reasons. First, your proposed service provider does not accept returns through modernized e-file known as MEF. Second, if you take an opportunity to look at CCA's website is that they severely limit the number of filing scenarios. There are seven scenarios in which you cannot file a return and those restrictions do not exist with RITA's e-file application. These are scenarios like filing a return with a refund, Schedule C, or Schedule E. Again, what will the filing season look like come this time next year if you decide to move forward. I'm guilty; I'm a taxpayer who tends to wait to file last minute when I file my income tax returns. What is likely to happen is that taxpayers will either attempt to file through MEF for which there will be no pathway for them to file a return electronically, or they might be in one of those seven categories where that is a restriction in which you cannot file a return electronically with CCA as an example. If, indeed, the proposed service provider was willing to commit and provide a solution for you, I did a bit of research looking at the length of time it took our organization to develop and implement and test the modernized e-file program. That time frame was about 12 months. So, even if they were able to implement that for you on your behalf, it will probably fall outside of the boundaries of the next filing season. My point in bringing this to your attention is either two things are going to happen either a) constituents of Riverside, again we are projecting thousands, will not have the ability to file through modernized e-file or b) the administration will have to have a fairly aggressive outreach program to let people know next season that these will be restrictions that you are able to do, filing a return electronically with RITA that may not be available next filing season. The next area is legal. This feedback has come from municipalities that have transferred their income tax collection services from CCA to RITA. They have informed us that CCA does not perform legal work on behalf of its members. Currently, RITA is handling 143 open legal accounts on your behalf, 287 post judgment, and 244 active collection accounts. In the last three years, a whopping \$35 was charged to the City of Riverside for prejudgment, legal, and collection activity. Some might recommend, it is 700 accounts, let's just transfer that body of work to the Ohio Attorney General's office. There are three comments I would like to make about the Ohio Attorney General's office. The first of which, and Mr. Garrett, I am sure you might share this opinion, and if you were to check with some of your neighboring communities, the reputation of the State of Ohio and their involvement in the collection administrations of municipal income tax is not a very positive one. That is probably because of two experiences municipalities have had with the state. The first is the collection and involvement in the deregulated collection of income tax with the deregulated utility

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companies. The second, more recently, is a result of House Bill No. 5; businesses have been able to opt in and file directly with the Ohio Department of Taxation so they file with the state and as you know Mr. Garrett that money is transferred and distributed. There has been a lot of problems with that; you've probably read a lot of press here in the Dayton area about the state's involvement in municipal income tax. We would not recommend, and I find it hard to believe that someone would recommend just based on the reputation that that would be a path you would want to go down. The second is you are adding another level of complexity that is going to create confusion for the taxpayers. At RITA, we handle your entire collection process; it is one point of contact from collection to litigation. If a question arises with a taxpayer concern, they have one point of contact being RITA. If you add either an outside firm or you add the Attorney General's Office, you're adding another point of contact that the taxpayer in the event they have questions, they would need to contact the GA's office. The Ohio Attorney General's Office's is not an expert in municipality income tax so it is likely that if technical questions arise from the taxpayer, they will probably have to redirect them back to CCA to answer those questions and then again back to the Attorney General's Office for additional questions. Lastly, we would anticipate there would be an increase in cost not to the city, but to your constituents; your voters, your citizen's here in the City of Riverside. The Ohio Attorney General's Office charges 10 percent for collection activities. I just provided a few moments ago what we charged, which was no additional cost for collection activities and legal was \$35 over the last three years. It is 10 percent for collection activities; and I believe it is an additional 25 percent on top of the 10 percent if legal counsel has to get involved in that collection activity as well. This is a fee right now that the city is not being charged nor your constituents. People would take the approach or attitude to say well what do we care, the city isn't going to be able to charge us, but the fact is that cost is going to be layered onto the backs of the citizens of Riverside. That is something right now that doesn't exist. Another area we perceive to be a service outage is local taxpayer assistance. Mr. Garrett as your duly authorized official here, he has access to what we refer to as the tax authority portal. That provides him with tools to file electronically in the event someone comes into city hall on behalf of the taxpayer and capture the payment. It also provides him access to images of tax returns so everything that comes into our organization there is an image that is rendered the return, the schedules, the W-2s, etc... The data is updated on a daily basis. It is our understanding, as this is feedback from folks who have transferred service from CCA to RITA, two things; there are no access to images, returns or schedules as far as the information we have from a recent member that transferred. The other is the data. The data is updated monthly, which means the data that your duly authorized official could be looking at in attempting to service your constituents could be as old as 30 days. Envision a taxpayer walking in the door, attempting to have an intelligent conversation with Mr. Garrett on the status of the account, recent payments that were made, potential adjustments to the account and they may not be reflected because the data is only updated on a monthly basis. Mr. Garrett would probably have to pick up the phone and call CCA and I am sure they could probably fax over a return or confirm the payment history, but that is not a condition that exists today when Mr. Garrett accesses our tax authority portal. The last item is not necessarily identified as a service outage, but we see it as a risk. In our nearly 50 years as an organization, not one single member has left RITA and transferred their income tax collection services to CCA. In fact, the opposite has happened; 30 municipalities have transferred their service from CCA and joined RITA. I believe if you are interested, Mr. Mau has brought a couple of letters with him this evening of recent municipalities who have done just that. Why do I bring this to your attention? I will allow you to draw your own conclusions and to contact those member municipalities to gain their feedback and why they transferred their service. The other reason I bring this to your attention is that CCA has never converted a RITA community. What we have learned in our experience of over 50 years of onboarding and bringing on new communities each system, the version of that system, and the usage of that system creates challenges in converting municipalities into your system of record. I believe CCA is known as the Midas System. When you are conducting a conversion for the first time, there is risk and development time and you need a lengthy amount of time to ensure a smooth transition to avoid any bumps. So again, we are aware of the fact that the administration is considering legislation here this

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evening that would authorize the city manager to enter into an agreement with CCA. Our transition team respectfully requests that given this information that the administration perhaps take a step back, process the information that we have provided here, and possibly either table or reconsider your decision to move forward with entering into an agreement until which time you as an administration that any of the service outages or any of the potential additional costs that you may incur through legal services being provided to the city. This is the team here before you. We will be handling the transition should you decide to go forward and we ensure you that if you decide to go forward we will make this transition as seamless as possible to the extent that we can. On behalf of the executive director of RITA, my colleagues here, we are hopeful this evening that we can continue our partnership that we have had for the last 25 years. I have no further comments and open it to any questions you may have.

Ms. Fry: I would like clarification on this memo from Mr. Garrett dated June 13, where it says CCA has previously transitioned accounts from RITA and has appropriate contacts to coordinate data exchange. What you said, sir, tonight, seems to be in contradiction to that statement. Mr. Taranto: Are you directing the question to me or to Mr. Garrett? Ms. Fry: Both of you. Mr. Taranto: That is absolutely correct, what I said is absolutely correct. That no one, and I have been with the organization for 27 years, we have no knowledge of a community that has left and gone directly and has then converted to CCA, ever. If there is one, if someone would let me know who that is, I would certainly research that and get back to you. Mr. Garrett: I was assured by CCA they have indeed processed data from RITA. I know there are some communities that have left RITA and gone to some other mechanism and then at least a couple of them are now at CCA. There probably was an intermediate step in there and they may not have gone directly from RITA to CCA. Mr. Taranto: I would like to build on that point. I believe it was Clayton, Mr. Garrett, might be the one you are thinking of. Clayton, I believe, went to Vandalia and may have gone to Hamilton so there may have been a step or two before going to CCA.

Deputy Mayor Denning: So, we made our decision to send the letter on or around the middle of June. Mr. Garrett: It was the end of June meeting about the 20<sup>th</sup> of June. Deputy Mayor Denning: My question is, why weren't you here, RITA had no representation at that meeting to either answer questions or give us this type of presentation to let us know that we would...to help us make a better decision. It is very difficult for me to believe that we would with that kind of service would be a positive. That is my thought. I guess my question is why weren't you here on June 20, when we were making the decision? Mr. Taranto: I'm going to ask Ms. Zinni to approach, and I am going to be quite candid with you, Councilman Denning. Approximately two weeks after Natalie's presentation we did follow up almost the same time because I did go back and watch the committee meetings that were subsequent to that presentation and meeting. We contacted Mr. Garrett, naturally, to follow up to get his opinion as to how the council meeting and presentation went and watching the presentation that Natalie made, we came away with two action items. There were two tasks we were assigned from council. One was a preference, I believe, to print the logo, correct, on the postcard filing reminder; and the second was there was a concern over business canvassing both of which we formulated a response and sent back to Mr. Garrett in writing. Our responses were two-fold; one, yes, we are in agreement we can certainly print the city's logo and name on the postcard filing reminder to your preference; the other was on the question of business canvassing. Three or four years ago, Mr. Garrett was kind enough to provide us with a list of businesses here in the community and we did actually conduct a business canvassing program on behalf of the City of Riverside. Our response back via email was that we would be happy to do that as well and we left it with the relationship of, Tom, when you need this service provided again, and much like you have heard from CCA, it is at request. We also asked how did the meeting go, and we were told that no schedule had been set for an upcoming meeting and if anything was needed he would let us know. We relied on our 25-year partnership with the assumption, being my fault, that we would have been contacted. Perhaps I am at fault for not more closely monitoring the agenda here at the City of Riverside. We expected if something was needed, we would have been contacted.

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Ms. Zinni: We also provide, Brenda, I believe you requested the MEF statistics. I had provided them to Tom to provide to you. He was our contact. Ms. Fry: I don't believe I got those. Ms. Zinni: I have copies of the emails with me. Mr. Garrett: I wasn't sure if you go that or not. She did reply with statistics. Ms. Fry: Does anyone know those statistics right now? Ms. Zinni: I have copies of the emails and they contain the information about the canvassing and also the printing of the logo on the postcards.

Mayor Flaute: The biggest complaint I have always heard since the beginning of the time we became a city was your forms were horrible and very difficult. My own CPA said that, also. Why can't you have a form for each city. I know you have a lot of cities, but with the software that is available now, I would think you could get a form that was friendlier to our city. Mr. Taranto: I appreciate the feedback on the forms; historically, if there is one thing I think we have demonstrated in terms of our forms and again I have been with the organization almost 30 years; there was a time where we had five income tax forms. We had forms for reduced credit; we had forms for hundred percent credit; we had a long form; and we had an EZ form that all you had to do was staple your W-2s and send it to the organization and we calculated your tax for you. As people continue to gravitate towards other methods of filing whether it be MEF, in fact, what you will find is almost 50 percent of the people, and mayor you might be one of them that uses a preparer and as people gravitate towards other methods of filing whether it is MEF or electronic filing, the form we have now what you are looking at is the long form. It handles every scenario. Rather than having ten forms as that tends to confuse people because you have reduced credit communities that require a different calculation, 100 percent, if people move, there are different provisions that need to be accommodated within the form. We appreciate the feedback; if you have specifics on the form we would be more than happy to take that feedback if you have recommendations and what in particular about the form is troubling for you, the administration, or residents of the City of Riverside. We would be happy to create a user group of your constituents. What is it specifically that needs to be addressed on the form. Believe it or not on the long form, probably half; there are a lot of lines on that form that aren't applicable to the W-2 filer. As an example, there are a couple of schedulers who deal with things like scheduled incomes. It is our schedule J, so if you have rental income, your self-employed...looking at might give one the perception that the form is complex, but there are only half or less lines on that return that are actually applicable for a good number of taxpayers, who still elect to file a paper return.

