

Thursday, August 20, 2015

ITEM 1: CALL TO ORDER: Mayor Flaute called the City of Riverside, Ohio Council Meeting to order at 6:00 p.m. at the Riverside Municipal Center located at 1791 Harshman Road, Riverside, Ohio.

ITEM 2: ROLL CALL: Council attendance was as follows: Mr. Curp, present; Mr. Denning, present; Mayor Flaute, present; Mr. Fullenkamp, present; Mrs. Lommatzsch, present; Deputy Mayor Reynolds, present; and Mr. Smith, present.

Staff present was as follows: Bryan Chodkowski, City Manager; Emily Christian, Assistant City Manager; Mitch Miller, Service Department; Chief Frank Robinson, Police Department, Major Scott Hughes, Sergeant Rhett Close, Police Department; Tom Garrett, Finance Department, Bob Murray, Economic Development Director; Mark Carpenter, Fire Department and Brock Taylor, Planning and Program Management Director.

ITEM 3: EXCUSE ABSENT MEMBERS: All Council members were present.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: A motion was made by Deputy Mayor Reynolds to approve the revised agenda to include the Executive Session for Codified Ordinances 103.01 (d) (2) – To consider the purchase of property for public purposes, or for the sale of public property, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal or private interest is adverse to the general public interest. Mrs. Lommatzsch seconded the motion. All were in favor; none were opposed. **Motion Passed.**

ITEM 5: APPROVAL OF AGENDA: The agenda was approved on Item 4.

ITEM 6: WORK SESSION ITEMS:

a) PRESENTATION: Law Enforcement Task Force Activity

Mr. Chodkowski: Thank you Mr. Mayor. A few meetings back Council had asked for a summary presentation in our involvement I believe that that time the request was specific to Safe Streets task force but there are several task forces in which the City of Riverside is involved with. So to provide a general summary of those task forces and what exactly we do as part of those organizations and what we received from those organizations is our task force representative Sergeant Rhett Close. He was here to provide Council with a summary of exactly those activities and the scope of work done. So with that I will turn the floor over to Sgt. Close for his presentation this evening.

Mayor Flaute: Thank you Sir. Welcome.

Sgt. Close: Councilman, Councilwomen, Mayor, I appreciate the opportunity to speak with you. I didn't do a presentation on PowerPoint but this will give a general rundown and you can follow it as I go. As the City Manager indicated Council wanted a little bit of an update on what we're doing as far as narcotics within the City of Riverside. What I gave you is an overview of the different task forces we're involved in directly or are loosely associated with through networking with the task force. I believe initially the FBI Safe Streets task force was asked about so I will address that first, go to the different task forces, hit some key points that I wanted to hit with Council and then I will be open for any questions. Just a preference, with the FBI Safe Streets task force, it is a federal task force. I can't directly speak to certain aspects of it but I will be more than happy off-line to answer any questions that I can about that. But I can give a general overview of basically what the task force does. It started back in the 90s to combat violent crime within communities; and when I mean violent crimes I mean organized gangs; if you've ever heard of the Bloods or Crypts that were in California the FBI designed this task force to go after that style of criminal activity. The worst of the worst and they have the resources to be able to do that. Not just gangs are involved but violent crime in the communities and the federal government has resources at both local and state. So we are able to go after the individuals that are bringing all the heroin in; bringing all of the cocaine into the Miami Valley and target more of the head of the snake so to speak. Rather than going after just the users on the corner that will continue to multiply this goes after them. Inherent to drug use are violent crimes, shootings, homicides, robberies so by combating the head of the problem that is essentially what this task force does. With that being said as a member; I am the first part-time task force officer for Safe Streets in Dayton. They provided me with the Department of State, I have a top-secret clearance with the FBI that is fully paid for by them, a vehicle, equipment and training that they give. So

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we do have all of those resources not paid for by us. Additionally they bring manpower into the City. On several different occasions we've brought in a large amount of manpower to investigate cases. So with that being said we did get a return on it for my time being spent there. Networking is a big part of anything to be able to be in the network and being a part of Safe Streets task force I also have Association with the DEA task force for assisting in investigating cases within the City of Riverside and ones that directly affect Riverside. And that is another federal task force based here in the Miami Valley that goes after more of the moving of drugs across the border and into the Miami Valley. Dayton is a hub for the heroin network; it does come into Dayton so that's why is a lot of investigative resources at the federal level are being put here. In addition to that, Dayton Gang Unit is also another unit that deals with local gangs not necessarily the larger national gangs but local gangs that do cause problems in this area. Many of you are familiar with the Diamond Cuts from four or five years ago that we actually had problems with at the St. Helens Festival. The Dayton Gang Unit investigates, prosecutes and goes after the style of gangs that are locally known to us. In addition to the motorcycle gangs that have kind of died off, the Outlaws and those type of gangs that they look at. And then finally the Dayton Drug Unit, they specifically go after and target felony level drugs within the City of Dayton and the surrounding communities but provide a resource to us that we wouldn't have otherwise. And networking can mean anything from manpower coming into our City to simple information exchange. And while if we were not involved with this I still would be able to maybe call and say, hey can you help us out with this but after a while the well would go dry and we would have to be giving back what we received. That is just what being on the Safe Streets task force represents for us. Additionally other task forces that we're involved in have been on the news several times for sex trafficking task force spearheaded by Dayton and Riverside. We were able to bring together a lot of different communities in order to combat some of the sex trafficking. There has been national attention lately. And then also the prostitution issues that every community is facing. It's not just Riverside or Dayton it is every community from Huber Heights all the way to Miamisburg and Montgomery County. So we've had a lot of success with that. We have gotten some women that were actually being trafficked away from the individuals that have been trafficking them. And also we have been able to prosecute some individuals one of which was a sex offender from Minnesota that we were able to catch during one of these operations and he was extradited back there where he will be spending the next 10 years in prison. These are the type of individuals we are going after with that. This isn't a task force that is by any means full-time. The Chief had an opportunity to attend one of the meetings. A Major from Dayton spearheads that portion of it. We come together as communities; most recently we did one with Huber Heights, the Clark County Sheriff's office assisted Dayton and Butler Township. But Miamisburg, Montgomery County and all of the agencies have really started to participate in this due to the rise in prostitution activities which is inherent to drug activities which is inherent to crime. So we're trying to be proactive in that nature instead of being reactive. Third on the list you'll see Montgomery County Drug-Free Coalition. This coalition was created a year ago and I was able to through some of the networking; we were invited to join this coalition as part of a much larger coalition within Montgomery County not only with law enforcement but the treatment segment which is going to help try and eliminate the heroin epidemic that we have. We are never going to be able to totally stop it but heroin has definitely made a rise in the last couple of years. It is affecting our community much like it is affecting every other community. This coalition; again it is not a task force it is full-time. It is where communities are coming together. You have Montgomery County, the State Highway Patrol, Riverside, Butler Township, Huber Heights, Dayton are all coming together in order to plan operations that can at least send out the message that we know what is going on and we are trying to combat that. So from the community standpoint we're trying to get treatment to those that need treatment and put the ones away that are dealing the drugs. So that is a loose one where every couple of months we will do some type of operation and whether it is a traffic suppression operation, whether it is an information campaign or whatever it is to try to at least play our part to stop the flow of heroin overdoses and drug use. Fourth you will see BCI Clandestine Lab/Marijuana Eradication. I've been a part of the clandestine lab or meth lab team for seven years now. The City Manager was graceful enough to get me a suit that was able to help protect me when I'm going into meth labs. We've had multiple ones here in Riverside where I had to go when along with the BCI team to dismantle the lab and make it safe for the community. So that one I believe strongly in. Meth labs aren't going away; meth use is on the rise again. And with that being on the rise there will be more of the small meth labs that pop up. So that is something where we go and I help out but that has kind of slowed down for me because I have other obligations but it is something that I still stay a part of

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so that when we do have an issue here in Riverside were able to address it safely and not like some other communities that unfortunately have done; take the waste and throw it in the trash can and some kid finds it and gets injured. So rest assured when we take care of these they are done the right way so that nobody is going to get injured and the community will be safe. So those are the four task forces and affiliated associations through networking that we are dealing with. Some of the statistics that I want to provide so far to date: we have over 40 arrests for prostitution through the task force here in Riverside and combined with the last operation which was on the border of Huber Heights. So we arrested over 40 individuals and 10 of those have been felony; whether they are promoting prostitution or felony drugs that go with that. One of which was a repeat offender.

Mayor Flaute: How many did you have last year?

Sgt. Close: Last year we had just started the initiation so we are a little bit over double that. Three years ago was the first time and in six hours we arrested 12; so in the first operation. What happens are individuals participating in this realize that the community is being proactive so they won't necessarily go there. What I am aiming for is when individuals choose to participate in this they are not going to come to our City. My goal is where we run an operation and we get no arrests because that means that we're doing something right. So I want to keep pushing towards that back and we have to find unique ways through manpower and networking because alone we couldn't do this. We need equipment, we need the resources and the knowledge of these other agencies, specifically Dayton who has a unit that does nothing but this. So we are making strides in that and we don't want to fall behind to where we are becoming reactive because we will have issues with that. In reference to seizures, we are a little bit over \$35,000 year to date in seizures. Two of the largest ones are in process right now. It takes time; one of them is a federal seizure where we could be looking at a year or longer before we get that because it does take time in the federal system to get that. In reference to man hours from the task force; over 1000 man hours outside of our agency that we did not pay for that assisted directly the City of Riverside through either the prostitution operation, Safe Streets operations or other gang and drug related operations here. So without costing us any money we brought 1000 man hours into our City. Another thing that we're trying to do is active tracking. We have different ways of receiving drug complaints. RBD Tips is a website we have to receive those. We kind of fell behind for a couple of years; now we're getting it we're taking everyone. It is being logged along with Crime Stoppers; I'm sure everyone's heard of that, and then phone calls and emails so we can actively track where we're having drug complaints, what the problem is and as time and manpower allots I will look into those complaints. The K-9, many of you are aware of the multiple school Free Air Sniffs. Again that's a good thing, it is preventative measures so the students see the K-9 in there and they know we are still going and so that is something that we are continuing to do. Officer Smith works on my shift so I make sure along with the Chief that he is in the schools and we will be doing that again for the 2015/2016 school year. We have several federal investigations that are working in the City right now without being on the task force or having networking they might not have started and we might not have been able to go after them. I can't necessarily speak in depth about those but it is being done. With the task force a large quantity of meth, heroin and cocaine have been seized. A lot of the phentanol laced heroin that was coming into our communities and causing overdoses. With Safe Streets and we have arrested about 16 individuals so far this year that were directly involved in the importation of that into Dayton from out of state and then the distribution of that down; when you think of a drug organization it is a pyramid. It start up here where it comes in and it works it's way down so if we can at least hit the guys that are up here it will stop the flow downward for a while. Don't get me wrong we are never going to eliminate it but at least we can start slowing it down and my thought is if we can stop one person from overdosing that is a good start. So that is how we look at it. And then as far as some other statistics; being a part of the Safe Streets I have been able to be involved in other things. The Dayton field office is a resident office and somewhat smaller comparatively to Cincinnati or a Columbus so we're able to participate in some of the child pornography investigations that the FBI has undertaken. Just this week we have done search warrants on multiple locations some of which are not that far outside of our community so that is a direct impact that we are having and I have been able to assist to be able to get that out of our community and cleaned up. Moving forward we are going to try and continue to get those tips in and work with community and help them understand and educate them that while we would love to be able to go after every single complaint and investigate every complaint we simply don't have the manpower or the time to do that as much as we would like to. But I know there are

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ways that we can be more effective than we are. The Chief and the Major and I are all going to work on ways to be more effective than we currently are because Riverside has a drug problem but so does every other community whether it be Centerville, Springboro or Oakwood. It is how we choose to react to it and my thoughts to both the Major the Chief and the City Manager are we don't want to become the community that isn't doing anything about it and then we become a problem. So as long as we are actively trying to combat it, it is going to be a never ending fight but it is better than being reactive and becoming what some of the other parts of Dayton have become because there wasn't enough proactive work being done. So going forward that is how we're looking at it. And then I left plenty of time for the Council to any questions that they had. I'm not going to beat you to death with facts all day. So I'd be more than happy to answer any questions at this time.

