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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: Deputy Mayor Curp, present; Mr. Denning, present; Mr. Fullenkamp, present; Mrs. Lommatzsch, absent; Mrs. Reynolds, present; Mr. Smith, present; and Mayor Flaute, present.

Staff present was as follows: Mark Carpenter, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Department; Bob Murray, Economic Development Department; Brock Taylor, Planning and Program Management Department; Frank Robinson, Police Chief; Daniel Stitzel, Fire Chief; Mitch Miller, Service Department; and Brenna Arnold, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS:

A motion was made by Mrs. Reynolds to excuse Mrs. Lommatzsch. Deputy Mayor Curp seconded the motion.

There was no further discussion on the motion.

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

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:

Mr. Denning: We need to scratch 17-R-2291.

ITEM 5: APPROVAL OF AGENDA:

A motion was made by Mr. Denning to approve the agenda as amended. Mr. Smith seconded the motion.

Mr. Fullenkamp: So that's the MOU, the Memorandum of Understanding? Mr. Carpenter: Yes. Mr. Fullenkamp: So what happened and why are we removing this? Mr. Carpenter: Okay. Mr. Taylor is not here to give a further in-depth explanation. The long and short of it is that Tim Horton's was interested in moving into the Airway Shopping Center. Where they wanted to locate, which was across from the McDonald's we were told impacted the lease agreement for AutoZone. AutoZone was kind of holding up the project, so we tried to work with Mr. Shand from Mid America Management, Airway Shopping Center, and AutoZone and Tim Horton's. We came to an arrangement to where if we would agree not to put in a median to prevent a left hand turn into the shopping center then AutoZone would give up those parking spaces so Tim Horton's could build.

Mr. Fullenkamp: So why did Mid America try to make arrangements that violated a lease that they already have? Mr. Carpenter: They were trying to accommodate Tim Horton's. Mr. Fullenkamp: Was there no other place to locate Tim Horton's on the property? Mr. Carpenter: That's the part I'm not sure of what other complications for them locating somewhere else. Mr. Fullenkamp: So they depended on the City to restrict what it would be willing to do at that intersection in order to overcome the violation of a lease that they have with AutoZone? Mr. Carpenter: I guess you could say it that way. Yeah, sure. Mr. Fullenkamp: Okay. Mayor Flaute: So has Tim Horton's pulled out completely? Mr. Carpenter: That's my understanding. I learned that Tuesday morning. Tim Horton's said the market is saturated and they have no desire to locate.

Mr. Fullenkamp: I have big concerns about the safety of that. There are a lot of people making left turns out of that shopping center and the only way we are going to stop them is to put a median in there. That whole area was messed up when we

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allowed the intersection to be put up at the McDonald's there with no right hand turn lane and a number of real deficiencies is what I will call them in how that was designed and some of the backup at that intersection has been created by just a poor design all the way around. I know that we have no intention of making any changes there, but I am thinking it is probably something we should be considering is finding a way to stop these people from turning left out of that parking lot on Woodman Drive because I see it all the time. There is a safety issue there and I'm assuming a sign does not stop people from doing things.

Mrs. Reynolds: Mr. City Manager, I think in the future if we had no intentions of doing anything to change that road makeup now, that would have been sufficient in a letter because we put ourselves in a position to where other people think that those are things that we can do and we can't always meet every request, sir. This was a Mid America lease situation and that's the way it probably should have just been handled. You have my letter that there is no intent that we are doing anything as of this time might have been better.

There was no further discussion on the motion.

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

ITEM 6: WORK SESSION ITEMS:

- A) Presentation: Ohio Benefits Cooperative from Assistant City Manager, Chris Lohr, and Dave Carlson and Stephen Hopf with McGohan Brabender

Mr. Lohr: Good evening, Mayor and Council. Last year when we had our 24% from 16-17 health insurance increase, which of course was unfortunate, Council asked me and the City Manager directed me to take a look at some other options out there that might keep health insurance more affordable for the City and for the employees with a particular interest, I think, of Council to look into some sort of pool. I looked at some options and I have here tonight what I believe to be a good option for us to pursue and it is the Ohio Benefits Cooperative. McGohan Brabender is the broker for municipalities coming into that program. I have Dave Carlson and Steve Hopf here tonight to give you some information on the program. This is just going to be some information about the Ohio Benefits Cooperative. There are cost comparisons and things like that I think we can go over that in a separate work session, so it will just be the work session tonight about the Ohio Benefits Cooperative and what it would take for the City to join it with the understanding that we will talk a lot more about this in the future.

Mr. Carlson: Good evening, Mayor and Council. Thank you for having us and for the introduction, Chris. Just to speak directly on what he is discussing, we are McGohan Brabender. If you are not familiar with us I will give you a little history about who we are. We are an employee benefits only brokerage firm. We are located here local and our headquarters is in Dayton and we have programs in Cincinnati and Columbus. We house about 200 employees and about 1,200 clients. We are independently operated and we are the largest privately held firm in the State of Ohio. We deal with many industries obviously with a client base that size, one of which is municipalities as Chris said where we deal specifically with options to help their situations. You will be seeing one of those options and we will talk specifically about that in a moment.

Just to speak on the OBC, so it is the Ohio Benefits Cooperative. It is not for profit for government and public entities. It was established back in 1994 specifically for counties, townships, special districts, and school districts are all eligible. The idea is to build stability through strength in numbers, to create a larger pool size to minimize your risk. We have had great success in bringing in cities and townships to fill the pool. We will get into specifically who those cities are in the moment and you will see the size portion on that. Eligibility wise there is a breakdown 51 is our minimum eligible employees and up to 250, that is our maximum. Anything falling outside of those guidelines are not considered viable just because of the strict requirements. We need to keep the pool a certain size and clean so to speak. Again cities,

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municipalities, villages, and townships are the only eligible organizations by the OBC. Steve Hopf is with me. He has been involved with OBC much longer than I have, so he is going to speak specifically on the benefits itself.

Mr. Hopf: Good evening. On the benefits side, it's self-funded. The medical benefits portion, medical/pharmacy that portion of the program, is a self-funded program. The pool itself has been in existence since 1994. In 2015 the Pool Board made the decision to move to a self-funded platform. The program today utilizes Anthem and Express Scripts. Anthem is the Medical Administrator and Express Scripts is the Pharmacy Benefits Administrator. The pool operates with a September 1 renewal date. Groups can come in at any point in time of the year, but if they are in the pool they would renew with the rest of the pool on September 1. The entities that come into the OBC have the option of participating in a pool and/or they could be on their own in the OBC and be self-funded and that option is known as a Purchasing Co-op. Today there are 13 total jurisdictions in the OBC and again the size is between 51 and 250. Most of the smaller jurisdictions in that under 100 area belong in the pool, so 11 out of the 13 are in the pool and 2 are on their own in the purchasing side.

For new OBC entities, they are initially rated on their own merits in terms of ages and experience in the extent that we have access to experience as groups that don't have experience and that's typically groups between that 51 and 100. We would rely upon the electronic application process which is known as Form Fire in order to determine A) whether they could come into the pool and then B) what the rates would be. We do have actually fixed rates. We just finished the OBC renewal for the pool and we have those rates established for 9/1/17 through 8/31/18. Prospective members of the pool have eight standard plan designs that they can choose from. There are PPO plans and High Deductible plans. Built into the rate structure for the pool, we have a turnkey wellness program or wellness initiative and incentives. All participants are required to participate. It is administered by PUSH, but they are required to participate in the wellness program.

The program also provides entities who participate with Life and AD&D benefits. Those programs are underwritten by Standard Life Insurance and employees must be working a minimum of 20 hours a week to be eligible for the Life insurance program and there is a voluntary or supplemental life insurance program that is available if an entity wants to offer additional coverage and this is typically employee paid. The program also has a dental option in it and those benefits are administered by Superior Dental Care and that program is fully insured. The medical program is administered on a self-funded basis. The pool and purchasing co-op options, life insurance fully insured, and the dental is fully insured.

This is just a piece on the wellness program through PUSH. It is again a turnkey program. The incentives that are provided in the program really are built into the rates, but we have some entities that really embrace this and other entities don't embrace it. It is still part of the premium structure. The program was just put in September of 16, so we are coming up towards the end of our first year with them and we have had a lot of good success. We don't get individual information, we get it collectively on the pool basis and we have had a lot of things come to light that people have improved their level of fitness for instance under that program. I'm going to let Dave go through the membership and some additional information on our track record in terms of what the rate adjustments have been specifically on the pool.

Mr. Carlson: Specifically on membership there are two levels and the groups are allowed the option of either one. Full Board Membership is a fixed amount to join, a one-time fee of \$800.00. Those entities are given a little bit more voice in the room so to speak on the pool itself as opposed to an Affiliate Membership, which is a one-time fee of \$75.00; however there are some privileges that are not given. As a Full Board Member, the entity elects one representative to the Board Members, they meet to discuss issues or things as they come up, provide access to negotiated rates for medical information, and required to be in the OBC for at least three years. There is some stability to the pool for groups coming in. One aspect of the membership that should probably be mentioned, there is a three year requirement to be in the OBC.

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Some current OBC Members and you will recognize many of these names, Full Board Members: Beavercreek, Centerville, Eaton, Englewood, Franklin, Miamisburg, Reading, Sidney, Tipp City, and Troy. There are a few townships: Deerfield, Sugarcreek, and Washington. Affiliate Members are like we said before there is no tenure requirement, they have access to negotiated rates, and jurisdictions in the Life pool must reside within the State of Ohio. Here you have Bexley, New Carlisle, and Trenton. These will both be options to you. Then it discusses our current Officers.

Here are some of the benefits to the OBC. Just some renewal history, Chris mentioned when they brought this to us what options are available that could best fit us because the fluctuation in the renewal percentages and you not being aware of even in the next year where you are going to land. This hopefully gives you some perspective and a little bit of history on how well the OBC has performed. Over the last five years our average has been about a 5.7 per year increase which is lower than the average group, the 10 year average is 6.8 which is very strong, and the 20 year average is at 9%. It shows a breakdown per year on what that renewal rate looks like.

Here is the territory which this kind of encompasses. Anthem has kind of portioned off this part of the state and for this access, so it is Southwestern Ohio and you can see all of the counties listed there. Those are the areas we are talking specifically about medical. Ancillary is option to the remaining portion of the state, just not the medical.

So the remaining portion of this is something we talked about before in the previous meeting, it is just the comparison of that and some rates. We put this at the end because we weren't sure if this was going to be a part of the conversation now or not. We can certainly talk about this and show the comparison on where you are now as opposed to an option that was highlighted within the options within the OBC Pool. I can proceed if you would like.

Mr. Hopf: So this just shows where you are today. You are currently fully insured with Anthem and their term Luminous HDHP, high deductible health plan. That plan has a \$2,600.00/\$5,200.00 embedded deductible structure. After that deductible is met, that pays 100%. After that deductible is met there are RX copays that continue to apply. You can see there the retail scrips have a \$10.00 copay, \$35.00 copay, \$70.00 copay, or 25% with a maximum copay cost of \$250.00. Those are broken down into different level tiers of drug. Mail order is twice, so \$20.00, \$105.00, \$210.00, and again 25% with a max of \$250.00. The rate structure that you have in place for 2017 is there, you see your employee, employee/spouse, employee/child, and family rates. I believe your program renews on January 1, 2018. The OBC you remember I mentioned that there were PPO and HDHP options that you select. Just looking at this, we took the OBC Pool option that closes mirrors your plan where it is not an exact replication of your structure, but the deductible is \$2,500.00/\$5,000.00. It is a non-embedded deductible. It pays 100% after the deductible is met. The out-of-pocket is \$3,500.00/\$6,850.00 and then there is an RX copay under this that once you hit the \$2,500.00/\$5,000.00 deductible structure the drug copays are \$10.00, \$30.00, \$50.00, and 25% if the purchase of the script is at retail level. There is a mail order option and that option copays \$10.00, \$75.00, \$150.00, and 25% max after \$150.00. That provides the individual with a three month supply. The rates you see there are the 2016-17 rates. When this exhibit was put together we were back in March and we didn't have the renewal rates for 9/1/17.

Mr. Fullenkamp: It looks like single people take a hit compared to families in the rate structure. Why is that? Mr. Hopf: Yes, these rates are based upon the Pool that is in place today. It is collectively rated, so those are just the rates in the Pool. Mr. Fullenkamp: Okay. Mr. Hopf: Though our family rate is lower than where you are today. Again, that's just the way the Pool was structured today. Mayor Flaute: These are going to be the prices? Mr. Hopf: No, these are rates which expire 8/31/17, so we would be looking at our new rate structure which goes into effect 9/1/17 and would be through 8/31/18. Mayor Flaute: We don't know what those are yet? Mr. Hopf: I know what the rate increase is. We didn't update this slide for tonight's presentation. Mr. Lohr: Excuse me, if I remember correctly it was about a

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4% increase. Mr. Hopf: Yes, it was a 4% increase. Mayor Flaute: So we would add 4% to these numbers. Mr. Hopf: If this is the plan design you land on, yes. Mayor Flaute: Okay.

Mr. Smith: Looking over your 20 year history on renewal rates, it looks to me that quite a few years over the last 20 years were in excess of 7% or more, sometimes as high as 25% rate increase. Can you give us an idea why the rate increased so much during that period? Mr. Hopf: Yes, one of the reasons that specific year we were fully insured using the same type of funding mechanism that you all are using today and over time we were experience rated so there were years where the experience of the Pool dictated a higher increase. That was driven by the actual experience just as in 2015 we went with the Board for the OBC Pool and made the decision to move the Pool from fully insured to self-funded and that happened in 2015, so you can see we had a 4% for the two from 2015-2016 plan year and 4.7% for 2016-2017 and for the 2017-2018 the Pool had just around 4% increase. Some of that volatility we believe was taken out by the fact that we became self-funded. That's not to say we couldn't have a 20% increase under a self-funded program. The biggest driver of the cost on this is the claims that are incurred and paid under the program by the members in the Pool. It's not community rated, it's rated based upon the experience in the Pool. The members coming into the Pool understand that there are going to be good years and there might be a bad year, but they are in it for the long term. They are in it for that stability over that period, so there very well could be years that are higher than what you want to see. So far all of the members in the Pool are willing to weather the storm for the long term average lower increase.