Ms. Fry: You mentioned we could have user groups; is that something you typically do? Mr. Taranto: We have outreach with residents in the past to garner input. If that is something you would elect to do, or maybe, I don't know as an example if you can receive a service request here at the city, can people send in a service request or provide feedback? Perhaps there is something we can coordinate with your website where people can email in specifics, items that they find troubling with the return. Ms. Fry: I am not asking potentially. I am asking historically. Mr. Taranto: Over time, yes, we have accepted input and incorporated input from various groups into our tax forms. Ms. Fry: Have you had user groups like you just mentioned. Mr. Taranto: Yes, including preparers. One of the biggest ones we received feedback from was from two public presentations we conduct and receive feedback even from the preparer community on areas of the form. Ms. Fry: What prompted those user groups? Mr. Taranto: The examples I just gave you actually are presentations we perform; they are instructional in nature for professional preparers. Ms. Fry: I am not able to decipher your answer. You said that you have historically had user groups with residents from communities. Mr. Taranto: Over time we have received feedback from residents and we incorporate that feedback into...what I am suggesting was if you would like to create a user group, we would be more than happy to be involved in the organization of that. Ms. Fry: I'll step away from that question. You said that from the previous meeting we had asked about putting the logo on the mailings. When did you determine that you could do that? Mr. Taranto: Shortly after the meeting. We had a discussion...Ms. Zinni: The email is dated May 22, 2019, because I think before we left I asked if we could communicate through Mr. Garrett or not and you said yes. I assumed he would give you. Here is the email I sent, it has the

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statistics for the MEF filing, it has the postcard information, it has the canvassing; I 'm not sure what else is included in there. Ms. Fry: Do we know how many overall filings we have per calendar year? Deputy Mayor Denning: Overall, how many filings from Riverside per year? Mr. Thunberg: I think it is about 6,500, roughly. I believe that we would anticipate that more than 2,000 residents would be impacted by the move to CCA, so 1/3 of your taxpayer population. Ms. Fry: Could you say that one more time, I didn't catch it all. Mr. Thunberg: There is about 6,500 total individual returns that are filed on an annual basis. We anticipate there is going to be more than 2,000 individuals that Mark had suggested that will not be able to file, if the transition was moved to CCA; therefore, so based on a percentage about 1/3 of your entire population would not have that same level of service as you have today as opposed to moving to a different service provider. Ms. Fry: Where does that 2,000 number come from? Ms. Zinni: What you are looking at...I think what maybe you are confusing, those numbers there are the MEF filings, those are modernized e-file, when they file their federal, the information drops down into state and your municipal return. Mark is speaking about electronic filing using our website to file. That is a different number. Mr. Taranto: That is a different number. The numbers that you are seeing in addition to that would be folks filing through our website through what we call fast file or we have a more comprehensive application for filing a return electronically. What we are projecting is based on the current restrictions with CCA, and I just gave a couple of them, we are projecting that additional amount of taxpayers would be affected and restricted from filing a return electronically unless the service provider elects to invest time, money, and resources to develop solutions to accept those filings electronically. Ms. Fry: Is it correct that RITA has never put a logo on their mailings prior to this request? Mr. Taranto: No, that is not true. We have from time to time put logos and city names on...well, we transitioned away from forms so there was a history in some point of time of putting city logos or city name on tax form packets. We even have that ability to print that on a billing statement, if you so prefer. Funny, though, most communities don't elect to do that. They don't like when someone gets a bill they call the city, but they put it on the form or the postcard filing reminders so we have had that. We have had a number of vendors so it has changed over time that is why we had to consult with the records processing manager that oversees that project just to make sure that nothing had changed with the technology or the ability to put the logo on there. What we did discuss specifically was if you receive the postcard filing reminder, the landscape isn't all that big so we were discussing exactly where we would place it to make sure the city name and logo would have the appropriate amount of real estate.

Mayor Flaute: So, is there an additional expense to doing that? Mr. Taranto: No, sir.

Mr. Garrett: Mark, when you were talking about legal costs a little while ago. Maybe I didn't quite follow it all there; you said the legal program is an extra cost thing that we have given a revolving pot of money to dip in and then it gets replenished by charging the individual taxpayer as part of his account or balance due. You said the collection cost is not charged to the city. Wouldn't that all go into the cost of operations and then be divided up in the allocation formula? Mr. Taranto: Yes, it is part of the overall costs, but there is no additional costs. There are two services that we provide that have an additional cost or another service that bears an additional cost, which I believe you participate in, is our non-filer program. It is a two-step process. The first step is when a letter is sent out; there is no additional cost so there are costs within the formula. Then there are additional costs outside of that. A subpoena as an example would be an additional cost; it is \$8 per subpoena that we send out on behalf of the City of Riverside. The reason behind that is we actually have agents here in the field so if you recall, we may actually be using your city hall for that program. As an example, I am looking at some statistics here during that program, we issued 2,956 subpoenas, but the return on that was that we identified \$519,284 in liabilities, of which, as of this report, we have already collected about \$209,000. So, there is a cost for some of the additional and that is at the election of Mr. Garrett or the city as to whether you want to participate in those programs. What we find is the return on investment more than pays for the program.

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Mayor Flaute invited CCA to come and discuss the issues. Ms. Jordan: Good evening, I'm glad I was able to be here tonight. I would be interested to know what the statistics were as far as how you came up with a percentage of accounts where individuals would not be able to file. How many individuals here file with schedule income. Mr. Thunberg: Do we have the statistics on the scheduled income? Mr. Taranto: What we would be happy to do is provide back that level of detail to the administration as early as probably tomorrow morning. What we asked for was a query from our IT department looking at what I believe are the seven conditions that are restrictive if you file through CCA's website. I gave you a couple of examples so what we said is a return that is currently being filed through RITA through our website, if any one of these seven conditions exist identify that account. As well as the MEF, you have the MEF numbers in front of you so we know as we sit here today that is not a possibility CCA so that is one group; the subset you are looking at. Then we asked our IT department to go in and run a query and identify everybody that currently filed in the last tax year with a City of Riverside return and if one of those seven conditions exists that is why I used the word 'projection' we are assuming that this time next year if that condition exists in the following year that they would be restricted from filing. We will provide some of that information; we can probably redact out SSNs, but I would be more than happy to provide that information to Mr. Garrett to the extent that he can share it with the administration without violating any confidentiality rules. Ms. Jordan: I would be interested in receiving those statistics also so we can respond to what those restrictions are and how those are actually worked through our system.

Ms. Fry: The numbers I am looking at is 10 percent of our filers are using the TaxAct software and about 20 percent are other type of filers using their electronic filing. Those are the numbers they gave me. Ms. Jordan: Once we get those statistics I would like to go through and look at them; there are a few restrictions and they are very specific reasons for restrictions. We do not accept a refund request on an e-filed return. We want to be able to review that return to make sure it is accurate before we would refund any of your money. It is very easy to complete an e-file return and not have a review of that done as thoroughly as if it was actually filed on paper so yes, if a taxpayer has a refund; we want to review that return.

Mayor Flaute: Mark talked about the legal problems at the Attorney General's Office; can you comment about that? That the AGs office is slow. Do you have any comment about that? Ms. Jordan: I can tell you myself that we have several of our communities who are already using the AGs office for collection and are having very positive response from this. The 10 percent that is charged back, you have to remember, that these are taxpayers that we have already expended several letters, several processes. We have worked on payment plans; we've worked through several agreements with them, and these are the accounts that are not responding. There has to be a final step. We just had a presentation from Jennifer Zack from the AGs office at the Ohio Municipal League Tax Conference last week where she talked specifically about this program. For municipal tax purposes this is a really great program because HB No. 5 restricted us to where we can only charge post-judgment costs and collection back to a taxpayer. With the AGs program, it is a 10 percent fee they add on to this, but you do get 100 percent of what they recoup after their 10 percent fee. If a taxpayer has a state refund they will seize that refund to pay the municipal tax debt. If a taxpayer casino or gambling winnings and they go to cash out and they have a certified municipal tax debt they are not going to get cashed out because they have a balance that is owed to you. Those are additional ways of recouping that money through the AGs office. There was a rumor floating around the AGs office that they were not taking on any more municipalities and that is absolutely not true. As a matter of fact, Jennifer said they would take on every municipality in the state if they could. It is an excellent program and we do have first hand experience with it. I do believe RITA does contract out to a third party, Reimer and Associates, if you wanted to talk about that program.

Mr. Taranto: A couple of things, I want to take a second and address a few of the comments. With regard to returns filed electronically in the prohibition with CCA to request a refund

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through an electronically filed return as you may or may not know, we look at historical filings to make sure that a refund request, the amount of income being reported is consistent year over year. If there is a flag, something that we see as being uncharacteristic, we will request on the occasion so as not to burden the taxpayer with sending a paper that is supposed to be one of the incentives of filing a return is to do so easily to your point, mayor. We will request copies of W-2s or federal schedules, if necessary; we find in most cases we don't have to do that. The reason is that we are involved with an exchange of information with the IRS. We generate \$21 million a year on behalf of our members with that program so if someone files a return and neglects to include a W-2 or a schedule on that amount, we will identify that, assess the taxpayer accordingly and collect that amount. There is evidence to that effect because we are doing do to the tune of about \$21 million a year. As far as the AGs office, there may be success stories out there, but as you heard, the additional cost. That is the question the administration has to grapple with. What you are paying now for legal services versus the option of going to the AGs office and that additional cost doesn't exist today being layered on the backs of the citizens and residents here in the City of Riverside. Reimer and Associates, yes, we do contract out, Reimer and Associates has been a long-time partner of ours. We use them for what is called post-judgment collection. We handle everything up to judgment and there is very little of that according to my chief legal counsel that we actually have to use for the City of Riverside. Reimer and Associates handles what we call post-judgment collection so things you hear like garnishments, bank attachments, those type of things that is the service Reimer and Associates uses. Because of the size and scope of our organization, they actually give us a preferred rate of 18 percent. When we are conducting that business on your behalf most you will find in the market and feel free to shop and look around to what the fee is; it is typically around 30 percent is what is being charged for that work. Ms. Jordan: Before you go, how frequently do you have access to FTI if you have a refund request that comes in. First of all, FTI is not going to show a W-2 or withholding information, and how often do you get FTI. Mr. Taranto: As far as local withholding, we have a program we refer to as the PEPSI program. We never rely on one particular source of information for auditing and making sure the accuracy of the returns that are being processed. We have over 70,000 employers that file with our organization and submit electronically filed W-2s. When there is a question regarding withholding being paid to a jurisdiction and providing the appropriate amount of credit, particularly in the area of a refund, we also leverage that information as well. I do agree with you that is not an element that is contained within the IRS extracts; we are using historical data. Did taxpayer John Doe have that withheld year after year? Can we leverage W-2s submitted by employers to verify such information? There are a variety of different sources. I don't want to sit here and paint the picture for you this evening that that is the only tool we leverage many tools to make sure the processing of the return is accurate and that taxpayers refund is due. Ms. Jordan: As do we, thank you. Are there any other questions?

Mayor Flaute: Not seeing one of your forms, do you have different forms for different cities or do you have a generic form like RITA has? Ms. Jordan: We have a generic form. It is broken down based on residency and employment, but again as we discussed at the last meeting any kind of form that comes in on a generic format with HB No. 95 that was passed in 2003, any municipal corporation or any third-party vendor is going to accept a generic form for a taxpayer. We have a lot of preparers out there who use a generic form. In the Dayton region there is one specific form that a lot of them use so we accept those forms absolutely.

Ms. Fry: Comments were made about the relationship with Mr. Garrett when a resident comes in to talk about their taxes, could you remind us how that would work? Ms. Jordan: Mr. Garrett would have access to viewing our system, which is called MIDAS. The reason why we don't provide live data and why it is after a hard-roll, after a balancing at the end of the month is because if a taxpayer files a return and they've tagged the wrong city. We go through a review process before we roll balances and give a distribution to make sure that everything is accurate. After the end of that hard-roll, he has access to everything that is in the system. Typically, when a taxpayer comes in if they have received a balance due bill, or



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they receive some kind of a notice, then the balances have already rolled so that pertinent information is going to be in the system. If a taxpayer comes in and wants assistance in getting the return prepared, Mr. Garrett would still be able to do that; however, because of all of the opportunities that we offer for our taxpayer assistance not just during tax season, but throughout the year, we would have a regular schedule when we would be here in your building so he could either assist that taxpayer or by virtue of putting things on Facebook and on your website and advertising it to be able to say every Tuesday afternoon from 1:00 – 5:00 pm a CCA representative is here. Residents would get used to knowing what that schedule is so they would know when they could come in and get that hands-on help.

Mayor Flaute: One of the concerns we brought up last time, too, was being forward to seeking out the businesses that are located in Riverside. You stated you have an aggressive way of doing that. Ms. Jordan: We do business canvases and when I was here the last time we talked about that. Our canvas team was actually in the village of Obetz working on a distribution facility and a Jed-Z canvas at that point in time. Once you come onboard, it wouldn't happen until the summer after the first filing season. We would want to make sure we had everybody taken care of as far filing first, but typically during the June/July time period we would come out and do business canvas and take a very aggressive look at businesses in the community making sure we have everything in the records that should be there.

