

Thursday, February 18, 2016

**ITEM 1: CALL TO ORDER:** Mayor Flaute called the City of Riverside, Ohio Council Meeting to order at 6:03 p.m. at the Riverside Administration Center located at 5200 Springfield Street, Suite 100, Riverside, Ohio.

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

Staff present was as follows: Emily Christian, Interim City Manager/Assistant City Manager; Chief Mark Carpenter, Fire Department; Tom Garrett, Finance Department Director; Mitch Miller, Service Department Director; Bob Murray, Economic Development Director; Chief Frank Robinson, Police Department; and Brock Taylor, Planning and Program Management Director, Dalma Grandjean, Law Director.

**ITEM 3: EXCUSE ABSENT MEMBERS:** A motion was made by Mrs. Reynolds to excuse Deputy Mayor Smith. Mrs. Lommatzsch seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion Passed.**

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** A motion was made by Mrs. Reynolds to approve the revised agenda to add Resolution No. 16-R-2142 and 16-R-2143 and to add an executive session. Mr. Denning seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

**ITEM 5: APPROVAL OF AGENDA:** The agenda was approved in item 4.

**ITEM 6: WORK SESSION ITEMS:**

a) **Essay by Kameron Marshall, Senior at Stebbins High School**

Mayor Flaute: I don't think Mr. Marshall is here yet so we will have him speak when we do the Pledge of Allegiance.

b) **Miami Valley Lighting Presentation**

Ms. Christian: Mr. Stallman from Miami Valley Lighting is here to talk about the modernization program that will be happening throughout the Miami Valley as part of our new street lighting contract. I will turn it over to him.

Mr. Stallman: Thank you very much and thank you for giving me the opportunity to be here this evening. As the city manager indicated, I am here to talk about a modernization program as it relates to a new street lighting agreement that we entered into with the city of Riverside and various other large cities within the Miami Valley region. This agreement is really a comprehensive upgrade of our street lighting system. And secondly it brings the latest in technology which is LED in a mass scale. And so we are going to be one of the few entities not only across the state but across the Midwest and the country that are providing LED as an option for customers. And so we are really happy to do that. As I had indicated, some of the things we're going to talk about; we are providing state-of-the-art LED technology as part of our proposal. We think it is the appropriate time to do that given a couple of different things that I will talk about. I'm also going to talk about replacing steel poles. We have received a lot of great feedback from customers and from communities indicating they would like us to replace many of the steel poles that we have and we have provided an option to do that with spun aluminum poles at a very affordable price. We also going to implement a program to inspect our wood poles through this agreement and look at replacing wood poles and there are a couple different reasons that that needs to be redone. The neat thing about this is we are going to be able to do all of this over a ten-year period of time and it is going to continue; the very low prices that we are providing for our customers and allow our communities to do this with a little bit of stability and budget certainty over that ten-year period of time. So I will talk briefly

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about the LED. As I had indicated we are going to, through this agreement, replace all mercury vapor cobra head streetlights that are on our system. Mercury vapor is being phased out and we believe that trend is going to continue and so we think this is the appropriate time to do that especially where LED is a suitable replacement for that. It has some more color rendering characteristics, it meets all energy efficiency standards and we believe it is an appropriate option now to provide for communities. And so what we are looking at doing is changing out 7700 lumen mercury vapor with a 49 watt LED and 11,000 lumen with a 94 watt and a 21,000 with a 215 watt. You might be asking, well how did you come up with these. We've actually performed a pilot now for about two years in four different communities with LED. We have also talked to various vendors with many of our key communities such as Riverside and we have also brought in some consultants and based on that these are what we believe are appropriate replacement's for the LED. We want to change those out by the end of 2020. And we will also provide the option for our customers if they don't want LED to look at the high-pressure sodium.

Mayor Flaute: How many watts does aluminum MV have compared to an LED? You have a 49 watt LED, how much is that compared to what you had in there?

Mr. Stallman: That is a very good question. That is an excellent question actually because with LED what you are referring to now; it is a nontraditional approach as it relates to it. The reason the LED can provide a suitable replacement for a 7700 lumen is because when you actually look at the light you're providing, the 49 watt LED does that and equates to the 7700 lumen because the 7700 loses a lot of light in a number of different ways. There is a lot of waste light from the reflection that is needed from a particular cobra so you are losing light there. You are losing light also due to the different temperature levels that are there. You are also losing light due to reflective lenses that are part of it and so you are not actually receiving when you look at lighting a specific spot you're not actually receiving the 7700 on the actual surface of the road that you are getting. And so we looked at this with our lighting consultant, the 49 watt LED which actually produces in this particular case about 3500 to 4000 lumen. It is actually more efficient and more effective from a foot candle perspective; what you are actually lighting then a 7700 lumen. Because the whole concept of an LED is you are not wasting light. It is the most precision lighting fixture that is out there on the market. So that is why it is little bit different when you are comparing watt versus lumens. This would just give you a little bit of an example from a color rendering perspective; and LED versus a high-pressure sodium. We have a commercial customer where we installed high-pressure sodium and then three years later they came back to us and said they wanted LED in a lot right next to them. So what you are getting is a pretty good perspective here of the difference from a color rendering. Both are very suitable in what they provide from a lighting perspective but depending on what a customer wants there is a difference as it relates to the color rendering aspect of it. So this is just an example of what that would look like. Let's take a look at what we are currently providing as it relates to the mercury vapor cobra head lights within the city of Riverside. As you will see we are extremely competitive in our pricing versus what other comparable service providers provide from the state of Ohio. You're receiving at least 26% below the Ohio average. But this provides you with a number of mercury vapor, the number of high-pressure sodium cobra heads that we have in your community, the units, the cost factor and all of those different things. So we are looking at essentially about \$9600 on a monthly basis for a little over 1000 cobra headlights.

Mr. Fullenkamp: Does this changeover increase the cost to the people that are being assessed for the lights?

Mr. Stallman: If the community decides to have the mercury vapor change to LED there would be an increasing cost of approximately \$200 to that. So you will see that on the next slide. So to give you an example if we were replacing all of the mercury

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vapor with LED this is what we would replace the appropriate mercury vapor with; the specific LED and that monthly cost would be approximately \$9879 or about \$240 more a month than what you are currently paying for the mercury vapor.

Mr. Fullenkamp: For all the lighting?

Mr. Stallman: For all of the lighting. So you are currently paying about \$9600 and this would be about \$9800.

Mr. Fullenkamp: So this is averaged over the 10 year contract?

Mr. Stallman: No this is just on a month; this is a one month. So over an annual perspective it would be about \$2400 or \$2500.

Mr. Fullenkamp: The capital cost exceeds the cost.

Mr. Stallman: The capital cost as little bit higher on an LED.

Mr. Fullenkamp: That exceeds the savings that we'll be getting in electricity usage?

Mr. Stallman: When you're looking at it over a period of time the capital cost is higher than a high-pressure sodium as I will show based on the next slide that is there. But it is little bit higher from the capital perspective for the fixture that it is for a high-pressure sodium. That is correct.

Mr. Fullenkamp: What is the reduction in energy consumption?

Mr. Stallman: It really depends upon the actual light. On a 49 watt when you're replacing that off the top of my head that is about 28 kilowatt hours a month and when you're looking at a high-pressure sodium it is about 40 kilowatt. So it is about 12 kilowatt.

Mr. Fullenkamp: What about a mercury vapor?

Mr. Stallman: Mercury vapor is a little bit higher. Mercury vapor on the 7700 which would be a 175 watt is somewhere in the range of the 50 to 60 kilowatt a month.

Mr. Fullenkamp: So we would be going from 175 to 43 watt.

Mr. Stallman: You would be going from 175 watt mercury vapor to a 49 watt. That is correct.

Mr. Fullenkamp: For an LED.

Mr. Stallman: For an LED that is correct in that particular one. And then for 150 watt you would be going down to the 94 watt and then on the 400 watt you would be going to a 215 watt.

Mr. Fullenkamp: So with energy consumption being about a third of the price increase?

Mr. Stallman: It is not a price increase; it is because the fixture cost is higher than the high-pressure sodium. So it is cheaper than the high-pressure sodium because we are getting some of the other benefits from it but it is a little more expensive than the mercury vapor because there really is no value associated with the mercury vapor.

Mr. Fullenkamp: I understand that the efficiencies are much higher.

Mr. Stallman: So that's from a perspective of if you were replacing that with the LED. If you decided you wanted to look at replacing the mercury vapor with the high-pressure sodium that is what you're looking at here. So it is a little bit higher in cost as I had indicated. Your monthly would be about \$10,200 which is approximately \$1000 more than with the mercury vapor and it looks like it is about \$500 more than if you went to the LED on a monthly basis.

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Mr. Denning: What I would really like to know and I think this is what would help me a lot, if I am a property owner what am I paying a year right now on my taxes for the light that is outside my house and what will I be paying if we change that to an LED. If it is only going to be \$10 more a year then I don't see where we are going to have a big issue. If it is going to cost me \$100 more a year then I am concerned. You're giving me the total cost for the city and this is spread out amongst however many folks that we spread it out to depending on what's in a lighting district. So for me to be able to make a good idea that I'm doing the right thing for my community; I believe in the LED lighting but there is a cost benefit and if it cost little more I'm okay with that because I know in the long run as electric prices go up it will keep my costs down. But I need to be able to look at some numbers and show me that that is truly what it is going to cost. When I go out and folks say why did they change me to an LED light and if I can tell them it is a better light and it is going to be more efficient and your cost was going to go up to this; it only went up this little bit more and we have a much better, prettier more efficient light I don't think I will have a problem. But if I go out there and I have to tell them it is going to cost them an extra hundred dollars a year just to be a little prettier and a little more efficient we are going to get a lot of pushback. I can see that it is a positive thing looking at the big numbers but the residents are going to want to know what does that mean to me as the property owner.

Mr. Stallman: I think that has to be done by the community. I can't do that.

Mr. Denning: Okay.

Mr. Fullenkamp: I want to follow along with that. I'm looking at using a third of the energy for the high-pressure sodium and the LED lights over mercury vapor. 149 watt versus 49 watt for the LED and I don't know what the actual wattage is for the high-pressure sodium. So I'm seeing a third of the electric cost for these other technologies that you are changing over to. So let's assume a high-pressure sodium and an LED are roughly equivalent in energy consumption and they are probably within 5% to 10%, I don't see how high-pressure sodium; you are saying the fixtures for high-pressure sodium are less expensive than the LED.

Mr. Stallman: No. I'm sorry if I confused. LED is a higher cost than the high-pressure sodium.

Mr. Fullenkamp: Okay so they both have about the same equivalent in energy consumption; high-pressure sodium and LED.