Mayor Flaute: Thank you Sgt. Close. Are there any questions from members of Council?

Mr. Smith: With Overlook housing being a private entity are we allowed to go in there and do our task force?

Sgt. Close: Yes, Overlook is a private entity but it is not any different than an apartment community would be. There is no where that the law doesn't apply just because of private property. But an apartment complex is private property and Overlook is just a massive apartment complex.

Mr. Smith: Okay. The same thing with trailer parks?

Sgt. Close: The same thing with trailer parks right. There is nowhere; even at our local level that we don't have jurisdiction. For the same reason we can arrest somebody for domestic violence, it is the same reason we can arrest somebody for felony drug possession.

Mrs. Lommatzsch: It is no different than coming into somebody's house.

Sgt. Close: Correct. It's the same in that aspect.

Mr. Smith: Okay.

Mr. Denning: What about the properties that used to be Page Manor? Because now we have private people moving in there; it is not just military.

Sgt. Close: We have no jurisdiction there. We don't take calls there. We don't investigate the military still handles all of that.

Mr. Fullenkamp: Does it include Spinning?

Sgt. Close: All of the houses on Spinning are ours.

Mr. Fullenkamp: Except for the Prairies?

Sgt. Close: Correct. So the Prairies housing is not our jurisdiction as of right now. And the school was not our jurisdiction however on either side of the area Spinning with the housing and with the businesses it is ours.

Mrs. Lommatzsch: So I think you all do a great job and I'm very proud to have Riverside represented on the news when there are things happening and that you guys are there. It makes me real proud.

Sgt. Close: Thank you very much Ma'am.

Mayor Flaute: So you spend 40 hours a week doing basically these things? You don't have any extra duties?

Mrs. Lommatzsch: I doubt he spends 40 hours a week.

Sgt. Close: Unfortunately Mayor I am still the midnight Sergeant so I try to juggle this with doing the task forces.

Mayor Flaute: So how much time do you think you spend on these?

Sgt. Close: It depends on the needs of the Police Department. I have to make sure my shift is staffed. I have to make sure I'm taking care of them. So I make sure that I can do both. It is not ideal but we are working on ways; by being on these task forces and being associated with this

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we are affecting the community if I had more time we can affect it greater but I am making it work as of right now. The Major and the Chief are coming up with other ideas on how we can do more. I think it is better than it was three years ago; better than it was two years ago so we keep moving forward in the right direction.

Mayor Flaute: Okay any other questions?

Mr. Smith: The meth labs that you talk about, I've seen it on TV where they make meth out of a pop bottle is that correct?

Sgt. Close: They do. Those are called one pot cooks. What they will do is the meth will be produced usually not in a pop bottle but it in a Gatorade bottle or a Power Aid bottle. That is the preferred method that way it is mobile. It is not as explosive as much as it is highly flammable. So we've seen some of the fires and stuff that have been caused and that is where overpressure will happen. Those bottles are made to withstand the great deal of pressure that is created inside of them. They will fail and then you will have basically a liquid fire going over everything around an area and catching fire. One thing you can always count on, every time we start to catch up with what they are doing they will come up with something else.

Mrs. Lommatzsch: Well it's all out on the Internet.

Sgt. Close: Yeah all I've got a do is make a trip to Wal-Mart and we can all sit here in Council and make it if we wanted to.

Mr. Smith: Do they track those websites?

Sgt. Close: The Internet is so massive that we know it is going to be made. There is not really; it falls under freedom of speech. You can study it all day long so long as you are not doing it. There are literally thousands of websites on all kinds of new ideas on how to cook meth and how to do any number of types of narcotics or drugs.

Mrs. Lommatzsch: Or find whatever you want.

Sgt. Close: Yeah, if you want you're going to find it and again we are never going to completely stop it. Drugs are the oldest business in the world and it makes more money than anything else in the world so we are never going to completely stop it. We just have to try to stem the tide so that it doesn't adversely affect our community more than necessary.

Mr. Smith: Okay, thank you.

Mayor Flaute: Alright well thank you Sergeant we appreciate it. Keep up the good work and stay safe.

Sgt. Close: Thank you.

b) SUMMARY: Waste Collection Bid Update

Mr. Chodkowski: Thank you Mr. Mayor. As you know we did take new proposals in from vendors for waste collection services. It was the first part of last week. Ms. Christian did not have sufficient time to prepare some of the initial bid results for Council prior to tonight and get it in the last Council packet before it went out. So you did receive an email from Ms. Christian earlier this week that had most of the information before you attached. But this is the printout of that information as well as some additional information from the bid packet and proposals for your review and evaluation. At this point in time we are evaluating the bids that have been submitted in relation to a couple of different things; bids that were originally submitted under the premise that we will be able to utilize the auditor's office for assessments so we are evaluating these prices against those prices. Ms. Christian has also been communicating with several of our colleagues through the OCMA about how they are handling waste collection, invoicing and services in their community. Whether or not they are providing the service in-house or whether or not they are using a waste collection vendor or whether or not they have some third-party involved. So she is in the process of gathering that information so that we can provide you a more detailed report summary for your review and evaluation on September 3; I believe is the next Council meeting for you to be able to have a more in-depth discussion about the process and where we are with the information that we have. But in the short-term Ms. Christian would be more than happy to answer any questions that you might have that she's capable of answering for you at this point with regards to the information that you received.

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Mayor Flaute: Okay thank you Mr. Manager. Are there any questions or comments from members of Council?

Mr. Fullenkamp: Ms. Christian, two questions. One is, are vendors willing to give discounts for one annual payment versus four quarterly payments? Is it an option?

Ms. Christian: It wasn't something that we included in the content.

Mr. Fullenkamp: So is that something that if they determine they want to do that they can do?

Ms. Christian: I would think that would be something we could negotiate with the selected contract vendor.

Mr. Fullenkamp: The second question has to do with option one, alternate one and alternate two. It seems to be a rather large difference in billing costs between the two.

Ms. Christian: I noticed that too.

Mr. Fullenkamp: You don't have an explanation? Could you maybe check on that?

Ms. Christian: Sure.

Mr. Fullenkamp: The biggest question is the first one. If people are used to paying one big payment if they get a discount they might want to consider that. That should reduce the billing cost for the company that wins the contract.

Ms. Christian: That's one less thing for them to worry about.

Mr. Fullenkamp: Right if they've got the money there is no chance of loss. I don't know how we're handling loss; whether that is included in the billing or if there is a collection process. I'm not sure what we specified in terms of what happens with nonpayment. Has that been a discussion?

Ms. Christian: It was a discussion that I had with all of the vendors at the pre-bid meeting. They have a lot more experience with this than we all do. And we intend and we asked for pricing for that. We would handle a nonpayment issue, the vendor would be required to let us know that they are discontinuing service at a particular address because of the nonpayment issue. So they would let us know. If trash continues to be set out at the curb; because remember there is a difference between trashing the property and setting it on the curb. But we would still handle it through our zoning process. And with our authorization if it is still up the curb we may authorize the vendor to pick it up and the City would be responsible for that invoice. That's why we asked for the pricing. But that would be something that we can assess to the property taxes.

Mr. Fullenkamp: So that pricing does not include any of that risk?

Mr. Chodkowski: How they calculate and how they assume and how they price risk is irrelevant to us. What we are concerned about is being able to provide the service to address the issue. So if we have effectively asked them to price what it would cost for them to be our nuisance abatement vendor really is a waste.

Mr. Fullenkamp: I understand that. But the words that came from her mouth were that the City could agree to pay for those nonpayers.

Mr. Chodkowski: We would pay because in this instance; so let say the City of Dayton since they are a contractor so they would call us and say, a resident at 4949 Sourwood hasn't paid their bill in two quarters we're shutting off service. So they are going to call us and tell us that. And then code enforcement is going to drive by and say, hey this guy has got their trash out on the curb so we're going to start abatement process on that person. Give them the notice and here's your 10 days to pick it. On the 10th day if they haven't picked it up we're going to call City of Dayton back and say, hey the guy at 4949 Sourwood has not picked up his trash. We're going to hire you to abate this nuisance so it's like we would hire another contractor. They drive by, they pick up the trash, they send us the bill, we pay that bill because we are exercising the nuisance abatement provision. That then become subject to assessment on the roll.

Mr. Fullenkamp: Very good.

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Mrs. Lommatzsch: I'm going to be real interested; the dudes that pick up my trash don't have a clipboard that says this house gets it and that house doesn't and that house gets it and what's going to keep people from setting it in the neighbor's yard? I don't want to pay the bill so I'm going to set my trash across street in my neighbor's yard. It looks like an insurmountable deal to pick and choose. Those dudes don't carry clipboards that pick up buckets in my yard. And I don't know how they are going to know that that house gets trash and that house doesn't get trash.

Mr. Smith: I don't know how you can say then don't carry a clipboard. I haven't seen inside the trash truck. I mean what do they have on the dash or on the seat beside them. I mean they may have a clipboard or they may have a monitor in there; a computer screen I don't know. I don't know what they have but I'm sure they are alerted to X address not paying and not pick it up. I've seen them do that in the City of Dayton on vacant houses that have been repossessed. They don't pick up the trash behind them. I've seen that.

Mayor Flaute: So if they don't pay and don't pick up and they don't put the trash out there then we are out of it. If they don't set the trash out, they don't pay then the code enforcement officer; nothing happens right? That's what Mrs. Lommatzsch is saying basically is we can take it over to the neighbor's property next door.

Mr. Chodkowski: In theory you could do that now. I mean there is nothing that precludes that.

Mayor Flaute: But you are still going to be charged for it now.

Mrs. Lommatzsch: Everybody's paying now.

Mr. Chodkowski: Yes but no, everybody is having the charge placed on their tax bill but not everybody's paying their taxes. So it is no different than the situation that we have now. The mechanism of payment will be different but the risks and liabilities that exist today in a general sense are the same risks and liabilities that will be present tomorrow. The only difference is instead of the treasurer not getting paid and us having to foot the difference which is what happens now it then becomes incumbent upon Allied or Rumpke or Waste Management or whomever to be involved in that situation and assume a certain responsibility to monitor those situations. It is their loss if they continue to pick up at a residence that has not paid. It is their responsibility to manage their operations in that way.

Mayor Flaute: But the question is if I don't want them to pick up I call them and say I don't want you to pick up on my property and I'm not going to pay.