Mr. Smith: Okay. You mentioned experience, you were talking about claims against the insurance, is that correct? Is that what you meant? Mr. Hopf: The benefits that are paid, yes sir. Mr. Smith: Okay. I noticed that what we are paying now and what your intended rate would be is a little higher than what we are paying now. Mr. Denning: But we don't know how much ours is going up. Mayor Flaute: Chris, do we know what next year's is going to be for what we have now? Mr. Lohr: We don't know. We are just guessing at this point at what it is going to be. Looking at our current broker, the five year average for them is around 10.5% so there is a substantial difference. If we take that and apply it to next year and you factor in that the family rate is lower and we have more family accounts than we have single accounts then it ends up saving us money next year. In addition if you take those five year averages out another five years, the savings just build to where at the end of that five year term it is about a \$200,000.00 difference if those trends continue.

Mr. Smith: Well that's difficult to say or to predict really because five years out and five years out further the employees continue to age and as you age you require more health needs, more doctor's visits, more prescriptions, more tests, operations, and so forth. Mr. Lohr: It is and it is particularly hard to guess or estimate what insurance is going to look like next year with all the uncertainly going on. Is Obamacare going to be repealed? Are we going to have a different health system coming in the next year? We discussed that at length with McGohan Brabender and with the Employee Health Insurance Committee. Really the most important thing to think about is right now we are all by ourselves bidding out for insurance at 61 accounts. If we go into the Ohio Benefits Cooperative, we are in a pool of about 1,000 accounts. That just gives us more leverage to keep the rates down regardless of what the market does as a whole we have a better chance of keeping down health insurance in the Cooperative than being outside of it all by ourselves.

Mr. Smith: When you mention Obamacare versus this plan aren't we comparing apples to oranges though. Obamacare is a totally different kind of insurance. Mr. Denning: It will impact what goes on with this. Mr. Lohr: It will, but the Cooperative will still be there. The rules of the game may change and I know the Affordable Care Act or Obamacare has requirements for certain types of coverage and things like that, those may go away, but that's going to go away across the board. It may change the rules of the game, but the Cooperative is going to be there and I think we are still in a better position to be in that group of people and be able to leverage those numbers to keep health insurance costs down. Mr. Smith: Okay.

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Mr. Fullenkamp: Are you saying 1,100 people are in the Pool? How large is the Pool? Mr. Hopf: The 1,100 number is the combined participating employee count for the Pool and the Purchasing Co-op. The two groups that are on their own, but still are in the OBC and the Purchasing Co-op are the City of Sidney and City of Centerville. All the other jurisdictions that are in the medical are in the Medical Pool, so it is about 900 in the Pool and then the balance of the 1,100 are in Sidney and Centerville. Mr. Fullenkamp: So a client is an employee and it doesn't matter whether that is a single person or a family? Mr. Hopf: That's just a raw number. Some of them are single; some of them are carrying family coverage. Mr. Fullenkamp: Is that a large pool? Mr. Hopf: There are a lot of pools out there. For municipalities it is probably in the middle. There are some pools that are 3,200 lives. There is a pool in Cincinnati that is about 500 lives. Mr. Fullenkamp: So this is the only pool available to this region? Mr. Hopf: No, there are other pools that are around. Mr. Fullenkamp: That's who you represent. Mr. Hopf: This is a pool that hired us to manage their program. This is a pool that we work with very closely. We are not here to represent anything other than the OBC Pool. Mr. Fullenkamp: I understand. Thank you.

Mrs. Reynolds: I just wanted to ask a couple of questions. You based your comparisons on the HDHP plan, right? Mr. Hopf: Yes, ma'am. Mrs. Reynolds: But you have a PPO plan. Mr. Hopf: There are PPO plans as well. Mrs. Reynolds: In looking at what benefits a city most is not always the bottom dollar, it is a service that we provide to our employees. Can you tell me the difference between the two plans? I can look at the dollar amounts, but the benefits of the PPOs over the HDHP. Mr. Hopf: Let me see if we have that. Mrs. Reynolds: If I look under the coinsurance or if I look at the out-of-pocket maximum. Mr. Hopf: There are four PPO program options and there are five HDHP options. They are set by the OBC Board. When the OBC came together many years ago to accommodate jurisdictions we had probably 20-25 different options and it became hard to administer, so they narrowed it in the last five years to four PPOs and five HDHPs. Mrs. Reynolds: So we are looking at out-of-pocket maximum in PPO 1-4 is \$1,000.00-\$6,000.00. What made you decide to quote the HDHP numbers to us? Thinking that was the closest to what we currently have? Mr. Hopf: Yes, we were trying to provide you with as close to apples, it's not apple to apple, but the HDHP you can see we have five of them and your plan that your employees have today the closest to that from a deductible and out-of-pocket structure was the \$2,500.00/\$5,000.00 which is HDHP 3. That's as close as we could get.

Mrs. Reynolds: Mr. Lohr, did you look at how many apples we would be saving? Mr. Lohr: I did. Mrs. Reynolds: You know where I'm going with that trying to go that route. Mr. Lohr: Yes. We have had some meetings with the Health Insurance Committee which is representatives from all the four unions, one of the things the employees brought up as very important to them is the ability to choose whether they want an HSA plan or a PPO. I think when the change was made to an HSA plan some years ago financially that didn't make sense, but looking at these numbers that we have before us here it is realistic to be able to offer employees the choice between an HSA and a PPO. Because of the way we structure the City's contribution, it changes the cost both for the City and for the employee. Really looking at the estimated cost for next year the cheapest thing for the City would be for us to go with the PPO plan and that's just crunching the numbers with existing employees and the accounts the way we have it. That means that because PPO premium payments go up monthly, they go up for the employee as well so it becomes more expensive for the employee to choose that PPO plan versus the HSA. I think if we did decide to go with the OBC there would be a lot of value in offering employees two choices, one HSA and one PPO. Mrs. Reynolds: Thank you. Mayor Flaute: So they could have any of these HP 2-6? Mr. Lohr: The plan would be we would select a high deductible plan, which would probably be the #3 which is comparable to what we have now, and then we would select a PPO plan, which I would think would either be the PPO 1 or the PPO 2 because the City cost would be comparable to the HSA plan.

Mr. Smith: My question would be say we do go with the PPO 3 as you indicated, is this going to cost the employee more dollars per month, in other words are they going

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to bring home less money? Mr. Lohr: The answer would be if they did choose the PPO, they would bring home less money. The cost that the employee and the City would have are the premium cost, which depending on the employee class we pay between 82% for a Police Officer up to 90% for an Administrative employee, so that's the City contribution there. With an HSA plan, we go a step further than that and we give into the HSA account \$2,000.00 for a single plan or roughly \$4,000.00 for a family plan. On the City cost there is the premium cost and then the HSA contribution that we give. For the employee, that reduces the cost of their premium payment. If you go to the PPO, the total premium cost is higher both for the City and for the employee, but the City does not have that additional HSA contribution of \$2,000.00 for single and \$4,000.00 for a family. That's why it reduces our cost; we pay more in premium payments, but we don't make an HSA contribution. The employee pays that additional on a premium payment, but they also get what I would consider better coverage out of it. Really there are changes, they are not drastic changes going from our Anthem policy that we have now to Anthem policies with OBC. They are not huge changes and I think it is a reasonable transition for employees to make. Mr. Denning: And the employee would have the choice which way they went, so it would be up to them if they wanted to pay a little extra to get better coverage or keep the HSA. Okay. Mr. Lohr: Exactly.

Mr. Smith: I do have one other question and that is the \$800.00 member fee, is that \$800.00 to the City of Riverside or is that \$800.00 to each employee? Mr. Hopf: \$800.00 to the City of Riverside. It goes to the OBC so that is the OBC membership fee. Mr. Denning: That's \$800.00 for the whole City or \$800.00 for the employee? Mr. Hopf: For the whole City, not per employee. Mr. Denning: Okay. Mr. Hopf: It's a one-time membership fee and that's for entities that are Full Board Members, which are defined as groups that are participating in medical be they Pool or Purchase Co-op. It's one-time of \$800.00 from the City, not per employee.

Mrs. Reynolds: Why the requirement to remain with OBC for at least three years? Mr. Hopf: That's a Pool requirement and that's because we have to protect the financial integrity of the Pool, which is now self-funded, and we don't want a group coming in one year and then leaving. You have to make a three year commitment to the Pool. Mrs. Reynolds: Thank makes sense. Mr. Hopf: Just for clarification on the options, the City would choose the options. From our stand point it would be preferable that you would have no more than two options and the employees would not be able to choose from nine, four PPO and five HDHP. You choose which options and we would prefer from the management in the program, if you want to choose a PPO and an HDHP that's fine.

Mr. Smith: Okay and the \$800.00 fee as a member fee makes us a principal member. When we discontinue the program, do we get that money back or is that lost? Mr. Hopf: Nope. Mr. Smith: Okay. Mr. Hopf: You write the check, it goes to the OBC and is used to cover administrative expenses. Mr. Smith: So basically the \$800.0 is administrative fees to set us up in the plan and do the paperwork and computer work that is necessary? Mr. Hopf: The OBC Board has expenses for outside legal counsel. Things come up and we have to ask legal opinions or revisions or amendments or things like that. It funds those types of expenses. Mr. Smith: Okay.

Mrs. Reynolds: Mr. Lohr, because we are going to be looking at these things, could you possibly work up a sample employee? Old, what we are paying out. New, what we are looking at now. We can use these figures. Then that way we will have something to gauge by because you will be getting those new numbers soon I'm sure from our broker. Mr. Lohr: Not as soon as we would like. Mrs. Reynolds: I know not as soon as we would like, but we will get them. Mr. Lohr: Realistically it is probably in October or November. Mayor Flaute: That won't be too late to become a member of your group? Mr. Hopf: No, we probably need to implement it because assuming you do some type of option with employees you are going to want some communications with them, meetings and such. If you don't know until November 1st and won't have a decision until then, we would like at least 30 days. I will tell you the reason for that is one of the key things that we try to do from your employee's stand point, having a medical and drug ID card before January 1 really cuts down the

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people's fear and being anxious so we try to have those ID cards in their hands before the change and Anthem needs about 30 days to get that done. There are work arounds for that, but we try very hard to make sure that we've got all the elections, you have meetings and we give them the explanation and they make a choice if you do the multi-option between PPO and HDHP so people have to tell you what they want and that's a piece a paper. That all needs to happen and then we need to get that to Anthem so we hope and try very hard to have those ID cards in people's hands before the effective date, which for you we could come in actually before January 1, but I think January 1 is when we talked about.

Mr. Fullenkamp: When will we have the rates for next year for you people? Mr. Hopf: We have them. Mr. Fullenkamp: Can you get those to us so we can look? Mr. Lohr: I believe I have them and I can get them to you. Mrs. Reynolds: You said a plus 4%. Mr. Lohr: Yes, it is 4% and I will just say talking about timing in terms of administration, getting everything set up, the Form Fire, ideally we would make a decision no later than the end of September and that gives us at least a month to do Form Fire and then two months there for everybody to make a decision and get everything set and for us to get the cards. If we decide that early, that may not give us the ability to have the rates from the other broker. Looking at the history of rate increases, I think if we decide to act that early I think we can be fairly certain that is going to be a savings for us going with the OBC. Mrs. Reynolds: Do we have to give notice to our broker? Mr. Lohr: We will need to talk to him, yes. Mrs. Reynolds: I'm thinking of the contract. We need to make sure that we give notice. Mr. Lohr: I'm not sure what the contract says in terms of notice. I do know it is not so much an issue changing brokers as it would be changing insurance carriers and since it is Anthem to Anthem, it makes that change a little bit easier. Mrs. Reynolds: We are paying him to do that. Mr. Lohr: Yes.

Mrs. Reynolds: Would you care to send all of us just what you would send out to a member? Mr. Carlson: In terms of the communication for the enrollment? Sure. Mrs. Reynolds: That would be good for us to have just to look at. Mr. Carlson: I guess we could choose and HDHP and a PPO option from the list of options and provide what our typical communication material is for transitioning and that type of thing. Mrs. Reynolds: I would appreciate that. Mayor Flaute: Send it to Chris. Mr. Carlson: This information is preliminary. We need the Form Fire information that has to go through the OBC Membership Committee and the underwriter. As long as those hurdles are cleared then we are good to go in terms of the rates. The rates you see here are all subject to one approval by the OBC Membership Committee, which I don't suspect there would be any problems there. Two would be that information also has to be reviewed the stop loss underwriter to ensure there are no issues there. So we need the Form Fire material and the stop loss review application.

Mr. Fullenkamp: Chris, push our current vendor to get us numbers. Mr. Lohr: I'll do that. Mayor Flaute: As soon as possible. Mr. Fullenkamp: It's negotiating. Mr. Denning: You just tell him if we don't have the numbers we assume it is going to be 15% and that's what we are going to use against. Mayor Flaute: Try and get that as soon as we can so we remember and retain everything we've got here. Mr. Lohr: We will try.

Mr. Smith: Real quick, when you do your example of what a cost would be, do a single person and a family for the two plans. Mr. Lohr: I can do that. Mr. Smith: Thank you.

There were no further questions or comments.

B) Presentation: COP Initiative Plan from Police Major Matt Sturgeon

Major Sturgeon: Good evening. I just want to take a little bit of your time today to bring you up to speed on an initiative we started working on June 7, 2017. It is a COP Initiative and it stands for Community Oriented Patrol. The purpose of the COP Initiative, and I know some people might not be able to read the screen in the background and I will read some of this because the typing came out a little small, is to improve the Police Department's communication with our citizens and businesses,

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increase positive interactions between our officers and citizens, respond quickly to citizen and business concerns with directed patrols or other options, enhance the visibility of the Department within various neighborhoods, and address the opportunity toward development points that came from the 2017 City Council retreat. Those are all focuses that have kind of generated where we are going with this Initiative as directed to our road patrol.

The Action Plan that we have developed for COP will consist of, but is not limited to, some of the following areas: Officer initiated citizen contact, so that is where our Officers are out of their cruisers and talking to people when they are not dispatched out to their houses. We want them to stop. If someone is out cutting the grass, stop and talk to them about their neighborhood. Visits to local businesses, it is vital to have up to date business contacts for the alarm companies as well as just a good relationship with those who are investing in our city. Visits to our schools, we have been doing this for a while, but we are just making a better effort to increase it as well as statistically tracking it through a new reporting system we have CMI and the Huber Heights dispatch. We are trying to visit our local parks as often as possible to interact with the children and the people who are using our facilities in a positive manner. We deal with a lot of people at their worst moments and a lot of negativity follows our job, so we are trying to correct that.