Mr. Stallman: LED has a little bit less energy consumption.

Mr. Fullenkamp: A little bit less between 5% and 10%; it is going to cost more to install high-pressure sodium fixtures than it is to put LED in? Or is that a maintenance issue?

Mr. Stallman: Well there are two points to that. Under the installation of an LED what we were actually saving from a cost perspective is changing out lamps. LEDs do not have a lamp. So right now with a high-pressure sodium, mercury vapor it goes out and we replace the lamp so we are really lowering our cost related with that. All other costs remain the same; wiring issues, connecting issues, cars hitting poles that is the amount of reduction that we are getting from going to that.

Mr. Fullenkamp: So it is mostly about maintenance is where the cost savings come in.

Mr. Stallman: Yeah maintenance and little bit on the energy side.

Mr. Fullenkamp: Because I don't know what the price differential is between the capital cost of an LED fixture versus a high-pressure sodium fixture. This may be proprietary numbers.

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Mr. Stallman: It is higher. At this particular point in time it is higher. LED has come down a little bit over time but from a cost perspective is still a little more than the high-pressure sodium.

Mr. Fullenkamp: A high-pressure sodium lamp has a life of about 10,000 hours to 15,000 is my understanding.

Mr. Stallman: We get anywhere between 2 to 4 years out of the lamp.

Mr. Fullenkamp: The typical life of an LED is about 50,000 hours.

Mr. Stallman: Our expectation is we could get; again there is no lamp but it could last approximately 10 years. There is not a track history on it but that is what we are hearing from vendors and from others in different areas that have had them out in the field for a little while.

Mr. Fullenkamp: I have a better feel for the numbers and what the differences are attributed to now.

Mr. Denning: Is the 10 years the LED itself or is that the power supply ballast that goes out in that time?

Mr. Stallman: It is everything. When you have an LED you don't change the lamp so when it becomes inoperable you take the entire head off.

Mr. Denning: You take the entire thing off no matter which piece it is.

Mr. Stallman: Do you mean versus a ballast or driver?

Mr. Denning: Yeah, because there is a driver in there; a power supply in there but what you're telling me is that is less expensive to pull the head off and put the new one on and then send it back to the manufacturer and let them figure it out.

Mr. Stallman: That is correct.

Mr. Denning: And I'm okay with that.

Mr. Stallman: It is important to remember when you are evaluating choices that the mercury vapor is being phased out. There has to be a decision one way or another on which choice. One of the things that we got some feedback on, there are a number of communities that came to us and said, do you know what, we may want you to replace all of the high-pressure sodium too. The LED may be the appropriate light that we want in your community and therefore we want to look at that option too so we developed an option in this agreement and with other communities giving them the opportunity to replace high-pressure sodium with LED. And these are some of the highlights of that specific program. You will have the option to elect replacement of up to 27,000 lumens high pressure sodium. Currently it was determined that 50,000 there wasn't quite a suitable replacement that everybody was comfortable with that from an LED perspective so we are looking at providing something that will give you the option to replace up to 27,000. We are doing these on kind of a first-come first-served basis. We have allotted or committed to replacing up to 2500 high-pressure sodium per year through 2021 based on the financial and capital dollars that I have available to really spend on this particular project. There is replacement charge associated with the high-pressure sodium that we don't have with the mercury vapor because there is no cost for that change out. There is a replacement charge for these based on the high-pressure sodium that we take out and the LED that we install and these are the suitable replacements that we would do for the high-pressure sodium. So that is something that can be considered by the city Council. And this would just provide what your monthly cost would be associated if we would replace all of the eligible high-pressure sodium with the LED and what that one time replacement cost would be. Steel pole replacement, as indicated earlier there was the desire among many communities for us to look at replacing steel poles with spun aluminum poles or

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wood poles and so we developed a program for that. We welcome the opportunity to work with communities if they desire for us to evaluate that together. We would like to work with this community regarding that. Any of the steel poles that we replace with a spun aluminum the charge would be \$5.75 a month. You would also have the option to remove and replace that with a wood pole if desired and there is no monthly fee associated with any type of wood pole.

Mr. Fullenkamp: Areas that currently have spun aluminum are they paying the \$5.75 a month?

Mr. Stallman: No not at \$5.75. I think the current charge we have for steel poles is about three dollars a month and the spun aluminum depending upon the project if that was replaced; if we had a steel pole that was hit we now replace that with spun aluminum and that charge remains at that same fee of three dollars a month.

Mr. Fullenkamp: That is a steel pole?

Mr. Stallman: It is a steel pole replaced with a spun aluminum pole.

Mr. Fullenkamp: Okay so steel pole replacements aren't required.

Mr. Stallman: No this is just a program that we developed based on feedback from the communities. We currently have about 300 steel poles and so this is what that cost would look like if you decided you wanted all 300 replaced with spun aluminum. But you're right Sir it is an optional type of program. And then we are also going to implement a wood pole inspection program. We are going to retain a third-party vendor to go out and take a look at all of our wood poles; take a look at them from an analysis of injecting some things in there to see kind of what the life of that is. Any of those that fail that inspection we will replace with new wood poles. There will continue to be no insulation charge or monthly service charge for those wood poles. So we are actually looking at getting that program going here very soon. So just to kind of recap what we provided as you have seen we are already one of the lowest cost providers of the services that we have. Our LED pricing that we are proposing is extremely competitive versus what others are doing. I just handed some information out as it relates to that. We are committing to providing that pricing over the long term which is one general price increase in 2021 through this 10 year agreement. So you're going to continue to be on the low side as it relates to streetlight charges and that will allow you to look at some things from a budgetary and certainty perspective over a ten-year period of time which is hopefully beneficial to the community. Any questions with that?

Mrs. Reynolds: Can we just go over a couple of the prices in here to make sure I am on the right track?

Mr. Stallman: Sure, absolutely.

Mrs. Reynolds: The mercury vapor, the current cost for 1067 units is \$9634.78 on page 5.

Mr. Stallman: Where it says current MVLT cobra head pricing? Currently for the 7700 lumen mercury vapor the monthly price for that is \$8.17. We have 639 of those cobra lights within the city of Riverside and next to that is the total monthly cost associated with that.

Mrs. Reynolds: And then we have under the high-pressure sodium lights a total of 408 units there. But those two together for what we currently have is \$9634 a month.

Mr. Stallman: Yes when you look at all of your cobra with the mercury vapor and high-pressure sodium you're currently paying \$9634.78.

Mrs. Reynolds: If we replace all of the mercury vapor with LED 1067 units will be \$9789.07.

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Mr. Stallman: If you were to replace all of the mercury vapor with LED you would still have the same number of units and that monthly fee would be \$9879 so about a \$240 increase.

Mrs. Reynolds: If we looked at the spun aluminum replacement program you are saying the monthly cost there would be \$1725?

Mr. Stallman: That is if you desired for us to replace all of the steel poles within the community; you can do some, none, or all but if you decided to have all 300 of those replaced you would have a monthly cost or fee associated with those would be \$1725.

Mrs. Reynolds: What is the advantage to a spun aluminum pole?

Mr. Stallman: It doesn't rust. I don't know poles from a technology standpoint but spun aluminum is a higher and better technology. A lot of people think aesthetically it is a lot better to look at rather than a steel pole. Steel poles can paint and chip and those kind of things so it is basically an aesthetic type of situation.

Mrs. Reynolds: But if we choose not to do anything those wood poles that we have will be assessed at some point in time.

Mr. Stallman: Wood poles are not assessed at all. There is no charge associated with wood poles. There is no cost to you that is our cost to do that program. That is completely us.

Mrs. Reynolds: What is the timeframe on this project because I'm looking at the cost versus?

Mr. Stallman: That is really up to you. We are in the process right now of meeting with all the communities that are part of this agreement and giving them their options or choices. Once we get that we'll work with the appropriate vendors to determine how many LEDs we need to get based on the customer selections then we will go out and hire a vendor and buy the poles that may be necessary. We won't start doing replacements; the quickest would probably be in the summer and it would probably be more third-quarter this year because there is a lot of coordination and it also depends upon how many communities would want us to change out high-pressure sodium to LED. So my guess would be that this would be in the range of 2017 to 2019.

Mrs. Reynolds: Can we talk about the maintenance issue just a little bit? You indicated that you believe there would be a lifespan of 10 years on the LED.

Mr. Stallman: Yes, the vendors are telling us and we expected to be somewhere in that range, 8 to 10 years or something like that. We don't know because we haven't had it out there in the field yet.

Mrs. Reynolds: I am not as learned as the two gentlemen on high-pressure sodium and ballasts and all of that but how often do you have to maintenance a high-pressure sodium lamp?

Mr. Stallman: A high-pressure sodium lamp will fail anywhere between 2 and 4 years. So every 2 to 4 years we are going out to high-pressure sodium to do that. The fixtures themselves can last anywhere between 8 to 15 years and so the thing with the high-pressure sodium if a lamp fails you just go out and replace the lamp; if a photocell dies you just replace the photocell and so there are different parts that you can do from a maintenance perspective with a high-pressure sodium that are different from an LED. As we were talking here there is no lamp with an LED so when it fails you're replacing the entire fixture with another LED fixture.

Mrs. Reynolds: I'm just looking at the example you provided us of the LEDs and the high-pressure sodium parking lot. I don't really know how to ask that question so I'm just going shut up.

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Mr. Stallman: It is a completely different color there is no doubt.

Mr. Denning: It is a yellow color, it's not as crisp.

Mr. Stallman: You have to remember for street lighting, high-pressure sodium has been around since the late 70s early 80s as a technology and it was developed appropriately for street lighting. Street lighting provides you light so you can see when you're driving. It is not provided as a mechanism maybe for somebody in their parking lot because in their parking lot they may want to have a white light because if there is a situation of somebody breaking into a car or something like that they want to be able to recognize that my shirt or sweater looks red or that car that they were into looks blue. With the high-pressure sodium it may not show that particular color so it is not as utilized in all cases. But from a street lighting perspective it is a very quality streetlight because you're just providing light for driving down the road. A color rendering isn't as important in that particular issue.

Mrs. Reynolds: And the reason I asked that is because you mentioned before that the mercury vapor lights you don't get.

Mr. Stallman: The mercury vapor is also a white sort of light; LED and mercury vapor is what makes LED a nice replacement because it does hold that same color rendering characteristic so if that is desired by communities or by customers than that is the appropriate one to take a look at.

Mrs. Reynolds: So the LED is more like the mercury vapor that we see.

Mr. Stallman: From a color rendering that is correct.

Mrs. Reynolds: Thank you very much.

Mayor Flaute: The bottom line is it is going to cost us more money but we are going to get better light is that pretty much what you're telling us?