Mr. Chodkowski: Well it won't quite work that way. Remember there is still legislation that will coincide with whatever methodology Council selects. So let's assume that Council will select an option where the vendor will also provide billing services, we would require under an amendment to I believe Section 931 of the code we would require that every property owner; participation is required; mandated like it is today and we will negotiate the part of our contract with the service provider that we provide them with the necessary information so that they can invoice the property owner that is required in the code and that we will coordinate some kind of method which ever works out best to ensure that we are communicating correctly about owners and payment and nonpayment. And so right now they bid these 7000 residential customers. We may go through and after we update and populate the final list they might only be providing service to 6200. And some people move in and that will go up to 6350. And some people move out and it will go down to 6101. So there will have to be some additional involvement in some capacity from the City but by and large the information that we get is information publicly available from the auditor's website which is information that they can get.

Mr. Denning: So we will be billing the property owners not necessarily the resident.

Mr. Chodkowski: That is correct so that we can do away with issues were landlord and tenant have some kind of modified arrangement.

Mr. Denning: I'm okay with that. To me that is the preferred way because then if it is not paid; because that goes against the property and then we can put it against the taxes if we go through the zoning process they talked about; that we are putting it back on the property owner and we end up eventually having the taxes get paid and getting our money back.

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Deputy Mayor Reynolds: Ms. Christian, I did notice that there was a large difference in the recycling bin prices that would be offered by the vendors. Could you check into the reason; did you ask if there was a reason? It is almost double I believe; one was \$60 and one was \$120. It just seemed like a large; and I'm looking at the resident that will be buying into that service.

Ms. Christian: So that's just for their cart rental not for the recycling cart.

Deputy Mayor Reynolds: Right, right just for the cart rental.

Ms. Christian: I didn't ask. It was very similar to the pricing we were quoted the original bid but I certainly ask.

Mayor Flaute: Yeah I have been working this for the last two weeks and today I finally got an opinion from the Attorney General basically saying there is no way we can get this. He said no we're not allowed to do it this way. I talked to Jim Butler of course and he is willing to put in legislation to make this happen but as far as our billing to the property taxes they are not starting until September so we could ask the auditor if he would allow us to wait to see we can get this legislation passed. But it is just going to take too long. I talked to the governor's office; the governor's office has said they will support that legislation to allow this; she's pretty sure as far as she knows they will. But at this point I've run into a dead-end and have tried everything and I can't seem to get anywhere.

Mr. Curp: My question would be whether the solid waste district would be able to somehow handle the billing for us such that it could continue to be certified to the tax duplicate as we're doing it now. I think they have the authority to do that because there are other assessments that are on the tax duplicate that benefit the solid waste district that are on there to support their operation for the transfer station operations and those kinds of things. So might be beneficial for us to check with the head of the solid waste district to see the whether that is something they might be able to look into doing for us.

Mayor Flaute: Well it is my understanding that when we had that meeting with Mr. Foley that that wasn't an option. Maybe I misunderstood.

Mr. Curp: My understanding is that the county administration wasn't going to handle the billing for us. They could not speak for the solid waste district and if we were interested in going that route they recommend we contact them ourselves directly because they don't see it as their role to run the interface for us between our needs and what the solid waste district does for us.

Mayor Flaute: I follow up again but it is my understanding that that wasn't something we could do.

Mr. Curp: I think they suggested that we contact the chair of the solid waste district directly. They didn't feel it was their role to do that for us.

Mayor Flaute: Okay, I will follow up with that then.

Mr. Fullenkamp: I'm not sure why that approach is superior to billing especially in terms of cost. The 5% cost seems kind of exorbitant for a one-time bill especially when we have a process that we can implement for nonpayment and usage of the services. And to the first question I asked; that's were I asked the question that if the vendors are willing to discount for a one time payment the actual cost to the resident may be lower than the 5% surcharge through the county. So that's why it is important for me to have that information because if this is a cost decision then that may be the best deal for people to choose to use the one time for payment. For people who want to be on a budget and do the \$40 or \$50 a month that may fit their needs better too. This may be a situation where a billing process like this may benefit several groups of people in terms of their budgetary needs and still allow us to assess the tax duplicate for nonpayment of services.

Deputy Mayor Reynolds: Mr. City Manager, will you provide me with a copy of the bid packet? I appreciate it.

Mr. Chodkowski: Yes Ma'am.

Mr. Denning: So what is the auditor charging us, 5%?

Mayor Flaute: Yes.

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Mr. Denning: For billing? And they are charging us like what, 8%? One of them is 8%.

Mr. Fullenkamp: Quarterly though.

Mr. Denning: I don't know why we're spending so much time talking about this. I think we just need to move forward. We're talking about \$15 a year extra and we are going to spend how many hours talking about this. I think we just make a decision, move on and get this done because the auditor is charging us 5% so we're talking about 3% of the total bill, \$13 a year. So that six or seven cents.

Mr. Curp: We don't know what this dollar amount for billing represents. We don't know whether that includes dunning, the write-off of unpaid debts or whether the City of Riverside is responsible for unpaid debts and managing that so that is additional cost that is not reflected in this pricing structure.

Mr. Denning: Right now we're paying the million dollars and hoping that everybody pays their taxes so what's the difference?

Mr. Curp: The differences if they don't pay their taxes this year we will get it next year when the property sells. But our staff doesn't have to chase the dunning activities for people who don't pay their property taxes whereas depending on what activities these billing quotes cover; if they don't cover chasing delinquent debts and the City has to take on that responsibility and cost itself that is an additional cost over and above the billing cost that is in here. And I don't think the people that pay their bills on time they should have to pay to chase the people who don't pay because that's what's happening.

Mr. Denning: Right. And I understand that but my understanding also is that we are the minority in cities that are being able to bill through the county because most cities are billing.

Mr. Fullenkamp: Minority meeting the only.

Mr. Denning: The only, we're on the tail end of this so I'm sure this discussion with the vendors could be ironed out because other people are already doing this. I'm sure Huber Heights is doing it and I'm sure all of the other cities that do this; so why should we reinvent the wheel? Why don't we just take the information and move forward and get this done because we have been talking trash for 6 months now, this is crazy.

Mr. Fullenkamp: The other thing about recovering our costs when the home is actually bought and sold; when they sell liens to a company to go out and get them they don't get 100% of the liens. The company that goes and collects those liens gets the lion share of those dollars so to assume that we are only going to be in arrears for those monies I don't think that is true. I think there is a lot of money that is never collected especially in the case of bankruptcies or is collected at a rate of 20% or 30% in which case we're never made whole. And I think I heard the City Manager said we come up with a difference somehow. When there is a shortfall from the assessments and the bills are due to our trash hauler the City fills that gap. Did I hear you say that?

Mr. Chodkowski: Yes you had heard me say that.

Mr. Fullenkamp: So are we whole at the end of every year?

Mr. Chodkowski: No.

Mr. Fullenkamp: Do we give money out of the general fund for assessment collection?

Mr. Chodkowski: We have not yet had to cross that bridge. Finance Director Garrett would better be able to answer that question. But effectively what has happens is, in a combination of what we transfer into populate the fund at the start of the year prior to the first disbursement versus what actual fees are in a variety of capacities most of it has been in relation to the lighting because we have an assessment fund. So funds are transferred from the general fund to support the assessment fund with relation to waste collection and street lighting. So what happens is with estimating the price for street lighting is X and the estimated price for waste collection is Y and that totals Z and what happens is that at the end of the year the total amounts of those two actual expenses and debts are going to be Y point something. So something more than Y but less than Z. But we have already pre-populated the fund based on a predetermined budgeted total of Z so there is a difference so we utilize that difference between what we pre-funded in the budget

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versus actual expenses. And that has continued to diminish over time as we continue to make appropriate adjustments for the street lighting assessments as well as the impact of nontax payments for a variety of purposes because of the recession.

Mr. Fullenkamp: So when we determine the assessment amount is that just the cost that goes to the vendor or do we add a surcharge onto it?

Mr. Chodkowski: No we do not. With anything that we send to the auditor we cannot add any overhead expense per se.

Mr. Fullenkamp: So the other question is you are not intermingling street lighting with trash are you?

Mr. Chodkowski: They are paid for out of the same fund because it is the assessment fund. But no we separately track them. But remember we pre-funded it from the general fund and that money can be distributed in any way.

Mr. Fullenkamp: But you don't take lighting assessment dollars and pay for shortfalls on trash collection and vice versa?

Mr. Chodkowski: No it is based on the amount that we pre-fund out of the general fund.

Mr. Fullenkamp: Thank you.

Deputy Mayor Reynolds: Mr. City Manager, when we establish the contracted amount that we are going to pay under the contract for waste collection and when the county sends in their payments one do we reconcile the two?

Mr. Chodkowski: I don't have the answer to that question Ma'am you would have to ask Finance Director Garrett.

Deputy Mayor Reynolds: Okay because at some point in time we have to reconcile those two.

Mr. Chodkowski: Yes Ma'am.

Deputy Mayor Reynolds: Will you find that out for me from Mr. Garrett please?

Mr. Chodkowski: I sure can.

Deputy Mayor Reynolds: Can you find out exactly when those checks are received from the county for the first collection. I think they come in in March but I think they only pay a certain percentage in March.

Mr. Chodkowski: I sure can. Right and then we move to distribution upon payment after the first formal distribution.

Deputy Mayor Reynolds: And if they receive back taxes, how is that noted to you; my check comes in for property.

Mr. Chodkowski: I don't have the answer to that question. Mr. Garrett would be able to answer that question.

Deputy Mayor Reynolds: Would you please get that because I think that might help us look at a couple of things also.

Mr. Chodkowski: Yes Ma'am.

Deputy Mayor Reynolds: Mr. City Manager I happen to like the idea of code enforcement going out and then assessing. We have a clear record at that point. My concern is how long that will take and if we decide to go that way are we going to have a memorandum of understanding with whoever receives the contract when we want them to notify us of nonpayment. On what basis are we going to be notified, what time frames or however we want to do that because I don't want it to go on too long before we know what is happening. Like Mrs. Lommatzsch said if my neighbor brings his trash can over in front of my house I'm taking it right back to them. I do have a problem with that. I'm going to take it back.

Mrs. Lommatzsch: Not if you're good beer drinking buddies.

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Deputy Mayor Reynolds: Well no. My pocket book and my buddies we part when I have to start paying for my buddy. But will we do a memorandum of understanding with whichever vendor we select of how we want it done? Because I think that's what we need to make sure; that everybody's clear and there is no determining after the fact that we are doing it this way or that way.

Mr. Chodkowski: No, it is our intent that once we were able to select the final vendor that we would sit down and negotiate elements of the contract that would be unique to our relationship with the vendor. And that would be one of those elements that we would intend to do. The question just to make sure it that I passed these on correctly is you wanted to know how often we reconcile the assessment fund and then you also wanted to know how the information is relayed to us from the county.

Deputy Mayor Reynolds: How it is received right. And I'm sure; because I'm going back to something that Councilman Denning said, you know the 5%. When I looked at the bids and I saw the dollar amount I was pleased. I expected something different and I'm glad for what I saw but he got me to thinking about the county. If they hit a few keystrokes one time a year and they get 5% and we are looking at quarterly billing, we're looking at risk factors, lost revenue, we're looking at a lot of things. So I appreciate the bidders going to the trouble that they went to for this bid.

Mayor Flaute: Okay, thank you Ms. Reynolds. As far as to Mr. Denning's point, I really tried to cover everything except for what Mr. Curp said and I thought were done there too. I'm coming here feeling like we don't have much choice. We could ask the county if they would do one more year while this legislation was being passed but that we have bidding problems and we have to rebid again. And folks are going to get tired of that too. That doesn't seem to make sense either. We are really running out of options as your comment alluded to.