**C) CIP and 2020 Budget** - Mr. Carpenter: I just wanted to give you a brief update as we move through this process. What you have at the dais is a binder clip full of capital projects that were submitted by staff. There is a summary sheet in there for what we are calling the non-roadway improvements and then also one for roadway improvements. They are sectioned off, the one that are currently in the budget and ones that are not currently in the budget. I would just like council to review those, give it some thought. At the next meeting we will have an update that will pare some of these down a little further and then we can begin some discussions on what council would like to learn more about, which of these programs and then we will have some we will suggest we need to talk about further. Accompanying that, the second hand out that came with it has the total right now in the budget for the operational funds and then that is showing a balance of \$21,000 remaining. The capital expenditures you have here in the packet are currently over; we are still working through those, but they are currently over \$300,000. On the back of this sheet is a more updated list of projects that are in and out. You have currently where we are. Ms. Fry: I didn't catch what you said, a list of projects that are what? Mr. Carpenter: That are currently out, in and out, I should say. The summary sheet that you have in this is a little bit different than what you have here because we are continually working on this. Ms. Fry: So which ones are in? Mr. Carpenter: This here. Ms. Fry: So, these are the ones that are in, not the ones that are out. Mr. Carpenter: Correct.

Mr. Carpenter: Some of the challenges we are having is trying to create the spreadsheets we have traditionally used and trying to create the CIP funds and spread them out or divide them into roadway and non-roadway. Where we place the gas tax is the most recent challenge we are having. Right now, we had it totally out to fund these projects, but historically it has been part of the service department budget so we are running into some issues about what all that gas tax has covered. The gas tax pays for work on streets so the labor portion is the part we are trying to deal with on the spreadsheet. Ms. Fry: Could you elaborate on that. Mr. Carpenter: The gas tax pays for clearing streets, paving streets, reconstructing streets, everything to do with streets. Mayor Flaute: Major streets or all streets? Mr. Carpenter: This would be all streets. But, you have to pay for the work to be done on the streets. So, when our guys go out and perform work some of that money is used to pay for their labor to do that work. Deputy Mayor Denning: So, if there is a major pothole some place and that gas tax covers their labor and the materials to fix that pothole. Mr. Carpenter: It would apply in that scenario, yes. Deputy Mayor Denning: That is what you are trying to figure out how you can adjust those numbers out of service and into another line item. Mr. Carpenter: Right. The challenge would be if you take the entire gas tax out then you have to make up for how

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you are paying for all the labor. Ms. Fry: How did we pay for it this year? Mr. Carpenter: Well, historically, and this is the way other cities do it, you take the gas tax and usually put it in the service department budget so a portion of that covers the service department wages. Ms. Fry: Is that how we did it this year? Mr. Carpenter: Yes. I don't to leave the impression that the gas tax it just pays for materials. You can use that money to pay engineering costs, right. You are paying somebody to perform engineering work. Mr. Curp: But you can't use it...I guess the question is, under the ORC are their restrictions as to where you can and where you can't because using generic terminology that says we are looking at taking it out of the service department and putting it in other places, I don't think you can take it and put it in the fire department or police department. Mr. Garrett: That is correct, but gas tax has to be related to road work. The actual construction, maintenance on a road, planning and engineering of the road; the way we have had the budget structured in the past is the gas tax being deposited into the street and state highway fund and then it has been more of a comparison, if you will, and by inspection the amount we spent on road efforts compared to the amount of revenue coming in. I think he is trying to automate it a bit more in the new model to only apply it to where it could be used. Deputy Mayor Denning: Right, so we need to make sure it isn't paying for getting the parks mowed that it is paying for street specific things. Mr. Carpenter: Exactly. Kathy and I have had a lot of conversation about it here recently, so we are still trying to work through that. Deputy Mayor Denning: Could it be used for the trees that fell on the street and the street department went out there and cleaned up the street, would that be considered or is that a gray area? Mr. Carpenter: The Ohio Code is written to say this can be used for clearing the streets. Deputy Mayor Denning: Okay, but definitely can't be used for mowing the park. Mr. Carpenter: Correct, it doesn't say anything about mowing parks.

Mr. Curp: What is the total budget for the service department, roughly? Ms. Bartlett: It depends; I just spent a lot of time pulling out the CIP elements from the budget so I don't have a budget in front of me...Mr. Carpenter: The payroll is about \$1 million, and as Kathy was saying she pulled out somethings that are obviously CIP type work so it is about \$400,000 worth of operations in there. So about \$1.4 million in the service department budget right now. Mr. Curp: And how much do we receive for gas tax? Mr. Carpenter: We usually receive about \$700,000. With the new gas tax, it is projected another \$500,000. Mr. Curp: I don't think we do project accounting to the point where, probably at all, we don't do project accounting to where we identify the efforts we are doing today are applied to this project or that project. Trees in the park as opposed to potholes and storm sewer so since we don't do that it would seem to me if we are receiving a gas tax amount that is about 50 percent of the overall budget, and I am not sure it is that high, it's less than 50 percent. Nonetheless, it would be safe to assume that since the primary work that the service department does is on the streets, storm sewers, and infrastructure that falls under gas tax...Ms. Bartlett: We spend more than 50 percent of our time in the summer mowing parks. Mr. Curp: That's okay, because in the non-summer months you probably spend 100 percent of your time on the streets and now mowing in the parks. Deputy Mayor Denning: Patching holes, and clearing streets of snow and debris. Mr. Carpenter: We are trying to work up, evaluate the amount of time where the service department has their efforts and be sure we count the labor part of roadwork with the gas tax dollars as well as the work. Mr. Curp: Under project accounting, you'd have other areas that you could charge those costs against the gas tax. For example, we have a maintenance agreement with people who come out and manage the traffic signals that is affiliated with the streets. If that is included in the \$1.5 million budget that is probably an appropriate and fair allocation of gas tax money is to pay for that. Guard rails, we contract out for someone else to come and do the major guardrail work. That is probably in the \$1.5 million even though it is not our direct labor. Ms. Bartlett: If you look at the second divider in your packet in looking at the capital improvements which includes guard rail, signals, signing, and then projects; basically, I totaled it up trying to get to what the gas tax is and the increase because we spent about \$1.3 million this year on projects. The guard rail, the signals, the signing, all of that was in the operating expenses of the service department. It's very messy for my department the way the budget works. I really think that the capital items need to be pulled out and we make a set amount of the gas tax be

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allotted to capital improvements. Deputy Mayor Denning: Street capital improvements. Ms. Fry: So, that would be the solution to the messy situation? Mr. Carpenter: Yeah, that is one of the things we are trying to work through. There are different sources of funding for roadways like the permissive tax, the motor vehicle tax, and then the gas tax. Those are all eligible for roadways work. Some are just strictly like permissive tax, is strictly designated, some more major thoroughfares. Ms. Fry: So how much, because I was thinking about out earlier conversations about thoroughfares. How much do we anticipate spending on thoroughfares next year? Mr. Carpenter: Next year? I don't believe we have anything needed next year. In 2021, it starts to get...Ms. Bartlett: Well, I have listed...Mr. Carpenter: I'm sorry, let me explain myself, I was referencing the big projects that are scheduled, but yes, there is some additional work. Ms. Bartlett: There was some in that draft CIP that went out and that is constantly changing with influx of grant opportunities and things like that, but in this packet you received tonight, the 2020 capital improvements roadway I listed what would be my best guess for thoroughfare projects and actual pavement mill-and-fills would be on Schwinn, Community, and then spot repairs on thoroughfares, which total about \$100,000. That is to keep the thoroughfares buttoned up, because we spend about 60 percent of our time patching potholes on 20 thoroughfares. We don't spend most of our time in the residential areas. We really need to get a handle on the thoroughfares and there is also thoroughfare work that needs to be done on Woodman that right now we are under...I'm working with ODOT and their consultant to do a safety study from Springfield to Airway where the wall is. That project, I don't know how long that wall is going to last. It is long overdue to be replaced and that is a \$3 million job, but also, we have a lot of accident problems along that wall so just replacing it in place is not the way to go. There is going to be a safety study that ODOT is funding 100 percent. This will take a few months to do; they are working on the scope right now, it is a very slow process. After that, they will give us the recommendations. I've asked them for immediate recommendations, which may be some skid resistant pavement to put on the inside where cars go into Community Park, but also long term, which may be realigning that roadway. The next stage, which needs to happen in 2020 is a feasibility study to hire a consultant, to look at different alignments and take whatever their recommendation is and make them real before we go after a grant because this feasibility study will give us better numbers to put in our grant application so we are not stuck like we were on East Springfield with a big dollar amount that we have to come up with ourselves because the estimate was too low. This \$100,000 is a thoroughfare expense. There is \$11,000 in there for Old Troy/Needmore intersection. That is another grant that we only have to pay \$11,000 to get a \$600,000 signal. There is a lot of stuff in here. Ms. Fry: The major projects you said are hitting in 2021? Mr. Carpenter: Right, East Springfield starts in 2021. Mayor Flaute: What about Airway West? Mr. Carpenter: We wrote the check this year for that construction next year, assuming the bids come in where they expect to be. Deputy Mayor Denning: The state asked for our portion early. Ms. Bartlett: It's in our budget, we haven't actually paid it yet because it bids in October. Mayor Flaute: The work is going to be done...Mr. Carpenter: There still could be some preliminary work this fall, but we believe the major construction will begin in spring of next year. Mayor Flaute: Good, that intersection is getting really in need of work. Deputy Mayor Denning: You need us to digest this and you need our feedback. Mayor Flaute: On the 25<sup>th</sup>? Mr. Carpenter: No, we will come back on the first, the next meeting. We will sharpen the pencil and get this a little more firm, but look this over and on the 1<sup>st</sup> if you have any questions, we can address those. Mayor Flaute: We were talking about having a special meeting on July 25<sup>th</sup>, but not for the budget? Mr. Carpenter: Right, it was for goals. Mayor Flaute: So, we will have a summary of the staff retreat and goals on July 25<sup>th</sup>. Mr. Carpenter: I have the summary this evening.

Deputy Mayor Denning: I want to thank the manager and anyone who was involved in putting this together because this gives us a lot of good information ahead of the budget to be able to digest long-term rather than get it the night before and try to make decisions we shouldn't be making that quickly. Mr. Carpenter: Major kudos to Kathy, our chief architect with us here.

**ITEM 7: RECESS:** Council recessed at 7:05 pm.

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**ITEM 8: RECONVENE:** The meeting reconvened at 7:15 pm.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:** Mayor Flaute had Councilman Teaford lead the Pledge of Allegiance.

**ITEM 10: MINUTES: Consider approval of the minutes of the June 15, 2019 special Council meeting and June 20, 2019 regular Council meeting.** Deputy Mayor Denning motioned to approve the minutes as presented. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

**ITEM 11: ACCEPTANCE OF PRIOR MONTHS FINANCIAL REPORT:** Deputy Mayor Denning motioned to accept the prior month's financial report. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

Mr. Carpenter: I have a form here that Mr. Garrett prepared and it has the credit card information with the credit card policy we adopted earlier this year. We will start including this with the financial report as it is a requirement from our policy so I will pass them down. It basically has the information of who has the card, the amount and expiration dates.

**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: In the packet is the report and I will be glad to answer any questions council may have. Mayor Flaute: Woodman Drive/US 35 interchange plans are underway for ODOT consultant who is working on the cost of the bridge aesthetics, is that still being done? Mr. Carpenter: Yes, we haven't received anything. Mayor Flaute: I thought there was a time problem with that. Mr. Carpenter: We submitted so once they get the information they will come into council and share those estimates.

Deputy Mayor Denning: I see the work on the safe routes to school on the Valley Street sidewalk and it is looking like it is moving forward, and I like what I see.

Mayor Flaute: On development, on Linden Avenue a car was is proposed for sale. It has been for sale. Mr. Carpenter: I apologize that was going to be on the planning update. So, there is a Mr. Andrewzofski with Cross Development who had contacted us to inquire about the redevelopment of that property so it sounds like someone who owned it was considering putting a Hookah Smoothie, I think that person has sold it to this company here so they are looking to redevelop that property.