Mr. Stallman: The LED I think is a better light than the mercury vapor and it will add about \$200 to your monthly bill if you would have all mercury vapor changed out to LED. That is correct. So it is about a 1% increase because you are currently paying \$9600 and you're going to approximately \$9800.

Mayor Flaute: And they are using only 10% more than an LED would?

Mr. Stallman: I'm not sure I'm following that.

Mayor Flaute: The ones we have now will use about 10% more energy than what the LED does.

Mr. Stallman: The LED is more of an energy efficient light.

Mayor Flaute: But it is not much difference.

Mr. Stallman: It uses less kilowatt hours that is correct but the capital cost is higher.

Mr. Fullenkamp: Actually customers will get a price reduction if they went with high-pressure sodium over mercury vapor.

Mr. Stallman: If we replace all mercury vapor with high-pressure sodium it would be higher than if you replace them with LED.

Mr. Denning: Because your maintenance costs are higher basically.

Mr. Fullenkamp: So you would replace a 7700 lumen mercury vapor with a 58 or a 95.

Mr. Stallman: A 49.

Mr. Fullenkamp: No a high-pressure sodium.

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Mr. Stallman: If we replace the 9500 high-pressure sodium.

Mr. Fullenkamp: Let's talk about mercury vapor, what would you switch out for a 7700 lumen mercury vapor?

Mr. Stallman: A 49 watt LED.

Mr. Fullenkamp: Or.

Mr. Stallman: Or a 9500 watt high-pressure sodium.

Mr. Fullenkamp: So you would raise the light; the output of the bulb.

Mr. Stallman: Just be careful when you are referring to the actual light your but yes it would be the appropriate replacement.

Mr. Fullenkamp: So if you're going to replace the 7700 mercury vapor with a 9500 high-pressure sodium the price will go from 817 to 906.

Mr. Stallman: That is correct. That is currently what it is right now in your contract. Nothing would change there.

Mr. Fullenkamp: So you always kick up to the next higher level.

Mr. Stallman: Correct. You don't want to drop down with it.

Mayor Flaute: If we do nothing our price won't change or do we have to do something?

Mr. Stallman: You have to do something. Mercury vapor is being phased out; it is going to go away and it has been phased out over the last several years. As a matter of fact in 2005 the federal government passed legislation that said you are no longer allowed to manufacture a mercury vapor ballast in the US. So you can't get the ballast. It is our expectation that legislation may be coming at some time to phase out the lamps. They don't pass that legislation if they don't want you to utilize that going forward and the fact that it does not meet energy efficiency standards going forward.

Mayor Flaute: And our choice of replacement is the LED or?

Mr. Stallman: Or the high-pressure sodium. And that is pretty standard in the street lighting industry.

Mr. Denning: Our mercury vapors are going to get replaced with LED do you also want the sodium's also replaced with LED. Is that your biggest question?

Mr. Stallman: Well there are actually two major ones. The one major one is the mercury vapor if you want those replaced with high-pressure sodium or you want those replaced with LED. If you want the high-pressure sodium removed we have an option to do that to the LED and I talked a little bit about that.

Mr. Denning: What I would not like to see and what I to see at times throughout the city is you're going down the street and you have a mercury vapor which has a nice white light and then you have an orange light and then you have a white light and then a white light and then an orange light and it would be very nice and more aesthetically pleasing to make it all conform to the same thing. So that is something we have to discuss.

Mr. Fullenkamp: I think we have to have people that are in the lighting districts that are paying for them have something to say about them.

Mr. Stallman: And the nice thing about it with the long-term agreement gives you the ability to prepare, to talk about it and budget it if that is what you desire to do. I guess the only other thing and it is not as major but currently because of the situation with legislation as it relates to mercury vapor and being phased out if a mercury vapor

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fixture fails replace that with high-pressure sodium right now and we've been doing that for 10 years or so. We would like to know in that situation going forward if you would like us to continue to do that or would you want us to replace that mercury vapor with an LED. That is more if the complete fixture fails not just the lamp. Does that make sense? I think that was 15 minutes.

Mayor Flaute: Thank you Mr. Stallman for coming and come back anytime. So does Council want to absorb this and put it on for another work session?

Mr. Denning: What do you need from us?

Ms. Christian: I'm not sure that legislation is necessary but I suppose some kind of motion. But to Mr. Denning's point we can work on some numbers to see what the per street lighting district cost or parcel cost would be. Some of the information I'm working with Mr. Stallman to have a more up-to-date database of all of the lights in the city. We have one but there are some discrepancies so we are working on that.

Mr. Fullenkamp: And I'm more concerned with mandating replacement of steel poles and incurring that additional cost to lighting districts than about the type of lights we put in. There are neighborhoods that are okay with steel poles and if they aren't paying for them I don't see any reason for changing them out.

Mayor Flaute: So we'll put it on again for another work session item.

Ms. Christian: I'm not sure if it will be ready for the first work session in March.

Mayor Flaute: Mr. Stallman you're not in any huge rush? You're not a huge hurry for this?

Mr. Stallman: No in fact if we could find out by the end of March or early April that would be okay. On the high-pressure sodium if you would like to do that we would like to know by the June timeframe if you are looking at that because we need to order a number of items.

Mr. Denning: You are looking at economies of scale. If we can buy 10,000 of these instead of 1000 you can get a better price which helps everybody.

Mr. Stallman: System wide we have about 60,000 lights and about 20,000 of those are mercury vapor so it is quite a commitment and endeavor by us to change out a lot of these mercury vapors. It is a big project.

Mrs. Reynolds: Ms. City Manager would you get us a list of the lighting districts and the current charges so we can look and see.

Mayor Flaute: See how much it would go up if we did HPS versus LED.

Mr. Fullenkamp: I know many of them have high-pressure sodium so is it important to upgrade them to LED or is it okay to allow that to occur in neighborhoods.

Ms. Christian: We will tentatively schedule that for the March 17 work session.

**c) BAN Renewal**

Ms. Christian: Mr. Brossart is here from William Blair. I'm thinking that the economic development director might want to speak to this for a few minutes before Mr. Brossart starts.

Mr. Murray: As we discussed in our last meeting Ms. Christian, Mr. Garrett and I wanted to start looking at BANs and what we can do going forward. Again she introduced Mr. Brossart; Mr. Brossart actually facilitated our first two BANs through Fifth Third Bank. Earlier this year he jumped firms and went to William Blair and we found out he did that for very good reason. So we interviewed both Fifth Third and William Blair and found that William Blair's fees were significantly lower than Fifth

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Third's. William Blair has a national presence where Fifth Third has a regional presence. We also believe that the methodology that William Blair uses to put the BANs on the market is going to mean a much lower interest rate than what we have experienced from Fifth Third. So with that I wanted to bring Mr. Brossart in to answer any questions you might have in relationship to the BANs. Staff strongly recommends that we go with William Blair instead of Fifth Third for the reasons I just brought up earlier. So with that I will turn Mr. Brossart over to you guys.

Mr. Brossart: I'm going to spare you some of the commercial side of this. I know you guys have a meeting coming up here at 7 o'clock but I want to get into the specifics of the BAN and we can jump backwards if we have time about William Blair. One of the purposes of being here is to talk about the form of financing that you have utilized in the past on this facility in particular and Staff thought it would be a good idea to talk about where interest rates are at and then talk about what the future holds. I don't really know where interest rates are going or I wouldn't be standing here today. But obviously rates are low. It is a volatile market right now. What I want to start off with is actually on page 7. And this is just a history going back to January 15 and where interest rates are going. This is a long-term market and the 10 year and the 20 year and some data points. Currently overseas markets have put a lot of pressure on our interest rates downward and from oil tracking along with interest rates new investors are seeing negative rates overseas, coming over to the United States and really buying bonds and driving markets down. So it is one of the reasons we are seeing this happening in our fixed income municipal type of space. This again is just another rate showing you where it has been going. On page 9 is the revenue bond index and that goes back to January 2000. If we go back another 10 years you would see it much higher but this is a snapshot of the last 15 years or so. Currently we are touching on all-time low rates. That is the case for the long-term rates; the short-term rates have moved up a bit with concerns about what might happen with the Fed. We are basically at historical low rates for the taxable side and you're financing is the taxable financing. When we first got into this financing I think it was two years ago; one of the reasons we stayed with the one year note that you have to renew each year is to give you flexibility so that you can pay it down sooner on the financing. Unlike, and this is a common misconception related to bonds, but once you fix the bonds and you go out to try and lock in long-term rates you don't have any flexibility in paying down debt quickly if you so choose. There are a lot of communities that stay in the one year type of financing products so they have that flexibility. A portion of this financing is used for the municipal building and other portions were to acquire; should you decide to dispose of buildings down the road you would have to pay off those bonds. Municipal bonds have a call protection period of about eight years so that will cost you more money to go fixed rate at this time. And if something were to happen with the overall long-term plan you have to pay that off completely. So that is a little bit of why we stayed with this product of the one year note financing instead of going with fixed rates for 20 years or 15 years or 10 years. Do you have any questions related to the financing plan and those issues there?

Mayor Flaute: I think we are good.

Mr. Brossart: So the reason we are here tonight is that we are trying to get in front of this and give you ample time to get enough readings in for the approval. If you look on page 10 this is the proposed schedule of events that would have you starting your Council readings on March 3 for your first reading and then you would have a second reading and an emergency passage on the 17<sup>th</sup>. The old notes come to you on 22 April so we have to backup from there about two weeks for the pricing date and this is the timeframe that we have to hit. So next year as we come through this we will be working earlier with staff to get you your three readings and 30 days which would probably start us in early December just to be safe.

Ms. Christian: We only need two readings.

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Mr. Brossart: Okay, some cities we have to do three and work backwards so this is even better. We will be sure next year to hit those key dates. In terms of how our market works, just so you are aware, William Blair is a broker/dealer and we do not buy the investment that you are issuing. We are using our platform and investor base to sell your notes on what we call pricing date. So on that date your notes are out there on the market and individual investors are bidding in on the interest rate that we set. Mr. Murray mentioned a little bit of a difference in how; I have been in the business 18 years and one of the things that attracted me to William Blair is their ability and the way they price the note. Typically underwriters would just go back to who held it last year and negotiate with them what the interest rate would be. What we are doing is actually going out; it is nice if someone bought it from the year before but we are going to go out and price it where we think the market is at. And so we shared with staff a few examples of deals that were done recently in the Ohio market and those credit ratings of the other taxable deals were set at a 1% interest rate. We thought that given your credit, your fund balances and what we have seen with the city finances over the last couple years we would be pushing that yield of comparables that were done in the market to something more aggressive now. Again all of this can change. A week ago at the ten-year treasury was down 20 basis points from where it was today. But that is how quickly things are moving in the markets these days. That is how we will work on pricing date. If you have any questions relative to the marketing process or the note issue or what the long-term strategy might be I would be happy to answer those questions.