Mr. Denning: I think we've been told what we have to do. We have to bill it. Every other city is billing it. What is the magical light that needs to come on?

Mayor Flaute: I know it's hard.

Mr. Curp: A couple things, I don't know that we would have to rebid. I think that the bids are set up with the ability to do trash hauling and do our own billing through the vendors separate bids. So correct me if I misunderstood it. And going back to collection through the assessments, I heard the City Manager say that we may not get 100% in any particular year. I've heard you say that we actually lose money and that we never collect but it might be different in some future year when the property transfers and we collect it at that point when the taxes are paid. So I believe it is a cash flow type of situation rather than losing money. We see some of the situations where on the income tax scorecard you can't compare January of this year to January of last year because you never know whether RITA is including some of December's money in this year's January payment. Or whether they are taking some of January's money that they received and including it in February and not in January's totals that they give to us. So it is a cash flow type of situation. The other thing is it is my understanding of the way the county treasurer's office settles the unpaid property taxes debt is that collection groups bid on not whether they are going to pay \$.90 on the dollar or \$.80 on the dollar. They get their contract award based on the lowest interest rate that they are going to charge to the delinquent person. You're getting 100%; you get whatever you're normally going to get it's just the person who owes the money is going to pay a lesser amount because of whatever the interest rate is that the vendor carries. So in the end the county treasurer is not bidding or putting up bid specs were they only have to collect \$.90 on the dollar. They collect 100% as best as I know. It is the collection group who deals with whatever they want to write off as uncollectible to them once they get their contract award. I would still like to see us take a look at whether the county solid waste management district can do this because I think it is what the community is accustomed to. We've heard several times in here over the last several times we've discussed this that the community is satisfied with the waste collection system that is there, that is unlimited everything and a single payment through their property taxes. I think we out to talk with people in the solid waste district and see what the services are that they will make available and then if we want to decide to do that or not do it fine. If we want to decide to go with this other billing fine. My only concern is I want to see 100% participation, I don't want people to use nonpayment as an end run around not paying because I remember what this community looked like when trash is building up in people's

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backyards and side yards and cul-de-sacs in the middle of the dark night and that sort of thing. And I don't want to see us going back to being that type of a community.

Mayor Flaute: Okay, thank you.

Mr. Smith: So it is my understanding that there was nothing put in the bid packet about nonpayment of bills. Is that correct?

Mr. Chodkowski: How so? I'm sorry.

Mr. Smith: What we're discussing here tonight about somebody here not paying their quarterly bill for the trash service, that wasn't covered in the bid packet?

Mr. Curp: What's in there is that the city staff will sit down and discuss and negotiate how to handle that with the successful bidder. But what we don't know right now; what I don't know right now is in this billing amount that has been bid. Does that include bad debt write-off or whether that is something the City has to chase. Whether this is simply for postage, printing a bill and sending it out quarterly and paying for postage or whether this amount that's in here includes bad debt write-off.

Mr. Smith: Okay, I would think it would but it is a good question.

Mr. Fullenkamp: Do we have an answer for that?

Ms. Christian: I would defer to them but the intent of the specification was yes it would include the bad debt write-off which they have control over by stopping the service when the bill has not been paid. To one of the Council person's point, I'm not sure who made it but they have to be in control.

Mr. Fullenkamp: So it includes if you collect for a month and you don't get paid.

Mr. Wilson: Yes, there is a percentage Y built in.

Mr. Fullenkamp: Is that true Mr. Stovall?

Mr. Stovall: I'm pretty sure we all factored in some uncollectibles, yes.

Deputy Mayor Reynolds: That just makes good business sense that's all that is.

Mr. Wilson: Everybody does.

Mr. Fullenkamp: Thank you.

Mr. Denning: So now what our decision is is whether or not we want to pay them ballpark; was that 7000 people that this was based on?

Mr. Chodkowski: I believe the initial number was 7000.

Mr. Denning: So if you take the amount per year that they are going to charge us for billing and then times that times 7000 people that comes up to about \$110,000. So the question is do we let them bill or do we hire our own staff and have our own staff bill. In that case then we are concerned about we are eating the billing and all of that. My justification is let them take care of it and we will deal with it through zoning if somebody doesn't pay they will work with us. But I honestly don't believe that people are going to try and duck their bills. Those people want to do the right thing, they want a clean community, they want to take care of it and yeah we have a few here and there but that is what zoning is all about and we can take care of that. We need to quit beating this dead horse to death it is stinking. It stinks.

Mrs. Lommatzsch: These people don't want to mow their grass.

Mr. Denning: Well I understand that and that is exactly what we do, we bill them. We bill the property owner.

Mr. Curp: My understanding from the example given earlier this evening is that if someone doesn't pay their bill and they set stuff out that is one the zoning person is going out and dealing with it. If they don't set anything out and don't pay their bill then they walk away from the process.

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Mr. Denning: But we are billing the property owner not a resident. So the property owner is going to get billed.

Mr. Curp: Those are the mechanics that still have to be worked out.

Mr. Denning: That is what he just told me. He said they are going to bill the property owner. That is a done deal.

Mr. Curp: For the delinquent amount.

Mr. Denning: For all of it. All billing is going to be to the property owner.

Mr. Curp: I understand that.

Mr. Smith: That's how it is now.

Mr. Denning: Right, and it works. So it's just a way of billing instead of it being billed on your taxes you're going to get a direct bill.

Mr. Curp: I understand that too.

Mr. Denning: And so my house payment is going to go down so now I pay it to somebody else. What's the difference?

Mrs. Lommatzsch: The difference in my mind is those people that select not to pay and not to have their trash picked up what are they going to do with their trash? Because there is not a resident in this community that doesn't have trash. My question is what are they going to do with their trash. And I have witnessed what was going on for years how people got rid of their trash.

Mr. Denning: But that was when they had to find somebody to pick up and we had three or four trash haulers.

Mrs. Lommatzsch: Different vendors going to the neighborhoods right.

Mr. Denning: So now we don't have that. Everybody has to have trash pick-up. And that was the plus to doing that.

Mrs. Lommatzsch: But what's the difference if I say I'm not going to have them pick up I'm going to hire my own dude to pick it.

Mr. Denning: You can't do that.

Mrs. Lommatzsch: How are you going to control that?

Mayor Flaute: It goes to the taxes than, a goes back to the property taxes. Because that's what's ironic about this whole thing, it goes back to the property taxes.

Mrs. Lommatzsch: If I decide I don't want to pay Mr. Stovall or Mr. Wilson I'm going to go pay Johnnie and he's going to go pick up my trash.

Mayor Flaute: You're still going to get billed. If you don't pay it is going to go on the property taxes as a lean right?

Mr. Chodkowski: Well that would be a lean that would have to be filed by the service provider through the court not in the way that we have typically done our process. Additionally if Johnny goes out and hires someone other than our vendor then he is in violation of Section 931 of the code and he will be charged with a misdemeanor.

Mrs. Lommatzsch: And then you have to take him to court.

Mayor Flaute: Alright, any other questions or discussion? So this going to be on the agenda next time?

Mayor Flaute: Yes Sir.

Mr. Curp: Is anyone going to follow-up through the solid waste district?

Mr. Chodkowski: We will.

Mayor Flaute: Do you want to have a meeting with them or do you guys want to?

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Mr. Fullenkamp: I prefer staff to not spend anymore time on this.

Mayor Flaute: Then if you want we can get together and have a meeting with somebody.

Mr. Curp: Well I don't think one person gets to dictate what staff does or doesn't do. If the majority of Council doesn't want the staff to spend time on it then fine.

Mr. Fullenkamp: I have voiced my opinion.

Mrs. Lommatzsch: I think we should look at all options.

Mr. Chodkowski: We can at least put a call in to the administration of solid waste and get their initial opinion on that and if it seems favorable then we can report back and if not we can report that back too.

Mayor Flaute: We want you to report that back right away.

Deputy Mayor Reynolds: Have they been contacted? I thought you all contacted them.

Mayor Flaute: We contacted the county and they contacted the water department because that was the one way that we wanted to do it and the water department said that they don't want to get into that business. Now that was my understanding that that was what happened with the solid waste but I might have misunderstood that. Because the part that I heard was that they didn't want to dictate to the solid waste committee; they didn't want to make that suggestion because they have one vote just like we have one vote so they didn't want the solid waste district to feel like they were telling them what they had to do. So that's where the misunderstanding I believe came in.

Deputy Mayor Reynolds: They who? I am confused on who the theys are.

Mayor Flaute: Dan Foley's office.

Deputy Mayor Reynolds: Okay. So the County Commissioner does not want to get involved.

Mayor Flaute: No the water department doesn't want to get involved.

Mr. Curp: The county administration. We went through Mr. Foley and Mr. Foley's staff talked to the administration folks and word came back that they don't want to be involved in billing functions for communities.

Mr. Smith: Isn't the solid waste facility under the county?

Mr. Curp: They are a separate council of government.

Mr. Denning: They are a separate council of government?

Mr. Curp: Yes.

Mayor Flaute: We all have one vote. We have a vote, the county has a vote and every other city has a vote that is involved with it.

Mr. Denning: Oh okay. I think it is worth a phone call but I wouldn't want to see staff spend more than a half-hour until we get an idea of whether they might want to do it or not.

Mr. Smith: I really don't want to hold up the process on deciding on a trash service for the City. As Mr. Denning has expressed we have spent a lot of time on trash and it is pretty well cut and dry that we are going to pay X amount of dollars and if you don't pay your bill we're going to process you through the zoning board and bill you. It's pretty easy stuff.

Mayor Flaute: Okay, any other things that need to be brought before Council Mr. Manager?

Mr. Chodkowski: Nothing else from staff.

ITEM 7: RECESS: The Council took a recess at 7:08 p.m.

ITEM 8: RECONVENE: The meeting reconvened at 7:21 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE Mr. Bryan Chodkowski, City Manager led all those in attendance in the pledge of allegiance.

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ITEM 10: MINUTES: Consider approval of the minutes of the August 6, 2015 regular Council meeting.

A motion was made by Mr. Denning to approve the minutes as written. Mrs. Lommatzsch seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

ITEM 11: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS

There were no petitions.

ITEM 12: CITY MANAGER'S REPORT

a) FYI

i) Council Request Sheets

ii) Council Agenda Calendar

iii) City Manager's Project and Activities Report

iv) Memo from Mr. Garrett, Finance Director – Council Member Request for Utilities Expense.

Mr. Chodkowski: Thank you Mr. Mayor. You have included in your packet some pieces of information comprising a report including the projects and activities report. Staff and I would be more than happy to answer any questions or concerns that you might have regarding any information in the report or on any other matters you may have.

Deputy Mayor Reynolds: Mr. City Manager, on the police service information; I know you're having a report so I'll save my questions for that department report. On the Valley Street sidewalk improvement you indicated that Ms. Christian, Mr. Miller, Mr. Keaton and Engineer Hoyne went out for a field review on the Valley Street sidewalk improvement. What is the criteria in a field review. I noticed that you mentioned that at different times and I just wondered do you take the design with you? What you do? You indicated here that there were going to be changes; that you notice some changes.

