

Thursday, July 2, 2015

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

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

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

ITEM 3: EXCUSE ABSENT MEMBERS: A motion was made by Deputy Mayor Reynolds to excuse Mrs. Lommatzsch. Mr. Denning second the motion. All were in favor; none were opposed. **Motion passed.**

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: A motion was made by Deputy Mayor Reynolds to approve the agenda as written. Mr. Denning second the motion. All were in favor; none were opposed. **Motion Passed.**

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

ITEM 6: WORK SESSION ITEMS:

a) Discussion: Boards and Commissions Interviews

There were no interviews for Boards and Commissions.

b) State Representative Jim Butler requested to speak to Council.

Mayor Flaute: The first thing we will have is Mr. Butler. Welcome, we're glad you're here.

Mr. Butler: Thanks for having me.

Mayor Flaute: We want to hear all of the exciting things that we haven't been hearing about in Columbus.

Mr. Butler: Or not so exciting, yes.

Mayor Flaute: Not so exciting, yes.

Mr. Butler: Thanks a lot for having me. It's always good to come especially for work session. It is less formal and we can have more dialogue and interaction. We tried to get here along with Representative Haney before the budget; really during the conference committee session but unfortunately last time we had a session that went late so we were still stuck in Columbus. I just wanted to give a report of the first six months of this year with what's in the budget and what's not in the budget. Some good things and some bad things which is always the case with any budget as you guys well know. I did also get your questions too, so I'll go through those after the general report for the budget. The budget and various components all start with the tax. So there was a personal income tax cut as you probably know of 6.3% as well as a small business tax cut of 100% essentially starting the next fiscal year; the \$250,000 of the first amount of income and then a 3% flat tax essentially for pass-through businesses; what they call small businesses after that. In general I don't think that that is the right approach. All those who likes taxes; I don't like income taxes but I believe that is the

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best strategy for incentivizing economic growth because personal income tax cuts, generally you're going to spend it when you get the money or you are going to invest it. And if you invest it; we would like you of course to invest money in your local community or at least of the state of Ohio but unfortunately for that strategy most of us invest money in the stock market; that is the most common place to invest money. Or I guess if you have a lot of money you invest in hedge funds.

Mayor Flaute: I have my own business and I don't make \$250,000 a year on it. I'm not going to hire anybody; I'm going to keep doing my business the way that I'm doing it. So I guess I'll thank you for the raise but you're right I don't see where it is helping any. I'm not going to spend it, I'm going to save that or maybe going on a cruise with it or something.

Mr. Butler: Right, you're either going to be a consumer and generally we buy more than we sell in Ohio; we are a net importer so increasing consumerism is not going to generate economic growth especially in the long term because of our import situation. Or if you go on a cruise you will spend your money not in Ohio. The same thing would go for sending everybody checks in the mail or lowering sales tax. The strategies for increasing consumer spending don't directly grow the economy. Personal income tax cuts also don't grow the economy because the investments don't stay in Ohio. If you have extra money that you would want to invest then typically the easiest place to invest it is the stock market for most people. And there's nothing specific to Ohio in that. So I propose, and I will be coming out with this as a major reform bill for tax, to start first with an actual business tax, to tax actual business activity in Ohio because that's really what we care about increasing. So the commercial activity tax that directly taxes business activity in Ohio. And also for pass-through taxes and part of that is in this budget as well; you can differentiate between money that you keep in your business; retained earnings versus what we are doing now which is any money that you get. Because when we tax pass-through entities, escrows, partnerships and LLCs and so forth, it is all the money and you just take this as personal income. You can spend that on a cruise or you could hire more employees or expand your business but there is no differentiation in there; it certainly can be in the tax code. So for pass-through's if we actually look at money that you keep in your business and reinvest or save, but it stays in your business and then treated differently when you take it out for personal use; going on a cruise or whatever. Then that amount of money in terms of revenue to the state is less than \$1 billion if you are looking at certain businesses. If you're looking at all businesses; that's the other differentiation that I think we should have. If you're looking at all businesses then hotels or McDonald's or those types of things we're not really competing with those businesses. Those businesses are going to be in Ohio because there are people with money to spend. So we're not trying to lure a McDonald's restaurant into Ohio from Indiana or California or from overseas. There are certain businesses for which we are actually competing. So if you differentiate on those two items; I mentioned on CAT taxes and retained earnings and they look at only the businesses for which we are competing which generally are manufacturing, research and development, major headquarters and those types of businesses. It is less than \$1 billion. Contrast that with personal income taxes, which has revenue to the state of \$18.5 billion over the biannual. So we can get a much greater bang for our buck; in fact we did lower personal income taxes by \$1.2 billion in this budget. We could eliminate all of those taxes for the businesses which we are actually competing for in one budget cycle because it is not that much revenue. The total amount for all businesses is \$3.2 billion. So once you get rid of the taxes for businesses that we are actually competing for; and this is what is in the bill proposal I have, then you can eliminate taxes on the rest of businesses; indirect ways because we all spend money. But it still indirectly incentivizes business activity in Ohio. And then there are additional phases after that which I will come back and tell you about later. I don't want to take up your whole night. But anyways, in terms of the budget, I didn't