Mayor Flaute: Seeing none we are good.

Mr. Fullenkamp: So where are we at right now Mr. Murray with our BAN rate?

Mr. Murray: I think Mr. Garrett can answer that.

Mr. Garrett: (The audio for Mr. Garrett's response was lost.)

Mr. Fullenkamp: And where do you see it going for this next issuance?

Mr. Brossart: The yield on that was actually 75 basis points. With the cost of issuance and everything else involved it was 1 ¼. We are going to push for the 75 basis points that were there last year. As we talked to staff I think a worst-case we are looking at 95 basis points so somewhere in that range. We don't think you are a one given what we have seen the other credits at and you are better than some of those credits that were done previously. So again we think in that range we are pushing for 75 but it is really market dependent as we get there on that date which would be April 7.

Mr. Fullenkamp: Okay, thank you.

Mr. Brossart: Keep your fingers crossed that nothing crazy happens in the market up until then.

Mr. Murray: Just as a point of interest, some of the BANs that we did last year are held by Huber Heights. The quote that we received from the other vendor was 1.5 so what Mr. Brossart is talking about is significant; \$20,000 lower but again it is a market rate. But we would rather have him at the market instead of private negotiation with Huber Heights as to what our bond rate should be. So this is at the market and not negotiated by our seller which we think is to our benefit; hugely to our benefit.

Mr. Brossart: Some communities have been buying municipal that's because their yield on the treasury is much less so they have been going out and buying other municipalities debt in the marketplace. Huber Heights has been pretty aggressive about that type of a structure for investment.

Mayor Flaute: So the bottom line is if we go with William Blair versus Fifth Third that we have right now, what is going to be the difference?

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Mr. Brossart: The difference is that we are going to be going out there and marketing to a broader base and trying to drive that interest rate down. That is the biggest difference.

Mayor Flaute: So we will be able to see a better return.

Mr. Brossart: Save some money, absolutely.

Mayor Flaute: What are our risks?

Mr. Brossart: There are no risks at all because quite frankly as we talk with your staff on day of pricing we are going to set the rate where we believe the market should be for your credit. If it doesn't sell we have to take that into inventory and then it is our risk. That is how negotiated underwriting works.

Mr. Murray: Fees appear to be \$8000 lower.

Mayor Flaute: Okay. No other questions? Ms. Manager do you need anything?

Ms. Christian: We will have the first reading of the ordinance at the next meeting.

Mayor Flaute: Great thank you Mr. Brossart very much. We appreciate it. And you are welcome to stay. Okay at this time we have a very special young man and his parents who walked in. Really it is my fault that he is late because I think I told him to be here at seven. So that is my fault. We really do appreciate you coming in and at this time I would like to call you forward to the podium and please introduce yourself and the folks there with you and tell us a little bit about your essay and then if you would read it for us that would be great.

Mr. Marshall: Hello and thank you for inviting me. My name is Karmaron Marshall. That is my mom Melody Marshall and my dad Michael Marshall. I am a senior here at Stebbins High School. I play both varsity basketball and baseball. I am the current president of the Varsity Sports Club and the co-president of the Heritage Club at Stebbins. I am a member of the Society of Academic Excellence at Stebbins and also a member of the National Honor Society. Also last year I competed in the Business Professionals of America and the Fundamentals of Accounting Test. At regional I received first place and advanced to the state competition. At state I received second place and advanced to the national competition which was held in Anaheim, California. At national I received 15th place in the nation. Also at my church I am a youth church instructor. I am a member of the New Testament Mission Group. And currently I have been accepted to over seven colleges and right now my top three schools are University of Toledo, University of Cincinnati and Ohio State University. As the Mayor said, last month I was honored to win the Martin Luther King Humanitarian Essay Contest. I was inspired to write this essay by my Heritage Club Advisor, Miss Joyce Lacey, who is a teacher at Stebbins High School. She urged me and the rest of the Heritage Club to participate in the essay contest. Also I was inspired because Dr. Martin Luther King Jr. has not only affected lives when he was living but also still has a profound impact on how society is today. Also, Dr. King has helped bring opportunities and success that I have been able to experience throughout my life. I really wanted to show others not only at my school but society as well that without his contributions to America it would not be the great place that it is today. And now I would like to recite my essay. During my lifetime I have had to overcome a lot of adversity to get as far as I have gotten in my lifetime. I have achieved a lot of success throughout my lifetime and it has all been made possible by a dream of Martin Luther King Jr. Dr. King had to overcome a lot of racial challenges to make the dream of racial equality come true. He was willing to be incarcerated and he knew he wouldn't live his full life to see his dream come to fruition but he still continued to pursue his dream and create a better life for society in the future. Dr. King's effort is a dream of racial equality. It is the foundation of how society is today and it gets me all of the various opportunities that I have had to become successful. I have had and have

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multiple dreams, some of which I have fulfilled, some of which I am still trying to achieve. One dream that I have achieved was to advance to the national competition in the Fundamentals of Accounting Test through the Business Professionals of America. Last year it was located in Anaheim, California. When I began my journey of advancing to the national competition I originally did not believe I would advance to nationals over a dozen other students. Additionally, I couldn't believe that I had the ability to advance to the state competition nonetheless the nationals because it was my first year being involved in the BPA and taking the test. My first challenge was placing in the top two at the regionals competition. In order to do this and achieve my goal I did a lot of practice problems during my practice preparation for the test. My preparation was successful because I earned first place at the regional competition and advanced to state. My preparations for the state competition were very rigorous and tough. I had to split time preparing for the state competition and my baseball practices for my high school team. It was tough because throughout my preparation I stayed after school almost every day learning more accounting concepts and completing more practice problems. Although I was preparing for the state competition I had to miss some of my baseball practices which made me feel as if I was letting down the team and my coach. Furthermore, I still had to manage to complete all of my other rigorous course work for my other classes. Fortunately my hard work and preparation all paved the way to the results of my performance at the state competition. In order to achieve my dream of advancing to the national competition I had to place in the top three at state. All of my preparation turned out to be successful when I earned second place and advanced to the national competition. When I realized I was advancing to nationals I felt an emotion that I've never felt before and it is really difficult to put in words. The feeling I got was one of great pride; pride and myself and a sense of extreme happiness knowing that all of my hard work had paid off. And I finally achieve my dream of advancing to nationals. Although I didn't see my goal in placing in the top 10 at nationals I did place 15th out of 70 contestants at nationals. I was very proud of myself because although I came short of my goal I still got 15th place in the nation over 1000 other students across the world. But most of all I achieve my dream of advancing to nationals by my hard work and dedication. That will always be a day that I will always remember; holding up the second place trophy at the state competition and having my name and picture displayed across the Jumbotron. It will be a memory of great joy in being able to fully represent not only myself but my family, school and community properly. It will be the day that I finally achieve my dream and overcame all of my obstacles in my life. Thank you.

Mayor Flaute: Folks, Mr. Kameron Marshall. Stay there Mr. Marshall. Have a little presentation. Congratulations you make us really, really proud. Mrs. Reynolds gave us this little momentum for you and she just wanted me to read, the power under the Constitution will always be in the people. It is entrusted for the certain defined purposes and for a certain limited period to representatives of their own choosing and whenever it is executed contrary to their interest or not agreeable to their wishes, their servants can and undoubtedly will be recalled. Those are the words of George Washington, 1787. That just shows the power of the people and the power of you and the young people in this world. So please take this with our congratulations and we are really proud; proud that you are from Riverside.

Mr. Cameron: Thank you.

Mayor Flaute: At this time is there anything else to be brought before us for the work session items? Seeing none we will take a 10 minute recess.

**ITEM 7: RECESS:** The Council took a recess at 7:09 p.m.

**ITEM 8: RECONVENE:** The meeting reconvened at 7:22 p.m.

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**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE,** Mr. Kameron Marshall, Senior at Stebbins High School led all those in attendance in the Pledge of Allegiance.

**ITEM 10: MINUTES – Consider approval of the February 4, 2016 regular Council Meeting.**

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

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

Ms. Christian: Mayor, the January 2016 financial report is included within your packet and we would request a motion to approve said report on the record.

A motion was made by Mr. Denning to approve the City Financial Report. Mr. Fullenkamp seconded the motion.

Deputy Mayor Reynolds: If Mr. Garrett could walk us through that financial report.

Mr. Curp: We have been asked to approve this where in the past we have not been requested to approve anything. Why are we requested to approve this financial report where in the past we have not been asked to approve any financial report?

Mr. Garrett: Again that was a comment from the audit for last year and they just wanted a stronger statement that Council was aware of the financial statements as the year progressed. They said they have been auditing municipalities and sometimes they came to light after there were problems and the ruling body could say, what, we never knew. So now the auditor is just asking to have some kind of acknowledgment that the statements have been prepared and that they were brought to your attention.

Mayor Flaute: So are we going to see this on a monthly basis or every two weeks?

Mr. Garrett: Every month. If you recall we did that at the end of January also for the December Finance Report. So we did the same thing. In the packet we included a copy of the month and year to date fund balance and activity overall; a summary level fund activity. All of the other detailed statements that we have sometimes provided to Council in the past with all of the revenue details and the current expense by count and all of the departments, those are posted on the website like we start in the middle of 2015 doing. So really we are providing this to Council just to get a comment in the minutes but it is better if we got a vote that they have been presented and you agree that they are fairly presenting the situation.

Mr. Curp: In the spirit of the auditor's suggestion, I will ask about my favorite fund balance. It appears that the starting balance for the month for the 402 fund is higher than the ending balance at the previous month.

Mr. Garrett: Are you comparing that to statements presented last month?

Mr. Curp: And I don't need the answer tonight I just need for somebody to take a look at that and confirm if I have observed properly or maybe explain to me what the difference is. And if I have misinterpreted my observation or it isn't correct then I am willing to be corrected. I don't need the answer tonight.

Mr. Garrett: I guess one point of clarification, on our finance statement like our fund report there are multiple columns across. The fourth column over is titled unexpended balance and that is the actual fund balance and then the next column for encumbrances would be the outstanding balance of any purchase orders written against that leaving the far right column being the net after the expected purchase orders.

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Mr. Curp: And I understand that.

Mr. Garrett: But the middle column of unexpended balance shouldn't be different.

Mr. Curp: Well take a look at it.