Mr. Chodkowski: So anytime you design something two-dimensional on paper often times you run into things in the field that don't quite match up to what you designed. So in this instance they went and looked at things in relation to the edge of the road. So there are several areas in that section of Valley where we have severe drop-offs and those are things that they needed to take into account when they are doing price estimating; when they are doing some back design for grades. I know there is a sign that juts in the right-of-way that is going to have to be addressed on Valley Metal Recycling. That is a location that would have an impact. So those are the things when we're walking through; it sure looks good on paper but in practical application it doesn't make sense for us to have a 6 foot wide tree lawn, a sidewalk and then a 2 foot wide or 3 foot wide tree lawn in front of Valley Recycling. Does that make sense? So those are the things that they were evaluating as part of that field review based on what came in on paper. But I would defer any specific comments about what else they noticed to either Mr. Miller or Ms. Christian.

Deputy Mayor Reynolds: The total area for the improvements from start to finish.

Mr. Chodkowski: They are Broadmead to Pleasant Valley.

Ms. Christian: This is for CDBG (Community Development Block Grant) design.

Deputy Mayor Reynolds: Okay. So knowing that area and talking about our recycling center there because that was one of the situations I was wondering how you're going to address that and how we are going to look like because a beautiful fence there would be wonderful. And I don't know if you've talked to the owner he seems like a fairly reasonable gentleman but I think if we are doing these improvements; and I don't know what we are doing with the businesses along that area if they want to buy in or not. Have we done any of that?

Mr. Chodkowski: I know we have not yet because the engineer is supposed to be transmitting those plans tomorrow morning. So we will see what the revised plans look like. I know from my conversations with Ms. Christian and Mr. Miller that they did have several conversations with

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residents and business owners. I don't know whom all specifically but that they were able to engage several folks. We talked about setting up a standard that would include grass behind the sidewalk; I shouldn't say behind the sidewalk because that's private property but the tree lawn if you will would be a grassed area. Those businesses such as Sparky's which is the automotive repair there and the Valley Metal business, if they want to pay the difference of the cost of concrete on those aprons and provide some kind of modified design we would be amiable to that. But not having the engineers plan yet, we don't know what he has taken into account yet or not. But those were things that were discussed amongst that group.

Deputy Mayor Reynolds: I would appreciate it if during those walk-throughs if you would just talk to the business owners. I believe that they have the best interest of the community in mind. I just think it would be incumbent upon us to try and involve them in the process because that is going to make a major difference along that roadway. And I think that could be the start of some changes. Thank you very much I appreciate that.

Mr. Smith: Speaking about sidewalks, that's only on one side of the street?

Mr. Chodkowski: I believe that is on both sides of the street is what we requested as part of our application.

Mr. Smith: Okay.

b) Monthly Verbal Updates

i) Police Department

Chief Robinson: Thank you Sir. Good evening everyone.

Mayor Flaute: Good evening Chief.

Chief Robinson: I'd like to just start off by reading some of the more interesting highlights for the month that we did mostly by the detective section. All these things are public records so I can read off the names. Just so you know what we're dealing with on a monthly basis, two people were arrested for robbery that occurred at Rondowa and Pleasant Valley. The robbery charges are approved by Montgomery County Prosecutor's office. Two people were arrested for burglary at 115 Nimitz Dr. whose charges were approved by Montgomery County. Another person who is a violent felon and has been operating here within the City was recently at one of those check-cashing places so we looked into that and there were a couple of other folks who are also felons and we probably thwarted several burglary attempts. One of the cases involved had to do with abduction and a rape; so he is a very violent person. Since Riverside has interacted with this person, his parole has been violated and there's probably a warrant out for him right now because what we have done in Riverside. So hopefully once we catch him he will go back to prison where he belongs. Another person was prosecuted for a felony for stalking. He went to trial and we won that trial. He was supposed to be sentenced today but I'm not sure what he got but he probably got five years. It is interesting watching this man in action on the court stand it was just remarkable how he can string people along and lie and all of the things that he can do. But he is actually a very violent person as well so it is very good to get him off the street. Another person was arrested by the Xenia Police Department for driving a stolen vehicle out of Riverside. He was charged with receiving stolen property. Two people have been identified and charged with multiple felonies based on an ongoing investigation into a rash of thefts at Planet Fitness down here at Airway Shopping Center and a car stolen from their parking lot. One of the people is in custody and we are still looking for the second person. In a minute I'll tell you something else about that incident. Another person pled guilty to aggravated menacing and improper handling and will be sentenced next month. Another person was arrested by the night watch shift here and he was charged with 10 times the bulk amount of methamphetamines. His charge is mandatory prison time. Another person pled guilty to robbery of East Town Smoke Shop and he got four years in prison for that. I'll give you an update on a piece of equipment that we currently have thanks to a grant and that you allowed us to have; the Cellebrite which is the instrument that does the readings of the phones. Our operator is known as an expert witness in court at this point. The machine was used in a trial and it is actually being used also to solve some drug trafficking and a murder of a two-year-old child in Dayton. We were actually using our machine to help them out with that investigation. So as of date we have use that machine 150 times to examine some different cell phones. Dayton actually has a version of theirs that mixes with ours. So we're using theirs and they are using ours for some of the stuff. Their operator

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can't get into locked phones however our machine can get into locked phones so that is why we are helping them out with that. Let's talk about the cruisers a little bit. The three new ones that we have are now out on the street. We still have the one that was recently purchased and we're waiting for the rest of the equipment to come in. It is slow going on that equipment sometimes. I think the light bar is back ordered or something so we are waiting on that and we'll get that out there as soon as possible. I noticed this past weekend on Saturday that the SUV was a really big hit at Stebbins high school. My understanding is that when the Charger was there no one was around it. When the SUV showed up and they opened up all the doors and had all the kids jump in there and play around with the new car they were all over it. So it was very good to see. Body cameras, we are still working on those. It is still a very hot topic. If you read anything about it it is equal whether you want to use them or not use them. Some people are saying you should use them and some people are saying we don't know yet because of the liability factors of them, the retention, the lawsuits and things like that. Different states are coming up with their own plans on how to address their policies on those. I think the policy that we have here currently is actually really good. I think we will be fine with the one that we have. It is still up for grabs whether you want to use them or not but we are going to use them. And we're going to try and address that policy and if there are any changes in Ohio that are mandated from Columbus then we will change what we're doing. But as it stands right now, the policy that we currently have was written by four different attorneys so I think we are good. I know Texas has a different way of doing theirs and South Carolina is doing it a different way and it's just a big topic. There is nothing set in stone I should say and if there are changes that need to be made from Columbus then we will make them and we will make it right. So the last thing I want to say is Narcan is on the street and it is in the cars. Every officer has been issued the Narcan. They are all responsible for their own kits. Whenever they use a kit they just have to submit in writing to the Major that they need a new kit and they will be given another kit. But each officer has their very own so that they can take it; the problem with those kits is the fact that we want them to take them in and out of the building. It was just easier to give everybody their own kit so they can put it in their bag and when they go out to the car they can take it with them and when they come back in they bring it back into the building where it is safe. It will keep it from expiring or going bad from freezing or from the heat. So that's how we did that. So that's all I have.

Mayor Flaute: Thank you Chief. Any questions for the Chief?

Mr. Smith: On the body cams, is that on the whole time they are in the vehicle and out of the vehicle?

Chief Robinson: No it is not.

Mr. Smith: How does that operate?

Chief Robinson: You activate it yourself. You have to hit the button. There are some places that tried to run it constantly but the problem with that is you catch so much of people's lives that you don't really want to catch and you are catching everything that doesn't really amount to anything. So you see me driving a car and it is shooting the steering wheel; it doesn't make any sense. They tried that but it just doesn't work.

Mr. Smith: Does that have a battery pack or just a battery in itself?

Chief Robinson: There is a battery that goes into a charger. The charger also works as the connector between that and the hard drive. So what happens is you take it and you put it like that and it gets a really good view. Whenever you are finished with it you just bring it back in and if there is something you want to download off of it when you put it back in that charger; the problem is we are having issue with the hard drive and where that is going to go to. So right now we're trying to work on bridging the gap between a computer in the detective's office and then it goes over to WatchGuard. And once WatchGuard fixes that issue with an app that they are going to have we won't have to do that anymore it will work just like the cars do. What happens is you put it in there and you can download it. But what happens is when it goes from there to WatchGuard, WatchGuard allows you to; just like the cars you can go in there and crop parts of the film out. So if you are in someone's house and you saw some person in there with no clothes on or something which could be a privacy issue you could crop that out of there. If you were talking to a person and all the sudden someone runs across and they're not really the person you're talking to you can crop that part out and just give the information that you need to give them. So WatchGuard does have that capability. And that is one of the things; is one of the issues

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and most places that don't have that capability. They can crop out those things that could be a privacy issues and that's how you get a lawsuit. But we actually have that already with the WatchGuard camera.

Mr. Smith: Thank you.

Deputy Mayor Reynolds: Chief I am glad to hear that the Narcan is fully implemented now and the officers, they are comfortable with that. But I am concerned about the policy that you were talking about for body cameras. Did you meet with our attorney? I believe that you and the City Manager were supposed to meet with her. And she has signed off on the policy? Could we please have a copy of that policy Sir? We haven't seen that and you all were going to get back with us.

Mr. Chodkowski: Yes Ma'am.

Chief Robinson: I apologize I thought we had gotten that for you are ready.

Deputy Mayor Reynolds: Thank you that will be good to have. But I'm a little concerned about this cropping business that you are talking about. Who does the cropping?

Chief Robinson: It would probably be the Major. The only person that can really do anything like that is the supervision.

Deputy Mayor Reynolds: What does our policy say about that? I know that you understand where I'm going with this. If we can crop some things then we can crop anything out and I don't know that that is the purpose of the body cameras. I think that you can block out a naked person I'm sure but cropping out that is taking it totally away?

Mr. Chodkowski: I believe there are provisions within the policy and I can't recall it with great specificity but I believe that there are aspects of the policy that for the purposes of information which can be publicly released you can edit; the departmental personnel are authorized to edit that footage to release segments that are deemed for release for public consumption. Within the policy it also addresses the total content and who can and cannot edit that content. So Officer Smith just cannot go in and; oh I did something bad I'm going to delete that. That is not within the authorization of the policy. If anybody were to do that they would obviously be subject to discipline.

Deputy Mayor Reynolds: And I can understand the position where if something was horrible I mean you're not going to show an open gushing; you can't take it out of the tape. You can block that but to crop that out and do away with it I don't think that's its purpose.

Chief Robinson: It won't be gone completely. It won't be gone.

Deputy Mayor Reynolds: It just will not be seen by the general public?

Chief Robinson: Right.

Deputy Mayor Reynolds: And you can assure us of that.

Chief Robinson: Absolutely. Right now I think they are already working on it in a lot of states and I'm sure Ohio is right with them in trying to make it where it is a lot more stringent to get a copy of anything especially if it is not part of a case of any kind. So I can walk in and go, excuse me can I get every video tape that officer such and such did for the last month and you have to give it to me because it is a public record. There is where you run into a problem because then you go, okay that might be broad but we have to give it to them. So we end up giving them; let's say you break it down to two weeks you give them the whole thing for two weeks and somebody looks through that and they pick out what they want to pick out of it and next thing you know it's on YouTube and now we've got a problem. It won't be so much what we did but we did do it at the same time. To see what I'm saying? We are trying to eliminate stuff that is going to get us sued. The copy of it will never be gone it is still going to be in our records it's just that section that will be cut. So if you said I'm going to look at that again our version of it wouldn't be gone just what we send out would be gone. You see what I'm saying? If I had a naked lady in this video and I only printed from this to this and stopped where she was and this has no relevance whatsoever to the case we don't want that to get out. Now if you and I want to go back and look on our hard drive it is still going to be there it won't be gone for us it will be gone for what we are going to send out.