We are implementing directed patrols in each neighborhood to address individual concerns. Some of what we have done is use our Facebook outreach to ask the citizens of our city, where are your concerns and what are the problems going on in your specific neighborhoods? We got a great response out of that. One of the ones had to do with speeding and traffic concerns in the neighborhood. We ended up with about 25-30 hot spots that we are currently running directed patrols at as an example. Respond when appropriate to special requests of our citizens and businesses. What that means is we had one family contact us that has a four year old child that loves Police Officers, usually it is the Firefighters, so we were really quick to jump on that one. We made that happen. We went out to Overlook and you will see a photograph of that in a few slides. A big thing is statistical data tracking; we want to be able to show exactly what we are doing and then why we are doing it. A lot of what we are able to do right now is because some of our tasking has been brought backwards on some of the zoning issues, so that has allowed in our Officers patrol time to focus more on some of these types of objects.

COP goals are building blocks and we are all building towards a stronger relationship with our community. The first one of our building blocks here or our goals is to strengthen trust and confidence of our citizens with their Police Department. It's their Police Department and we work for our citizens. This confidence will encourage our citizens and businesses in Riverside to take a more proactive role in the community and the community's overall safety and well-being. We want our citizens involved. They live in their neighborhoods and see more times than not. This is from patrol experience when I was 20 plus years ago on patrol, a lot of neighbors would say, "I saw something that looked out of place and I just didn't want to bother you guys or we just didn't think about it at the time." We want to stop that. We want them calling every time they see something that is out of place or contacting us.

Then it is also to result in a more responsive Police Department that better understands the unique needs of our individual neighborhoods. We all know we have different economic and social neighborhoods in our community. They all have different, unique needs, so that is one of the things that we are going to address is how we take care of our individual neighborhoods specifically. This improved personal relationship with our citizens will directly assist the Police Department with reducing overall crime in the City of Riverside. This is something that is kind of the vision down the road. If we can get our citizens to be more trusting and have a better relationship and open lines of communication, this will allow us to honestly solve more crime because people will be more willing to come forward, they will trust us, they will want to interact with us, they will want to have the relationships, and some of the major crimes that maybe in the past haven't been solved will probably have a better success ratio.

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Some basics on the COP Initiative stats, so far since June of 2017 we have conducted 63 directed patrols regarding traffic issues in 12 different neighborhoods within the City. We have made seven business contacts; we are working on that. One of the things that I haven't covered is the COP Initiative is right now when our guys are at full staffing, which is five Officers per shift, this is when our Sergeants are tasking Officers to do these COP Initiatives. They have kind of taken a hold of it and there are times where if they only have four Officers and they are a little bit slow that day this jumps in too and they start working on this. I will give you a breakdown as to why we cannot sometimes accomplish the COP Initiatives on a daily basis.

We have 15 visits to the summer lunch program so far by multiple Officers. Our guys really enjoy this; it is a lot of fun, I've been out there too. We have 34 attempted contacts with citizens via the GROW program. I'm sure you are familiar with the GROW program, but that is an initiative we took in the beginning of May which is helping to battle the opioid addiction problem. The GROW program is a joint combination with the Cornerstone project for the treatment end of it, the Fire Department has been more than gracious to help us out and be a participant with the GROW program and then our Officers have volunteered to do it themselves. You will see there two special requests, the birthday visit and then we also are speaking to a men's group at the United Methodist Church in our city.

We have had 121 total COP activities since June 7, 2017, so that is 121 different things that the Officers have done just in the last 6-7 weeks. Just that little bit of outreach through Facebook, we have 2,774 people that are currently following us on Facebook and we have 4.3 out of 5 ratings on Facebook. If you look around to other Police Departments in the area, that's a pretty favorable comparison and a lot higher than most. Then our Facebook post reached over 11,000 people last month, so that is a great tool that we are using right now.

Just to give you some of the pictures and bring the faces and kind of show you what's going on a daily basis with your Police Department with the citizens in the City. This is the four year old and the Officer is Evan Stafford and Jessica Skinner, two of our younger Officers in the Department, went to this young man's birthday party and it is something he will never forget. Mayor Flaute: So what do you do at the birthday parties? Major Sturgeon: They invited us. He was having a birthday party and we basically said we can't guarantee you because of the way that road patrol operations work, but we will do our best to be there. It was his birthday party at Overlook and the mom contacted us through Facebook and asked if we could stop in and we were actually able to that day because we were slow. We had two Officers go and meet with the little boy, we brought him out to the cruiser and took pictures. We let him play and look around the cruiser and it was a really nice time.

We also had school visits. We get into our schools a lot; you see that is Officer George Stamper. These are pictures of two classes at Brantwood. Officer Stamper, even though we don't have a DARE Officer or an SRO Officer, when he has the time as far as call volume allows him to get into the schools he's as close as we have to a DARE or an SRO. He's in the schools a lot and we really want him in the schools because he has a special bond with the kids and the kids love him. It puts a face to the Police Officer in front of the children when they are not in duress. This is Saville Elementary School during one of their lunch programs over the summer. I think you will recognize the individual in that picture there, I know it is a little far away, but that's Chief Robinson out there at Saville Elementary. Stebbins High School did a car wash, so our guys said let's jump in our cars and go over there and donate money, out of their own pocket, to Stebbins and get their cruisers washed. They did a good job. Another thing we did with Stebbins High School is either annually or semi-annually we will go through the school and bring our K-9 units in. The one on the left is our new K-9 Officer, Officer Matt Jackson and his K-9 Tina, and then the other Officers on the right, that is not all of them, came in from other jurisdictions to assist with this. We return the favor to them too. This is part of our reaching out to our School District and Chad Wyen, we have a really good relationship with him. This is Mad River Middle and this is some artwork that Mad River Middle did with Officer Stamper for the Greater Galilee Learning Center. That is a child daycare center that asked us to do a safety check. We went out and saw them, we made some

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suggestions to them, but it needed painted and it needed some artwork in the classroom to brighten it up. We reached out to Mad River Middle and this is what the children did for us.

We had the Bike Rodeo at Rohrer Park. That is Officer Stamper again, he likes to do our Bike Rodeos, and that is Sergeant Jackson. That's an outreach to all of the family and kids to have them come through and look at our cruisers; people really enjoy this. There is another Bike Rodeo at Beverly Gardens we did not too long ago. There is Officer Stamper again there, I was there, the Chief was there, and a couple of our other Officers also supported it. I think you can recognize one missing Councilmember in that photo there. This is all stuff that we have just done since basically the middle of May. I just want to let you guys know that we are doing more than just patrolling our City, we really reach out.

This is a COSI trip that we put on with a couple of other jurisdictions. Mad River Middle and Spinning Hills were the two schools we selected to take a trip up to COSI. This was chaperoned all by Police Officers. The summer lunch programs also at Rohrer Park right here, you will probably recognize the person in that picture, and that's Sergeant Jackson and Officer Dave Schmidt stopping in to see the kids and work with the children. That's over on the playground and that is Officer Schmidt, who was playing water balloon baseball or softball, he got a little wet that day. Again the summer lunch program over at Saville Elementary School. There is Officer Perfetti, myself, and Chief Robinson took part in this program here. We try to get to all of the summer programs, so this is Beverly Gardens. We had a pretty large game of basketball going on that day and the kids love it. You can see the response on Facebook, it just lights up. A lot of people that were there took their own pictures and video and put it up on Facebook for us.

The Torch Run for Special Olympics, some of our Officers took part in this and it was torch run that started out in Centerville and ended up at Wright Patt. Some of the Officers ran the whole thing and then some of the Officers ran individual portions of it, but it was all for Special Olympics.

Here is some interaction we had at Mad River Local Schools. They asked us to put on a bike safety and demo day and this is Officer Mike Ruchel over at the school putting on the actual demo and then Chief Robinson was over there handing out free helmets. That is kind of a thing at the Bike Rodeos we do.

The biggest thing we are working on right now is August 1st. I would like to personally invite you all to come out to this event; this is the National Night Out. This is our key marquee event that we do for the year. We are hoping to have a 100% turnout for our Police Department to be able to come out and meet the citizens and interact when they are not at the time of their greatest need or despair. It humanizes everybody. We drive around and sometimes we are so busy and they don't quite understand everything we do. When you get a chance to sit down and talk to somebody, it makes a huge difference. This is coming up August 1st and that's our flyer we have. It is a great event and we have been blasting it up on Facebook.

Here are some of the organizational accomplishments, which you saw some of them on the slides so I won't go through them again. A couple of the big things were the GROW team, we've had great success with that. We had great outreach. Is it the greatest success rate in the world right now? No, but it also takes usually 5-7 times to treatment before you do get success. We currently have 4-5 people who are currently staying in treatment who are from Riverside. These are some of the other events we have done, the grand openings at Tim Horton's and Cassano's. We hosted the May 2017 Montgomery County Drug Coalition Blitz. Our City took part in that with the east side of Dayton. That was a huge event for us. That's where you have about 80 Police Officers come in and saturate our City and worked in our City for about 4-5 hours doing the best they can to interdict with the heroin epidemic at every level. The St. Helen's Festival is a big one that we work hard on. It is not so much that we are responding to protect the festival; we are protecting our citizens that live around the festival because of the type of problems that go along with it. They have their own security on the grounds, we will help them when we need to, but our

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goal is to protect the property and assets of everybody else around the festival. We've had multiple meetings with Mad River School District in reference to the Armed Teacher's Plan. We participated with them at length on that. At Virginia Stevens School we did safety drills. At Saville Elementary we did a Touch a Truck. We did a Click it or Ticket campaign. We attended a food truck rally for the Forest Ridge Association. One of the big ones that is coming up this week is Officer Toscani is going to the Police And Youth Summer Camp. They reached out to us and asked if we could send an Officer to them for a week as a mentor and we absolutely took an opportunity to do that. We are doing a Seniors program at Mad River Manor in the month of August about crime prevention and fraud. Then all of the other programs like Live Music Night at Shellabarger and the Community Family Fun Fest, we are always there. We had Officer training regarding Fentanyl. We always attend the Forest Ridge Association meetings. All of these things are things that we have either done in the past or we are doing more of and we are just statistically tracking them.

Just a couple of things to give you an idea when we can and can't do these programs, currently we have 27 sworn personnel and our authorized strength is 29 and I'm sure you are very aware of that. That's kind of a breakdown of who we have: the Chief of Police, Major of Community Patrol Service that is my position, Major of Investigative and Administrative Personnel, four Community Patrol Sergeants, 16 Community Patrol Officers, and then four of our Detectives. That's kind of a breakdown of our Department. Our minimum staffing is three per shift, so we can never fall below three Officers per shift at any given time. At the currently staffing levels we have now when nobody is off, our maximum per shift is five on the street. That's the days we have five Officers we really try to get after these COP Initiatives right at specific hot spots in the City.

This is kind of a breakdown of when we are able to do that. On day watch, we have had five Officers, this goes back to January 1, 2017, 35% of the time. Over the last six months, we have worked with five Officers 35% of the time, four Officers 46% of the time, and three Officers, our minimum, 19% of the time. Night watch is a little bit different. We've had five Officers 31% of the time, four Officers 43% of the time, and three Officers 26% of the time. The bottom line with some of this stuff is we are going to ask for more people always, but some of the things that we can do some of this directed initiative patrols and directives is because of our staffing levels. There are days that we have five Officers and we don't get to any of the COP Initiative because we are just too busy, but it is a concerted effort from the top down. The Chief, myself, and through the whole Department everybody is really enjoying it right now to reach out and connect with our citizens so that bond becomes stronger with them. That's it. If you have any questions, I will gladly field anything.

Mayor Flaute: If somebody wants you for a birthday party or a church wants to have you come over? Major Sturgeon: Yes, they can contact us either through Facebook, but we also get a lot of phone calls or people just drop in the office. My door is always open, so we will make time for people. Mayor Flaute: Very good.

Mr. Smith: Real quick, is the Mad River School teachers armed now? Major Sturgeon: Not yet. That's going to be for this coming school year. I don't know if you saw but it was on 22 and 45, they did a news story on it. You all can always look it up online. It's something that is operated outside and they really didn't come to us for permission to do it, they just went ahead and did it. They have come and asked us for guidance. With the size of Department we have and the amount of trainers we have, we couldn't train in this program because we don't have the Officers, so we couldn't provide them with the training. We've got them pointed in the right direction and then we have done some assessments, made some suggestions, and frankly had some very stern, frank conversations with them about the legality of what they are getting ready to undertake and that kind of weeded out some of their participants. That's where they are at and it will be this school year. Mr. Smith: Okay. Thank you.

Mrs. Reynolds: Major, I wish you so much success in the COP program because I think it is greatly needed in this community. I believe that the Officers can make a big difference. Just get out and talk to people, park the car, hit the street, and just every now and then just walk it. It means so much because as Council people we hear we

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never have an Officer in our community. That's the last thing that any of us want to hear, but I know the first time you get out and walk down a street I'll get that phone call and I will love it. I'll love it because you said improve the Police Department's communication with our citizens and businesses, that's all we have with this group. Communication is all we have, we've got to talk. Thank you. I appreciate that and I wish you all much success. Don't get tired, please. Major Sturgeon: I'm already 23 years in and I'm not tired yet. Mayor Flaute: Good. Thank you, Major. All you citizens out there you heard your direction figure out a way you can get these guys to a birthday party or to a church festival or something. As Mrs. Reynolds said we want them out there, so please help us out.

There were no further comments.

ITEM 7: RECESS:

The Council took a recess at 7:10 p.m.

ITEM 8: RECONVENE:

The meeting was reconvened at 7:20 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

Finance Director, Tom Garrett, led the Pledge of Allegiance.

ITEM 10: MINUTES:

A motion was made by Mr. Denning to approve the minutes of the July 6, 2017 Council meeting as submitted. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

ITEM 11: ACCEPTANCE OF PRIOR MONTH'S CITY FINANCIAL REPORT:

A motion was made by Mr. Denning to accept the June financial report. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

ITEM 12: ACCEPTANCE OF WRITTEN CITIZENS PETITIONS:

Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

ITEM 13: CITY MANAGER'S REPORT:

Mayor Flaute: Now we are going to move into the City Manger's Report and even though he is not here, we are going to start with the monthly updates.