Mrs. Reynolds: Mr. Garrett I sat in the exit conference with the auditors when they were here and I had a conversation with Ms. Toby at the auditor's office over the request because the auditor's staff member that was here was very adamant about having a document that we approve each month and I think that when we talked an email was sent to both of us from the auditor saying what we needed to do. And I don't know if what we're seeing tonight; we're seeing a lot of numbers on this paper and it doesn't really say anything to me but there are a lot of numbers on this paper because I have no documentation that backs up anything. And just as we talked last month or the last meeting about the open purchase orders that we have, have we had an opportunity to work on that and do we know where we are with that?

Mr. Garrett: Yes Ma'am we did. The city manager did request all of the departments and they did give me a pile of purchase orders that are closed. I close those and I do have it with me tonight; the shorter list. Obviously there are still a number of purchase orders that are open because we are waiting for that effort to be done or that purchase to be done and then paid for.

Mrs. Reynolds: And going along with that, I think when talking with auditors they expect Council to be aware of what is going on and if there is a situation within the city or if there is something that we requested it should be attached to the report for the next month and I think that's probably something that we need to see. If there is a question that is just left hanging out there and even our residents that read through the minutes and they see these questions that we ask and they see no resolution to them. So I think I would like to see if we have a financial question that it be attached to the report you are asking us to approve the next month so that we have all that documentation; we have a paper trail.

Mr. Garrett: Okay.

Mrs. Reynolds: Okay. So how did closing the purchase orders; how many dollars did we get to add back to the line?

Mr. Garrett: I didn't bother to add them up. I just closed a number of purchase orders and then printed out the list again and I didn't bother to total it up.

Mrs. Reynolds: I think at some point in time we need to probably start looking at a procedure for having some closing dates for purchase orders. I just don't think; can I use the word fair, to work you all as hard as you have to work to try to meet the needs of everyone. And staff I know you all need things but I also know that this department is working tirelessly to get things done and we have got to help them do something and we can have better control of our financial picture in the future I think. And Mr. Garrett as I have said, I will be glad to come in and help you all to do anything. If you need things to get ready I will come in and do whatever I can to help. But I would like to see if we have a financial question as Councilman Curp just asked we need to have that; all of us need to have it so we will know where we are at. Thank you very much.

Mayor Flaute: Any other questions or comments? I just have one and I'm sure you don't know the answer but the year before last at this time we had \$367,000. Last year we had \$378,000 and we were hoping to have \$418,000 in this year you have \$315,000.

Mr. Garrett: What are you talking about; income tax?

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Mayor Flaute: Yeah I'm talking about the scorecard. So we are down a lot. I'm sure we will catch up later but do you know at this time if there is any reason why we are down on our collections so badly?

Mr. Garrett: Not really. There are so many variables in there; whether or not their income is down so therefore tax is down or partly it could be timing; people might have gotten it in, in December so we got it in the December collection rather than in January.

Mayor Flaute: It is just significantly lower but okay, thank you.

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

**ITEM 12: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS**

There were no citizens that asked to speak.

**ITEM 13: 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. Taylor, Director of Planning and Program Management**

Ms. Christian: The bimonthly manager's report is included in your packet should you have any questions I'm happy to answer them.

Mayor Flaute: At this time he can either talk about the filming of the Council meetings or we can wait until the end but it is in the city manager's report. So I would like to talk about it right now. I'm sure you've all read the verbiage that Mr. Taylor has put in there. I would still like to see the possibility of our meetings being put on DATV but I'm not sure we are going to get the quality that we want so I am asking Council's desire as to what they would like to have. Is there anybody that would like to express their opinion on this?

Mr. Fullenkamp: I say let's move ahead and if improvements need to be made we will make them.

Mrs. Lommatzsch: I am in favor of it being on TV.

Mayor Flaute: Right and I really liked it when it was on TV. I didn't watch a very much but I think the citizens liked it.

Mr. Fullenkamp: Yeah and I think we should also provided streaming online for people for YouTube on our website so that people can see it at their own leisure. Not everyone has Time Warner so I think we should do at least those two approaches and there maybe others.

Mayor Flaute: And Mrs. Lommatzsch you agree?

Mrs. Lommatzsch: I would be in favor of it.

Mayor Flaute: So I guess at this point I'm going to turn over and just asked Mr. Taylor; you said CDO would get us a cost of what it would be for doing the camera and then switching the camera back and forth when we need to. Mr. Loy said he would do that. Can you expand on that?

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Mr. Taylor: So we basically have two options and depending on which option you like I can further discuss that with Mr. Loy. For Mr. Loy to film in here he can do it two ways. He could set up two cameras, one behind each pillar here one camera would face the department heads over here and vice versa and then he would set up two cameras in the back; one would be an overview shot and the other would be for close-ups. To do that in a manner that doesn't have cords strewn about Council chambers we would want to put cables up inside the ceiling here and run them through the posts. When we initially talked about that he kind of seem like he would do that work. Through our phone conversations and emails he decided and I think it is the best idea if we are going to do work on our building we should have it done by a contractor. It kind of mitigates everyone's risk in case something is damaged or someone is hurt. So I think Mr. Loy was on board with that. So I was thinking if we were going to spend the cost to allow Mr. Loy to do the filming with his cameras would it be beneficial for us to just go ahead and expend the cost to put the system in and have our own cameras and our switch boards and then approach Mr. Loy to see if he would do the switching for us and/or other volunteers that we could teach or train to do that and then film that way. Another option is we can always do the filming as it is being recorded right now. Of course what is being recorded is what you see on your screens and we can switch that to the camera that we currently have and then upload that to a CD to DATV now. So those are kind of the options that we can do. Whichever direction you want me to go I will start making that happen.

Mayor Flaute: So we would have the option; right now we're just looking at 5200. The option that I'm hearing is you could just put the face of Council on here instead of 5200 so you just wouldn't see who was speaking.

Mr. Taylor: We have a camera here where you can film the video.

Mayor Flaute: So what would that look like?

Mr. Taylor: That is what it would look like. Now we can't zoom in on individual members but you can see the entire Council and clerk and city manager. And this is the capability we have had since we moved in.

Mayor Flaute: So this would cost us absolutely nothing and we wouldn't have to have a volunteer. It would just show this the whole time throughout the meeting.

Ms. Christian: Keep in mind that if we had a PowerPoint presentation or something like that and we switch to the other source with the laptop and the PowerPoint on it that is what would be recorded when someone is watching that on YouTube or on TV. They would see that screen of that slide.

Mayor Flaute: I don't think that is all bad. Do you think this would be okay? We wouldn't have to spend anymore money. We wouldn't have to ask Mr. Loy for anything. So then you would get it down to DATV after the meetings?

Mr. Taylor: I can look into seeing how that works. I was kind of confused in talking to Mr. Loy. Since he works with DATV anything he films he can upload for free. There's a chance and I can find out if we do it ourselves and we send it in there may be a fee. But I'm not entirely sure and like I said I can find that out. The other option that we have is we could create a YouTube channel and once we downloaded onto a source then we could upload it to YouTube or any media for that matter.

Mayor Flaute: If we could put it on our website you would think that DATV could take it from there.

Ms. Christian: I think a better option is to upload it to YouTube.

Mr. Fullenkamp: Let them pay for the storage and all of the broadcasts.

Mayor Flaute: But you're still going to put it on our website also?

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Ms. Christian: We would put a link, right.

Mayor Flaute: Does everybody think that is an appropriate thing?

Mr. Denning: I do but I need to ask the question because when we went through this before the issue was record-keeping and file keeping and all of that. Because it was Mr. Loy's we didn't have to be concerned with it. So my question is since it is going to be ours are we going to need to be concerned with it. It may be yes but it may not be a big deal and I'm okay with that if it is not a big deal. But if it becomes a record-keeping nightmare or anything like that then we need to reevaluate the situation.

Ms. Christian: We wouldn't rely on YouTube as our storage means. We could have DVD copies that would be here. We could put them with the fireproof records that we have. I would venture to say that those would probably be a permanent record. Don't hold me to that.

Mayor Flaute: Ms. Grandjean would maybe like to say something about that, could you please.

Ms. Grandjean: Mr. Denning that would be a public record of course and as to what is on YouTube; YouTube isn't owned by the city so I suppose we would have no control over it. But we would make a copy just like you said.

Ms. Christian: We would have the original.

Ms. Grandjean: And I suppose we keep those like you say just like we do the minutes. It would be a visual minute.

Mayor Flaute: And we would keep it forever?

Ms. Grandjean: Ideally, I suppose.

Mr. Taylor: We also write the minutes so if we had the video and the audio and then we are making verbatim minutes from that audio. Those verbatim minutes; I'm not sure how we keep those.

Ms. Grandjean: They would still have to retain the minutes.

Mr. Taylor: Would you have to save both copies? So if you have the same content in paper and the same content in video or audio.

Ms. Grandjean: So the minutes of the February 18 meeting we could ask them whether you would like that in paper format or would you like that on a CD and they can choose.

Mr. Denning: Paper or video.

Ms. Grandjean: Right.

Mayor Flaute: Okay well I guess that's what we'll do. We will have this on the video and put it on YouTube and DATV can somehow get a hold of it.

Mr. Taylor: I will coordinate with the DATV on that.

Mayor Flaute: Okay great. And please thank Mr. Loy for his offer on doing the work but at this time I think we'll be okay just doing this.

Mr. Taylor: And then if for some reason you don't want to see yourselves on the screen you can turn your screen off and it won't affect the video.

Mayor Flaute: Okay thank you. Thank you Mr. Taylor for all of your work on that.

Mr. Denning: Mr. Fullenkamp and I were discussing; there should be and you may have to work with CDO. I would think there would be a way that even if they put up a PowerPoint you can either have picture-in-picture where you should be able to record

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the camera full-time without having that come up. There should be a way to do that through either a second channel on the DVR. In this day and age with the mixing and recording you should be able to figure out a way to record the camera 100% of the time without the extra or at the very least in setting the camera picture in the PowerPoint somehow. I would think that would be more appropriate.

Mr. Taylor: I have had conversations with CDO about that before we moved into the space. I can readdress that with him. I can't remember if it is a software issue or hardware issue because I'm not savvy enough to know. But I know that the way the system is now you can't do that. It just needs a tweak.

Mr. Denning: And that's okay. If this is what we are going to do I want it to look good. I don't want to look like we did it in someplace other than a modern facility.

Mayor Flaute: That is my concern too.