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Deputy Mayor Reynolds: Do you keep a copy of what you give for public presentation attached to the copy of the original?

Chief Robinson: We keep a copy of the whole thing on the hard drive yeah.

Deputy Mayor Reynolds: But what you were cropping out or distorting or whatever you are saying that you don't want to go on YouTube at what point would I be able to walk into your office and say I want to see the original and I want to see what you gave to the public.

Mr. Chodkowski: By law Ma'am we are required to keep copies of every FOYA (Freedom of Information Act) request that we respond to. So what you would have is you would have the original let's call it video data in the hard drive then you would have a copy of how that data was edited or screened or whatever we did to remove elements that were not eligible to be released as part of FOYA. We would have a copy of whatever we gave the requesting party A or B or whomever so you would be able to compare those together.

Deputy Mayor Reynolds: You'd be able to reference that.

Mr. Chodkowski: But we wouldn't delete or amend or edit our original data until such time as we were authorized to do so either A by the retention policy or B by court order. These aren't dissimilar issues to what we already have to address as part of the in car video system. The only difference is that these are more portable and the fact that in car video will still capture audio away from the vehicle.

Deputy Mayor Reynolds: How often are you asked for public release?

Mr. Chodkowski: These requests don't to come to our side I would have to defer to Chief Robinson on how many of those he receives.

Chief Robinson: Most of them are from attorneys. I wouldn't say more than 10 a month I would think. Maybe less than that it's not really that many.

Deputy Mayor Reynolds: And that's from the general public or did I hear you say attorneys?

Chief Robinson: Most of them are from attorneys.

Deputy Mayor Reynolds: Okay.

Mayor Flaute: I misunderstood something. He said we don't have anybody cameras.

Mr. Chodkowski: We do.

Mr. Fullenkamp: We bought them.

Chief Robinson: We have them but we have not used them yet.

Mayor Flaute: Okay you have not used them.

Chief Robinson: One of the reasons why other than the fact that we are having issues with the bridge that I was talking about from the computer to WatchGuard we worked on that today and were hoping to get that resolved today but they are still working on that. Once that gets done we will do that.

Deputy Mayor Reynolds: Chief, last meeting in your absence I asked Sgt. Close for a couple pieces of information of weight limits on trucks using residential streets and for Neighborhood Watch information to share with Mr. Schnieders and we have not received either one of those. Could you please get those for us?

Chief Robinson: Absolutely.

Deputy Mayor Reynolds: Thank you very much.

Mr. Fullenkamp: Body cams, so you do have guidelines when body cams get activated?

Chief Robinson: Yes.

Mr. Fullenkamp: What are those guidelines? Do you know? When they get out of the car?

Chief Robinson: Yes. It just depends on what type of call you are on and there are also some provisions in reference to if you are talking to someone that doesn't want to be on camera they

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can actually say they don't want be on camera. If you have a witness that doesn't want to be filmed as we're talking to them and they didn't want that to be on audio or video she is more than welcome to ask to have that done and we will turn it off. But once the camera is activated it will run through the duration of the call that you are on. So that's how the guideline is.

Mr. Fullenkamp: Okay so what are the guidelines for uploading the data to be stored?

Chief Robinson: The cameras will come in every day; the officers will come in every day and put them into the cradle and we will download them from there similar to what the cars do.

Mr. Fullenkamp: So there is no discretion anymore in the policy? Because the original policy said there was discretion on the part of the officer whether he uploads it or not.

Chief Robinson: No.

Mr. Fullenkamp: I am just referring to the original policy that was handed out to us about two months ago.

Mr. Chodkowski: No there were those discretionary items that are specifically highlighted in the policy that the Chief just implemented.

Mr. Fullenkamp: But once it is recorded a gets uploaded.

Mr. Chodkowski: Correct.

Chief Robinson: Yes just like the car. So with the car when they pull in the parking lot it automatically downloads. It is the same thing with the body cameras. They are very similar.

Mr. Fullenkamp: So we have the policy in the final version?

Chief Robinson: We do. I didn't realize you didn't have a copy of that. I apologize.

Mr. Fullenkamp: No we haven't seen it. I know there are a lot of forces in Ohio that are using it, sheriff departments, police forces, villages and I think maybe the policy should have been figured out before we bought them.

Mr. Smith: Going back to the body cam where you say you can delete a section.

Chief Robinson: You don't delete it.

Mr. Smith: Obscure it or black it out. Does the audio still remain?

Chief Robinson: Sure.

Mr. Smith: It's got like a black space and then you can still hear them talking?

Chief Robinson: What happens is you actually record from this point to that point and if you want to stop then you pick it back up in another section. Basically what is trying to do is keep you from putting any information out there to the public that could cause a lawsuit.

Mr. Smith: Alright. And the other question is and you probably answered this before, on the Narcan where is that administered?

Chief Robinson: Where is that administered?

Mr. Smith: Yeah.

Chief Robinson: Ours is for the nostril. The kits actually have two shots in it so we are able to administered two doses of the Narcan prior to the Fire Department being on the scene.

Mr. Smith: Okay so you can give both doses to one person?

Chief Robinson: You can if you have to. All of the officers have been trained in the use of the Narcan. So yes they can administer both of them if they have to. We hope that they never have to.

Mr. Smith: Okay, say they only use one shot can the other one be used on somebody else or do you have to discard it?

Chief Robinson: It can be used on someone else it is all packaged separately.

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Mr. Smith: Okay thank you.

Mayor Flaute: Thank you Chief.

ii) Fire Department

Chief Carpenter: Well some of things that we been working on is, the Fire Department came up with their own newsletter. This is both for internal and external. Internally we are going to post it at each firehouse to kind of keep both full-timers and part-timers informed a little bit about what's going on. So we have one page for some comments and just a message from me and then some things that are going on within the department and also talk a little bit about our employees. And then on the second page it will be some statistics, the statistics that we always give you on the top row here and then this bottom page we we'll change up month-to-month just to give a variety of different statistics of what we're doing. And this is also on the website. There is a link from the Fire Department page where you'll be able to see this.

Mayor Flaute: You said monthly?

Chief Carpenter: Yes. And then also the Assistant City Manager Christian is going to take excerpts of it and put it on Facebook.

Mrs. Lommatzsch: Are we going to get a copy of it?

Chief Carpenter: I can email you a copy of this as well if you'd like.

Mr. Denning: Please.

Chief Carpenter: Okay will do.

Mrs. Lommatzsch: And in the future, when they come out at the next meeting if we can get a copy of that that will be nice.

Chief Carpenter: Okay. Some of the activities where we've been getting out in the community, we did show and tell over at East Dayton Christian preschool August 11. We also participated in the Crosstown Showdown which was very nice. We had a lot of kids coming over to the medic and the fire engine and our guys want to do that. Also we went to the Touch Truck event down near Bob Evans for Special Wish Kids. They invited us to come down and we were able to come down there for little while. And the guys were telling me that they had 10 to 15 kids there. It was nice that we were able to get out in the community. Also I have contacted Soim about the seniors requesting a presentation about diet and nutrition. We talked to our contact but we haven't gotten a clear answer. Although we have found out they have another program that we may be able to utilize for our seniors it is called Injury Prevention Program for Seniors. Once we find out whether they can do that our intent is to contact 500 Georgia, 580 Burkhardt and also the Riverside Seniors and see what level of interest they would have and see whether we can organize a presentation.

Mayor Flaute: I'm sure they would have a good level of interest, the seniors.

Chief Carpenter: Excellent. As far as vehicles go, our new medic is expected to arrive next month. They didn't give us an exact date but they just said at least by the end of the month so it should be here fairly soon. As far as the fire engines, we had a meeting recently; they call them change orders but that has a lot of negative connotation but if you do it before the production specs there is no fee for a change order. But it is just something that we requested that is more custom. So we made those changes, we've gotten those costs, we are going to be staying in the budget. Once we get the final copy of our meeting that will go to the factory and then the protection specs will be produced and that's kind of when it's like your as-builts and once that is done it should still be here on schedule for March or April next year. And I think that's all I have for you today.

Mayor Flaute: Great. Thank you Chief. Any questions or comments?

Mr. Smith: On the medic, what was the month that we bought that?

Chief Carpenter: In March.

Mr. Smith: Okay so about six months turn around. That's not bad.

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Chief Carpenter: It's a little bit faster than fire engines.

Mr. Smith: Yes. They're a little bigger piece of equipment. Alright thank you.

Mr. Denning: Look how long it took us to get one fixed.

Mayor Flaute: Thank you Chief.

iii) Service Department

Mr. Miller: As I stated earlier we did a walk-through on Valley Street and it's really kind of critical to do this because you see things walking that you don't ever see if you are looking at a map or even a good GIS. I'll give you an example; we've got some elevation issues, several areas where we've got standing water which is a problem. We get a lot of complaints for mosquitoes and other things. If you look at Pleasant Valley where it intersects with Valley there is a considerable elevation problem there that is going to create some issues. There is also right-of-way, if you're looking on the map and seeing the right of way it is little bit different than walking it. You get to see what telephone poles and what other obstructions are there and it gives you a much better feeling on what needs to be done construction wise to come up with an end product that is going to be satisfactory. The guys early in the month had quite a few down trees from the storms and that. If you looked over at Community Park and the cemetery there, what we have a very large Hackberry that is probably several hundred years old, maybe as old as 500, it got knocked down by the wind to give you an idea of how strong they were. The guys were about a week picking up limbs almost everywhere. They've been doing a lot of mowing in the right of ways. They worked on the entryways. They worked around City Hall here trying to clean up everything. We're hoping it's close to the final get-go with this being August but we may end up having to do it again if things start growing back. With all of the rain that we been having we've had a lot of catch basin issues; we've been doing a lot of repairs on the catch basins. We had continuing sign issues, a lot of them are missing. They take sometimes a couple weeks for us to get replacement signs and the reason for that is that a lot of them are special ordered with our design insignia so it's not something that we can snap our fingers and have it in the day. We do have to order them. We are just about done except with the exception of a few minor punch list items with some of our pavement. We have a meeting next week with Trotwood regarding proposed work on Springfield Street. We are going to exchange some labor for their expertise. They have a paver and some other equipment that we don't have and I think the outcome will be very positive. Although they don't to paving for living they've got the equipment that enables them to make it more user-friendly and Springfield is like a washboard right now and more motorcycle friendly too which is kind of critical. They have been picking up trash all over. It seems like with the good weather and that people want to throw out a lot of things and unfortunately they don't pick up after themselves. I'll give you an example; down at Community Park the football league requested extra containers. I don't know if you've ever been down there when they have the place full but you can't hardly walk through the park there must be 3000 or 4000 people there. It is quite heavily used. We had quite a few extra trash cans to accommodate them. It really makes it easier for our crew because then they are not picking up everything off the ground and they usually police themselves pretty well. A lot of problems with the storm water catch basins which I've already mentioned but it results in a lot of potholes also. A lot of the material washes out that we put in and it causes a more rapid deterioration. That's pretty much all I have to say. Does anybody have any questions?