Ms. Fry: The backup of city data and email archival, is that moving forward, is that sliding backwards? Mr. Lohr: I am still looking at options. I have looked at two different options for email archival and then I am looking at some other options for data backup. I don't like the prices I have gotten so we are looking at to replace what we have now like for like, we have Unitrends devices. We are looking at \$50,000 for devices alone and a 5-year service contract for it just because of the size of data we have to backup. We are looking at 35 TBs of backup space we would need. So, I am looking at other options. Ms. Fry: We thought we might have something but we don't like the price and so now we are looking for something else? Mr. Lohr: I have one option, and I have had that, it is just that I can't swallow \$50,000, yet. I am looking for other options. Deputy Mayor Denning: Is that us owning the hard drives? Mr. Lohr: Yes. Deputy Mayor Denning: Have you talked to any places, any place like Teradata where they basically transfer the data and they hold all that; you don't have the cost of the upfront costs of the hard drives, but they hold all your data and it is there, kind of like a cloud. That might be a less expensive option or may be not less expensive in the long run, but it may be less expensive, we may be able to get away with \$8,000 a year instead of having to front the money into the hardware all at once. Mr. Lohr: I actually, that was one of the first options that I priced out with MVECA and I can't remember the exact numbers,

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but it was going to be pretty expensive to back up the data we were going to have with all the videos from the police department. I am looking at all the options; it is not an emergency item that needs to be taken care of right away. Ms. Fry: Is this something with our new IT hardware that we are looking for our first backup options, do we have something already in place? Mr. Lohr: We do, we have some Unitrends devices. It is just they need to be replaced and we found out we have outgrown them so we have about 10 TB of space so we have enough to do one back up or two backups. Ms. Fry: That's why it is not urgent because we have a solution in place, but it is not ideal and we would like something more. Deputy Mayor Denning: You can see the end of the tunnel so you need to start digging now.

**A) Monthly Update Police Department** – Chief Robinson: I am sure you guys got my monthly report so there is a plethora of information in there. I am going to go over a few personnel issues we have. Detective Cooper is still out; after his back surgery, I understand he had a hearing yesterday, it did not go in his favor so we are looking at other options as to how we can help Detective Cooper get through his issues. Sgt. Angie Jackson has returned back to light duty. I know a lot of you didn't see the property room, but since she has been back she has actually taken out 30 more boxes of stuff out of the property room and if you can imagine if you saw it before and you see it now, you would be amazed. I know Ms. Lommatzsch came and seen it the other day and she was very shocked as to what it looked like now. Ms. Campbell: Yeah, I saw it. Chief Robinson: Yes, and Ms. Campbell also saw it so I am not sure if you saw it before, but there are some pictures if you want to see that; I don't think we showed it to you. Our Victim's Advocate, I think is to be introduced tonight, Skye Roberts. Skye will be going to a Domestic Violence seminar starting on Sunday, and obviously she has a grant and everything is paid for through that grant.

Ms. Roberts: Thank you, Chief. Like he said, my name is Skye Roberts. I was hired in March; started in March. My office is right next to Katie so she gets to hear me in there sometimes. I work crazy hours. I am actually meeting a victim after this. What questions do you all have for me? Ms. Campbell: Do you have any cards made up yet? Ms. Roberts: I do; they are in my office, I can go grab some. Ms. Campbell: You don't have to do that right now, but I would like to get one. Ms. Roberts: Yes, they are in my office, and there might be some at the front desk, too. Either way, we can get you one. Mayor Flaute: Just in case I don't remember, where were you prior to this job? Ms. Roberts: Prior to this, I was working for Samaritan Behavioral Health Care, but I was located at Stebbins in Mad River, right by the police department. I was working with high schoolers and middle schoolers in mental health issues. I love it here. I have some amazing coworkers. Mayor Flaute: You continue to come back to work so that is a good thing. Ms. Roberts: Like he said, I am going to be gone for a week. It is for domestic violence, victim relations, and a whole lot of messy stuff so I am hoping to come back with good information.

Chief Robinson: I have a few other things. Officer Josh Schmidt is actually going to a free computer forensics training next week. It is like a three-week course; it is not connected, but it is three weeks' worth of working. It is actually a federal thing, and everything is free there. They end up giving us a laptop and a lot of other freebie stuff for him to use for his cyber-crimes, which you know we need, unfortunately. Officer Dave Schmidt and Sgt. Safriet are going to traffic stop instructor school and that is a continued education for them to come back and bring that information back to the police department and train everybody at the police department. It is an ongoing training thing we do and we do a lot of that. The National Night Out is August 6; it is shaping up very nicely. It is going to be bigger than it was last year. Every year we keep getting a little better, I think. The support of businesses in Riverside, mostly in Riverside is unbelievable, but we have a lot of other places outside of Riverside that we make our rounds. We see them and ask them if they would be interested and those people are very generous as well. It should be a very good time for everyone to come out there and I hope everyone comes. Mayor Flaute: So chief, have you suggested that all the soccer teams and football teams and everything don't have practice that night so they could all come to National Night Out? Chief Robinson: Have I suggested that? I can't determine whether they are going to.... I don't know. Mayor Flaute: I missed last year, but

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the year before, you know the Community Park was full of people on the National Night Out. Chief Robinson: I think the date has changed so maybe it won't be. I know last year we had some of the kids playing football in the back and a lot of those people came over from Stebbins High School and they came in that way so we did have some folks come in that way. Mayor Flaute: Just make sure it gets out there. Chief Robinson: We will get it out there and advertise as much as possible. One last thing is Coffee with a Cop is July 28, which, if you notice is a Sunday. That is at the Airway Kitchen from 8:00 am – 9:00 am; I made it on Sunday because, obviously, we want to try and include everybody and you do it during the week every time, a lot of people cannot make it there because maybe that is their work time or whatever. I scheduled it on a Sunday, so hopefully, we will get a few more people out there. I am hoping that is the case and we would love to see anybody or anybody out here that has anybody that wants to come please tell them to get out there with us, we would love to talk to them and share some information if they like, and we will buy them a cup of coffee. Mayor Flaute: Have they been well attended? Chief Robinson: The first one was pretty well attended, but the last one was a little bit shy. There was just about three of us there; me and two other people. Hopefully Sunday morning will be a little bit better. You know how that goes; the timing is rough.

Ms. Fry: I read a news headline, I didn't get to read the whole article today, but there was in the budget state house, there was PTSD training for police officers was requested, but wasn't included in the budget. Do you know any information about that? Chief Robinson: The only thing I really know about it is the same thing you read today. They tried to include it but they did not actually include it into the budget so there is none at this point. I haven't really gotten anything from anyone saying we are going to try and band together and try to push this forward, but I anticipate that because maybe down the line that some of the chiefs in the area are going to do that at some point. At the chief's meeting this month, I will see if they say anything about it. Ms. Fry: Let me know.

**B) Monthly Update Fire Department** – Chief Stitzel: A few updates in addition to the packet, if you have any questions about what is in there, please share. We will start off with our personnel, also. We have lost two of our part-timers recently; again, one took a full-time job in Huber Heights that really hurt because he was a paramedic. He was working a pretty regular schedule so his absence will be felt. With that we do have a few applications on file so we are scheduling for some interviews next week or maybe the week after and doing backgrounds on the few applicants that we have. Trying our best to keep up on that. We do have our two new full-timers who are getting through their orientation and luckily plugging some holes there. We would like to bring them in next meeting for the swearing in ceremony, also, if that would be okay. We also have a couple of our firefighters that will be off on some long-term, two, three, maybe four weeks leave for some surgeries and one of them his wife is having a baby in a week or so. Luckily, we have those two trained up and they are able to fill those spots; we should be okay with that. We are still struggling with the part-time program and just trying to keep it staffed where we can keep our minimum number on a day. The crews have been busy attending the school summer lunches at the different parks, going to block parties, some fire prevention efforts have been happening; community paramedicine has been busy with our community paramedic and our nurse from outreach. They are still out there doing a great job connecting with the community at various events and doing the enrollment thing. We are happy with all that. Here just this week, we have been spending a lot of time preparing for the heat wave. Making some adjustments for emergency responses; we will be calling in extra crews so the guys will have a chance to rotate in and out of a fire if we have one; carrying an extra Gatorade, extra water on the apparatus keeping it cold and things like that. Hopefully, it doesn't happen, but we will be prepared if we do.

Ms. Fry: I saw that we are having an uptick in overdoses, does that look like it is going to be a long-term trend? Chief Stitzel: Yes, from what I am seeing and hearing, just some clarification, it is an overdose but it may not necessarily be opioids. We are seeing a lot of methamphetamine overdoses and some other things that are out there, some new stuff. There

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is a little bit of return of Fentanyl, noting really bad like it was before, but we are seeing an uptick. There have been a couple of times where we have had like maybe four overdoses in one day so there is some of that coming back, but again, a lot of it is; it is not the responding to the Narcan type stuff. Our Narcan doses are not all that high, but we definitely...when we count an overdose, it can be any type of a drug. Somebody calls because they need help they have too much of it. They are still using it and if they get too much and have a problem, we get calls. We categorize an overdose as an overdose. We don't differentiate between and opioid and non-opioid. Yeah, we definitely have an uptick in overdoses about 21 last month and so far, this month, I think we are on pace to pass that number. So, I do see an increase in that. Hopefully, it calms back down later.

Deputy Mayor Denning: I have something for the police chief. Have we had any issues out of the Paradox? Chief Robinson: I have not heard one. Deputy Mayor Denning: That's the good answer. Chief Robinson: That's a great answer.

Ms. Campbell: I see it says this is for the week from 6/27 – 7/11, there is 177 traffic stops. That is a lot in a week. It is good that you are getting them all; I know there is a lot of them out there where I am at. Chief Robinson: You have to figure how many lanes of traffic we have in this city so you put out 4 – 6 policemen at times. That is a great number. My concern is if stopping folks from speeding, things like that is our deterrent from the alternative of these traffic accidents so we have stepped up a little bit of what we are doing on patrol because every year we keep having these intersections through Montgomery County as the worst ones in the state. We are looking to try and bring that down. One of my goals this year is to bring the percentage of accidents down. That is a difficult task because when you have 60 – 70 accidents a month; we have to do something to make that happen so we stop a lot more vehicles. It doesn't mean we will write them all citations; it just means we are going to stop them and slow them down. Ms. Campbell: Now when you have officers out there do you have certain ones designated to a certain area? Chief Robinson: Yes, we have different beats so they are doing different beats of the city and then you have the rover cars that will be their back up. A sergeant will be on one side and you usually have a couple of cars or three on one side of the city.

**C) Monthly Update Public Service Department** – Ms. Bartlett: As far as staffing for my department, we had one employee, Jerry Evans, submit his paperwork for retirement, and just learned today that he is going to withdraw that and stay on board with us so we are happy that we won't have to have a position to fill. You have the report there, some changes to that due to weather and construction delays. The paving program, the pavement will be started the week of the 29<sup>th</sup> not the third week of July as stated in the report. The crack sealing work did not begin yesterday; it is scheduled to begin tomorrow. Deputy Mayor Denning: We are waiting for the hottest day of the year. Ms. Bartlett: Those afternoon showers I think kind of scared them off. The good news is the heat really helps the crack seal penetrate the asphalt so we will get a good job. Under miscellaneous, I have an item, we are starting some discussions with contractors as to what it would take to convert the Shellabarger tennis courts to a pickleball court. We are feeling out the price. I was looking at my budget mid-year and have some money in the parks budget and looking to see if we can't do something. I know I have talked with the city manager and I want to go through parks and rec and do things the right way. The rubberized mulch is scheduled for July 23 and 24; the guys will install that in two days. Deputy Mayor Denning: Which park is that going in? Ms. Bartlett: Rohrer. Shellabarger for pickleball; the mulch is going in Rohrer.

**D) Monthly Update Planning and Program Management** – Mr. Carpenter: Montgomery County has decided they are going to update the sanitary force main at Beatrice near Brandt and they are going to be relocating the sanitary lift station and putting in a new one there. It is located near the entrance of the Baptist church at 2050 Brandt Pike, just wanted to make you aware of that. The Sikh Society, 2320 Harshman Rd., they are planning on building onto their church; building a kitchen and utility room about 30' x 35' building addition. There is also a tower on the private property of 5130 Linden Avenue, they

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are going to replace the antenna in case you see anybody out there they are just going to make a replacement of the existing antenna. Zoning has been busy. In the last week, they have received 19 zoning permit application so Tamara is working through those. During that time, 47 property maintenance complaints came so that office is very busy.

Ms. Fry: What is this drive-in mobile home park? Mr. Carpenter: Is this in the manager's report? Ms. Fry: Yeah, Valley Street/McMahon? Mr. Carpenter: That is the one that is going up for sale. Deputy Mayor Denning: That is the one by the sidewalk. Ms. Fry: Oh, okay, if that is what it is, not what.... okay, I misread that.