- (1) FYI Items
 - a. Council Request Sheets
 - b. Council Agenda Calendar
 - c. City Manager's Project and Activities Report
 - d. Income Tax Scorecard

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- e. Open PO Report
- (2) Monthly Verbal Reports
 - a. Police Department

Mayor Flaute introduced Chief Robinson for the monthly update for the Police Department.

Chief Robinson: Thank you, sir. Well let me talk about personnel real quick, we made the conditional offers to two candidates. Unfortunately one of those actually dropped out today; he got a job with Miamisburg. We are going to move on to the next person on our list and his background packet is almost complete already, so we are pretty close to getting that. The other one is in the process of the medical and polygraph, so we are pretty close to getting one anyway out of the two.

We talk about Narcan a lot in this room for some reason, but I want to tell you that we have switched to 4 mg as opposed to the 2 because of how much we use. What happens is the syringes came with the cushion on the end that you stick in the nose, those are all 2 mg. It got to be to the point we were actually using more than 2 mg every time, so they are now producing 4 mg and it is self-contained so you don't have to put the atomizer on the end of it at all anymore it just comes like that. Unfortunately it is a negative thing, but it is also a positive thing because it can actually help them faster hopefully with the 4 mg at one time.

We talk about GROW in here a lot, but this month we visited eight folks. Fortunately two of those folks accepted some immediate assistance, so that was nice. We could not make it out this Wednesday, because we go every Wednesday, the lady who is in charge of the program from the County had a couple of deaths in the family and she couldn't make it out, so the number is only eight for this month.

I want to talk about a grant. There is a grant out there that we are going to try to get into that will help us pay for our folks to actually do the GROW program which would include all of the employees of Riverside so we can pay them for those Wednesdays when the officers come in or even Anne, who works for the Fire Department. She works for the GROW team as well and it would actually pay her salary while she is doing the GROW program. We are looking into that grant now; Major Sturgeon is looking at it, but Major Colon will head up the grant itself.

Of course you heard a lot of things tonight from Major Sturgeon, so some of the things I have on my list he has already mentioned. I just want to say that the K-9 Officer Matt Jackson was at the Family Fun Fest. I heard it was really nice and he had a good time there. We go out to all of these different events, the live music at Shellabarger, you have heard all of these things before.

What you probably have not heard is that I was out wrestling with some lady in front of Speedway. I'm not sure if that made the news or not, it probably didn't. Apparently she was having a bad day and I was just trying to get her to stop having a bad day and we had a little bit of a tussle, she and I. She ended up getting arrested. Apparently she is a frequent flyer and the story I'm getting to is an atta girl, instead of an atta boy, and it has to do with Sergeant Jackson and her crew. It kind of goes on the same lines as what we were talking about tonight as to what our people do over and above just being on patrol. This lady that I had this issue with ended up getting arrested and she has been arrested multiple times and she's got about eight kids and we go out to her house and end up taking one of her kids on a different incident; she has been arrested three times since that day. One of the kids gets taken and we go to the house, Sergeant Jackson gets there and there are seven other kids there and they have no food in this house, so the Officers on that crew put together money and went to the store and bought them groceries and took them back to their house. I just want to give an atta girl to Sergeant Jackson and her crew for making that kind of effort.

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Just one more atta boy, I just want to let you know we had a man come in today, Major Sturgeon didn't tell you this one, he comes in today and tells us that he had lost his keys and was going on vacation. They couldn't go on vacation because he lost his keys and it had everything, you know how it is with your keys it's your life, so everything is attached to it other than your phone. Instead of Sergeant Safriet bringing those keys back to the department and logging them in as found property, he went down the street clicking that button in the neighborhood until he heard their car go off and found the right house. He went to the house and gave them the keys and the guy said it was at 2:00 a.m. and the man came in today to give him an atta boy and to put it in their file because if he hadn't done that, they wouldn't have been able to go on vacation. That's the people that you have working for the Police Department. I just want you to know that.

We continue to do our mandated training for the State, obviously we got upped this year so we continue with that training. We all have to do it to maintain our ability to be Police Officers in the State of Ohio. Major Colon is working on the second year of the Ohio Collaborative in regard to their policies. I just saw some emails about that today. It has something to do with of all things body cam use enforcing and community engagement. That's the second year of the Ohio Collaborative. The first year of the Collaborative if you remember, it was kind of like "We hope you guys do this. We want to you, but we are not making you do this." We looked at it and thought it was a good idea for our Police Department to get on board with this and make sure our policies are up to the snuff of what the Ohio Collaborative is saying. That's where we are. I saw the emails today and there are a few things that the rep we have from there works with us, she gave us some different ideas on some stuff that we don't currently have in there, but we have a lot of these things already in place. There was just one section that we probably need to add. Overall I felt very good what our policies and where we are right now with their policy and we will continue to make improvement as well. Obviously policies are working documents that we just change as things change within the State, so we will continue to do that.

Upcoming events, obviously National Night Out is a big one, July 24th he mentioned the Police and Youth together camp. Where I come from we called it a law camp, which is very good for the kids to come in. Our Officers are going to go there for a whole week and give them guidance for that whole time. We also talked about the Armed Response from the school. We actually have a meeting with Chad Wyen on the 24th to talk about the Armed Response Team as well as any other events that will happen within the school year that we can be able to assist them in. July 29th is the Carroll 5K Run and obviously we will be there to help with that. August 5th he talked about the United Methodist Men's Group, Officer Stamper will be a guest speaker there. They have given some ideas of what they want him to talk about and he is going to be there. August 12th we have the Community Picnic at Drennen Park and we will be there. August 26th is Movie Night at Rohrer Park and we will be there. We are also having some training with the seniors at Mad River Manor in August, but they haven't given us a date that they want us to do it yet. It is in regard to crime in general and also fraud training, so to help them make some better choices when those crazy people call them on the phone and try to get them to give them money for some unknown reason and be able to say no.

I would speak a little more to the Narcan, but Chief Stitzel is going to talk a little bit more about that in his presentation in reference to how many on Narcan usage. That's all I have for this evening.

Mayor Flaute: St. Vincent DePaul has a food pantry where we physically take the food to people. If you ever get into that situation, either the Fire Chief or anybody, please call either St. Helen's Church or call me because Jane and I are really involved in that. Please do that. I think Hope4Riverside might have some pantries also, so Dan Powell is here and maybe get his number and he can help. We are ready to help you guys. Chief Robinson: I appreciate that, sir. Mayor Flaute: If you ever get in that situation, please remember us and that we do that. Chief Robinson: Yes, sir. Thank you. Mr. Smith: The Mad River Lion's Club also has a small food pantry as well. You can contact the number on the file here at the office or you can call me. Chief Robinson: Sounds good. Thank you.

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There were no additional questions or comments.

b. Fire Department

Mr. Carpenter introduced Chief Stitzel for the monthly update for the Fire Department.

Chief Stitzel: Thank you, Mr. Mayor and Council. Good evening. Just quickly, hats off to the Police Department for all their initiatives. It sounds like all they really need now are some big red trucks and they will be right there.

We did collaborate earlier today and we did talk about some of the stats and the overdose, the opioid issue that is going on. I just wanted to give you a brief update for the first six months of the year. Between Police and Fire, there have been a total of 188 drug related incidents that we have documented. The Police Department has responded to 181 of those. Out of the 188, 183 received Narcan. The Police Department has administered a total of 110 doses of Narcan and the Fire Department has administered 330 doses for a total of 440 for the year. We are really not seeing much of a downturn in the numbers or the frequency unfortunately. We are still working at it and again working with the GROW Program. We are starting to see a little bit of movement in the grant that the Chief was speaking about. We are working with them to try and get some more resources and things for us at the responder level to kind of help out there, so we are kind of sharing some ideas on that.

I wanted to update you. At the last Council meeting we discussed the mutual aid into the City of Dayton specifically. To kind of give you an idea, we went back to get some numbers on that and in comparison to the 226 that was reported to the Dayton Daily News in that same time period, I thought it was interesting that the Dayton Fire Department has responded to us 192 times and that's not counting individual apparatus. For example the Sparky's fire, that's one incident where they responded to us, but they responded with three engines, a ladder truck, a Chief, a medic, air wagon, so some of those we didn't actually count how many pieces of apparatus go back and forth. Just to kind of give you an idea of that.

One of the other things I wanted to check into was the turnaround time that we have. Our average turnaround time for the last six months is about 43 minutes on an EMS call. We did some spot checks, because you really can't separate specifically just Dayton mutual aid calls, we just pulled out some to look at those as a spot check and we really didn't see a difference in comparison to a Riverside as a Dayton call. What we realized is that when we go mutual aid to Dayton, we are already on the way to the hospital when we pick up the patient and then continue to the hospital and then we come back, so we are really not traveling any extra distance overall. We travel an extra distance just to get to the patient and then it is just a shorter distance to the hospital because we are already heading in that direction anyway.

I did have a chance to sit down with Chief Payne with the Dayton Fire Department to discuss this because it is something that obviously is causing some issues and concerns. One of the things that I mentioned at the last meeting was that they were beginning to initiate a new program with some new hires, that was initiated and it's been about two weeks ago since that started. Station 8 on Stanley Avenue houses a fire engine and two medic units. Those two medic units are being cross-staffed by the same people running Engine 8. Those medic units are on top of their base seven medics; they have seven medics and that's just what they do, they run EMS. When those seven are out on calls and unavailable, these two medics off Stanley Avenue will go out before any mutual aid is dispatched into the City so we've got two additional medics helping us out with that mutual aid burden into the City. Their prediction is that this is going to relieve probably 50% of their need for mutual aid responses into their City. Mr. Fullenkamp: That's in effect now? Chief Stitzel: That's in effect. It's been in effect for two weeks, so it's still a little early to get good stats as far as how much of a relief it is. He has been doing some checks and watching it very closely. He heard some mutual medics going into Dayton recently, so he went and checked and both those medics were out on calls when the mutual aid was dispatched in. It does seem to be working at this point. We are going to give it some

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time and see how well that project works. I do know they have another EMT class going on right now for Dayton, so they have got some more people getting ready to influx into their system to kind of help relieve that burden.

We did identify that there is still some disparagement between the departments and he asked what else they can do to help Riverside. The two things that I mentioned a couple of weeks ago: The one was the use of their training center and they said "Absolutely." Anytime we want to use their training center, I just call up the Training Chief over there and schedule some time and we are able to get our people in there. My only concern about using that is there is a train track that goes right across the entrance, so I don't want my apparatus stuck behind a train if one is going through and we've got to get to an emergency. He says when we do want to do that to let them know and they will have Ladder 18 and Engine 12 help cover the City while our apparatus is out of service training. Just a huge benefit right there to have that facility, which is a few feet outside our jurisdiction, and have use of. That's really going to help us out.

I don't want to speak too prematurely on it, but the other idea of having them help us out with our Fire Investigations. He was very open to it and they need to discuss it a little bit internally and make sure there are no legal logistics, but what we are looking at doing is any time we have an intentionally set fire or what we believe to be intentionally set or a fatal fire or significant injury fire, we would notify Dayton Fire Department and they would send out an Investigator to handle the investigation. They are Commissioned Officers. They go out and determine the cause of the fire, collect the evidence and they actually pursue the suspects. They can make the apprehensions and assist with the prosecution of our suspects. Currently we use the State and they are very overwhelmed. It is very difficult to get that level of service out of the State. I'm not real happy with the service that I get there, so I think if we are able to establish this locally we will get a much quicker response time and I think a lot more cooperation. We will probably be able to do a much better job on our arson prosecutions and things. I told them with me being a Certified Fire Investigator I could always be there to help also. With accidental fires, we will be handling that internally with our own crews, but arson is just such a special crime and it is very difficult to prosecute an arson case. You really have got to have a lot of certifications and qualifications to be qualified as an expert in the Court to render an opinion, so that's why we need these specific Investigators for anything like that. A regular run of the mill Fire Investigator without letters behind their name type thing, typically do not get qualified as an expert so they won't even prosecute the crime.

Mr. Fullenkamp: In recent history, how many suspected arsons have occurred in the City of Riverside? Chief Stitzel: In recent history since I have been here, I know of three. There has been one apprehension, but it was one of those that were pretty much known who did it, it was his house, and it was a mental issue type thing. The other two, I don't think there have been any apprehensions or movement on it. Again, the State comes in and they gather what information they can and hand it off to local law enforcement and then there it is very difficult to get them back in here to do the follow-up investigation stuff. Mr. Fullenkamp: Thanks.

Mrs. Reynolds: Chief, thank you so much for working with Dayton. Chief Stitzel: You're welcome. Mrs. Reynolds: As I said at the last meeting, my concern is our residents and Dayton's concerns are the same as ours. We are all in this together, but to hear you say that 192 mutual aid calls to us and 226 from us to them. This problem is out of control. I don't know. I'm still making that same plea over and over. We've got to be contacting people. This has got to stop. Not only the people, but your crews suffer emotions that they go through, Dayton and what they go through and see. It's just unbearable to think about. I appreciate Dayton offering up their training center, it's quite an impressive training center and that will benefit you greatly I'm sure. I don't know a lot about fire investigations. I'll let you and Mr. Fullenkamp talk that talk, but thank you very much for doing that. Chief Stitzel: You're quite welcome.

I have one other thing just to bring up one of the things we are considering in the Fire Department. We have an opportunity with two brand new engines. We still have two

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reserve engines and we are looking at the need to have two reserve engines and there's really not a great need to have two, we definitely need to have one. For the rare time that we need two if two of our fire engines do break down at the same time, something in addition that we already had established before the mutual aid talk was that if we need a second one since we send our apparatus to the Dayton Fire garage they would loan us an engine if we ever needed a second one, a second reserve. With that what we were thinking instead of letting both these engines sit in a fire house and depreciate over the next 15-20 years to the \$4,000.00 I think we got on the last two that we sold, we will go ahead and sell one of them now and utilize that. The figures we are getting right now from a dealer is \$35,000.00-40,000.00 is what we are thinking we can get out of one of those fire engines right now. We could take that money and reutilize it for something that can benefit us today within the Fire Department. One of the things we are looking at is a bigger command vehicle for our Battalion Chiefs that can haul rehab supplies, water and Gatorade, to fires. We can do more things with a little bit of a bigger vehicle whether it's a Tahoe or a pick-up truck or something to that effect. That's one of the things we are just looking at right now and I just wanted to mention that. You might see legislation soon for a surplus if there are no issues with moving forward with that, so I just wanted to mention that.