Mayor Flaute: Thank you Mr. Miller. Are there any questions?

Mrs. Lommatzsch: I just want to thank you for your research on the 35 project and the response that we got in the email.

Mr. Miller: Mr. Chodkowski did an excellent job in putting that together.

Mrs. Lommatzsch: Thanks for doing that Sir.

Mr. Miller: They have been moving the schedule up. When I first got here the schedule was quite a bit different than what it is now. If it gets money cut loose to us that schedule could change considerably.

Mrs. Lommatzsch: That would be a good thing.

Mr. Miller: It would be yes. Absolutely.

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Mr. Fullenkamp: A couple weeks ago you did some mill and fills and there was some consternation in some neighborhoods about what was going on. I'm so little concerned about how well we communicate with our residents when it comes to when we are going to come and do these things; coming out on a Saturday morning and putting signs in yards.

Mr. Miller: Well usually we also have a flyer that we provide to them.

Mr. Fullenkamp: There wasn't any.

Mr. Miller: There wasn't any flyer?

Mr. Fullenkamp: There was not.

Mr. Miller: What street was that on?

Mr. Fullenkamp: Well that was the latest mill and fill all through Fairway and Planters; wherever there was mill and fill done.

Mr. Miller: I know American Pavements which they do a slurry seal, we normally put up signs several days in advance.

Mr. Fullenkamp: They may have but this was the mill and fill people and the lady that was putting signs up wasn't very helpful.

Mr. Miller: My apologies for not providing that.

Mr. Fullenkamp: We just need to communicate. I know schedules slide and it makes it more difficult but there is no reason staff or somebody couldn't go out and put some door hangers on. Thanks.

Deputy Mayor Reynolds: Mr. Miller, when will our first load of salt be delivered Sir?

Mr. Miller: Well we have about 500 tons in storage right now and the price of salt pleasantly went down considerably. Last year we only used about 600 tons. We change considerably what we do with the application. We put an additional liquid on it that basically prolongs the useful life when we put it down so that it extends the period for when we have to reapply or do something different. I'm hoping the weather is not too bad this year. I don't want to order too much salt because we always end up storing it. The City of Dayton is always very good about providing us a facility where we can store it.

Deputy Mayor Reynolds: So we are using City of Dayton storage fields?

Mr. Miller: Yes Ma'am they are very accommodating.

Mayor Flaute: So are we going to do spirits again?

Mr. Miller: This material is very similar, is called Ice B'Gone and it is a side product of the distillation project so it is spirits.

Mayor Flaute: So we're going to utilize that again?

Mr. Miller: Yes. It can be like -60 °F and this stuff will still work. Normal salt, it won't work if it's 3°F. You're pretty much wasting your time.

Mr. Fullenkamp: I've been reading some very negative things about brine in terms of the impact on automobiles. I know it's a good thing for the City but it may have negative impacts.

Mr. Miller: The thing is salt does too. All brine is liquefied salt.

Mr. Fullenkamp: I understand but I am reading that there seems to be accelerated affects from brine versus standard salt. You can go online and read it too. Maybe there is a reputation in science

Mr. Miller: What it does for us to be honest with you, it works great as a pretreatment. Before a snowstorm we will put it down. It allows us to peel the snow away easily. A lot of times if we don't do that we get it caked on because with traffic we can't get it off. If we pretreat it with brine it allows us to peel the snow off a whole lot easier.

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Mr. Fullenkamp: I understand that from the utility of the City in the Service Department but the concern may be, I haven't done much research, I've done some reading and there seems to be an accelerated impact on automobiles.

Mr. Miller: I will look that up.

Mr. Denning: I noticed that the honeysuckle along Airway was trimmed down. I thank you for that it looks very nice. And there were some nice patches on Airway Road. I thank you and my motorcycle thanks you. Those bumps were crazy. I think it is very positive and I think the guys are doing an awesome job trying to keep up especially with as much rain as we've had this year.

Mr. Miller: We have been using the reach arm mower to clear things away so that signs and other things are visible.

Mr. Denning: Yeah, to me it just puts on a better face because that is one of those roads that everybody uses and so it just puts a better face on the City in general for us to do things like that.

Mr. Smith: Just a quick comment. What Councilman Fullenkamp said about the brine being hard on the cars, I think you have to weigh that against the safety of the roads versus the impact on the cars. I certainly wouldn't want to lose a life over a car crash on ice as opposed to a little issue with maybe rust on the car. I know that it was mentioned that after the winter season to have your car underbody sprayed when you go to the car wash; having that sprayed get a lot of that brine out of there. How effective is that do you think?

Mr. Miller: It can be effective. A lot of the equipment that we get in that is new we will have them sprayed with an oily substance and it deflects most chemical penetration. And going back to the salt, in previous years we used 2000 to 3000 tons and last year we used 600 tons. We changed the whole operation of how we go about applying it and how we process it and a lot of it has to do with pretreatment and a lot of it has to do with treatment of the actual salt with the alcohol derivative. I think it's kept the City safer and saved the City a lot of money. Salt was over \$114.50 last year. Mr. Chodkowski did a good negotiation and we got it from a fellow city, Kettering for quite a bit less than that but at the same time we were still paying close to \$100 a ton. Our bid this year is 60 some dollars.

Deputy Mayor Reynolds: Mr. Miller I have received some calls from residents on Mentor. Do you know if there are any plans to do any patchwork there?

Mr. Miller: We'll take a look at it Ma'am.

Deputy Mayor Reynolds: I would appreciate it. Thank you.

Mayor Flaute: Any other questions or comments?

Mr. Smith: Well if we are mentioning potholes, westbound Harlow between Charwood and Spinning. It's on the shoulder.

Mayor Flaute: Okay very good. Well thank you Mr. Miller, thank you for your service.

Mr. Miller: Thank you.

Mayor Flaute: So if anybody wants to speak to Council please fill out a sheet and get it up to us. We will get to that part of the meeting very shortly.

ITEM 13: PUBLIC COMMENT ON AGENDA ITEMS

There were no public comments.

ITEM 14: UNFINISHED BUSINESS

a) ORDINANCE

- i) Ordinance No. 15-O-582 an ordinance declaring City property located at 2317 Valley Pike 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. (Second Reading and Consideration of Approval)**

Mr. Chodkowski: This ordinance was brought forth to authorize the disposal of property located at 2317 Valley Pike.

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A motion was made by Deputy Mayor Reynolds to approve Ordinance No. 15-O-582. Mr. Denning seconded the motion. The clerk read the ordinance by title only. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

ITEM 15: NEW BUSINESS

a) RESOLUTIONS

- i) Resolution No. 15-R-2083 a resolution setting forth the appointment of Evita Johnson to the Health and Safety Commission for the remainder of the term ending August 2, 2018.**

Mr. Chodkowski: Pursuant to Council's request this resolution is brought forth to appoint Ms. Evita Johnson to the Health and Safety Commission. At this time I would request that Council table this matter as there were not sufficient Health and Safety members present at the Crosstown Showdown to discuss the rescheduling of their meeting. So this would be a topic for discussion for next meeting which is three weeks from tonight.

A motion was made by Mr. Smith to table Resolution No. 15-R-2083. Mr. Denning seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

- ii) Resolution No 15-R-2084 a resolution setting forth the appointment of Ruth Newhouse to the Parks and Recreation Commission for a three year term beginning August 3, 2015, and ending August 2, 2018.**

Mr. Chodkowski: Pursuant to Council's request this resolution was brought forth to appoint Ruth Newhouse to the Parks and Recreation Commission.

A motion was made by Mr. Denning to approve Resolution No. 15-R-2084. Deputy Mayor Reynolds seconded the motion.

Mr. Fullenkamp: This is kind of a side; the list of attendance Ms. Clerk, did you get anymore information from the other committees about attendance?

Council Clerk: I started putting it together and I don't have the data in front of me but one of the committees met only one time in January. I think that was the Health and Safety Commission. They met in January and that was the only meeting that they had a quorum for. So that was the situation there.

Mr. Fullenkamp: We are having issues on Parks and Rec and it sounds like Health and Safety. I am a little concerned especially about the Parks and Rec. A lack of quorum before hand so we don't know who's not showing up or who's not able attend so I'm a little concerned about the performance on that one and for Health and Safety too.

Mr. Chodkowski: In the event of Health and Safety it was because we only had four members for the first three or four meetings of the year; we only had four members there. So attendance is fairly regular for that group as are absences. Ms. Mary Kay Walters travels in March and April right before the Bike Rodeo. Those are meetings she typically does miss and that was the reason we lacked a quorum there. And then the following is because Mr. Wendell resigned for health reasons and then that took the committee below quorum.

Mr. Fullenkamp: That's fine but I am concerned about Parks and Rec; three meetings through July where it was canceled in advance due to a lack of quorum. And then there were one or two other meetings where there was a meeting and there wasn't a quorum present so I think we need to address that.

With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

- iii) Resolution No. 15-R-2085 a resolution authorizing the purchase of road salt for 2015-2016.**

Mr. Chodkowski: This resolution is brought forth to authorize the purchase of road salt for the 2015-2016 season.

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A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2085. Mr. Denning seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

- iv) Resolution No. 15-R-2086 a resolution by the Riverside City Council authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Montgomery County Property Tax Duplicate.**

Mr. Chodkowski: Pursuant to the request of the Director of Finance this resolution is brought forth to authorize the assessment of delinquent fees and charges for exterior property maintenance.

A motion was made by Mrs. Lommatzsch to approve Resolution No. 15-R-2086. Deputy Mayor Reynolds seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

- v) Resolution No. 15-R-2087 a resolution declaring one 1996 Dodge cargo van used by The Service Department to be surplus and no longer needed for City purposes and authorizing its disposition.**

Mr. Chodkowski: Pursuant to the Director of Public Services, the Director of Finance and the City's insurance company this resolution is brought forth to authorize the disposal of the 1996 Dodge cargo van.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2087. Mr. Smith seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

- vi) Resolution No. 15-R-2088 a resolution authorizing the City of Riverside, Ohio, to enter into a service agreement with Axa Equitable relating to a 457 Deferred Compensation Plan.**

Mr. Chodkowski: Pursuant to the request of the Assistant City Manager this resolution is brought forth to authorize the deferred compensation package from Axa Equitable.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2088. Mr. Smith seconded the motion.

Mayor Flaute: I have some questions about this. What are we doing here? I'm not sure what we're doing this resolution for. Could you please explain it to me?

Mr. Chodkowski: Effectively we are entering into this agreement to be able to transact transfers from Major Hughes' payroll to his deferred compensation company which is Axa. There is no cost or expense to the City. This is simply us establishing a relationship with this firm to be able to transact this money on Major Hughes' behalf.

Ms. Christian: It will be available to all employees.

With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS

Mayor Flaute: The first person that wanted to speak is Will Morgan. Can you please come to the podium and discuss your issues.