Ms. Fry: I just want to check in on the proactive zone enforcement cycle that we implemented, how is that going? Mr. Carpenter: Not very well. This time of year, there is a mass of complaints and follow-ups taking place so we right now as we thought we would have some more time, we are not having as much time as we thought. We are trying to work it out so we can start incorporating the proactive side of it. Ms. Fry: Would it be accurate to say we have not gotten to a point of where we are actually doing the proactive enforcement? Mr. Carpenter: I think that is about as accurate as you can get. There may be some small number, but that is when they are out investigating a complaint. We thought we would have the numbers where we would have some time, one day a week or so to go do proactive, just right now, this time of year, we haven't seen it. Ms. Fry: When do you anticipate that might change? Mr. Carpenter: I don't know; when we did that before we were doing a ballpark estimate; we are trying to track and see what our peaks are so I can give you a better number, better explanation the next meeting. I think there are some other things that happened to where we had some houses that were tore down so the code enforcement spent time over there monitoring what was happening. It was a little bit out of the norm. Ms. Fry: So, could you take that as an action item and get back with me when you think that might be able to start? Mr. Carpenter: I think next meeting I will have something.

Mr. Teaford: There is a new tattoo parlor that is opening up on Valley Street; have they got their license and all that? Mr. Carpenter: Not that I am aware of; I'm not sure they have submitted anything to the office we read that was written on the building, but I don't think we have received anything. I haven't heard that. Mr. Teaford: They took the sign down that said 'Opening Soon' and there was a guy in their yesterday. I don't know if they are open for business or if he was just in there working, whatever. Evidently, they have plans on opening soon because they took that sign down. Mr. Carpenter: I will follow up on that as well.

Mr. Curp: Several months ago, when we were talking about the proactive code enforcement and some of the programs, we were shown a map of the city color-coded in districts or zones. Are we mapping to that; are we keeping track where we have been that sort of thing so we can see where we are spending our time? Making sure every part of the community gets to be visited. Mr. Carpenter: I will have to follow up as well on that, sir. I haven't seen the data by those zones, but I will follow up with that. Mr. Curp: Tomorrow you get number 48, did you say 48? Tomorrow you get 48 or 49.

**ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS:** Mayor Flaute invited Ms. Donna Bowman to come forward and talk about her issue and keep it to three minutes. Ms. Bowman: Yes, my name is Donna Bowman, I live at 2608 Harshman Road. On the tax issue, reviewing that, I am familiar with some of the things with the AGs office and also with HB No. 5 and with some of the changes passed today in a budget bill. When you are looking at the AGs office, a lot of time the municipalities have already contacted these residents' multiple times and they have either not responded or made a payment plan and canceled it or did not follow through with it. With the HB now, you have to take them to court so the city would be out the money upfront to take them to court. Then, if they get judgment they can take them to collection. If they have it with the AGs office, they can go ahead and submit that information. The first step, there are three steps on that contract, one is the 10 percent where they would take and say if they owed \$100 then they add that 10 percent to it and the



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AG gets their \$10 then the city gets the full amount of the \$100. The second step that you can choose to do is where they do like a collection type agency that the AGs office works through. I think that is 21 percent. The third one is the legal part to where they would take them to court and pursue other things and that is like 25 percent. It kind of falls back to where the taxpayer chooses how far they are going to let that go when it comes to the AG part. The other thing, and I know I have spoke to Mark a couple of times and Tom where I have run around and seen where there are businesses in our community that are not paying taxes or withholding taxes should I say. We have a reduced credit, I pay my fair share so I feel that these companies should be doing withholding. I feel that our city has not been represented as well as they should be with RITA and the years. I have also seen where they have given refunds to taxpayers when they physically worked in the city and they gave refunds back to them because a manager signed off on it to give them a refund back.

Mayor Flaute invited Mr. Steve Massa to come forward and discuss his issue. Mr. Massa: I wanted to discuss the ordinance for the parking and loading standards. I have a picture of a truck I'd like just for you guys to pass down to each other and look at it and it is a pretty generic picture of a truck, but I want you to understand that this truck that I am going to show you can carry multiple things. It can carry a flat-bed; it can carry a tank. It can carry towing apparatus; it can carry chemical tanks. I am going to give you this picture and I want you to look at it. This truck on this picture would be permitted if this ordinance was passed that is being offered to you to vote on tonight. This ordinance would allow trucks like these to be parked anywhere in the city on residential property. It wouldn't matter what neighborhood it is. The maximum dimensions in this ordinance is 10' high and 30' long. That truck is considerable smaller than those dimensions so it would allow trucks even larger than that. Ms. Campbell: Do you know the weight of it? Mr. Massa: The weight doesn't come in to play on this; there is no weight limit on this ordinance that you will be voting on. It just has the dimensions by the length and the height, 30' long and 10' high. Those are the maximum dimensions, no weight limit so a truck of that size is huge. If you could imagine or picture a fire truck. Some fire trucks aren't even that big. These trucks that will be allowed to be parked, I am going to read a few things that they might carry to your neighborhood: they might be tow trucks, towing in large vehicles, parking in front of your house or next to your house in your neighbor's driveway; they could be large flatbed trucks. The tanker trucks could have numerous materials they could be carrying. They could be carrying gasoline, diesel, heating oil, LP gas, acids, ethylene, sodium hydroxide, anhydrous ammonia, pool chemicals, liquid fertilizer; these are all common chemicals of tank trucks of this size will carry. I know nobody in this room wants next to their house is septic tank fecal sludge. That is all I have to say and that is a lot to think about and I don't know why anybody would want that next to their house.

Mayor Flaute asked Mr. Mark Taranto to come forward and discuss his issue. Mr. Taranto: Mark Taranto, 6548 Cobblefield Drive, Medina, OH, 44256; my comments are specific to 19-R-2498. I will be brief in my comments as council has been more than gracious this evening to discuss the issue and I appreciate the invitation. As I mentioned earlier, we understand the administration will be making a decision tonight to possibly transfer income tax collection services to CCA. We feel confident that our transition team has identified four various areas that have a very high degree of potential to create what we refer to as a service outage should you decide to go forward. Just to recap those service outages were in the area of governance, electronic filing, legal services, and local taxpayer assistance. We also earlier in the work session discussed one inherent risk the fact that no municipality has ever directly left RITA in the history of the organization to CCA so this would be a first-time conversion in transition for CCA. I also mentioned in that fact that the tradition is actually is the reverse. I have mentioned that 30 communities have left the services of CCA and have joined RITA. That being said, we respectfully requested that the administration perhaps either reconsider the decision to vote in favor of that legislation or at a minimum perhaps table the legislation until the administration has more information to ensure that those service outages could be resolved or remedied. If the council's desire is to move forward and join CCA in terms of income tax collection services. I mentioned earlier our transition team you met here earlier

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this evening will do everything in our power to make sure that the transition is as seamless as it can be to the extent that we can control certain factors. However, if you should decide to not vote in favor of that resolution, we would be proud to continue to provide service to the City of Riverside as we have done so for the last 25 years. Thank you.

Mayor Flaute invited Ms. Michelle Jordan to come forward and discuss her issue. Ms. Jordan: My name is Michelle Jordan, 6425 Peters Road, Tipp City, OH; I am also here regarding 19-R-2498. I would like to address the issues that Mr. Taranto just brought up. The service outages as he identified them. The first one was governance. We also have our own board that meets on a quarterly basis; we encourage every tax administrator/fiscal officer who is one of our member communities to be involved in those meetings either by phone or in person. Number two is e-filing. One of the things Mr. Taranto mentioned was that there are some restrictions on e-filing. We look at those as audit opportunities like we discussed if somebody has a refund, we don't want the ability to fill out an e-file return showing a refund. We think it is important to do the hard work of auditing especially when you have gone to the very difficult decision of reducing your credit in order to make sure you have the revenue that you need to have in order to operate. The audit process is a very important part of what we do. As he also stated, they look at historical information to verify a current refund, which we don't find accurate. We think the most accurate way to verify a refund is to see the documentation to make sure the refund is legitimate. He mentioned legal. I know you have accounts that are in legal right now and we do have steps beyond the letter processes that we do. We have a packet we gave you before on our delinquency programs and I will leave a copy of that with the clerk of council so she can make a copy for you again so you will have that. It outlines all of our delinquency programs. We prefer to turn these accounts back over to you so you can determine which ones you want to have your law director take to court. We don't want to see convictions; we want to see compliance. Our programs are geared towards compliance and helping the taxpayer come into compliance with the ordinance. It involves things like a special prosecutor program where we would come in and sit down and order the taxpayers in to appear before me and we would even have your law director there to review cases that might eventually wind up going to court if necessary. We work with them so that non-filed returns are taken care of, the balances are resolved, the payment plans are entered into. There is no additional charge for that program. We highly recommend the AGs program because it does bring in revenue and it does give additional sources of revenue that can be obtained to help pay off a certified municipal debt. We do an annual subpoena program. We would do that here in your community and there is no additional charge for that. We would have staff on hand to make sure that we are here to take care of the taxpayers who were ordered in. One of the other things he mentioned was local assistance. Just during this past tax season alone, we had 16 different opportunities in the Dayton Region for taxpayers and the communities we represent to be able to walk in and sit down with a tax official one-on-one and have their return prepared. That is something I think we highly excel at. We would look at adding a Super Saturday for Riverside and several by appointment only days where people could come in during a time that is convenient for them and have taxpayer assistance. Taxpayer assistance for us does not end at the end of tax season goes all year long. Is my time up? Mayor Flaute: Yes, but Mr. Curp would like to give you additional time. Ms. Jordan: Thank you, I appreciate that. One of the other things that was mentioned was conversion. I think it is important to note, I know that Mr. Taranto said you don't see a lot of RITA communities going to CCA. We do not have a marketing team. I am a tax person. By day, I am auditing tax returns and helping taxpayers. We do not have a marketing team that goes out and specifically markets communities to try and get them to join their agency. That is part of the reason why you will see a lot of movement between communities of people going back and forth. We come in when we are invited in; we come in where a community is interested in our services so that is why you will see us come in and don't necessarily see a lot of movement in that direction. We have our own internal IT team that has done conversions with every software vendor available, as a matter of fact, the City of Columbus had their own proprietary software. They stopped the collection to all municipalities that they were working with last year and two of those communities came on board with us so that was a first time anybody had every converted Columbus

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records and it was very smooth. Your legal option still exists. We will do case prep and we even testify at no additional charge. I had a lot of other notes, but I think I hit most of it so if you can think of anything else, I will be available to answer questions.

Mr. Curp: I have a question. I went online to look at your tax form. I'm not trying to be adversarial, I just want to make sure I understand. You mentioned that one of the benefits of not having people be able to file through the trickle down through some of these other tax packages like TaxAct and TaxSlayer and all those things is that CCA gets to take a look the actual returns for those people who are requesting refunds. On your tax form at the top it says that people can e-file with CCA for their regular tax return, Ms. Jordan: There is a restriction though, if you have a refund, you cannot e-file. Mr. Curp: Would it tell you that when you go out to this e-file? It should be in the instructions and in the form when you set up your account and you log in and you have a refund, you cannot e-file. That is because we want to see that information and make sure the refund is accurate before we give your funds back to a taxpayer, we want to make sure it is accurate.

**ITEM 15: NEW BUSINESS**

**A. ORDINANCES**

**I) Ordinance No. 19-O-699 amending Section 1113.11 Parking and Loading Standards and 1117.03 Definitions to the Unified Development Ordinances (UDO) of the City of Riverside. (1st reading)**

Mr. Carpenter: This ordinance is amending Section 1113.11 for parking and loading standards and also amending 1117.03 the definitions to the UDO of the City of Riverside.

Deputy Mayor Denning motioned to read Ordinance No. 19-O-699 for the first time in its entirety. Mr. Teaford seconded the motion.

Ms. Lewallen read the ordinance in its entirety.