Mr. Fullenkamp: Can you shop the value before you do a Resolution? Chief Stitzel: Yes, absolutely. Mrs. Reynolds: You have mentioned a couple of times the command vehicle and I'm understanding more and more after trying to go out and do some research. I didn't know what a command vehicle was. How expensive are they? I'm looking at numbers. Chief Stitzel: What we are looking at doing is off the State procurement website and the one that I was looking at fully equipped with the lights, the stripes, the radios, and everything we are looking at I believe \$45,000.00-50,000.00 for a Chevy Tahoe. It is very comparable for a Ford F-150. It's bigger than the Interceptors that we currently have so it gives us more square footage inside for storage and carrying equipment and such.

Mayor Flaute: We currently don't have a ladder truck, so if we need a ladder truck we use Dayton. Chief Stitzel: We use Dayton, Harrison Township, Huber Heights, and Fairborn. Mayor Flaute: I know our old one we used to have was the 1979 model or something. Chief Stitzel: I grew up on one, so I would love to have one, but we have them all around us and they are all more than willing to let us use them anytime we need them. Right now that is the plan. It's nice especially with today's technology and the way that they do a ladder truck is actually a fire engine with a big ladder on top, so it can do the same job as a ladder truck and a fire engine both rolled into one; it's called a quint. We have them all around us and they are a great service to us. If you wanted to know, in the first six months of this year Ladder 18 has been in 29 times and Ladder 22 from Huber Heights has been 14 times. We are using them, absolutely. Mayor Flaute: That's a big savings to us.

Mr. Fullenkamp: Can you give us the numbers you have? Can you make that a document? Chief Stitzel: I'm still working on getting all of them, but the ones I have you are more than welcome to them. Mr. Fullenkamp: Can I go back to the Narcan issue? Do we know how many of these Narcan applications have been during mutual aid calls? Have we broken them out at all? Chief Stitzel: I have not broken that out and that's because of our reporting software and the way it works. What we are finding out is the State of Ohio reporting requirements for both Fire and EMS, for example the numbers for the fire apparatus, they don't want us putting mutual aid fire apparatus on our fire report because then Dayton puts it on theirs and now they are getting double apparatus at the State. When I want those numbers, I have to go to Dayton and get theirs, I have to go to Huber and get theirs, and compile them. It's the same with the EMS reports. We are trying to devise a way to get that. We are going call by call right now where it is actually looking at each individual EMS incident.

Mr. Fullenkamp: I am curious, how much is mutual aid based on this whole opioid overdose issue? Both ways. Chief Stitzel: I can actually tell you that our mutual aid on an overdose is not that great of a number; it is not that huge percentage. Why we are doing so much mutual aid is they may be out on overdoses and we are taking whatever other call comes in, so the majority of our calls into mutual aid are chest

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pain, difficulty breathing, car crashes, and things like that, mainly because there are other overdoses that their medics have already taken care of. There are some obviously. Mr. Fullenkamp: I know we will have this in the minutes, but if you could provide a memo that talks specifically about these numbers and Narcan and combine both the Police and Fire and anything you can think of so we can have a piece of paper. Chief Stitzel: We are working on getting that together right now, as we speak my guys are working on gathering the stats and going through each call run by run. Mr. Fullenkamp: Then we can start looking for changes over time, not only you, but we can. Chief Stitzel: Absolutely.

Deputy Mayor Curp: Mr. Manager and Chief, how many of those mutual aid numbers include AMR responses where we go out and maybe we don't do anything, we get cancelled on the way there or we get there and they decide they don't need us and we come back? Chief Stitzel: The numbers that I have that I'm speaking of we actually have an on-scene time, so we actually make it there. Sometimes Ladder 18 may come in on a structure fire and they get staged, they just sit on the street for a few minutes until they realize we've got it and they cancel them. What we try to weed out are the ones that get dispatched and cancelled right away. Many times a Dayton medic will get dispatched into Riverside and one of our medics is just going in service from the hospital, like from Soin, and their response time is pretty much the same depending on where the call is so they will cancel the Dayton crew right away. We try to alleviate those because they get dispatched, but they never actually get the response. We kind of look at those and try to weed that out and actually get those that make it all the way into the city. There are a lot of variables that come along with that.

There were no additional questions or comments.

c. Service Department

Mr. Carpenter introduced Mr. Miller for the monthly update for the Service Department.

Mr. Miller: The guys have been pretty busy and active with St. Helen's and some of the other community activities and the logistical support. In particular, they did an awful lot of work on the Eintracht to get it prepped for their opening. St. Helen's is another place that they support, usually we put signage up, cones and whatever the Police need us to do. We will OUPS those prior and put the post in. We had a Shellabarger park bench that the Mayor contacted us on and we basically have the concrete footers installed and I think we are going to pick up the bench and have it finalized. We had the hitching post installation. We got a waiver or release from Airway Shopping Center and again OUPS that and installed it. It does set off the Historical Society and I have a real nice letter from the Saville Hilltoppers Garden Club thanking us for installing and moving the flower beds there that the sign is located on.

We used about seven tons of black top and over 100 gallons of paint to paint guardrails believe it or not. We had the Sheriff's inmates that we were using for that, so they should look better than what they did the last few years because they are almost all painted. When our street sweeper is operational, we did some street sweeping, but it seems like every day that it works it is down for repairs for a couple of days. It is nothing but a great big moving part and we have had it since I have been here. I did probably already mention the Eintracht Park. The guys spent a lot of time there cleaning it up and having it nice for the event that went on there. That's pretty much all I have. Are there any questions?

Mr. Smith: What would a new street sweeper cost? Mr. Miller: A new one would be close to \$300,000.00. Mayor Flaute: Can you get them used? Mr. Miller: Yes. Mrs. Reynolds: You can buy a lot of brooms for \$300,000.00. Mayor Flaute: \$300,000.00 is a bit steep. Mr. Miller: You have to realize it is picking up fine particles and it is sandblasting the whole machine, so they don't last as long as you think they would just because of the fact that they are sucking up all kinds of fine material and it acts like a great big sandblaster on the inside of it. We have weld it, we have done all

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kinds of things to basically keep the thing together, but it one great big moving part that wears a lot.

Mr. Denning: Mr. Miller, could you kind of put together the cost that you put into that existing unit for the last 3-5 years in maintenance because if you have put \$150,000.00 into maintenance then maybe we would have been better off getting a replacement because that way we can compare? Yeah, it would cost us \$300,000.00, but if we are going to save \$50,000.00 a year or \$80,000.00 a year in maintenance then maybe it would make more sense to do that. Mr. Smith: What is the life expectancy of a street sweeper? Mr. Miller: Before you have to start doing a lot of repairs on it, I would say seven years. Mayor Flaute: Ours is 20? Mr. Miller: Well I've been here 11 years and we have had it since I have been here. Mr. Smith: He's been here 11. Mayor Flaute: We bought it before that, I know. Mr. Denning: That one was a used one that was put on a trash truck that was revamped, so it wasn't new when we got it. Mayor Flaute: I thought it was new. Mr. Smith: It was pieced together.

Mrs. Reynolds: Mr. Miller, the roads look nice. Thank you very much. It looked so much better today when the white stone was compacted down. Will there be a sealer going over that also? Mr. Miller: I'm not sure, I would have to look at the specs to be honest with you. Mrs. Reynolds: I'm really concerned and I talked to the City Manager about this yesterday, we probably need and Council may not be aware of it on the streets we have a problem with Vectren. They will not allow us to raise up the phalanges on their gas lines which is making a large indentation on our new roads. I believe we need to have the Vectren rep come in and talk to them and ask them why that can't be arranged or handled in some way. We are looking at a 15 year life expectancy on those roads and I'm already looking at where those phalanges are, they are going to crack and they are going to crack quick in some areas because the one place that we have almost a triangle of gas lines is at the stop sign; weight on it. If you can think of any other situations like that Mr. Miller that we need to know about because the streets are beautiful. They look really nice and then kaboom. Mr. Miller: What I think will help, and this is my opinion, if you have a 20 year plan in place where you can share that with the other utilities then they can schedule work concurrently or tell you to hold off until they come and do a rehab. I think it would help immensely once that 20 year plan is in place to be able to integrate the schedules with the utilities.

Mr. Denning: My question is Vectren doesn't want us to do it and they are going to or it's just not going to get done? Mrs. Reynolds: It is my understanding they are not going to get done. Mr. Carpenter: It is my understanding they won't let us touch theirs. Mr. Denning: I don't mind us not touching as long as they are going to fix it. Mr. Carpenter: The problem is the timing of it. Mr. Denning: Well tell them to speed up their schedule. Mr. Carpenter: Now to do it you have to get into the road, so that's the problem. We reached out to them prior to the project, but I guess they need more lead time meaning years. Mr. Denning: Okay.

Mrs. Reynolds: I think that is where we need to talk to our Vectren rep because in circumstances where some cities have schedules out, we are not fortunate enough to have done that yet which we need to work on again as we know so we can have those plans laid out. I just can't believe that Vectren couldn't pull a crew to put a cap on that phalange quickly. That's not a major piece of work. Mr. Denning: So what happens if we pave over top of it and make the road nice and smooth? It's just a question. Maybe it gets them off their chair and gets them out there to do what they are supposed to do. Mr. Smith: I think we need to put some pressure on them because that is causing unwanted repairs to people's cars. Mr. Denning: Pressure on gas lines. Mrs. Reynolds: Well it's going to break the road up faster. Mr. Miller: You have major utilities also if there was a long range plan it could be so much better. Mr. Denning: I appreciate that. I just don't appreciate their non-flexibility in the situation. Mr. Miller: They are very much so.

There were no additional questions or comments.

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ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS:

There were no requests to speak before Council on agenda items.

ITEM 15: NEW BUSINESS:

A. ORDINANCES

l) Ordinance No. 17-O-629 enacting a new Chapter 1343, Nuisance Abatement, and repealing the existing Chapter 1343, of the Building Code of the City of Riverside, Ohio.

Mr. Carpenter introduced Ordinance No. 17-O-629 enacting a new Chapter 1343 of the Building Code.

Mr. Carpenter: We did talk about this in a work session. We made some changes and we also invited Mr. Bacon here to speak if there are any additional questions from Council.

A motion was made by Mr. Denning to approve the reading Ordinance No. 17-O-629 for the first time in its entirety. Mr. Smith seconded the motion.

The Clerk read Ordinance No. 17-O-629 for the first time in its entirety.

Mr. Fullenkamp: There were a number of questions and issues that were raised and I'm not sure in the revision where these things were addressed. Mr. Taylor: Let me introduce Mr. Bacon from Altick and Corwin. I know some of you have met him before and some of you haven't. Mr. Fullenkamp: You had some notes that you said you were going to address these issues with. I'm assuming you still have those notes. Mr. Taylor: Not with me. Some of the questions that were asked at the last meeting we talked about Section 1343.13 which is the section about the bond issue. Mr. Bacon: I think that was 1343.11. What we did and what they had is once there has been a final determination there was an automatic three step process which required all three steps to vacate the premises and then a second step of an owner would have to evict everybody from the premises and see those things to conclusion and then finally a 365 day moratorium on occupancy. That was in the prior version of the statute as well, so this wouldn't be an absolute prohibition on use of the property we found in similar municipalities ordinances which would allow them to post a bond. A bond like this wouldn't be easy to get, it's a performance bond. What we also did in this revision is these are all three things which can be done. The order of vacation of the premises by the responsible person and you can also then go ahead and order that moratorium for the 365 days. It is an additional step. You don't automatically do all three, so it makes it so there is more discretion in incidents where you don't think the 365 day moratorium on occupancy with the bond is fast.

Mr. Fullenkamp: But the bond is always an option for the owner and the occupant. Mr. Bacon: Correct? Mr. Fullenkamp: So there is no discretion on that if the individual chooses to go the bond approach. Mr. Bacon: The bond actually has to be in the amount of the property value. Mr. Fullenkamp: I understand that. In there is says something about not only the owner, but the occupants have to have that bond. Mr. Bacon: Yes. Mr. Fullenkamp: So multiple bonds are required in a situation? Mr. Bacon: You might be required multiple bonds. Each person would be required to have a bond because each person is responsible for not having the nuisance there. Mr. Fullenkamp: This is nuisance by use. Mr. Bacon: Correct. Typically it would be use and things, but it could also be nuisance by condition. If it has already been declared a public nuisance based on condition, they are not supposed to be occupying it anyway.

Mr. Fullenkamp: Okay, so do you mind if I ask a few questions? Mr. Bacon: Please. Mr. Fullenkamp: 1343.07 the first line there what is the legal meaning of suspects? Mr. Bacon: I don't know that has been defined. I haven't specifically researched the

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definition of suspects. That's a carryover from the prior statute and it is commonly used. I would find the legal definition of suspects has a reasonable basis for belief, but I have not researched that specifically in the case law. Mr. Fullenkamp: At that point once they suspect they have the right to search the property or a search warrant is required to get into the property to inspect it? Mr. Taylor: I think to answer that question we have to think about how this would actually work, so if we are going to do this by nuisance by condition typically that condition is or what we have had in the past is severe exterior property maintenance issues like a deck that is falling off, a roof that is caving in, doors broken, windows broken, and then we have a habitual pattern and that clues you in there is an issue here. Those are things that a reasonable person can see from the right of way. Mr. Bacon: We are not creating unfettered discretion to go in and inspect. Mr. Fullenkamp: I understand that, so these are exterior issues. Mr. Bacon: These would primarily be, but if something came to someone's knowledge and there was a reasonable basis for it.