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think that was the right strategy. I did offer my tax plan as an amendment to the budget but it was not accepted. So the next big area is healthcare. The tax was bad news; this is good news because in healthcare; at least there is some good news. That is probably the single greatest threat to the city of Riverside, to all local governments and to all schools in Ohio because our healthcare spending is out of control. We have increased healthcare spending; just the state amount of money by over 50% just since 2011. Medicare expansion is not playing a very big role at all in that; it is really just the medical inflation rate. The per capita rate has gone up from \$6500 a year in 2011 to now \$8500 a year, over a 30% increase. The reason why that impacts local governments and infrastructure and schools is because it is taking up a greater and greater percentage of the state budget; the amount of money that we have to spend. So what we first started with Medicaid in the 70s, it was 17% of our budget and now it is 29% and it continues to go straight up as just a percentage of the budget; and we have been increasing spending every year and this budget is almost a 10% year-over-year increase in total spending. So when the next recession hits, once more people need Medicaid services, this cost will go up and our revenues will go way down and the budget crisis that we had in 2011 when local government funds, for example, were cut 50% will be nothing compared to the crisis that we face. So we absolute have to get a handle on health care costs now or else we are in deep trouble. And the best way to do that is to incentivize healthy outcomes so if you are healthy you don't have to spend money on healthcare. Just slashing healthcare costs by just mandating it is usually counterproductive but that has been the traditional approach and lowering reimbursement rates for providers of Medicaid. But then no one takes Medicaid and then everyone goes to the ER where is way more expensive. So I introduced House Bill 157 that contains a host of different reforms that could deal with some of the real core issues that cause wasteful spending in healthcare or poor health outcomes. And two of them; just like the tax bill I offered the entire bill as an amendment to the budget. Two of the core provisions were added to the House version of the budget. And that is the Healthy Ohio Plan which creates essentially a healthcare savings account-like plan, like a load of commercial insurers have for Medicaid participants. The maximum amount out-of-pocket per year that the participants would pay would be eight dollars a month. That is the maximum out-of-pocket total cost for the premiums that they would have to pay. They wouldn't have to pay anything else no matter what. And that goes down from there based on income. With 2% of your total income down from there; so if you made \$2000 a year, you're basically paying a dollar. It's not that much but it is really important in this program. It is based on a very successful program in Indiana that they've piloted with 40,000 patients which showed that if you had that incentive; the key part of the incentive is if you have these healthcare savings accounts with debit cards and you get monthly statements. That's the reason commercial insurers are starting to do this; there is some element of reward for watching what you are spending or for healthy outcomes, which we added, or for getting preventative care. And in this case the reward is if you have money in your account at the end of the year; it is set up; it is somewhat of a fiction because it is not real money at the time that this is all happening; you call them points. If you have points in your account you can use them to pay for your premiums the next year and every year there after. So you might only have to pay your premium the first year if you manage your healthcare expense as well. If you get sick and you go through your account and you have enough points you just have to pay the eight dollars or less a month the following years. That is the worst that could happen to you in the terms of repercussions. There are also rewards for healthy outcomes like quitting smoking, losing weight and those types of things where you get special points essentially that you can get for non-covered services such as braces for your children. So there are a host of different incentives in the program and the good news is we know that it saves money mainly because it increases preventative care and healthy outcomes for the participants because we have the data from Indiana. So it is the right thing to do; we have to get a waiver from the federal government to be able to implement the plan and

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so throughout the process it still has many big changes that are controversial. But the good news is, it was adopted in the final version of the budget and the governor did not line item veto it. So that is a waiver we will be pursuing in the state of Ohio with the federal government. The other component of the Major Healthcare Reform Bill that was added to the budget and became into law now; or will become effective in 90 days, is that when you go into get healthcare services; if you're getting your labs done or a scan or just going to the doctor for your checkup, you don't know what it costs at all. You have no idea and that's crazy. And that's the way it is in every state in the country and it doesn't have to be at all, especially with the technology that we have. You can get the information that you typically would get 30 or 60 days later in the mail; you can get that up front and you know what you're going to spend and you know what the impact is going to be on your personal finances and you know what the actual costs are; you know what the insurer is actually going to reimburse the provider for that service. So price transparency in healthcare is also a very important component especially if you have price sharing yourself and you have to pay a percentage.