Mr. Curp: I left at your seat during the break a little photo collage of types of commercial vehicles that could be parked next door to you if this ordinance is approved as it is presented before us. I think we all got the email from Mr. Massa this week showing a picture of a truck that he gave to us in hard copy. I had already started looking at this and all these trucks that you see here fit the criteria that is in the proposed ordinance. They are under 30' in length under 10' in height; no tandem axles in the back, two axles: front and rear. All of these would be permitted under what is in front of us now. I don't think that is what we had intended when we were having discussions with the previous director of planning and program management. The issue we were talking about was how to get rid of big trucks from the neighborhoods, large commercial trucks. What he told us was that he was having difficulty under our code differentiating between a Ford F-150 half-ton pick-up truck and a big dump truck. In order to deal with that he wasn't doing any enforcement except for large vehicles where he really had to. If we wanted him to do the enforcement under the existing code we would have to buy him a set of scales. A little difficult for me to comprehend because the ordinance isn't that difficult to manage if you want to do it. It just takes a little common sense. I think we all know the difference between a Ford F-150 half-ton pick-up truck and a big dump truck. The other thing that bothers me about this is when you go back and read the minutes from the planning commission meeting, the zoning administrator who was here at the time who put this together told the planning commission that what this does is finds a way to allow commercial vehicles in residential neighborhoods, which is not what I think we should be doing. We shouldn't be looking to find ways to allow large commercial vehicles in the residential neighborhoods. There is a principal in the planning field that deals with or focuses on maintaining the character of neighborhoods. So, you are looking at maintaining a residential neighborhood, maintaining the historic character of a historic

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neighborhood and those kinds of things. You see a thing going on in the Oregon District in downtown Dayton about a person who is rehabbing a house and went to the historic preservation commission down there, had their plans reviewed, got the input, and then went out and bought a door that doesn't fit. It doesn't fit the historic character of the neighborhood. I'm not sure this is what we want to do. I just don't think this does what we asked them to do. I don't think it fixes it; it makes it worse. I hope you just pass on this.

Mr. Teaford: Personally, I don't think there is any place for commercial vehicles in residential neighborhoods. Everyone of these are basically commercial vehicles, commercial plates; they weigh too much. What they came up with didn't have any weight restrictions. Most driveways can't take much over 4,000-6,000 lbs. They aren't made for it. Three to four inches of cement will not support commercial vehicles. Our roads are such that they are in trouble anyway. You start putting commercial vehicles up and down Bayside or Denny Lane or Beatrice Drive; we will run into a horrendous amount of problems. There is a big difference between a ¾-ton F-150 Ford pick-up truck being privately owned and a commercial vehicle being parked in a neighborhood. Again, Mr. Massa, you don't know what is going to be in that truck or on that truck. I don't see there is any place for commercial vehicles in any neighborhood.

Mr. Curp: I do want to point out one other thing. You know, we've been working with Mr. Smith, Mr. Coterel, and Mr. Massa, about this situation in their neighborhood with S & S Trucking and Mr. Stumpfs business and that is what this language in this legislation can lead to. Not to the same level, but what it will do is allow these vehicles to go into residential neighborhoods. We will see them there, we will get complaints from neighbors and then we will find out we are too late. The horse has already left the barn. We can go back and change the legislation, change the code to what we have now, but all those places will be grandfathered and you won't be able to get them out of there. So, we will be stuck with a whole bunch of these. As much as, and I will speak on it, they hadn't asked me to speak, but I'm going to tell you as much as they want to see their situation remedied, this is their community, too. The rest of Riverside is their community, too, and I don't think they want to see the rest of their community look like this.

Mayor Flaute: Mr. Curp, I just have a question. You said something earlier that we asked them to fix this, but this doesn't do what we asked them. Can you explain that comment?

Mr. Curp: I think what everybody was trying to do was find a way for someone to bring home their panel work truck, ½-ton, ½-ton, ¾-ton, whatever Ford F-150, Chevy 1500, whatever. People have always been looking for some way to allow people to bring home their work truck. It just hasn't been addressed. What we asked the previous director to do when he told us he couldn't or he wasn't going to uniformly enforce the code because he found some glitches in it; we told him to go fix the code and make it work because we still wanted to keep the big trucks out of the neighborhood. That is what we asked him to do. If the ordinance was broke; if our codes are broken, then go fix it because that is their job. We shouldn't have to fix it from up here.

Mayor Flaute: Okay, throughout history we have had people complain that they do a job that requires them to bring their vehicle home and we don't allow that, so what you are saying is we tried to fix that, do you think we went too far?

Mr. Curp: We haven't gone too far, yet; this ordinance goes too far, but I will address that issue. It is a different issue. I don't think this municipality or any other municipality has to provide a parking lot or a parking spot for some business vehicles.

Mayor Flaute: But, if it is your job to come home with one...

Mr. Curp: I don't know that it is people's job to come home with one. A lot of people who get called out in the middle of the night have to go to their place of business, pick up their vehicle and go do whatever it is they do. That is not unusual. It doesn't mean we have to provide a parking spot for those business vehicles in a residential neighborhood.

Mayor Flaute: I remember the discussion now. There is a need for some folks who do drive their vehicles home and have to go out in the middle of the night like Mr. Curp said, but from what I am seeing maybe this isn't the answer.

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Mr. Teaford: In most cases like that you are talking Roto-Rooter, some plumbing company; you aren't talking semis, fire trucks... Mayor Flaute: But some of those guys have been cited, though. Mr. Teaford: Recently, at a BZA meeting a Roto-Rooter guy appealed because he had what he called a van; it was a converted U-Haul truck. He wanted to park it at home and on his street and his neighbors complained. It came to us when I was on the BZA and I voted against it and the other four members voted for it because he had agreed to park it in his driveway. The week afterwards, he took the painting off and he is in business for himself. The weight of that vehicle was probably in the thousands of pounds versus a car or truck. His driveway is falling apart; it didn't matter to him. He just made a laughing stock of the BZA because he talked four guys into passing it and letting him park a commercial vehicle on his property. I don't think there is any place for anything over a ¾ ton vehicle to be parked anywhere in the city. You will have guys who will appeal because they have these Sprinter vans, let them appeal it. Let them go to the BZA and maybe get a variance so they can park their Sprinter van in their yard or their driveway, not their yard, but driveway. Commercial vehicles and especially these big ones like this ordinance calls for 30' is a long distance and 10' high. That is a lot of vehicle and I don't think there is any place for it. Mayor Flaute: As a former BZA member, I respect your opinion.

Ms. Fry: I have a question for you, Mr. Teaford. Why would, what is the differentiating factor between the Sprinter van that you said would make sense... Mr. Teaford: The Sprinter van is a larger van. They are about 15' to 20' long. They are lightweight because they try to make them economical, but a lot of people are buying them for their personal vehicles because you can put seats in them and make them like a motor home almost. Again, I don't agree if they are commercial vehicles that they should be parked. I don't care what plumbing or hardware company or whatever. If there is going to be a problem... I say eliminate it, don't let anybody, but if somebody wants to go to the BZA and say, I have to bring my van home it is my personal vehicle, I drive it for work and pleasure then let the BZA decide if they want to let that Sprinter van stay on a property or oversized van like a church van. Commercial vehicle to me is where we need to draw the line.

Ms. Campbell: I thought there was a one-ton limit. Mr. Teaford: Yeah, I would limit it at a ton. Ms. Campbell: There's no variance; you can't get a variance, you aren't supposed to anyway. Mr. Teaford: A variance on what? Ms. Campbell: To be able to park there. You said something about a variance. Mr. Teaford: Well, if you go to the BZA... Ms. Campbell: You can't do it, am I right or wrong? Mayor Flaute: I don't know; I'm hearing from a BZA guy who is saying you are wrong. Mr. Teaford: I agree; we shouldn't have given this guy a variance. Mr. Curp: You aren't supposed to. Mr. Teaford: I voted no. The other four voted for it; I was outvoted. Ms. Campbell: Mr. Curp says you are not supposed to. They were wrong.

Mr. Curp: Let me provide you with a frame of reference. These tiles are 2' x 2'. So, if you start with this light here and you go to the back edge of the first picture that is 30'. Ms. Fry: Is our issue just how expansive this ordinance is or is our issue are we really reconsidering our initial recommendation to reevaluate the original ordinance? What I am hearing you saying Mr. Teaford is that we shouldn't allow any commercial for any reason. Mayor Flaute: That is what our code says now. Mr. Teaford: That is my personal opinion, yes. That is what our code says. Ms. Campbell: It's hard enough to see over an SUV pulling out of your driveway if you have one close to you. You can imagine what this would be like; it would be a mess. Ms. Fry: My recollection of the conversations that predicated this coming before us was that it seemed to be at that time some agreement that there were certain conditions where a commercial vehicle would be appropriate. I am not hearing that today and so I am a little confused. Mr. Teaford: Again, the special conditions, somebody would get cited for having a commercial van parked in their driveway or on the street. Ordinance guy or woman would write them up and it would come before the BZA if they wanted to appeal it. It was up to the BZA to then decide whether or not we would allow them to park this commercial vehicle in a residential neighborhood. Any time this type of thing came to the BZA; I voted no, because once you let one, then it opens up the flood gates and that is what has brought

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us to this situation where they are wanting to let us or make us park semi-trucks in our driveways or letting people park anything they want 10' high and 30' long anywhere in the City of Riverside. I don't think there is any appropriate way a commercial vehicle should be allowed to be parked in residential neighborhoods.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, no; Mr. Teaford, no; Ms. Campbell, no; Mr. Curp, no; Ms. Fry, no; and Mayor Flaute, no. **Motion failed.**

## **B. RESOLUTIONS**

### **I) Resolution No. 19-R-2489 authorizing the city manager to accept a Citywide Grant.**

Mr. Carpenter: This grant is for the Eintracht Sewer Project.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2489. Mr. Teaford seconded the motion. All were in favor; none opposed. **Motion carried.**

### **II) Resolution No. 19-R-2490 providing for the submission to the electorate of an amendment to Article IV, Section 4.04, Removal, of the Charter of the City of Riverside, Ohio and to place the same on the ballot at the General Election, November 5, 2019.**

Ms. Lewallen: I will just comment...Deputy Mayor Denning: We have to get this approved now so that we can get it to the...Ms. Lewallen: Well, your next date is August 1; this is the one Dalma had recommended.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2490. Ms. Fry seconded the motion.

Mayor Flaute: I understand why we are doing it; my concern is it is so much verbiage. I hope we can educate our residents on why we are doing this; it is so important.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, yes; Ms. Fry, yes; Ms. Campbell, yes; Mr. Curp, yes; Mr. Teaford, yes; and Mayor Flaute, yes. **Motion carried.**

### **III) Resolution No. 19-R-2491 providing for the submission to the electorate of an amendment to Article IV, Section 4.05, Filling of Vacancies, of the Charter of the City of Riverside, Ohio and to place the same on the ballot at the General Election, November 5, 2019.**

Ms. Fry motioned to approve Resolution No. 19-R-2491. Mr. Teaford seconded the motion.

Mr. Curp: I understand the intent; the problem that I have with it is there are times when there is a wide gap between those who are elected and a wide gap in the number of votes and the next person down to the point where you could read into that here are the people they truly wanted and here are the people they didn't want because of the wide gap in the vote. This would force the council to appoint somebody said or indicated, at least my interpretation, that they didn't want. I don't know if that is good.

Ms. Campbell: Are you talking about the next one in line that was voted for? Mayor Flaute: Right. Ms. Campbell: That it is a good idea to pick the one next in line. That is fair.

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Being no other discussion, roll call was taken as follows: Ms. Fry, yes; Mr. Teaford, yes; Ms. Campbell, yes; Mr. Curp, no; Deputy Mayor Denning, no; and Mayor Flaute, yes. **Motion carried.**

- IV) Resolution No. 19-R-2492 providing for the submission to the electorate of an amendment to Article V, Section 5.03, amending section 5.03 "Procedure for Passage of Ordinances," of the Charter of the City of Riverside, Ohio, and to place on the ballot at the General Election, November 5, 2019.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2492. Ms. Fry seconded the motion.

Mayor Flaute: Again, I just hope residents know why we are doing this. It failed once before and I feel like not enough people see the meetings, come to the meetings and know why we are trying to do this. I hope we get the word out as to why we are doing this.

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

- V) Resolution No. 19-R-2493 providing for the submission to the electorate of an amendment to Article IX, Section 9.02, Operations of Boards and Commissions, of the Charter of the City of Riverside, Ohio, and to place on the ballot at the General Election, November 5, 2019.**

No motion was made; resolution fails for lack of a motion. **Motion failed.**

- VI) Resolution No. 19-R-2494 providing for the submission to the electorate of an amendment to Article XIII, Section 13.12, Council Interviews, of the Charter of the City of Riverside, Ohio, and to place on the ballot at the General Election, November 5, 2019.**

Ms. Fry motioned to approve Resolution No. 19-R-2494. Deputy Mayor Denning seconded the motion.

Mayor Flaute: My only problem with this I believe the council should be the ones deciding that. I am not sure why we have to go all the way to the ballot with this. We have discussed this back and forth in the 25 years that I have been on there; it has been back and forth. I believe it should be council making that decision.