## **b) Monthly Verbal Updates**

### **i) Police Department**

Chief Robinson: (Part of the audio was lost.) The test is on the 16<sup>th</sup> and right now we've only had two people apply for the position so far but policeman are notorious for waiting till the last minute so they have until the beginning of the month to actually put in for the test so I anticipate what a few more of them to put in for the exam. I spoke to you about the class that we hosted here that was on the 15<sup>th</sup> through the 17<sup>th</sup>. It was called World-Class Leadership. As a hosting agency I told you we were allowed to get three of our sergeants and three of our patrol officers into the class for free. That saved us over \$1000. We had nearly 40 people from different agencies in Ohio that came to the class. It was a really good turnout and it really kind of put us on the map for doing things in the future. Also on the 16<sup>th</sup> in the 17<sup>th</sup> we also hosted another class called Tactics for Recorded Professionals which dealt with body cameras and dashboard cameras. And that allowed us to send two of our officers there for that including Major Hughes and that also say this about \$600. So we are really doing some good stuff with some training that is at no cost. We met with Carroll High School in reference to the ALICE training. We have a tentative date in March; it was March 15 but I understand there was a conflict with the fire department in reference to that date and the possible date to do the practical we actually got to the school and put on a good demonstration. So I will keep you abreast of that or Chief Carpenter can because he is involved as well.

Mayor Flaute: Can you explain that for audience what is going on that day just let them know?

Chief Robinson: We are going to do active shooter training. That is going to include an actual full drill where we actually have the fire department and other agencies come out with us and go through the motions what we would do if an active shooter was actually there; where the kids are going to go. They have a safety plan if you will, set up for places for the kids to go out of the school because the way ALICE is set up is not just to stay in place anymore. So if the shooter is on one end of the building and you are on that end, instead of standing there waiting to be a target you go out the other side. So we are going to have places set up for the kids to go out, the teachers are going to be given lists and walkie-talkies that they are provided with and they will go to the motions and check them all off. And then of course if you are doing a full one and obviously we will not we would have the busing involved which would actually take them off-site to where they would meet up with their families. We will be contacting them through whatever that system is they have callout and tell them where to go to pick up their child. So the kids would be bused from the school to there. So that probably will not happen but that is going to be simulated if you will.

Mayor Flaute: So that will be at Carroll High School and Riverside.

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Chief Robinson: Right and then the fire department is going to be there obviously at the command and we will have an actual victim there to make it more realistic and they will be going inside to extract that person as well. So it is going to be a full Monty if you will to get them on board with that. I was going to mention to you about Stebbins High School but that may be for another time. Maybe after the meeting I will mention something to you because they have something going on that I think is important that you might want to hear about prior to them doing it. I will talk about that later. Officer recognition, it is Officer Angie Jackson with one of our seniors that lives in Riverside and she was out there on the 8th at the Overlook Mutual Homes at their community meeting and she spoke with them about crimes against our seniors and elderly abuse and other pertinent topics so we want to give her a shout out if you will to say thank you for going out and participating in that and doing some good work with the elderly folks in Riverside.

Mayor Flaute: Yeah, I was there at that meeting and she did a very good job in the seniors all appreciated it very much. She is very one-on-one when she needed to be. It was good.

Chief Robinson: Great well I appreciate that. I will make sure to tell her that. I'm sure that most of you saw some information in reference to a narcotics complaint that we had in Avondale where the officers attempted to stop a vehicle and the vehicle fled, the subjects ran, we ended up catching them with over 200 caps of heroin and a gun. If you didn't see that it is on their website if you want to see that, those pictures. But what I really wanted to say was the officers did a great job. Officer Jackson was one of those folks, George Stamper, Jimmy Vance, Ryan Cooper all did a fantastic job but what I wanted to say was that the folks that live in Avondale need to get an at a boy for the assistance that they gave us to facilitate that arrest and actually get there because somebody called and complained. Thank you. They called and gave a direction, they called in about the gun which was actually one block over and stuck in somebody's mailbox so that was very nice. I obviously didn't want to mention any names of those folks here but I would like to put on record as saying thank you to those folks in Avondale for doing a great job of helping us out to make that arrest and get those drugs off the street. Officer Perfetti processed a burglary scene at Chaucer Road after the stolen vehicle was entered into Leads Online which is very nice to have. It was discovered that the stolen items had been pawned which led to the arrest of the burglary suspect. So you want to make sure that we put on record tonight that it is important for all of our citizens to document serial numbers or markings or write their names on their items so we can actually do some of the stuff. We run into the issue where we don't always have that and if you talk to folks about stuff like that make sure that they understand that we need serial numbers and documentation of what they have had stolen by the paperwork that they have. Even invoices help us out a bunch to go to these pawn shops and get their stuff back. So that is all I have for tonight. Thank you.

## **ii) Fire Department**

Chief Carpenter: Thank you. The fire engine update, I emailed a couple pictures of the chassis. They have been completed. That was done in Wyoming Minnesota so now they are being driven over to South Dakota at the Rosenbauer factory so they can get the bodies put onto them. I did learn over the weekend that the date that we have been expecting all along has been pushed back to June. So sometime in June and I don't have the exact date but you should be the delivery of the first fire engine. As far as our SCBA grants, we have the RFP that has been drafted and we are looking to put that out next week. So we are expecting a couple weeks and then we should have the bids and then we can move forward. We need to get everything purchased before August 1. That should not be a problem. As far as other tools and equipment, we have purchased our water rescue equipment; the shore-based. We are encouraging some of our firefighters to pursue further training. We're obviously going to train with the

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equipment that we have but we are also going to push them to seek further certification like the swift water so they can be members or participants with the other teams that surround us. So if they have a call from manpower we kid definitely send them manpower. Also the extrication equipment RFPs has been researched weeks we will also have that out there for the extrication equipment for the new engines. Employees, I just want to give a shout out to our employees about the quality that we have. It is both a blessing and a curse. We have lost a couple of our full timers so far this year and now we are about to lose some of our quality part-timers as well. With our process we are going to be able to keep two of them. We have six applicants and of the six there are three of those that are also on other departments hiring list. So they would definitely like to become Riverside firefighters but we have two slots so the third one will be joining another department at the end of our selection process. Also we lost another veteran part-time firefighter who is with us for six years but he gained full-time employment at Wilson Hospital. So I just want to share the pros and cons of the part-time firefighter. We are fortunate to get quality members in here but other departments have needs for full-time positions and we are losing them. As an example of that, I was just looking back and in 2014 we had 4100 hours that were unfilled as far as the day today nine positions. And then last year it went to 6800 hours unfilled. So we are having a tough time finding firefighters to replace the ones that we are losing. I talked to some of our part-time basics who are in paramedic programs currently and we polled them in between Clark state and Miami Valley CTC and Sinclair there are only 30 paramedic students out of those three agencies. So if all of them successfully pass they are going to be snatched up pretty quick among the other departments. Some of the good news, as far as EMS billing the guys continue to do a tremendous job. As an example, from January to December year 2013 we had receipts of \$552,000 and then in January to December 2014 we had \$718,000. And then last year we had \$798,000 so we continue to take calls and provide a great service and get reimbursed.

Mr. Denning: That's what we billed for?

Chief Carpenter: That is what we received. We billed for almost \$2,500,000. That's all I have for today.

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

Mr. Denning: You mentioned the swift water training and things like that and I know that the mad River is not in our jurisdiction but we are the closest fire department in the area to that and especially with all the bridge building going on. Is there any equipment that we need? Do you need Mrs. Reynolds boat? I joke about it but I'm serious. Is there equipment that we would need because I would hate for someone to perish in that river because we got there but we didn't have the equipment to be able to save them.

Chief Carpenter: That is the purpose for the shore-based equipment. Typically what would happen is that both teams would be dispatched when we are dispatched. We would call for Huber or Butler Township or Dayton and is both teams would be in route and some of the initial tactics are to try and get the victim to rescue themselves and then you try and to rescue techniques from the shore.

Mr. Denning: We have kayaking going on over there now and with the bridge building going on an accident could happen which just increases the possibilities. That is my only concern. But the answer is we have the equipment we need to do what we feel is necessary or would have it coming from someplace else to finish the job.

Chief Carpenter: Yeah.

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Mr. Fullenkamp: He brought up emergency response and it brought to mind something I've been thinking about for a while. We have CSX running through a residential area over off Huberville Avenue. Do we have a response plan for derailment?

Chief Carpenter: We did some of that training in fact I was just at the Ohio Fire Chief's symposium and CSX rep was there to talk about some training that they provide which did interest me although I don't believe that is their track.

Mr. Fullenkamp: Whoever it is, who is it?

Chief Carpenter: Norfolk Southern.

Mr. Fullenkamp: So do we have a plan in place if there is to realm in that area?

Chief Carpenter: The short answer is yes. It is like a hazardous material situation or a big mass accident tactics but we had specific training on that last year and after hearing this gentleman speak from CSX they will go out and provide training for anyone as well and that is something that I plan on doing.

Mr. Fullenkamp: Okay good. Thank you.

Mayor Flaute: Any other questions or comments? Thank you for your service.

### **iii) Service Department**

Mr. Miller: Thank you. By the way if you get that training I would like to send a couple of my guys. I definitely would. We had an OPWC meeting this past week. They went over some guidelines on funding. They have a lot of changes on their evaluation and how they plan to go about selecting perspective funding candidates. Their deadline is August 12. For late funding the cutoff is October 31 so if you see a potential Ohio public works commission potential project that you would like for us to get the engineering set up on and get the preliminary to the committee now is the time to start thinking about that and looking at getting the ball rolling on that. The guys have been going around doing a lot of sign repairs. We have also systematically been replacing signs as we have funding to match up with the city's logo. Most of the signs that are currently existing are antiquated; I don't know how us to say that. They don't match the current city logo so we have been incorporating that in the new signs. On the major thoroughfares in particular you will probably notice a difference. They look a lot better than what the old signs did. As a result of the snow and ongoing operations we have had a lot of vehicle and equipment repairs. We have been doing a lot of safety training. It is a refresher for a lot of the guys but Brad Brush, the new hire, it is very effective for him and he is integrating really well into the organization. It seems like he is a really proactive person. He asked questions, has initiative which is what we really need. He pulls together with the other guys and he looks like he is doing a good job based on my observations. Safety training, we have had like chainsaws, agriculture chemical spraying and the guys are getting ready for spring. And also a lot of times with the snow and ice we have had limbs come down and we've had to go out and basically remove them from the roadway. There are quite a few animals that we have been picking up believe it or not. Deer are still moving quite a bit so be very careful out there driving if you hit a 250 pound deer; there are some out there that are that size and the definitely will have an impact on you and not in a favorable way so do be careful. They are most active usually at dawn and dusk so kind of keep your eyes peeled during those times. In the wintertime they seem like they kind of herd up. You won't see any with antlers they will have already dropped their antlers; usually by February they are all dropped but they can be quite big. We repaired about 300 foot of guardrail along Harshman road. The guys have been working at that very hard. And again along the snow routes we find a lot of unpleasant surprises with the limbs where we sometimes hit them with the trucks with elevated beds. It happens. In 5200 here I think the guys hung most of the pictures, they did small repairs and installed coat racks. If your looks they are not actually in plain view if you close the door the coat

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rack on almost every door I believe. So if you're looking for one they are there but they are in a clandestine location. They did over 3 tons worth of pothole patching and this is for the public also, if you see areas that are rim bending or problem causing or where people are trying to circumvent them please give us a call they can be very dangerous. They did a lot of pretreating; they used over 1000 gallons in Ice-B-Gone brine. This past season has been extremely cold and with the combination of this Ice-B-Gone and the brine it can actually cut ice in temperatures around 5°. Normal salt will only go down to about 20°.