Mayor Flaute: And this is all in the budget?

Mr. Butler: This has been pasted in the budget and signed by the governor. Those are just two and obviously there is some complexity to it but they are good starts. It will take a while but we are trying to change the way that we use healthcare so we can get our costs under control because there is a very big threat based on real numbers that we have been spending over the past six years and many years before that, to the next time there is a recession. We're overdue for one. And everything else we spend money on that heads out of state. So those are some of the big highlights. I know you guys have to go and get moving but there are two other things that I wanted to mention real quickly. Another proposal that I submitted and became law was a Veteran Friendly Procurement Program. Veterans are obviously very important to our community. The way that state contracts work is if you are a veteran owned business you get a bonus; the owners of that. But you don't get a bonus if the employees are veterans, which doesn't make sense to me. So what this does, it says, if you have a certain percentage of veterans that are working for you then you get a bonus when you are bidding on state contracts, so that's in the budget as well. And then there is also something; this is not something that I added but it is in there and it is important for you to know; there is a Local Government Safety Capital Grants Program. That is funded with \$20 million or \$30 million where each local jurisdiction can get \$100,000 for safety equipment. So it might be good to requested. Every little bit helps with all the rest of the stuff that is going on. Let me stop there and see if anyone has questions on what I just said or any other questions and then I will go through the prepared questions.

Mayor Flaute: Any questions from Council? No, okay it's all yours.

Mr. Butler: The first question was on local government funding. This was very disappointing in the budget because what ended up happening was in a township friendly General Assembly; just because most of the General Assembly is township heavy.

Mayor Flaute: But why, why are they just; are they just looking out for themselves; watching your back?

Mr. Butler: That is basically it; I don't know of any other explanation. Because this was specifically; as you guys know there is a specific part of the Local Government Fund that is only for municipalities and what the budget did is the Senate added this; at least it wasn't the House; getting it back out was a problem because it still remains as part of the budget and wasn't vetoed. But that particular part of the local government funding was diverted directly to townships; there is a direct transfer to

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small townships and villages as well as training for law enforcement which included sheriffs and highway patrols. So essentially it was the defunding of that particular section.

Mayor Flaute: And they just had no reason for it, just we're going to do this with the townships even though the townships get more than we do now from the county.

Mr. Butler: You are correct. Other than we lack the power because there aren't enough city oriented representatives or senators to fight it. We try. There were emails flying there were letters; the city of Kettering sent me a letter that laid out the entire issue and I forwarded that to all the city representatives, 20 or 30 of them along with the speaker and it was not successful unfortunately.

Mayor Flaute: Is there anything that Mayors and Managers or First Suburbs or anything that we can do to change this climate?

Mr. Butler: I would recommend through the OML (Ohio Municipal League).

Mayor Flaute: OML has fought hard for us.

Mr. Butler: They did, I agree with that and that's good but what they need to do; and this is all strategies that are up to them, but look at representatives or senators that have key cities in their districts where they might be very rural but they might have key cities and have those cities be more vocal because it has always been a problem. I have some initiatives that I will be proposing too, another big reform bill; for example take the big townships that are over 5000 in population and not making them become cities but giving them all of the same powers and also responsibilities in terms of what they have to pay as a city.

Mr. Denning: Just give them the responsibilities without the power.