Mr. Fullenkamp: What would that process be if there was reasonable knowledge to get inside the interior of the house? Mr. Bacon: I think if you had eyewitnesses you could go ahead and approach the owner and ask for permission. Mr. Fullenkamp: And if the owner doesn't give permission? Mr. Bacon: Well I think then you would have to use something more severe and you might have to look down other roads in some of the later ones. The first provisions are more self-help provisions, the second talk more about consulting with the Law Director and going forward with potentially an action on 3767. Mr. Taylor: Again in function and operation where we have gained entry into houses there are several different scenarios where 1) it is a tenant of a house or an apartment and they have invited us in. That I'm pretty sure is allowed because they have control of the space and they have allowed us to come in. Another time we have gained access, there was a report and we had Police and Fire on scene and our Code Enforcement Officer was called and happened to be there while there was an ongoing investigation or we already have access. Another case would be we work closely with Montgomery County Public Health and they do inspections. We work with Section 8 and they do inspections and they have invited us along to do those inspections and so now we've gained access through their right of entry and then either observe or take pictures. Typically then what happens is we don't make our own report from that, we take their report and add it to our conditions because if it is really bad inside it's really bad outside.

Mr. Fullenkamp: Okay, so in 1343.08 I see an option to either abate or to lessen the severity of the nuisance by activity. What does that mean? I know what abate means legally, abate means to eliminate. Lessen has a different meaning from a legal perspective. Mr. Bacon: It might require the owner to maybe secure the premises. The owner may not be able to absolute guarantor of what is going on at the premises, but they can make the premises more secure, they can take positive steps to make it less likely the nuisance would occur. Maybe they can have somebody come and do a security patrol if it is some place where they are having instances of say criminal activity. Mr. Fullenkamp: Is that abatement or is that a lessening? Mr. Bacon: That would probably be a lessening. Mr. Taylor: Or maybe you have multiple tenants in a building and you have one tenant, if you are doing by activity, where there is drug use or some other felony and you remove that person. Mr. Fullenkamp: That's abatement. Mr. Taylor: That's abatement, but typically if there is one person in the house like if they are roommates, just because the one roommate got the felony we are probably certain that the others aren't engaging in that activity you remove that person and it lessens. Mr. Fullenkamp: I don't understand why you need the lessen clause. Why don't you just call it abate? Mr. Bacon: Again in the model statutes we looked at we see that commonly used to give people options.

Mr. Fullenkamp: The value of the bond, what's the safest way to do that? One of the arguments made was that if we set the amount of bond at what the County says the value is and the person that we are abating sues and wins the true value of the house. Mr. Bacon: I'm not sure I understand that. Mr. Fullenkamp: Let's say how we set the value of the bond is being the County's appraised value for tax purposes and the person that we are abating sues the City and the Court awards him the true value of the property which may be higher or lower than the value of the bond. Mr.

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Taylor: You mean if we tore the house down perhaps? Mr. Fullenkamp: Yeah, you tore the house down. Mr. Bacon: In this instance the bond we are talking about in 1343.11 is a bond that is posted by the person that wants to resume occupancy of the house. Mr. Fullenkamp: Correct. Mr. Bacon: That's payable to the City as opposed to a bond that the City posts.

Mr. Taylor: Let me clarify, and correct me if I'm wrong Mr. Fullenkamp, in this scenario we would have gone through whether it was activity or condition, probably condition, we have removed the people, we have done all that action or they posted the bond and they didn't lessen and then they continued. They lose their bond, we take the valuation of \$120,000.00. We take that bond, remove those people, and then tear the house down because it is a vacant, abandoned house. Down the road the owner says, "What a second, my house was worth \$150,000.00." The concern is there, what is our legal protection since we used the County instead of maybe a market value. Mr. Fullenkamp: For the difference. Mr. Bacon: It is a reasonable standard that can be employed as opposed to employing an independent appraiser every time. The insulation there should come from trying to follow your procedures correctly. The most clear instance to do that would then be to resort to the statutory 3767 under the Revised Code so you have a court order and a court determination ahead of time that would have the potential for an appeal so you could be most comfortable with the authority to do that. That would be your best protection. Mr. Taylor: I think procedure on how that would work is we would probably have done our in-house self-help abatement, got the bond, then found out when they continued that activity or condition and we revoked the bond then we would probably move forward. We would probably move forward with the Revised Code section, remove those people again, and go through that process.

Mr. Fullenkamp: Is the bet that our Code will stand up and that there is very seldom a reason to use the Ohio Revised Code to enforce this? Mr. Bacon: I would think it would depend somewhat on the situation and what you know. I think in some instances whether you have rubbish and some of these things the self-help clearly makes the most sense. You can give a notice and these people have two weeks or 15 days to file a written appeal. The more serious the consequences you believe or the more serious action, the more insulation you might want. There are options you have a self-help step where you give somebody the chance and people have a chance to appeal this, they have 15 days to file an appeal, when they do that they also have 15 days to file an application with the Zoning Administrator saying here's my remediation plan and they will have 30 days to remediate then. There are multiple steps along the way, but the person has to file the notice of appeal. If they don't file the notice of appeal, that becomes an issue and that's a final decision under the statute. The question is how much do you want to rely on that? You are most safe by going to 3767 and filing under the procedure in the Common Pleas Court. There are two ways you can do this under the statute now. You can do it first by giving them 15 days. It's not 15 days and file a remediation plan or let us know how you want to fix your property, it's 15 days and then if it is not abated in those 15 days or the order isn't complied with then you can go to the statute. That's almost a warning sign as well saying this needs to be addressed. Finally you can just directly go to the 3767 action, which is an option that wasn't the prior version of the Code or the Ordinance. Mr. Fullenkamp: Weren't we empowered to use that anyways since that's part of the Ohio Revised Code that didn't need to be part of our Code? Mr. Bacon: In the prior Code I think you could have at least argued that because it required the 15 day step and then you could go to the Code it might have been self-limiting.

Mr. Fullenkamp: Okay. One other question, Mr. Taylor you suggested you were going to get some prices for bonding issues. Mr. Taylor: Yeah, I haven't been able to find or make contact with somebody that could give me that information. I don't have that information with us tonight. I can track that down. Mr. Fullenkamp: That was one of the questions. Mr. Taylor: After talking with Mr. Bacon, it seems. Mr. Bacon: It's going to be difficult to bond. Mr. Taylor: The cost is not going to be the problem, it's going to be finding an insurer or bond agent that is going to bond this. Mr. Fullenkamp: So it's pretty tough to bond? Mr. Bacon: I think it could be quite tough

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to bond, but there are, I think, agencies that do performance bonds. I've not typically seen or had to cure one in this situation. Mr. Fullenkamp: Okay, thank you.

Mr. Smith: Yes, I have a question about this bond. This bond would be say it's a property owner, they live there at the house, there's violations that they need to address and they haven't done it. We go ahead and issue orders to do the repairs, they don't do them, and then we say you have to have a bond per person to stay on the property. Would that be correct? Mr. Bacon: Potentially, yes. There are many, many stops along the way there. That's been issued, they have either had the chance to remediate themselves within the 15 days or they have had a chance to do that, get permits, get additional time, and they can also appeal that finding of a nuisance to the property with the Property Maintenance Appeals Board. Mr. Smith: Okay, that's if it is owner occupied. Now let's say that it is a rental property and the landlord comes in, he's got all these violations, you guys are on him pretty heavy and the tenants are going to have to get bonds and so forth. He evicts the tenants, the tenants leave the premises, and he goes in and makes the necessary repairs to the property, cleans up the yard and does whatever he has to do and now he is ready to put the house back on the market for rent. The new tenant coming in, do they have to have a bond? Mr. Taylor: No. Mr. Bacon: If you are in the 365 days, you would if you have gone that route. Mr. Smith: That's if the City imposes the 365. Mr. Bacon: Yes, that's if that is imposed. Mr. Smith: That would be for those previous tenants, right or would that be for the property itself? Mr. Bacon: The owner and the tenant are responsible for what happens on the property. Most owners will have something where if the people are committing a nuisance or engaging in felony activity they can be evicted.

Mr. Taylor: Just to be clear, you are talking about where we evicted the tenants, we closed to down, and we imposed this 365 day for lack of a better term moratorium of using that property. Now finally after we have gone through this whole system and we have removed those residents and we have boarded this house for 365 days somewhere in that 365 he decides that he's going to maintain his property and put tenants in there. Mr. Smith: Bear in mind when you are dealing with a tenant property and the tenant is current on the rent, but has neglected to take care of the exterior of the property, the trash, the cars, whatever else and he is current on the rent you can't give them a three day notice to evict them, you have to give them a 30 day notice. That takes you past your deadline. Mr. Bacon: If you look at section B there, it talks about evicting the tenants. You just have to initiate the proceedings and see them through to conclusion. That doesn't have to be done all within 15 days. Mr. Smith: Okay because you have to give them 30 days' notice before you can even get a court date and it is three weeks after that. Mr. Taylor: Again we are only going to use this nuisance abatement on the worst of the worst properties. We have habitual people with trash in their yard, that's not going to constitute a nuisance abatement action of this kind unless it gets so severe with other issues. There are properties where we pull trash out two or three times a year and that's pretty bad, but we have properties that are ten times worse than that. Those are the properties we are talking about. A lot of these scenarios hopefully we won't run into.

Mrs. Reynolds: Really quick, Mr. Taylor. On 1343.15 Illegal Occupancy of a Public Nuisance, we talk about we will pay for the cost of relocated the tenant and we have three options to recoup those dollars. It is by assessment, civil action, or direct billing. What are we anticipating relocation costs to be? Is that putting them up in a hotel? Mr. Taylor: Just to be clear on that section, the City shall include the cost of the relocation of the tenants and that's if we are recouping. What this section is saying is that we don't have to relocate those tenants. We don't have to be the financially responsible party to relocate those tenants. If it is a situation where we have tenants who are really being abused by their landlord and we find it is the best situation where the City comes in and we put them up either in a temporary hotel or into another apartment and we use City funds for that this is telling us that if we put money out we shall bill the owner. It's not telling us we have to do that and again if we have a case or a situation where there are tenants in that kind of a situation and they have nowhere to go, that's something we would bring to Council to say this is what we are proposing, this is how much we think it is going to cost, and we would get a motion. That's at least how I would want to operate this is get Council's approval to put those

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tenants up somewhere and then show how I am hopefully going to reimburse that through the landlord. Mrs. Reynolds: That's all I'm trying to get at. We are looking at if we have to do this; this is how we will bill for it. Mr. Bacon: That format is generally the same as it was under the prior version of the statute. Mrs. Reynolds: Every time we go through these Mr. Bacon we come up with something we didn't know before. Why is that there? Mr. Taylor: It's funny. It's one section of our Code, so there is a ton of stuff. I know that has been a confusion in the past.

Mr. Smith: In reference to this putting people up, that would be if it was multi-family buildings where you have a tenant in the bottom right selling drugs and the other the other units are good tenants, but because of that one unit you are going to close down the building. Mr. Bacon: Typically these are referred to as premises and I think you could enforce that against the unit as opposed to the entire structure. Mr. Smith: Usually it is the whole building. Mr. Taylor: What we want to do with this Ordinance like in a multi-use, if we have a four unit building, our goal with this if we have an issue with one unit is to address that one unit and shut that one unit down. Mr. Bacon: That's on a use as opposed to a condition. Mr. Smith: I think when the State came up with this Ordinance it was to shut down the entire structure not just one unit. Mr. Taylor: In that scenario if we had to shut down a whole unit and we had to displace three families the first thing we would do is reach out to Homefull, Habitat, as many organizations to assist before we use City funds. That's a very viable scenario.

Mr. Fullenkamp: How does this get us where we want to be in terms of this mobile home park you mentioned in the past? Mr. Bacon: One of the issues you have with a mobile home park is that you have two owners essentially. You have the people who own the ground and you have the people that own the structure. A notice to the people who own the ground isn't necessarily a notice to the people that own the structure, so if you look at the initial definition section before I think it just said owner and we have adopted a definition that now defines owner in two ways. First with regard to an interest in the realty and second with a regard to an interest in the structure including this indicated in the records for titles for mobile homes and that. It allows us to essentially have two of those going and we would be able to notify both parties. We can go first and take out the structure and then if we continue that and address the underlying land. It allows you to address both of those ownership interests. Mr. Taylor: I think where you are questioning might want to go from there is when Mr. Bacon and I first got together about this initially that was our shot; we were trying to look at trailer parks and some things involved with those. As we were working with this we had two different issues that happened within the City that then contributed to improving this Ordinance. One would be clearing up that procedure, which was a house that we were looking to shut down. That procedure was unclear and now we have cleared that up. The third one would be the case that we just settled with the Ohio Supreme Court with Mr. Vlcek which was about how a notice was served and that. Mr. Bacon: And providing service. There were other nuances to that as well that went on with that, but this should address some of those concerns and the notice now that we would be giving is much broader in providing consequences and providing that the City would come and abate at your cost. Along with that it is updated. We can now leave service with a responsible person at the address. Sometimes with certified mail it is hard to get a green card back, so you can use a more modern carrier like Fed Ex or something at the addresses that are on file for people. Hopefully it will proceed to some of these things quicker.

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

There was no further discussion.

II) Ordinance No. 17-O-630 making supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2017.

Mr. Carpenter introduced Ordinance No. 17-O-630 making a supplemental appropriation.

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A motion was made by Mrs. Reynolds to approve the reading Ordinance No. 17-O-630 for the first time in its entirety. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 17-O-630 for the first time in its entirety.

There was no discussion on the motion.

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

A motion was made by Mrs. Reynolds to approve the reading Ordinance No. 17-O-630 to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

A motion was made by Mr. Denning to read Ordinance No. 17-O-630 for the second time by title only and approve its final adoption. Mrs. Reynolds seconded the motion.

The Clerk read Ordinance No. 17-O-630 for the second time by title only.

There was no discussion on the motion.

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

III) Ordinance No. 17-O-631 declaring City property located at 5803 Huberville Avenue to no longer be needed for municipal purposes and to be surplus and authorizing the City Manager to execute documents necessary to sell said property and declaring an emergency.

Mr. Carpenter introduced Ordinance No. 17-O-631 declaring 5803 Huberville Avenue to be surplus and authorizing the City Manager to sell the property.

A motion was made by Mrs. Reynolds to approve the reading Ordinance No. 17-O-631 for the first time in its entirety. Mr. Smith seconded the motion.

The Clerk read Ordinance No. 17-O-631 for the first time in its entirety.

There was no discussion on the motion.

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

A motion was made by Mrs. Reynolds to approve the reading Ordinance No. 17-O-631 to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

A motion was made by Mrs. Reynolds to read Ordinance No. 17-O-631 for the second time by title only and approve its final adoption. Mr. Smith seconded the motion.