Mayor Flaute: This is our spirits?

Mr. Miller: Yes Sir that is correct.

Mayor Flaute: I think we need to brag about that a little bit. You see the news and they all talk about the salt and some of them are talking about the pretreatment but I'm not hearing anything about our spirits. If you ever get the opportunity because I had told a lot of people about it and nobody knows anything about it so it will be kind of fun; I'm not sure very many other cities are doing it I don't know but it would be fun to brag about that a little bit if you get the opportunity.

Mr. Miller: We have a tank that we set up in the back of about 5000 gallons that we had them fill in the reason we did that in previous years we actually went to their site and they are fairly closely located to get material but they weren't open 24/7 so what we've been doing is when it gets about full we get it filled backup again. We haven't had a supply problem but it is a little bit more expensive than brine but it is greatly more effective and will make the citizens have a much safer roadway. I think if you do a cost-benefit analysis it far exceeds the cost for the benefit.

Mayor Flaute: Again for the students in the back what we are using is left over juice from making whiskey and those type of things. We are putting down the road and it is doing an extremely good job for us and it is something that is fairly unique I believe to our cities.

Mr. Miller: We did have a burial at Harshman. A former employee here who had evidence of ownership; we have some strict guidelines because of the issues that we've had with and I won't go into details but it is kind of like cordwood out there without getting into specifics. We used over 300 tons of salt so far this month. We do keep score on how much salt we use. Fortunately the price last year was \$114 and it is about \$67 this year. So it is a little bit more affordable and I would like to see go down to the \$20 and \$15 like when I first started. At one time it was very reasonable to get salt. I had Honeywell in today working on some warranty issues under that contract. The lighting in our other buildings that we had done, some HVAC retrofitting, we had some other work and it was about a \$400,000 contract. They were in the Police Department station six is where we started at. There are about a half-dozen lights are out down there and they are the new LED lights that are supposed to last forever. Unfortunately Honeywell disclosed to me that the contractor that they utilized for that had gone bankrupt.

Mr. Denning: That's on their dime, right?

Mr. Miller: I had sent an email and I have been working on this for several months trying to get them in here. Finally I sent an email and told them that if they were responsive I would get it repaired and send them the bills so that is when I got a response. Anyways we are working through that trying to make sure that all of the warranty considerations; whenever started calling which was several months ago everything was in warranty and some things are real close right now. But I have a record of what I emailed them so we shouldn't have a problem. It is a viable ongoing concern and when I talked to the one project manager she seemed amicable about getting the repairs done. That's pretty much all I have to say. Any questions?

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Mr. Denning: I would like to thank you and the service department, the other week and we had snow and ice I had to pick up my son from children's medical center because his daughter was down there any needed a ride to Huber Heights and the roads in Riverside were awesome, Dayton was okay and when I went back I went to the same space and Riverside was in great shape because we had pretreated and everything was there and I really did notice that Huber Heights was in terrible condition and I found up my wife that people had been complaining my Facebook page or website that they were pretreating and they shouldn't do that because it was a waste of money. Well folks I'm going to tell you I was driving and that stuff and it is not a waste of money. Yet cost a little bit but it makes a world of difference on the driving and I'm just happy that I live in Riverside and not Huber Heights.

Mayor Flaute: Thank you for your service.

**ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS**

There were no public comments.

**ITEM 15: OLD BUSINESS**

**a) ORDINANCES**

- i) Ordinance No. 16-O-591 - an ordinance to approve employee position titles, number of positions and pay ranges and to repeal Ordinance 15-O-577, adopted May 21, 2015. (Second Reading and Consideration of Approval)**

Ms. Christian: This is an ordinance to amend the city's table of organization to include the economic development specialist.

A motion was made by Mrs. Reynolds to approve the second reading of Ordinance No. 16-O-591. 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 16: NEW BUSINESS**

**a) RESOLUTIONS**

- i) Resolution No. 16-R-2142 - a resolution authorizing the City Manager to negotiate and enter into an agreement with Choice One Engineering to provide general engineering services and serve as the engineer of record to the City of Riverside under certain terms and conditions.**

Ms. Christian: This is a resolution to authorize the negotiation to enter into an agreement with Choice One Engineering and therefore recognizing them as the engineer of record.

A motion was made by Mrs. Reynolds to approve Resolution No. 16-R-2142. Mr. Denning seconded the motion.

Mayor Flaute: Mr. Miller you're going to do some checking on some of the folks that have had experience with them. I hear you've done that. Can you tell us what the result was?

Mr. Miller: There were other public entities in they had a favorable review of Choice One.

Mayor Flaute: They were all very favorable?

Mr. Miller: Yes.

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

**Motion Passed.**

**ii) Resolution No. 16-R-2143 a resolution appointing Interim City Manager.**

Mayor Flaute: Ms. Manager did you want to handle this or would you like to talk to our law director and have her explain what we are doing here at this point. Ms. Grandjean just basically explain how we are going to do this.

Ms. Grandjean: At your direction your honor I prepared a resolution appointing another interim city manager because the was no Council direction or action on what this term should be the resolution simply calls for appointing that person upon terms and conditions to be negotiated and agreed to by both parties. We have an executive session where that could be discussed but Of course not decided. Decisions can only be made in session.

Mayor Flaute: Thank you Ms. Grandjean. Is everyone comfortable with that?

Mrs. Lommatzsch: I don't understand where we are doing this before the executive session.

Mayor Flaute: There is no particular reason. We can wait for after executive session Ms. Grandjean if everyone feels more comfortable with that.

Ms. Grandjean: Yes.

Mrs. Lommatzsch: I think would make a difference and we should do this after the executive session if it is the pleasure of the rest of the Council. I'm only one person.

Mayor Flaute: That's fine I don't see that it would be any difference. That's fine. Thank you Mrs. Lommatzsch we will do that.

**ITEM 17: PUBLIC COMMENT ON NON-AGENDA ITEMS**

Mayor Flaute: A person who has asked to speak is Steve Massa. If you would please come forward and tell us what your issue is.

Mr. Massa: My name is Steve Massa. Most of you know me already. There are a lot of issues but I am going to be very narrow tonight and mainly I would like to address my question to Mr. Taylor if that would be all right Mr. Mayor.

Mayor Flaute: Okay.

Mr. Massa: I will talk to him directly if that's all right with you.

Mayor Flaute: Okay.

Mr. Massa: Mr. Taylor last year was determined that to try and find an agreeable solution to the multiple issues that have been going on with the Sammons trucking company on Planters Avenue. Our previous city manager put in place a process where he would do an inspection on the Sammons property or have it done. You can correct me anytime if I'm wrong. And once that was done he would manufacture a form of a permit that he felt was suitable for fitting for what Mr. Sammons was doing. Now I question that is the time because it's on a kind of shady that he would just manufacture a permit that doesn't exist. There was nothing like that that existed so he was just going to make this permit up and from what I understand they were calling it a Certificate of Nonconforming Permit which sounds kind of vague really. Most people would not know what that consists of. I would like to ask you tonight since I did receive your email and I also would like to note that this process was started by the former city manager and I realize that it was turn onto you because you have been dealing with it from what I understand. You have been involved with it and if you haven't been I don't know who is. I talked to Mr. Lohr today and he didn't lead on

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that he knew anything; I didn't ask him specifically but he didn't say anything about it. So I'm assuming that you know something about it is that correct?

Mr. Taylor: That is correct.

Mr. Massa: Okay. So what I would like to know; I did get your email today and you said that the process has been completed and that Sammons truck lot would be receiving a certificate on Monday and there would be no more correspondence concerning this issue. Now what I would like to know is can you summarize what is involved in that certificate and what can I expect in the residents of Floral Park expect as far as behavior from Sammons and their operations.

Mayor Flaute: Mr. Taylor if you would rather answer that; I mean I don't want to put you on the spot if you need to research or answer that question later you're welcome to do so.

Mr. Taylor: I think I can give him a pretty decent answer and then we should probably follow up.

Mayor Flaute: Yes thank you.

Mr. Taylor: So to give some quick background, in 2014 Unified Development Ordinance (UDO) was updated and approved by Council and that's what we've been working on. Prior to that you are operating on your previous UDO that was adopted when you incorporated the city back in 1995. So whenever you have a new incorporation of a UDO or a code change a tendency that happens is that businesses that may have gotten a permit during that process between 1995 and 2014 are now no longer compliant with the new code. And so what new codes do is produce a legal nonconforming status which basically says you went through a process or you were established prior to this code and now that you don't fit into that we are giving you the status that recognizes you as legitimate business in that and there are different rules about how they continue to operate. So with that there were about six businesses that we took off in one bite. I believe your business was one of them, there was a Carl's Garage; I can't remember there were six of them. So that we could ensure that our records were correct in identifying with those businesses were and how they were operating so that for parcel files would reflect that so that in the future if they needed a permit or if there was a complaint we would know what those businesses are. So in specifics to you, Sammons trucking, we had asked him for information and it was a longer process than we had hope for but in so doing, Mr. Lore had done an inspection. So during that inspection and this is where I will have to follow-up; in operation all of those businesses appeared to be operating during inspection and in operation prior to the 2014 UDO so in that regard we will be issuing a Certificate of Zoning Compliance along with a Certificate of Nonconformity.

Mr. Massa: Can I interrupt you?

Mr. Taylor: Absolutely.

Mr. Massa: So are you saying that there are three or four businesses on the same piece of property?

Mr. Taylor: Correct.

Mr. Massa: On the residential property or on the commercial property?

Mr. Taylor: There are several parcels there.

Mr. Massa: There are four or five residential and one commercial.