Ms. Fry: This is whether or not the other applicants are present? Mayor Flaute: Yes. Ms. Fry: You think it should be council making that decision. Ms. Lewallen: Dalma had commented that this is a procedural issue and that is really should not be in our charter. That was Dalma's comment on this. Deputy Mayor Denning: Is this to remove it? Ms. Lewallen: It removes this from the charter; it is a procedural issue and not a charter issue and that is why she recommended that.

Ms. Fry: We are removing the bolded? Ms. Lewallen: Yeah. Mayor Flaute: No, this should be council's decision. Ms. Fry: Where does it say that? Ms. Lewallen: To be removed in section one. Mayor Flaute: So, we are removing that, okay. Ms. Lewallen: Because it is a procedural thing. Deputy Mayor Denning: It is a procedural thing that we should just make a decision. Otherwise the charter forces us. Thus, the reason we need to educate everyone.

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

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**VII) Resolution No. 19-R-2495 providing for the submission to the electorate of an amendment to Article X, Section 10.02, Nominations, of the Charter of the City of Riverside, Ohio, and to place on the ballot at the General Election, November 5, 2019.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2495. Mr. Teaford seconded the motion.

Ms. Campbell: Just a minute. Mayor Flaute: Madam Campbell, could you discuss, hear what you are discussing? Ms. Campbell: I am trying to understand this wording here. Mayor Flaute: Can we hear what you are discussing? Ms. Campbell: What's the nomination for it didn't say for sure. Mayor Flaute: It is for council or mayor. Deputy Mayor Denning: It is reducing the number of signatures from 100 to 50. Ms. Campbell: Usually you tell what it is for when you start this and I didn't get it.

Deputy Mayor Denning: The only thing I would think if you are going to reduce it from 50 to 100 the more than should be 100 not 200. Where it says, "not less than 50 nor more than," I think the more than should be 100 not 200. Mayor Flaute: I don't think it really matters. Ms. Campbell: It depends on what the nomination it is, you are talking about 50 for council...Ms. Lewallen: It is basically going to say if you get 50 you are good. Mayor Flaute: Instead of having to get 100. Deputy Mayor Denning: I don't think anybody is going to go out and get 200 anyway.

Mr. Curp: Refresh my memory, did this come from the charter commission? Deputy Mayor Denning: This is the one that you brought up.

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

**VIII) Resolution No. 19-R-2496 authorizing the city manager to accept a grant application for funding under the Victims of Crime Act (VOCA-SVAA), and authorizing the expenditure of matching funds.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2496. Ms. Fry seconded the motion. All were in favor; none opposed. **Motion carried.**

**IX) Resolution No. 19-R-2497 authorizing the city manager to submit an application to the Ohio Department of Transportation for a Municipal Bridge grant for the City of Riverside's Olentangy Drive Bridge Replacement Project.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2497. Ms. Fry seconded the motion.

Mayor Flaute: The only thing I want to bring up on this is that we have heard in the past that a lot of the problems with Lily Creek being washed away is because that bridge wasn't big enough. I just ask that we make sure that we can make this bridge as big as it can be so that we can hopefully solve some of the problems with Lily Creek. Mr. Carpenter: We will make sure we will bring that to the attention of the engineers.

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

**X) Resolution No. 19-R-2498 authorizing the city manager to enter into an agreement with the City of Cleveland, Ohio,**



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**for services relating to Collection and Administration of  
Income Tax.**

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2498. Ms. Fry seconded the motion.

Mr. Curp: I am not sure what the time line is as far as doing a conversion if the city does change. It seems to me if there is that additional information that council members want to research that this doesn't have to be done this evening. I looked at CCA's tax form. I don't think it is any more complex than RITA's; I don't think it is any simpler than RITA's. It has its own challenges having to move to different places on the form to deal with partial credits, dealing with reciprocity. If there are those who have the perception that one form is simpler than the other so we should move because of that; I don't think that will hold water once you take a look at the form and work with it. We have heard other issues this evening. I am concerned about the revenue cash flow from the transition because this is not a city that has a lot of money. If there are those things that you think you want to take a look at some more in my mind there is plenty of time to do that, and consider this at a different meeting.

Ms. Campbell: Should we table it? Deputy Mayor Denning: We already have a motion to approve. Mayor Flaute: We have a motion; in order to table it, the people who made a motion would have to take it off to table it. Deputy Mayor Denning: I am not interested in kicking the can down the road any further. Mayor Flaute: The time limit is...we have to have this done before August 1, and that is our next meeting, right? Mr. Curp: I think the only time constraint was on notifying RITA, and we have done that. Mr. Garrett: We have to have enough planning time in order to get a new system set up. Mr. Curp: I understand that. Mr. Garrett: I am not sure quite how long that takes, either.

Being no other discussion, roll call was taken as follows: Deputy Mayor Denning, yes; Ms. Fry, yes; Ms. Campbell, yes; Mr. Curp, no; Mr. Teaford, yes; and Mayor Flaute, yes. **Motion carried.**

**XI) Resolution No. 19-R-2499** declaring it necessary to levy a tax in excess of the ten mill limitation.

Deputy Mayor Denning motioned to approve Resolution No. 19-R-2499. Mr. Teaford seconded the motion.

Ms. Campbell: Is this for this levy coming up? Mayor Flaute: Yes, it is not 10, but eight mills. Ms. Campbell: I understand, but is it for a certain amount of years or is it permanent? Mayor Flaute: Council has decided to make it permanent. Ms. Campbell: I would think you would be limited to a certain amount of years and go from there. Mayor Flaute: I agree. Ms. Campbell: It would be better.

Mr. Curp: The consultants report says the need is always going to be there as far as revenue needed to fix the streets. If you put a limit on the number of years, make it a temporary for five years, eight years, or ten years, then you may be putting yourselves, putting us, in a situation where we have to pick and choose which streets to fix. You look five years, eight years, down the road whatever the time frame is for a limited time frame tax issue; you aren't going to get all the streets done with the reduced amount of money and so you will have to pick and choose. Ms. Campbell: I am all for the \$8 mill permanent, but I am thinking some of the remarks I have heard on the street I know when we did the police it is to keep it as is or maybe up it now and then and slowly climb the ladder. Mayor Flaute: Renewals do get passed most of the time, but like Mr. Curp says there is no guarantee.

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

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**ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS:** Mayor Flaute invited Ms. April Franklin to come forward and discuss her issue and keep comments to three minutes. Ms. Franklin: Hi, my name is April Franklin; my address is 5370 Viewland Terrace. Tonight, I would like to ask council to reconsider their position on the emergency ordinance. I did some research and I am not saying we want it on this ballot; we could put it on the May ballot or next year in the November ballot. I have looked at other histories and other cities. So many cities all of a sudden, an emergency happens and their emergency ordinance has to go into play. It is not something used all the time so you aren't sure it is going to work. Cities find that this worked, and this worked, but this didn't work. I've even seen legislation and arguments all the way back to 1929 and 1945 and it was so interesting because they were arguing the same thing we are talking about. They had their emergency ordinance underneath their general ordinance and it says it goes into effect immediately. Now, some lawyers, they said well, because it is emphasized other lawyers said, no, you can't put this ordinance into place immediately without the publication. I guess my thing is I would just like you to consider some of the things. I did make up a pamphlet for all of you. I did ours and made some highlights. I also looked at several of the cities in the area, and I also showed you how the other cities did it. On each page I highlighted some of my points. I talk about how, yes, it implies it should go immediately into effect, but it also falls under general ordinance procedures. If you look at Beavercreek, Trotwood, Fairborn, all of them have their ordinances, but their emergency ordinance is not in the same section as all the others how their regular ordinances are. Some cities even put into play an emergency ordinance for an appropriation that is even separate. Then, too, when you get to cities outside of this area, some of them actually have entire sections just dealing with emergency ordinances. Because we are a small city, I don't think its that much of an issue, but if you look at what the other cities are doing. In Beavercreek, the reason the first section of introduction of ordinance is in small print is their general ordinances basically read almost exactly the same as ours. The larger print is how they actually address their emergency ordinances. With that said, a couple of questions I ask of you guys. Will our ordinance, if for some reason someone wants to take us to court, will it hold up in court; you don't know, look at what the other cities are doing and how do we improve a better understanding of that ordinance. Now, when we discussed it that day in the work session everyone kind of had their own idea...I think it means this or I think it means this. I think if we gave it its own subsection that there would not be a discussion regarding that. Also, too, don't want we want to give the city manager the best tools in that type of procedure. I am not saying that in the last emergency anyone did anything wrong, but I always think when something like that happens we can look back and say, hey, we can improve on this. With that said, I would like to thank you for listening to my little presentation and maybe consider in the future looking at our emergency ordinance and changing that.

Mayor Flaute invited Mr. Jon Schneiders to come forward and discuss his issue. Mr. Schneiders: Mr. Mayor, councilmembers, department heads, I want to thank you for letting me talk to you. I like to talk about the improvements that have been working on on Valley Street. I commend you for it. It is about time that we see some good places down there to try and get wheelchairs and walkways down. The other thing I want to bring to your attention, I did this several months ago is I have a large yard and I am constantly picking up animals and trying to find where they belong. I volunteer with SISCA and ARC and I have talked to ARC in particular about trying to get some scanners for the chips that the animals have in them for our police department. I'd like council to consider that there and I would like to move forward and try and help to get that done.

Deputy Mayor Denning: Do you know how much the chip readers cost? Mr. Schneiders: They are telling me you can get some between \$100- \$150, but if I get a hold of the manufacturer, this is what ARC told me, that I can get some manufacturers to donate them to the police department. Deputy Mayor Denning: There are organizations in this city that would probably help you fund that. The American Legion, the VFW, and also the Jaycees and the Lions might help you fund that. Mr. Schneiders: Okay, if it so please you, I would like to try to see if they would be interested or somebody else can do it. I have nothing but

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time. Ms. Fry: Have you spoken to the police department to see if they want that responsibility? Mr. Schneiders: Not extensively, I kind of mentioned it to the chief tonight. Deputy Mayor Denning: Maybe, Mr. Schneiders, you need to get the readers and then if you find the dog, you can use the reader and then the other part would be if the police happen to find a dog they would be able to bring it to you or you could come to it and do the reading and that way they are not responsible for that or the equipment or the upkeep. Mayor Flaute: Chief, would you please check in with Mr. Schneiders and bring back a suggestion possibly? The chief will be with you within 24 hours.

Mayor Flaute invited Mr. Coterel to come forward and discuss his issue. Mr. Coterel: The last meeting we had in June, Frank and I had a discussion with Kathy on public services and stuff over the no thru truck signs. The no thru truck signs in front of Byesville and the no thru truck sign has been taken down in the center of Planters. It is just like Fairfax that I live on, we have a no thru truck sign on Springfield Street going in and half-way down no thru truck signs. She, in my opinion, felt like...the statement was 'we can't enforce that'. The thing of it is the public services doesn't enforce the no thru trucks when they put the sign up; it's up to the police department to do it. We need the no thru truck signs back on Byesville, okay, and half-way down on Planters that are to keep them out of them. I am getting tired of seeing the semis, especially out of Sammons going through Byesville and going from Planters to Derwent and then out on to Fairfax and on up to Fairfield and on to Springfield Street. I think it needs to be enforced and we need the signs there so they can enforce it. That way you can't have truckers saying, "I didn't see nothing", which to me is wrong. Mayor Flaute: Chief would you get with him in 24 hours to talk about that with him? Ms. Fry: I just wanted to ask what the process was supposed to be for signage. I hear two issues. One is they were taken down, are they supposed to be coming back up? Secondly, one is the enforcement process for those. Mr. Carpenter: I can't speak directly to the enforcement; I'll have to defer. Mr. Coterel is correct, the one at Planters and Byesville is not there. There was a sign there. Then, I noticed there was one at Byesville and Smithville that one is missing. The other ones were replaced; I think it was just those two. Ms. Fry: Are they due to be replaced? Mr. Coterel: They had replaced a couple of them that were taken down, and I think they took them down because they were the wrong color. If it was yellow and they had to go white, something like that. Mayor Flaute: If there were signs there, we need to replace them. Ms. Fry: The city does intend to replace them? Mr. Carpenter: Well, that is why we need to have that conversation. I know Kathy has done some research on this and I think we will have to get together to confirm that we are supposed to put them back. Sounds like there is a need regardless of whether or not it is required. Mr. Coterel: They had been there and they shouldn't have been taken down. Unfortunately, I think a couple of them were taken down by truckers or people. That is my opinion. Mr. Carpenter: I don't know; I know they were orange and they aren't supposed to be orange that is for construction. Mr. Coterel: But, see the ones that they took down that were orange they replaced them with the white ones. Ms. Campbell: Do you have a camera you can set up there and catch them? Mr. Coterel: I wish.