The Clerk read Ordinance No. 17-O-631 for the second time by title only.

There was no discussion on the motion.

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

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B. RESOLUTIONS

- I) Resolution No. 17-R-2288 recognizing the City of Riverside Police Department's "National Night Out" as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.**

Mr. Carpenter introduced Resolution No. 17-R-2288 making a donation to the Riverside Police Department's "National Night Out."

A motion was made by Mrs. Reynolds to make a donation of Two-Hundred Fifty Dollars (\$250.00) and to approve Resolution No. 17-R-2288. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

- II) Resolution No. 17-R-2289 authorizing an increase in the hourly wage rate paid to the Clerk of Council effective May 23, 2017 and repealing all Resolutions in conflict with this Resolution.**

Mr. Carpenter introduced Resolution No. 17-R-2289 authorizing an increase in the hourly rate paid to the Clerk of Council.

A motion was made by Mrs. Reynolds to approve Resolution No. 17-R-2289. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

- III) Resolution No. 17-R-2290 declaring the official intent and reasonable expectation of the City of Riverside, Ohio, on behalf of the State of Ohio (The Borrower) to reimburse its Public Works Projects Fund for the Union Schoolhouse Road Rehabilitation Project, Project CD37U, with the proceeds of tax exempt debt of the State of Ohio.**

Mr. Carpenter introduced Resolution No. 17-R-2290 declaring the intent to reimburse the Public Works Projects Fund.

A motion was made by Mr. Denning to approve Resolution No. 17-R-2290. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

- IV) Resolution No. 17-R-2292 declaring the necessity of assessing numerous streets between certain termini in the City of Riverside, Ohio for various types of street lighting for one year, beginning January 1, 2018 and to repeal Resolution 17-R-2278, adopted June 15, 2017.**

Mr. Carpenter introduced Resolution No. 17-R-2292 declaring a necessity for assessment for street lighting.

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A motion was made by Mr. Denning to approve Resolution No. 17-R-2292. Mrs. Reynolds seconded the motion.

Ms. Arnold: I have a comment. I realize that when I printed our official copy today that I neglected to put a 1 in the total amount. It says \$18,000.00 on the Resolution in your packet, but I have corrected that to \$118,000.00 on our official legislation to match the spreadsheet that was provided.

There was no further discussion on the motion.

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

ITEM 16: REPORTS:

A) City Manager Goals and Objectives Update

Mayor Flaute: We do have an anniversary that we just had by our City Manager. July 11th? Mr. Carpenter: Yes, sir. Mayor Flaute: Our Manager was Interim City Manager at that time, so he has been working for us for a year now and that makes this report more important because we do need to discuss maybe what kind of instrument we want to use to look at how he has done and his performance and if we want to give financial upgrade to that. Mr. Manager, you are on.

Mr. Carpenter: In your packets you should have the City Manager Goals, Objectives, and Work Plans. Moving forward from this day forward, I will take any suggestions as far as the action steps and the considerations. Mayor Flaute: Council has not had time to look at this. Mr. Smith: This is the same one you emailed us, isn't it? Mr. Carpenter: Yes. Mr. Fullenkamp: I'll get back with you. Mr. Carpenter: The finalization from the retreat was August 17th, so between now and then if you have suggestions or comments. From the last meeting I made a couple of changes as far as Goal #6 of Communications. There was some discussion about increasing the scope of Communications not just between staff and myself and me and Council, but also with the community. I just wanted to make a note of that as well.

Mrs. Reynolds: Just to be as brief as I can. I know we are running long tonight. I did talk with Madam Clerk this morning to make some suggestions on our communication and how we might be able to roll this better so that she's always aware. I know Madam Clerk you haven't had time to look at all that yet, but hopefully we can talk one day this week and see if we can come up with some ideas that will make it easier for both of you. I know that we are worrisome sometimes.

Mayor Flaute: Again we do need to talk about or at least think about what kind of performance evaluation we want to have for the Manager so we can work on that. Please be thinking about that. I will be bringing it up at the next meeting so we can have a plan as to what we want to do and how we want to move forward with that. Mr. Carpenter: My intent is to do the self-evaluation on the forms that we have, but if there are other forms that you prefer that I use. Mayor Flaute: The forms we use internally for all employees, I think that would be a good start and maybe that will be what we use then too. I would be in favor of that. If you want to get started on that, we would like to see that. Mr. Carpenter: Sure.

There were no additional comments from Council.

ITEM 17: PUBLIC COMMENT ON NON-AGENDA ITEMS:

Mr. Daniel Powell of Coury Lane requested to speak before Council regarding medical marijuana facilities.

Mr. Powell: In addition to living in Riverside, I work, volunteer, and enjoy many of the City's recreational activities. To start with I would like to thank all of you all for serving the community and the great work that you do. I appreciate that and thank you for the opportunity to speak this evening. I am for the improvement of our City, especially in the area of Economic Development and growth. I find it very exciting as

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I drive through surrounding communities like Fairborn, Beavercreek, and the northeast quadrant of Dayton to see the expansion of technology and small manufacturing firms. I look at these operations with hope that we here in Riverside can also attract those types of operations. It would grow jobs, expand the tax revenue, and create a better community and improve the opportunities for all of us to live in and enjoy. Given the fact that we sit at the gateway of one of the technological shining stars of the world, Wright-Patterson Air Force Base, it would seem logical to me that goal could be achieved like it is being achieved in other surrounding communities.

In reading the minutes from the July 6, 2017 City Council meeting, there were several leaders citing the economic benefits of locating a medical marijuana facility in our city. One City Councilperson even suggesting that it was the best opportunity for economic growth our city has seen as far as back as they could remember. My question is what would the cost to the city be? In reading the minutes from last meeting, it appears that this issue has been tabled although that is unclear; clarification of that would be appropriate. In reading the July 6, 2017 minutes, I find it particularly interesting, if not ironic, that after a few housekeeping items the next topic that immediately followed the discussion of the medical marijuana facility was the City Manager's Report. The leading item in that report was the opioid crisis in our city and the cost to the City in supplying Narcan trying to combat the overdose deaths being caused by the opioids.

I have a study here conducted by President Barack Obama's Drug Czar, Gil Kerlikowske, which was released in May 2013. The title of the story is *Marijuana Is the Drug Most Often Link to Crime*. Given the challenges currently facing our city, I struggle to see how a medical marijuana plant will increase the pride and possibilities of our city. I also doubt this would increase the level of attractiveness of other enterprises to our city. There is no research to suggest that there are curative benefits to the use of marijuana, although there is extensive research indicating it is linked to criminal activity. I believe the City of Riverside leadership can do better than this in the area of economic development like the surrounding communities beside it, there are economic development opportunities. Thank you for the great work that you are doing.

Mr. Fullenkamp: Your last statement about no evidence of curative or beneficial properties is just not true. There are studies that do not support that statement and that there are benefits. Mr. Powell: Curative purposes. Mr. Fullenkamp: What do you mean cure? Mr. Powell: That they actually help cure the disease. Mr. Fullenkamp: Well there are issues like nausea relief for cancer patients that doesn't cure it, but helps mediate the issues. There are issues for nerve pain relief for patients that they have found and data does exist for that. There is evidence that. Mr. Powell: Evidence. There's no statistical scientific research. Mr. Fullenkamp: You are a man of faith, right? Mr. Powell: Yeah. Mr. Fullenkamp: So there is evidence that is helps people with multiple sclerosis and their issues. There is strong evidence that it prevents seizures for epileptic patients; there is strong evidence of that. So is there a cure? There is some evidence that it actually does help with cancer reduction in patients. That is starting to emerge from studies overseas, so we just have to come to grips with this is legal in Ohio, this is medical marijuana. We are not talking about crime. Mr. Powell: It is federally illegal and no bank who is governed by federal law is going to participate. Mr. Fullenkamp: That's their decision on how they are going to do their banking.

Mr. Powell: I'm just wondering how we are trying to build partnerships with all the entities in the city. Mr. Fullenkamp: I understand your concerns and we have people in the audience who have concerns with this too, but that land has set fallow for a long time. Mr. Powell: That's kind of my point though, we look at surrounding cities and they appear to be booming from an economic development standpoint. Mr. Fullenkamp: Why is that? Mr. Powell: They are not bringing the medical marijuana plants. Mr. Fullenkamp: Well some of them are considering them.

There was no further discussion.

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Ms. Jean Edwards of Huberville Avenue requested to speak before Council regarding medical marijuana in Riverside.

Ms. Edwards: Good evening. I have lived in Riverside for 32 years. I live in a decent neighbor. I do not believe in marijuana. It leads to other problems. You get hooked on marijuana and it's into other drugs. I'm Christian. I am strictly against marijuana and all it's going to do is degrade our city. We had a great city, what I should say is the Village of Riverside was a great place to live. It has changed tremendously in the last few years except for our Police Department; we have a fantastic Police Department. I am against marijuana and so is everybody in my church. Mayor Flaute: What church? Ms. Edwards: Forest Ridge Baptist Church. In fact, we prayed on it and I will trust in God that this does not go through. It is evil. It is a sin. It is part of the devil's work.

There were no questions or comments.

Mr. Mitchell Roth of Ringwalt Drive requested to speak before Council regarding marijuana production facilities.

Mr. Roth: Good evening, Mr. Mayor, City Councilmembers, and other City Officials. Thank you for this opportunity. I have been a resident of Riverside, Ohio since 1993. I am a native Daytonian and grew up in Beavercreek, Ohio. I lived in the area all my life except a recent short period working contract for SpaceX in Cape Canaveral, Florida. Much emotion is being emoted concerning the proposed cannabis production facility on a piece of vacant Riverside property. The most disturbing notion is that children in the area will somehow be adversely affected. Many grandstanding comments have been made that make an above average tax payer like myself wonder about the true motivations of those making the comments. The reason I say this is that there is a tone of immoral propriety concerning medical cannabis made legal by our Ohio Lawmakers. That was insinuated by the comment "that lifestyle." Are we to assume the opinion of those objecting to this facility view all those who take legally prescribed medication as being immoral? Furthermore in regards to the comment "not wanting to explain the funny smell to my kids," what good parent keeps their children safe from harm by hiding information or avoiding a topic? Studies show many young people who have faced a teen pregnancy were also sheltered from the reality of premarital sex consequences by the subject never being discussed. The same approach is proven to be disastrous in regards to the current opioid crisis as ignorance of the drugs and their sellers is the best way for children to be negatively impacted.

As for the need for a park on the location, to opponents for this proposal seem to ignore two basic facts. First there are at least two recreational areas within a mile and Community Park is less than that distance from the proposed site. Secondly, the opponents must also not drive very far on Riverside streets for someone who has lived their whole life in Riverside. I have watched of the paved streets in many Riverside neighborhoods steadily turn to near gravel roads for lack of funding. Personally I do not have more tax revenue available to solve this issue and I doubt any other Riverside business or individual does either. The lucrative nature of the proposed production facility ensures that both tax paying jobs will result, along with tax revenue to address the aforementioned crumbling infrastructure as well. The idea that anyone would be able to discern anything about the operation from external observation only points out further ignorance on the subject. Conditions for optimum production require that the facility be of airtight construction. As for security aren't the opponents worried that pharmacists are sneaking out opioids on a regular basis to sell on the street? The security measures on pharmacies are far more lax than any current medical cannabis production operation. Many I have talked to would welcome such boost to tax revenue that would set up shop next to them. These same folks view most parks as a haven for hard drug traffic due to the lack of manpower to control them. There is plenty of youth who have been left sheltered and uneducated about the real nature of drugs that are just waiting to be taken advantage of after dark. This is also due to a lack of City funding, so if somebody is going to cry wolf they had best be aware of what a wolf really looks like and smells like. The medical marijuana growing facility in no way resembles some hippies growing pot in a

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field, it is a secure building that provides needed relief to afflicted people who have not had success with products from these same producers of deadly opioid prescriptions that have been shown to be at the root of the opioid epidemic. It has also been shown that the proposed product would have a far greater, positive impact on the opioid crisis than Narcan. Thank you very much.

Mr. Smith: Listening to your speech, well wrote and well spoke, but are you for or against? Mr. Roth: I am for it. Absolutely. Mr. Smith: Alright. Thank you. Mr. Roth: I see no moral issue with something that has been approved by our legislators. Mr. Smith: Okay.

There were no further comments.

Ms. Sue Robinson of Springfield Street requested to speak before Council regarding a medical marijuana plant.

Ms. Robinson: Hello, I'm here to talk about this whole medical marijuana facility that you are planning to open in town. This is just a lousy idea. They are going to build a medical marijuana greenhouse in a residential neighborhood across the street from the national visitor's destination. This is going to smell of skunk and manure for at least a half mile. I've done research on the medical greenhouses that were in the Colorado area; you can smell it for a half mile. A half mile. I mean this is Ohio we have plenty of farms you can put this stuff at this is not going to be like you are going to build a cute little marijuana shop where people are going to go in and buy their little smokes and a cappuccino and go next door and get a nice sandwich or something. This is going to smell. People won't even be able to go outside their homes and sit on their porches. They are going to be smelling skunk and manure because that's what they grow marijuana in is the manure. No matter what kind of filtration systems are on these units, they state that it does not work and the property values within a half mile will plummet. This is not a sensible idea. It just doesn't make sense at all. The glowing light all night long from this facility, no one is even going to be able to sit out on their porch it is going to be like a big old glowing dome for the people that live in the area. I don't object to any of you that want to smoke marijuana or whatever, that's your own choice, but I think that to put this facility in and put this burden on the residents is irresponsible and that's how I feel. Thank you.

Mayor Flaute: I just want to make some corrections to what you said, okay? Whether I'm for or against it, I want things to be said that are true. First of all, we do have no greenhouses. This building is \$1.5 million building. It is a brick building and it has no indication that there is marijuana there. They do not use any soil or any manure, it is all grown by water. It's called hypo water or something. There is no smell. There is no noise. The only lights you are going to see is the place is going to be lit up around at night for security reasons. The security is very steep and strong, so the picture you painted is not even close to what reality is because there is water that grows it and it is a big brick building that you won't even know it is a marijuana grow site. Ms. Robinson: I'm sorry sir, but anyone that would in my opinion think that putting in this facility in a residential area I don't think is making good sense for one. What you are saying may or may not be true and it would be too much of a shame to find out that down the road that it really does smell worse than Cargill. Cargill was an enclosed facility, how bad did that stink? You couldn't even drive down Needmore Road for years. You would have to roll up the car windows and it stunk all the way to Huber Heights. This is just ridiculous nonsense. Buy some farmland and let them grow it out there and make a profit. Mayor Flaute: Thank you.