Mr. Taylor: On the parcels on Byesville where his residence is and then there is a large structure called a pole barn or is steel building and that looks like it dates back by our records to 1984. We have had reports from citizens that it was built in 1976. So that

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building has been there prior to the inception of the incorporation of the city and definitely prior to the adoption of the 2014 UDO. So upon inspecting that there was clear evidence of auto or truck service which is a business he had identified. He had also identified a body shop, he had identified two trucking companies; one was established with records going back to 2005 I believe and I think they actually went on prior to that in the other one he had records from 2014. So if you look at the weight nonconformity works it talks about the loss of that conforming use is a physical expansion which would be building size; if you added onto your building, if you produce more lot or property; something like that. So adding a second trucking business and the way I understand it is they do truck routing or contracts so having a second one of those is not an expansion in the eyes of nonconforming use. He had also identified that he could run an auto dealership. The way that works, the state of Ohio has regulations on what is an auto dealership so as a primary use that doesn't fit but as a secondary accessory use that would be okay as long as he is not storing 27 cars. And again we can follow up on that because there is more information inside the packet then I explained.

Mayor Flaute: Very good. So Mr. Massa if you would get with Mr. Taylor at the end of the meeting.

Mr. Massa: I don't need to do that. I have another question for him.

Mayor Flaute: Okay. Make it quick.

Mr. Massa: I have been waiting six years. What I would like to know is what kind of behavior are the citizens of Floral Park neighborhoods supposed to expect from the trucking company? What have they been told? As far as tearing people's property up, dusting people out, driving on their property.

Mr. Taylor: I don't regulate behavior in the zoning ordinance.

Mr. Massa: Who does that? Does anybody in here do that?

Mayor Flaute: If it is against the law you would have to talk to our police department.

Mr. Massa: No I have already done that. That didn't work.

Mayor Flaute: They are the ones that handle behavior.

Mr. Massa: How is this going to be controlled? You're going to give him a permit and he is going to take it skipping away and say I am free to go. I can do what I want now and that's what I was afraid of that would happen. Can I do that now?

Mayor Flaute: Mr. Taylor can get with you at the end of the meeting.

Mr. Massa: How are you going to regulate how he is going to behave with his business? How is that going to be regulated? What kind of rules does he have to function under? That was the whole reason behind the certificate from what I was told from the previous city manager. We will look at his business, we will get him a certificate so he will have rules that he has to follow.

Mayor Flaute: Okay Mr. Taylor will get with you at the end of the meeting.

Mr. Massa: I want everybody in here to hear it so I don't have to tell all of you. You know how much time I have taken of these Council people's lives because of this?

Mayor Flaute: You have already exceeded your three minutes. I realize that that Mr. Taylor is the one who answer your questions.

Mr. Massa: I don't want to put him on the spot but I want him to understand what I am saying.

Mayor Flaute: I think he does.

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Mr. Taylor: We would regulate him just like any other other trucking business that we do.

Mr. Massa: So he would be regulated like any other trucking business. He wouldn't have special rules or anything?

Mr. Taylor: I'm not sure what you're asking.

Mr. Massa: Do we have special rules for different businesses or are they the same throughout?

Mayor Flaute: Do you want to answer that? You're way over your three minutes. He will get with you after the meeting and answer your question. That is what we would prefer to do. So he will get with you after the meeting. Okay.

Mr. Massa: Just think about my question and about the rules. Would he have the same rules as another business similar to his?

Mayor Flaute: Thank you Mr. Massa we appreciate it.

**ITEM 18: COUNCILMEMBER COMMENTS**

Mr. Curp: Regarding the issuance of a document that recognizes somebody as being a nonconforming use, I want us to be very careful in the way we do that because we have had situations in the past where the former city manager identified a property or business or an entity as being a nonconforming use and what they actually were was an unlawful use. Certainly they were nonconforming but they were unlawful and what they were doing in the zoning classification that they were in. So he was willing to give them a nonconforming use and I am saying we should not be doing that. If there is a are doing an unlawful use, they are an unlawful use and if changing a zoning regulation now causes that to be considered in one vein a nonconforming use they were first of an unlawful use and they are still an unlawful use. Now we had a situation like that back in the mid-90s where we were trying to get rid of a situation out in the community and the court ruled in favor of the other entity as opposed to ruling in favor of the city and that is because the court in my opinion didn't understand the difference between a nonconforming use and an unlawful use because when the original city of Riverside adopted the zoning regulations that were adopted back then a grandfathered all of the existing nonconforming uses. It did not grandfather unlawful uses and that is not what the court understood. The difference between an unlawful use and a nonconforming use and I hope we understand that before we go giving people letters that say it is okay for them to continue doing what they are unlawfully doing. So I hope we are very careful in what we are doing here.

Mrs. Lommatzsch: I just have a couple of dates for you to put on your calendar and that would be a Military Affairs reception that used to be in January is now Tuesday, March 8. I think it is going to be at the Hope Hotel; there is a little lag of information time because they canceled a couple meetings; one because of weather and one because of illness so I'm hoping we will all get something soon but the date for that is Tuesday, March 8. Then I hope you've all received your invitation to MVRPC's annual dinner and would respond to the clerk to take care of that and that would be April 14 which is not a Council meeting night. Thank you very much and I appreciate everything everybody does. It is amazing all of the fingers of activity.

Mrs. Reynolds: I would like to thank the students for being here this evening and taking all the notes that I'm sure you will take it for your class and anytime please come back and visit with us. If there is ever a question please stop by and talk with us and we so appreciate you being here tonight. I wanted to mention that the weekend before last several of us were out on Valley Street doing cleanup. We had a great time doing that and I want to thank Mr. Dan Ryan and his family for all that they're doing

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to help in the Avondale area. They are doing good work. I think Mr. Fullenkamp said we would like to clone about 500 of him but I'm just grateful for the one that we have.

Mayor Flaute: I just have to say I was driving down Valley Street yesterday and someone in that area through out a cigarette carton. You know how hard they work to clean this up and you are throwing a cigarette carton out not that that should deter us but it was irritating to meet.

Mrs. Reynolds: I know it is irritating but hopefully we can continue to do that on a regular basis. I do have one question and to Councilman Curp's comments is everything that the property that Mr. Massa had a question on is everything they are doing legal for B-1, B-2, R-1 or whatever the zoning may be there? That is something that Councilman Curp brought up and I think I would like to know the answer to that.

Mr. Taylor: I believe so. We have been working on this for almost 6 months. I think through our investigation of material that we have gotten from Mr. Sammons and our inspections I believe we have done a thorough job.

Mr. Fullenkamp: Mr. Taylor have all six businesses been issued a CZC?

Mr. Taylor: The last two, Mr. Sammons and the other, I don't remember what the business is called at the Fishel building. They will be getting theirs. I should say there were code violations observed during these investigations or inspections that we will be following up on as well. There are code issues as well which doesn't affect their use.

Mr. Fullenkamp: Everyone has received their CZC or is that something that just gets filed and they are not aware of?

Mr. Taylor: I will have to check with Zoning Administrator Lohr. That was the direction we were supposed to be going with the four others.

Mr. Fullenkamp: Okay thank you.

Mrs. Reynolds: I think we did indicate we were going to the first six businesses did we send out thank you letters to all of those people?

Mr. Taylor: We haven't sent out thank you letters but we have been in contact and they have all been very helpful.

Mrs. Reynolds: I know Mr. Gordon and Mr. Montgomery and Mr. Massa have complied with everything we have asked and I just think we should publicly thank them for taking that seriously and doing everything that we have asked. Thank you Mr. Massa. And Mr. Montgomery and Mr. Gordon also. And I'm sorry I don't know the other gentlemen's name.

Mr. Taylor: And I can't remember either. Like I said it has been a zoning function so I've had the zoning administrator working on that.

Mayor Flaute: Okay I just have a few. One of the meetings that I went to on your behalf is we are planning The Great Debate. The first presidential debate will be held right next to our city at Wright State University on September 26. They are expecting about 2500 to 3000 rooms being sold out; motel rooms because of all of the workers that will be coming in all of the campaign folks and they are planning a big deal. It is going to be at the Nutter Center. Unfortunately there is going to be only 700 tickets given out because of all the security but it is going to be a big deal. We are going to have like 100 million people across the globe watching the very first presidential; now this is not the primary this is the real presidential debate, the very first one and it will be happening at Wright State University on September 26. So anyone who wants get involved with this the college is not allowed to use any of their funds that they get from tuition were from state funds that go towards tuition. All of the money has to be raised to put up the fencing, to pay for the security and I know our police are probably

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going to be involved. So they are looking at approximately \$8 million that they have to raise for this effort so anyone that can help with that effort please let me know. The second debate will be in Las Vegas. I'm not sure what the third debate will be but the first one will be right here in our neighborhood right next door to us. Anyway there will be more on that as time goes on. I love the article in the paper about our restaurants. I hope that that continues. I know there are a few good ones that weren't on their. Unsung Heroes, I still have little time to get an Unsung Hero in. Anyone who has Appalachian roots who are now doing good things in the community and are being awarded for it, this is the time to tell me about it so we can get that done. It is a nice event and we have had some good people from Riverside be part of that. April 2 is the Socks Drive is trying to get socks for the children who need them in our school systems. So that is there and there are some things from St. Vincent if you want to see the report and premier health has a report on things that they are doing. To the students, I see some councilmembers and maybe a possible Mayor back there so I hope you guys remember this meeting. It is all service to humanity and service to your community and city. I hope that when you graduate you would consider working for a municipality either as an employee or as a councilmember.

Mrs. Lommatzsch: The Chamber brochures are out and we can make it available anywhere you would like to suggest that go. We don't want it to be; there aren't enough where we can leave stacks of them but to be individually distributed and if you would like to have any copies to use please let us know; the Chamber or Mr. Murray. I believe they left the box here too today.

Mayor Flaute: I only look through it for a minute but it looks really good. It is really, really nice. Our Chamber is the best no doubt about it.

Mrs. Lommatzsch: In this gazebo is in Riverside not in Centerville. People ask why is there a picture of the gazebo from Centerville and I said that is not in Centerville. I personally saw us take that picture.

Mayor Flaute: I did six weddings in the last two weeks so those keep coming in.

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

Council went into executive session at 8:42 p.m.

**ITEM 19: EXECUTIVE SESSION: Discuss the Interim City Manager Position per Section 103.01 (d)(1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.**

Council came out of executive session at 9:25 p.m.

**ITEM 20: NEW BUSINESS (CONTINUED)**

**a) RESOLUTIONS (CONTINUED)**

**I) Resolution No. 16-R-2143 a resolution appointing Interim City Manager.**

A motion was made by Mrs. Reynolds to approve Resolution No. 16-R-2143. Mr. Denning seconded the motion. With no further discussion a roll call vote was taken as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Mrs. Lommatzsch, yes and Mayor Flaute, yes. **Motion Passed.**

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**ITEM 19: ADJOURNMENT**

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

The meeting ended at 9:28 p.m.

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William R. Flaute, Mayor

Clerk of Council