Mr. Morgan: Thank you for letting me speak. I live at 2632 Bushnell and all summer we have been dealing with a lot of drug traffic down our street. I don't know what you want to call them, young thugs that are terrorizing our street. They've got all my neighbors scared to death. We've got a lot of single middle-aged women and two elderly women and one already had to move. Her son moved her out. Another guy, a friend of mine he is moving his mother out probably soon. They were supposed to show up with me but they are too scared to speak, too scared to call the police. We've had several calls and had officers out several times a week especially on Friday and Saturday nights. I called myself a couple Sundays ago. I had four of them that wanted to jump on me and I proceeded to protect myself with my baseball bat. Minor or no minor I am not

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going to be terrorized. My seven-year-old son came out of the bushes playing across the street with his little friend with a stick to help protect me. We can't get nothing done to stop these; I don't know what you want to call them, young terrorists, thugs. There is a triangle of houses where it is going on. There are two next door to each other and one across the street. It is a little triangle they have. It is all day and all night long. Traffic drops the drugs off and they'll come out and get it like the ice cream man is showing up. And he goes away and they go back in the house and do their thing. They've torn mailboxes out for retaliation of the police being called. That's happened twice to one guy. The officer that came out said you live in the plat, I've got to go I've got another call. And the neighbor lady across the street from me told him that she could identify which one of the kids did it and nothing was done. I've called one time and nobody showed up but yet the officers tell me you guys have to keep calling and keep calling and keep calling. We can't get nothing done. Everybody is scared to death. I can't let my son go outside and play half the time because of the traffic. He's got a little friend across the street, a little girl. A couple Sundays ago when the altercation happened they were walking down the street, the little girl, my son and the lady across the street were on the porch and playing and these boys were walking down the street and as they came by they pull their pants down below their buttocks and had their underwear exposed right in front of the little kids and the lady. And when he came back by and did it again I asked him I said hey, pull your pants up and have a little respect there is a lady there a little girl and my son. Pull your pants up nobody needs to see your butt. And that's when he went and called his friends down and caused a big scene. And the officers did come up so they are probably aware of that. I don't know if they have a report on that. But we don't know what else to do or who to turn to. We can't get nothing done with this. Yesterday I called because the same car that comes every day I had the license plate number and I called to try and have an officer come out maybe and catch them in the act and I got put on hold from dispatch after it rang 15 or 20 times to get somebody to answer. It is getting frustrating. We had a nice quiet street and everybody at my end of the street takes care of their homes, cuts their grass, we all work and then we have this and down here that is just terrorizing us. And I am sorry that I live in a plat but I shouldn't have to suffer. I pay my taxes; I work every day I shouldn't have to live with this. I'm stuck where I'm at anyway because of the pollution in our ground. I can't sell my house I'm stuck. And I just wish that I could get some help from somebody. A lot of our neighbors do. The lady next door has put herself into a fortress she has put a privacy fence all around her house and hides behind her fence with cameras and we shouldn't have to live like that. I just wish I could get some help from somebody.

Mayor Flaute: Okay we've got your number here and we certainly will have someone get back with you in the next day or so.

Mr. Morgan: I mean were finding needles lying out in the neighbor's driveway and by the mailboxes.

Mayor Flaute: Okay well thank you for bringing this to our attention. Someone will be following up.

Deputy Mayor Reynolds: Mr. Morgan, may I give you something? This is my phone number. When you call the police call me I don't care what hour of the night it is. Call me and we will see what we can do. Please I want you to call me so I can go to the Police Chief sitting over here and work with him to get something going.

Mr. Morgan: Again that's all we want. We want some resolution and some help. We just want some help.

Deputy Mayor Reynolds: Whatever time Sir please call me.

Mr. Morgan: Thank you.

Mayor Flaute: Thank you. Okay the next person that wants to speak is Commissioner John Schnieders. Mr. Schnieders will you please come forward and talk about your issue.

Mr. Schnieders: Thank you Mr. Mayor, Council. A couple things I wanted to bring up, down at Prince Albert and Broadmead as you are going west on Broadmead there is a stop sign there and my neighbors down there keep complaining and telling me, John you've got to come down here and take a look at this. Well it's not my job but I go down there and take look at it and the road is really bad there. I tried to go through with my wheelchair and I can't but what's worse is as you turn right to go north on Prince Albert the street has a manhole cover but it dips way down there

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and cars come down through there and hit that and two people right there said that they have come up into their yard when they hit that thing. How fast they are going I don't know because there is a four-way stop there. That is one area I would like to have somebody come and take a look at. There are kids that always walk up and down through there. The other thing is since May I requested several times to have the street sign replaced at Broadmead and Wynora and I talked to a gentleman and a lady there and they told me that they are going to put a work order in for it. Well to this date we still don't have it out there.

Mr. Fullenkamp: That was May?

Mr. Schnieders: May.

Mr. Fullenkamp: You mean that's when you first started? Did you say May?

Mr. Schnieders: The first of May or somewhere in there. It was right after I got home from the hospital and I called myself when I found out. The stop sign was laying down on the ground. I called that afternoon and the next morning I went out there and it was gone. I don't know if the City picked it up and took it out of there. I have no idea. I keep getting told that they may have to order that. I'm trying to figure out; it takes from May to August now to get a sign. And people come through there and they just barreled through that whole section down through there. I have tried to get some license numbers for the Police Department. Unfortunately they are going too fast and I can't get them. The other thing I would like to talk about, I don't know how many of you have seen the Channel 7 news last night about the Neighborhood Watch in North Dayton. I spent most the day today trying to get ahold of the people down there at Dayton. I spent the morning up in Huber Heights talking to the Sergeant up there that is running that there. Something that comes to my mind, Dayton has Crime Watchers. People around here they say they are scared to call our dispatcher because it is public record and I confirmed it up there when the dispatchers get it. If they tell them that they want to be anonymous their name is not associated or their address for the public to see but the phone number is still there. And people around here know each other and some of them are being the bad guy and they can still get that phone number. Why can't we have a number like that there? What I have done and I know this isn't going to be there very long because you guys will come up with something with the help of the Police Department and all of your brilliant minds. I've got AT&T to assign me a number on my flyer that I put it out there. No questions just leave it if you are scared to call out there I will call out and give them the information on it and I've got it sitting next to my bed and in the living room also. And I will put it on call forwarding to my cell phone which as you guys know I keep it with me all the times. The other thing that I wanted to say is I wanted to thank Mrs. Lommatzsch for donating this to our meeting coming up on August 26th which is next Wednesday at 6:30 p.m. I have contacted all of the TV stations, all of the radio stations, Dayton Daily News. I'm getting feedback from some of them that they are going to try and do it depending on what the news is that day. If anybody's got any suggestions I am open for it. Something that Huber Heights mentioned today that they do up there, they have one area that is really on fire with the Neighborhood Watch. They have block parties now. Not for the whole community. People get out there and they will talk to the neighbors in that particular part and they have a time set with the Police Department to block it off and go out there and have a party with the officers mingling with them and things like that. If we are able to get this thing kicked off next week which I pray we can I'd like to see something like that happen around here. They only meet quarterly which is fine as long as somebody's there. When they come up there they don't meet like we are going to do over here. The only have captains come over there; anywhere from 4 to 6 captains that show up but then the captains run everything else off of that. And I've been getting a lot of help there a lot of good people and Beverly Campbell also. God I love Mrs. Campbell. So thank you very much.

Mayor Flaute: Okay there is some information that Mr. Schnieders has left for anyone that is interested. This is just to be passed out?

Mr. Schnieders: Right.

Mayor Flaute: It will be up here.

Mr. Schnieders: That is something that the Huber Heights Police Department gave us. They have little square things that says Crimewatch. I've been in contact with the national Neighborhood

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Watch and they are not recommending anything that says crime in it; Neighborhood Watch they are saying yes. I don't know.

Mayor Flaute: So if anybody wants some please take them otherwise after the meeting you can take them back.

Mr. Schnieders: Thank you.

Mr. Fullenkamp: Chief I think you're hearing a hunger for more community involvement for police in your neighborhoods and I think it is important that your staff; your group pay very close attention to this and what you heard previously from Mr. Morgan is not an unusual report.

Mayor Flaute: Any other questions or comments? All right Mr. Schnieders thank you. I'm sure someone will be getting back with you about the sign issue that you have discussed.

Mr. Schnieders: Thank you.

ITEM 17: COUNCILMEMBER COMMENTS

Mayor Flaute: Well I just have a couple here; I only did one wedding in the last two weeks. They are a little slow. The back to school spectacular crossroad thing was a really, really nice thing and there are so many people that I want to thank; the Police, the Health and Safety Commission our Manager, the Council members, Mrs. Lommatzsch and those who where out there. It was a good day, it was really a good day. So I hope to do a repeat of that next year. Next year maybe it will be at Carroll I don't know how that will work.

Mrs. Lommatzsch: I have been asked to attend a breakdown meeting in follow-up to that on September 30. It will be again next year but the problem is next year Carroll and Stebbins are in the same league so they can't scrimmage each other in preseason so they have to scrimmage somebody else. So there will be two full scrimmages but it is going to happen again. It was a great day.

Mayor Flaute: I could only spend a couple hours there but it was really good what I saw and I hope you'll pass out on.

Mrs. Lommatzsch: And the staff that was participating from the City Manager on down was awesome. It was much appreciated.

Mayor Flaute: It was much appreciated; Health and Safety as I said and Chamber of Commerce was there and it was a good deal. So I also went to the URS annual awards banquet on your behalf. There was an article in governing magazine called "Detroit Officials Using Private Emails for Official Business". So that kind of alarmed me so I did asked the law director to give us the official wording of our procedure and how we're doing it so it is here for your reading. From what she said everything is okay as long as you make sure you save any articles in some kind of folder so that you can give them to anyone that might ask for them. So keep them in a folder that is the most important thing that you do. It is a good article and it is good information. The last thing that I did was Cameron Neil that is a student at St. Helen School had cancer for the last 4 years. One of his goals was to graduate from St. Helen, he is now too ill to do that so there was an honorary graduation for Cameron last weekend and I did give him a proclamation honoring him on his behalf. So that's all I have.

Mrs. Lommatzsch: The In Crowd dinner is Wednesday night.

Mr. Denning: At La Margarita.

Mrs. Lommatzsch: Thank you. It is a Mexican restaurant in Page Manor and it promises to be a good time.

Mayor Flaute: Yes and I understand that Monday night or whenever it was at the Community Church was very good.

Mrs. Lommatzsch: I appreciate the Council member who attended.

Mayor Flaute: I had the URS thing that night so I couldn't. Originally I thought it was on Monday but actually it was on Tuesday so I couldn't attend. But as Mrs. Lommatzsch said there is a Chamber event coming up on Wednesday, August 26.

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A motion was made by Mr. Denning to go into executive session. Deputy Mayor Reynolds seconded the motion. With no discussion a roll call vote was taken as follows: Mr. Denning, yes; Deputy Mayor Reynolds, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Mrs. Lommatzsch, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion passed.**

Council took a short recess at 8:35 p.m. and went into executive session at 8:40 p.m.

ITEM 18: EXECUTIVE SESSION

- a) **Codified Ordinances Section 103.01 (d) (7) – To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information confidentially received from the applicant: (C) Production techniques and trade secrets.**
- b) **Codified Ordinances 103.01 (d) (2) – To consider the purchase of property for public purposes, or for the sale of public property, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal or private interest is adverse to the general public interest.**

ITEM 19: ADJOURNMENT

A motion was made by Mr. Denning to adjourn. Mr. Smith seconded the motion. With no further discussion a vote was taken as follows: Mr. Denning, yes; Mr. Smith, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Mrs. Lommatzsch, yes; Deputy Mayor Reynolds, yes; and Mayor Flaute, yes. **Motion passed.**

The meeting ended at 9:53 p.m.

William R. Flaute, Mayor

Clerk of Council