There were no further questions or comments.

Ms. Kristina Montgomery of Ketcham Street requested to speak before Council regarding more children at play signs for streets between Woodman and Bayside.

Ms. Montgomery: My issue is the speeding down the residential areas. I live on Ketcham Street and we have constant speeding through there. We need more signs posted like Children at Play. We have one in the whole neighborhood and that's it. Mayor Flaute: Please see the City Manager or the Police Chief or they will call you

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tomorrow and they can discuss that issue with you and see if there is something we can do. Mr. Fullenkamp: Ms. Montgomery, thank you for coming tonight.

Mrs. Reynolds: Ms. Montgomery, thank you for coming. I appreciate you talking to the City Manager and to the Police Chief. Chief, I appreciate you talking. Ms. Montgomery you all has a very serious problem. It's very serious. Mr. Miller, I'm just going to look at you if that's alright Mr. City Manager. Her stop sign is in terrible condition and it needs to be fixed. There is no reason that any stop sign should be in that kind of condition and Mr. City Manager, I would love to see some Children at Play signs over there and a reassessment of the stop signs because what Ms. Montgomery has lived under for the last little while is her children have almost been hit, her husband has almost been hit, and if there is anything we can do we need to do that. We need to do it quickly before some child is hurt or her husband is in the hospital or any other neighbor on that street. Please fix her sign, Mr. Miller. It's awful.

Mr. Fullenkamp: I spent some time with Ms. Montgomery one evening watching people blow through that three-way stop. It's pretty serious. People don't slow down, there were a lot of rolling stops, and there were some that didn't slow down at all. Me and her did meet with the City Manager last Friday. We know this is citywide, but I think she is just an example of the kind of concern that is out there in these communities about the safety of our streets and somehow we either have to educate or hammer some of these folks that don't pay attention or they just don't care and probably some of both. I appreciate you coming tonight and representing. I know it is not easy to stand up there and talk to us. Thanks.

There were no further comments.

Mr. Frank Smith of Byesville Boulevard requested to speak before Council regarding storage containers and brine spraying at Salmons Trucking.

Mr. Frank Smith: Good evening, Council and Mayor. Just a couple things, I know what you are saying about the stop signs. I have the same one down in our neighborhood; it's a two-way stop, but I sit out there a lot of times and watching the rolling stops. It's the younger generation, they don't want to stop they just kind of go on through it. Could we maybe put a speed bump there? Maybe it would slow them down. Mr. Fullenkamp: We will talk later.

Mr. Frank Smith: On to the next thing, I would like somebody to find a regulation and it is probably an old one. Jerry got his trailers moved, he moved his storage things and now he is using them for storage. He has built a ramp up to them, a deck and everything. Is that legal? Mr. Carpenter: We will check into the legality of it. Mr. Frank Smith: You know that was the purpose I guess for moving them is because he was using them for storage, but he's got them back there and he has built a deck and ramp up to them and all kinds of good stuff. I do want to let you know he did spray a lot. You said Monday, but it happened Friday. Mr. Carpenter: We were looking at the weather and were trying to see at least 48 hours with 50% or less chance of rain. That's what we were shooting for.

Mr. Frank Smith: On this marijuana thing, I don't know all of the issues about it, but how are you going to control what they do there when we can't control what is going on down here? Our situation with Byesville has been going on for a long time and we can't get this problem resolved, so how can we take on something new and make sure they are going to do what they are supposed to do? This issue on Byesville has been going on forever and it just keeps growing and growing and growing. Now we want to put in this grow house, which I'm not trying to say I'm for or against it, you say it is supposed to do this and do this and do this and do this, but we can't make them do what they are supposed to do. Mr. Fullenkamp: Mr. Smith, I have initiated a conversation with the City Manager regarding storage in trailers and there is in our Code I'll say a prohibition. I'll continue that conversation with him. Mr. Frank Smith: Thank you.

There were further comments and no additional requests to speak before Council.

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ITEM 18: COUNCILMEMBER COMMENTS:

Mrs. Reynolds: Forty-eight years ago tonight around this time, I can't remember exactly the time, Neil Armstrong walked on the moon. That was a night I will never forget. The most important part of that night was my brother's birthday, but you know other than that. Neil Armstrong walking on the moon, history again you guys is just here. Thank you all very much for being here. I appreciate everyone. Thank you.
Mr. Smith: That's one of those times where everybody remembers where they were when that took place.

Mr. Smith: Freda Patterson submitted her resignation from Parks and Rec and we need to act on that, but I have another issue as well. Mrs. Reynolds brought it up earlier in the week about the St. Mary's Development over there on Harshman about the big building being there out front. We as Council agreed on that to be built in the back and the one-story units to be built in the front. Where are we at on that? Mr. Carpenter: I know Mr. Taylor could speak on this better than I can, but I will say that it is going to be built out front. The plans that came forward before the project was kicked off had the building out front. Mr. Smith: Yeah, but this Council wanted it in the back. Mr. Denning: We suggested, we asked for that. I don't believe we ever made a motion to that effect or anything like that. I do believe they initially brought and we suggested. This is only a two-story unit is my understanding, it is not three stories any longer. I believe they brought us the updated layout and we told them to go forth and get it done as a secondary. Mr. Fullenkamp: I don't remember that. Mrs. Reynolds: I didn't see anything and Emily wrote a letter on our behalf, so there's nothing.

Mr. Fullenkamp: Can I tag onto that? When Council states a preference, I think Council's preference should be attended to and that part of this process needs to include an involvement from Council. We stated a preference and that preference was ignored. Could we have gone to the Planning Commission? Could we have done all of this, but we weren't involved in the approval process other than approving St. Mary's to go forward on this. That was it. Why this information isn't being fed to Council concerns me. We are seeing plans being changed because it can be changed, but if we want to have a good working relationship and if staff doesn't value Council's input just let us know. It's very simple.

Mr. Denning: Mr. Taylor is here now. Could we get a little better explanation on Tim Horton's? Do you have any information on why all of a sudden they disappeared?
Mr. Taylor: Yeah, I'll just explain the whole situation because I don't think your question addresses the whole. Tim Horton's came to us back in January of this year and they started a development application to do a lot split just south of the McDonald's in Airway Shopping Center. Shortly following that they applied for a site development plan, which there were some issues there and we got it approved in March. Shortly after that, two days before construction was supposed to start, construction was delayed due to some sort of leasing issue with one of the other tenants. Not a lot of information was given because that is kind of their private information, so I was asked by Paul Shand to see if we could accommodate a left hand turn out of the entrance just south of the new light that we have right there next to Auto Zone. If anyone is familiar with that area, the speed limit just changes from 35 to 45 right there on Harshman Road and then you have kind of got to turn. If you were to do a left hand turn going south out of there it can get kind of hairy and currently there is a sign that it is a no left hand turn. They were requesting to have a left turn out of there, so we had our engineer, Choice One, put together a task order to see what that would look like to review that.

Next was to kill that, so they were going to move to the corner lot. This was right around when we did the grand opening and the ribbon cutting for the other Tim Horton's to the north. We were lucky to have the owner of the franchise there, we had corporate representatives from Tim Horton's from Canada present, so we had a teleconference meeting also scheduled. We had that in my office and we spoke about what it would take to get a new development plan at the Tim Horton's. The franchisee was concerned about time because time is money and he has already

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invested quite a bit of money into that location. We devised a plan to make that happen.

About a month went by and I hadn't heard anything from them. Mr. Shand called me again asking if we could reinvest in looking into the left hand turn, so we did that. There is a report and there was an issue with the email, the file was too big. I sent that out and didn't realize it until earlier, that's why I was late because I noticed it hadn't been sent. We can get that out to you about what the report was, but basically the report does not suggest a left turn out of that access point. The crashes are very low right now and the reason for that is that there is a no left turn out of there, so that intersection is functioning as it is. With that information we forwarded that on to our representative at Auto Zone and they are very concerned because auto parts stores when you are competing with other auto parts stores, you are selling the same thing, the same product at the same price, so there are very few things you can control to try to gain market share and one of those things, of course, as a consumer we all like ease of access. They were concerned with that Tim Horton's going there that their customers were going to have to have a bigger challenge maybe not necessarily into Auto Zone, but to leave to go back and work on their project.

Once they came to terms that left turn was unsafe we thought he wanted a guarantee from the City that we weren't going to do a project our on Harshman like build a boulevard or create so that you couldn't do a left turn in because currently if you are going south on Woodman you can turn left into the Auto Zone. He wanted just an assurance that we weren't going to close that off. We have no plans to close that off, it wouldn't make sense, so that was the reason for an MOU because it makes sense to do that and we would give them the guarantee. What I didn't want to do, if you read the MOU it also gives us some outs in case the State came to us and said you need to build a boulevard here or if Auto Zone left that would kind of absolve, so we weren't stuck with that clause forever. That was kind of the gist of that process.

Mayor Flaute: Why did they not want to go into that corner? Mr. Taylor: It has taken so long to get this approved, again they came to us in January and it's now July, corporate at Tim Horton's has now decreed that no more Tim Horton's are going to go into the Dayton area because it is saturated. Mr. Denning: Okay. Mr. Taylor: It was a long walk, I'm sorry, but we got there. Mr. Denning: So it wasn't the franchisee, it was corporate saying we have got enough and the market isn't supporting what we already have. Okay.

Mr. Fullenkamp: I want to repeat what I already said when you weren't here. Why would Mid America violate the terms of a lease with a current tenant and then come to the City to solve their problem? Mr. Taylor: I have no idea and that's a question I asked multiple times to multiple people and didn't get an answer. Mr. Fullenkamp: When that was moved from its original proposed location to that location that should have been very clear to Mid America that was a problem. They run that joint. They are the ones that are going to design that space to the best of their ability as much as we allow them. I don't know what the objections were to where the initial location was. As I remember it there was some suggestion on our part that this was a better location, maybe I'm wrong. Mr. Taylor: The original location was always right there just south of the McDonald's.

Mr. Fullenkamp: I don't understand. Let's talk about this left hand turn lane. I don't understand what the different is between turning left at the light versus turning left at that entrance. I don't get that and I don't buy it. Mr. Taylor: It's befuddling to me as well, but if you look at their concern is that if you can picture the Auto Zone and currently if you park right in front of their building and you pull out you can go straight down the parking lot, turn left onto the little lane there and get in the queue for the light. They were proposing that if Airway allowed it and the Tim Horton's went there you would now have to instead of being able to go straight down you would have to jog 150 feet and then over. That's what they are proposing to us. Mr. Fullenkamp: My concern is the left hand turn off of Woodman. I don't understand how that offers any advantage into the shopping center. If you are coming from the north you've got the light there and that's your first opportunity to enter the shopping center. I don't understand why they would want to be able to turn left into the shopping center at that

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location. Mr. Taylor: Because you already can. Mr. Denning: Because it's always been that way. Mr. Fullenkamp: No, the MOU said we weren't going to block off the ability to have a left hand turn lane into the shopping center and I don't understand why that is an issue for the shopping center. Mr. Taylor: It's not an issue for the shopping center it was an issue for Auto Zone. Mr. Fullenkamp: I propose we put a median up there and stop the left hand turns onto Woodman out of the park.

A motion was made by Mr. Denning to accept the resignation of Ms. Freda Patterson from the Parks and Recreation Commission and declaring the seat vacant. Mr. Smith seconded the motion.

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

Mayor Flaute: A few things I have here, I did seven weddings in the last two weeks. They continue on. I attended the Family Festival at Community Park, thanks Chris and send our thanks to Elayna and everyone else, Police, Fire, and Service. We had garbage trucks. It was quite a good event, so we thank you all for your hard work. Mr. Denning: Thanks to Parks and Rec for putting it together. Mayor Flaute: They served hot dogs and drinks. Mr. Fullenkamp: Thanks to Kroger's for providing the beverages.

Mayor Flaute: I went to an ODOT meeting about Woodman Drive and State Route 35. I do have some drawings here that I can't quite figure out, but if anyone wants to see them and how that is going to happen. We are talking still about putting that third lane possibly to get that accomplished. The next meeting is August 15th, so if anyone wants to come to that or get any information because the City Manager and I will be attending and possibly Brock also. I don't know, but August 15th. Mr. Taylor: Yes.

Mayor Flaute: I also honored, signed under your proclamation, that we honored one of our own, Miss Barbara Wilson. She lives in Forest Ridge and she became the Princess of the David V. Moore Grand Guild Heroines of the Templar Crusades for the State of Ohio and its jurisdiction. If anybody would want to look at that, she was just a charming lady. The group has something to do with the Masons and it was quite an event with a big dinner down at the Crown Plaza. There's a proclamation in there from us and from you congratulating her on that.

We also received an award from Soin Medical Center. This thing is heavy. It is just with gratitude to the City of Riverside for your support. They gave this to the Mayor of Fairborn, the Mayor of Beavercreek, and myself. It goes to all of you, all of you who support Soin Medical Center and it was quite an honor to get that on your behalf.

We had an IN Crowd at Salsa's last night and it was very good. The next one will be at the Dairy Queen on August 14th. Come on out, you get a whole bunch of ice cream. August 14th, that will be the next one there.

Deputy Mayor Curp: I received an item in the mail that Mr. Tim Donnellan, long time Executive Director of the Montgomery County Community Action Agency is retiring after a long period of service to not only the greater Dayton community but the agency operates in a number of counties serving low income and people who need assistance in just a large number of things. I would like for the Council to authorize the Mayor to write up a proclamation recognizing Mr. Donnellan for his long years of service to all of the people in the community and see if we can get that to them by their August date that they are having his retirement party. Mayor Flaute: Does anybody have any opposition to that? It will be done. Mrs. Reynolds: When do you need it? Deputy Mayor Curp: I will have to look and see.

There were no additional comments from Council.

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ITEM 19: ADJOURNMENT:

A motion was made by Mrs. Reynolds to adjourn. Mr. Denning seconded the motion. There was no discussion on the motion.

All were in favor; none were opposed. The meeting was adjourned at 9:19 p.m.

William R. Flaute, Mayor

Brenna Arnold, Clerk of Council