Ms. Bartlett: I need to probably have a discussion with the chief and make sure we are on the same page. I did go out with Jay Keaton and look at how the signing is. As an engineer, I go to school, learn what signs mean and what you can do with signs. There was a sign mid-block, I believe it was on Planters and a no thru truck sign cannot stop...it is just that, it is to prohibit trucks from going from one street through on the same street. If a truck comes into a street, makes a stop and then enters the street back out, he can go left or right and get out of that subdivision or plat. Mr. Coterel: I disagree. Ms. Bartlett: You can't make it a through...Deputy Mayor Denning: You can't make it a through fare. Ms. Bartlett: Right, it is to stop through.... Deputy Mayor Denning: If you are trying to get to Smithville, you can't go down Planters and up through off of Springfield Street you can't go straight through. But, if you stop and then come back out you can do that. Ms. Bartlett: Right. Mr. Coterel: It is just like when you have a semi, these Budweiser trucks and stuff that goes to the market. They pull up right in front of the house, they pull up and back in to the parking lot to make a delivery or else they pull in the side and make the delivery and then they come down, back

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out and then go out. Mayor Flaute: She is saying that is permissible and a truck sign that says no thru trucks wouldn't alleviate that. Mr. Coterel: They are not going through. Mayor Flaute: So, a sign that says no thru trucks wouldn't help. Ms. Fry: Is the issue that we don't really have a situation where we have a problem with thru trucks? We have a problem with trucks but not thru trucks? Is that the situation? Mr. Coterel: No, you have a problem with the trucks that are going through that should not be going through. You don't have a semi going down Byesville Blvd. You been on Byesville Blvd? Mayor Flaute: But, if they are making a delivery...Ms. Fry: That is a different category. Ms. Bartlett: We have signs at the entrance into roadways. We don't have mid-block signs. Mid-block signs are not enforceable. Mr. Coterel: You have it on Fairfax; it has been there up-teen years. Ms. Bartlett: That was before my time; I haven't been around the city to clean up the signs. Mr. Coterel: I think you need to get back with the right time. Deputy Mayor Denning: So, the answer you are giving us is the signs that were there before may not have been in the correct place and what we have now are in the correct places or do we need to add any others for streets that come off of either Springfield Street or Smithville so we make sure all those streets they know that they are not supposed to go through. Ms. Bartlett: In this particular area, I drove it with Jay, there are no signs missing. Now, off of Smithville, if I remember right, there is a section that is Dayton. There is a sign when you hit the Riverside border; we don't have the ability to go on to Dayton property, the authority to put a sign there. Mr. Carpenter: I think there is one there at Byesville and Smithville. Mr. Coterel: That's on Fair Park. You need to put the one back on Byesville and Smithville. Mayor Flaute: I think we have looked at that...Mr. Carpenter: I don't think there is one there that is what I saw the last time I checked. Mayor Flaute: And there should be? Mr. Carpenter: Well, evidently, there was one, correct? Mayor Flaute: But that doesn't mean there should be one. Mr. Carpenter: We will verify that. We have them at other...we have one off of Springfield Street and we have one off of Smithville as well at Fairfax. It is very similar is all I am saying. Mayor Flaute: We are going to check. Mr. Coterel: There shouldn't be no maybe; you guys don't understand...no, this is Riverside, this is the entrance to Riverside. You don't go down Byesville Blvd. off of Smithville with a semi and everything to go wherever. I'm talking about semi-trucks like out of Sammons and stuff. Mayor Flaute: We are going to look into it; it doesn't sound like there may need to be one. Mr. Coterel: I appreciate it, but I like to see them signs put back up where they were in the first place. Mayor Flaute: Did you have another issue, Mr. Coterel? Mr. Coterel: I did, but I think it has been taken care of.

Mayor Flaute invited Mr. Frank Smith to come forward and address his issue. Mr. Smith: Good evening Mayor, council. Dave was talking about what I was going to bring up. The sign at Byesville and Smithville is still not up. The one halfway down on Planters is not back up, but about two weeks ago in regards to what you were saying, one of Sandy's heavy wreckers came off of Smithville with one of Jerry's trucks in tow down Byesville. That wasn't making a delivery. That is just dragging one of Jerry's trucks in and coming off of Springfield Street on to Planters, Jerry's trucks are not making deliveries. They are living there; the trucks stay there. They are not delivering. Mayor Flaute: But they are not going through. Mr. Smith: No, but without that sign on Planters halfway up; they can. Chief Robinson: Can I make a comment? The way this works is any entrance into the neighborhood, if you put no thru trucks in any entrance to that neighborhood no matter where you put it at; you don't need to put it anywhere else inside that neighborhood because it has already been told to you right here. What she is saying, for example, when Sammons trucks turn in there, they go down the road there is a sign that says no thru trucks there, correct? When they get there, they make that right into the lot; they park their trucks; they back out and come out the same entrance they came in to. That is not a violation of thru trucks because they did not do that. Now, if they came out of the lot, hooked a right, went by Frank Smith's house and hooked another right at the stop sign, which would be a tough thing to do, then go down that street that would be a violation of no thru trucks. Mr. Smith: But, they do. Without that no thru trucks sign halfway up the street they will do it. Chief Robinson: The problem with that is, we can't be there 24/7 to watch that. You guys have a specific time that is going on give us a call and let me know when that is happening. I will have somebody there waiting for them. I can't put a car down there 24/7. Mr. Smith: I didn't say you could.

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Mayor Flaute: Okay, Mr. Smith, I think we discussed it and we are going to look into it. Mr. Smith: Well, we will see.

Chief Robinson: Can I just say one more thing, sir? I was not trying to be adversarial; I was just trying to make a point that is how it works. Mayor Flaute: I think we have said the same thing three or four times.

Mayor Flaute invited Ms. Nancy Godsey to come and discuss her issue. Ms. Godsey: I'm Nancy Godsey, 2406 Forest Home, I'm going to make this short and quick. One subject, I'm going to cut the other one out for right now, okay. The biggest problem I have in our community where I live is the kids playing basketball in the street. Now, we have parks and they are convenient. Rohrer Park is right up the street. I have a neighbor across the street and this is just one of many. This is a five-way road I live on. A little, bitty corner, neighbor across the street has a driveway and has one of those moveable basketball things. They put it right at the very edge of their property line and the kids play out if the street. It is just a matter of time before one of those kids gets hit by somebody speeding around there. I just want to know if there is anything we can do about this. That is not the only basketball court that is at the end of a property line. Ms. Campbell: I know right where you are talking because when you go around two cars can't pass each other there. There is a big rock on one side and the basketball hoop is on the other side right on the edge of the road. The two cars can't pass together; one of them has to wait for the other one to go because there is not enough room. Ms. Godsey: Well, my dad owns the house on the corner... Mayor Flaute: I suggest that you see the Chief after the meeting. Are there certain times? Deputy Mayor Denning: I think there is already an ordinance. That is a zoning thing, they can't have that basketball hoop there. Ms. Godsey: In the last 48 hours, I have seen at least six to eight cops because you guys were out there looking for somebody. It is not the first time the cops have seen that basketball court. There are others throughout the community doing the same thing. Mayor Flaute: If you will get with the chief and especially identify that. Ms. Fry: If it's a zoning thing... Chief Robinson: It is a zoning issue not a police issue. Deputy Mayor Denning: Basketball hoops should not be in the right-of-way. We've got a zoning ordinance against basketball hoops in the right-of-way. Mayor Flaute: If you would see the assistant city manager after the meeting and give him any information you have. Ms. Campbell: I think she was worried about it becoming a police issue if something happens to them. Deputy Mayor Denning: No, I agree. Your question was do we have anything on the books already and the answer is there is something on the books already; we just need to get the zoning out there and enforce it. Ms. Godsey: I live out in what is classified as Hell's half-acres and the mentality out there is a little bit different than the other side of the city. Mayor Flaute: See the assistant city manager after this meeting, please, and give him all the information you can and we will see what we can do.

Mayor Flaute invited Ms. Jan Pitzer to come and discuss her issue. Ms. Pitzer: My comments tonight are, and I know I need to address council, regarding the fireworks on July 4. I'd like to know how many, if any, arrests or citations. My comment is in regards, I made a phone call, July 4, at approximately 10:35 pm; I called dispatch. Minors shooting fireworks continuously beginning a little after 8:00 pm. Not just bangs, but professional light shows going off. I have remnants that were on my roof. I gave the address to the dispatch. One officer came down the street heading north from Robinwood to Wake Forest to Duquesne intersection, turned right, which would be heading east on Duquesne. Approximately eight minutes later, another officer heading on east on Duquesne went through the intersection of Duquesne and Wake Forest still heading east. My problem is the address that I gave is five houses north of that intersection. I'm not calling for someone to be arrested, even given a citation. These were minors setting off these fireworks. A police presence would have stopped it. I am disappointed that our police department, officers that have taken an oath to uphold the law are violating the law themselves. My second comment is the swimming pool at the corner of Spinning and Bayside that was on the east side of the home has been taken down. Good news, huh? They put it up on the west side now. No enclosure.

**ITEM 17: COUNCIL MEMBER COMMENTS:**

Mr. Curp: I would like to thank the service director for having the crew address a storm sewer drain issue or a line issue over in Park Lane. I sent that notice to them that there was an issue and, unfortunately, it was at the same time that we were doing all this work on tornado cleanup. Nonetheless, they found the way to spend some time and go over and take care of that, and they did it as quickly as they could. They did a great job in putting things together so I want to make sure she gets recognition for that. Secondly, I hope we take a look at the zoning code. I don't recall as far as the hard surface required to park vehicles on. I thought, I know gravel was one, but I thought new ones were supposed to be something other than gravel, but gravel was acceptable if it was already in place. One of the situations we have is that down at the corner of Byesville across from Mr. Smith there is a house purchased by S & S and it has been used for parking vehicles in the side yard. It is its own residential and if that is being used as an extension of the business for parking then I'm not sure that falls into permissive use under the zoning regulations. For awhile they were parking in the mud in the side yard on the grass and so maybe someone said something to them or maybe they were creating a big enough rut they decided to put something in there, hard surface, and in this case, it is gravel as opposed to asphalt or concrete. Maybe we can take a look at that and see. It has been awhile since I have read that part of the code to determine, but I thought new stuff had to be something other than gravel.

Mayor Flaute: I did four weddings the last couple of weeks. We had the grand opening of the Mad River Remedies, they say they are doing very, very well so that business is thriving and it is good for them. I also represented you at the Dayton Strong concert on Saturday. They raised approximately \$2,600 for tornado victims. My heart goes out to all the victims, especially our residents that had to deal with that and I thank the staff for all the hard work you did, too, to make this as painless as we possibly could. There will be an InCrowd coming up on July 29 at 6:00 pm. It is one of our resident's, Homer Rice, has a Cajun food. It will be held at the community church on Meyer and Burkhardt. It will be a good one. Anyone who would like to attend, please get your reservations in. We have approximately one month until August 22 is the last chance you have to put in your petitions to run for office. So, if anyone wants to run for office, you have until August 22 at 4:00 p.m. to do that. Anyone who would like to go through a meeting like this one, please feel free. This has been a difficult one. Ms. Campbell: The 22<sup>nd</sup>? Mayor Flaute: August 22 at 4:00 pm. We are having a special council meeting on July 25 as mentioned earlier.

Deputy Mayor Denning motioned to go into executive session for the reasons listed on the agenda. Ms. Campbell seconded the motion. Roll call was as follows: Deputy Mayor Denning, yes; Ms. Campbell, yes; Mr. Curp, yes; Ms. Fry, yes; Mr. Teaford, yes; and Mayor Flaute, yes. **Motion carried.**

**ITEM 18: EXECUTIVE SESSION:**

- A) Section 13.01 (d)(7) To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information confidentially received from an applicant: C. Production techniques and trade secrets.
- B) Section 103.01 (d)(1) Unless the City employee of official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.

**ITEM 19: RECONVENE:**

Council reconvened at 10:05 pm.

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**ITEM 20: ADJOURNMENT**

Ms. Campbell motioned to adjourn. Mr. Curp seconded the motion. All were in favor; none were opposed. The meeting adjourned at 10:05 pm.

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William R. Flaute, Mayor

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Clerk of Council