Mr. Butler: So there are different things there where the tax bill has some ways that you will have more property tax available to you. Because that is a big problem where schools take up all of the property tax so there is very little ability for local governments to use property taxes for funding. And also property tax reform itself; you keep coming back for levees all the time which is antiquated and confusing I think to most citizens of the state. All of those things will be forthcoming during this term. When we did the Healthcare Reform Bill and introduced that everyone said there was no way any of your stuff will actually become law but now it is; some of the components of healthcare. It is encouraging to be able to get some things done and for those reforms there is a solid chance that those will be able to become law. Any questions on the Local Government Fund? I covered the first two questions but the next question is, do Senators and State Representatives really believe that municipal income is back where it was in 2007 without the cities having to do things to raise funds? Certainly not 2007, that is not the case. It depends on the city, so big cities I think have the ability to raise funds a lot more than suburbs or smaller cities. Especially like the city of Dayton; if you look at their finances. The cut from 2011 with local government funds and so forth there is a big; there is a graph and you can see a drop but it is coming back. It is still not the same level except for the city of Dayton and part of that is because of the racino funds and other things that Riverside doesn't get or any other city for that matter. So different cities have different outcomes but for the most part, especially in the suburbs; those of us that represent cities certainly know that that is not the case, which is why the various proposals that I mentioned and others will hopefully help to fix that. I think the key reform that is going to be needed is you have greater abilities to raise funds locally with less dependence on the state to have to provide those funds. And so on a dollar per dollar basis, the more we go back to before the compromise; for example, so that municipal

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income tax fund was based on pre-1971 because cities used to have income taxes before the state did. So that was a bargain, the state basically got into the income tax game. And what might be the general direction; what needs to happen is that cities need to be more autonomous with greater home rule and local control and with a greater ability to raise funds of their own. I'm not saying you have to go out and ask for more funds they will be built in just like the property tax where part of the proposal I have is to increase the inside millage to 20 mills, is a bit more complex but there will be room in the property tax. We'll do some other things with school funding so schools won't take up as much. But that way you will be able to have your own funding stream instead of being at the whims of the state with all of these manipulations of funding. I think that is the only way to go.

Mr. Fullenkamp: So you want us to take the heat for raising taxes?

Mr. Butler: No, not at all, the opposite.

Mr. Fullenkamp: No, because you want us to raise the revenue internally versus depending on the state.

Mr. Butler: Only when there is a dollar for dollar state funding. I will have to get into a little more detail but the third phase of the tax bill, once we get rid of those business taxes.

Mr. Fullenkamp: What's the reality here? We are cutting state income tax and at the same time; so we're getting a shortfall partly because you were willing to reroute state income tax to cities and to municipalities. So you want to give everybody a tax break. The cost of cities don't go down, our goods and our services that we buy and what we pay our employees does not drop. The cost of asphalt or the cost of concrete does not drop so essentially if we want to talk around this; you said it pretty succinctly it is going to be on us to raise our revenue. To either raise our inside millage as we need it or to raise our income tax to get our revenue to rise and meet the needs of the residents.

Mr. Butler: Not directly, that's what I wanted to explain, because that has been what has needed to happen. Unfortunately there is a tax shift in the same thing is happening at the state.

Mr. Fullenkamp: So what I'm characterizing now is correct but it is going to change in the future.

Mr. Butler: That's been happening. We wanted to change if for the better and that's what I hope will happen. The third phase in the tax plan is the state pays a lot more for school funding than it currently pays and as it does on a dollar per dollar basis, there will be a limitation on the amount of money that schools can raise through property taxes. They will get less money there will just be a change. This is so there is less reliance on local property taxes for school districts. So as the state funds schools a lot more and then schools levy a lot less then there will be a lot lower property tax basically. There will be more room for local governments to be able to use property taxes on a dollar for dollar basis. So the third phase is there is a significant lowering of property taxes and increase in state school funding so that clears the way for a better way; especially for cities I think.

Mr. Fullenkamp: So schools would be compelled to lower their tax rates?

Mr. Butler: Only if they are made whole by the increase in state funds; additional state funds.

Mr. Fullenkamp: So they will be compelled to where they will be allowed to.

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Mr. Butler: They will always have some ability to raise money locally but then their overall percentage of the total property taxes that they are able to levy; which is about 70% on average throughout the state will be lowered. That only happens when they have more money coming from the state.

Deputy Mayor Reynolds: We really need to talk more about this at a later date. You are here on a free time; this lady sitting over here is on a very expensive dime. You need to wrap it up so we can get on with business tonight. And please come back and talk with us on all of these proposals.

Mr. Butler: Sure, I definitely will, especially as we get closer on actually introducing these things because these are not introduced. I think they are just potentially a way to solve some of the issues that happened to me.

Deputy Mayor Reynolds: Nothing has been introduced?

Mr. Butler: On the tax bill, that is correct. Real quick, the last couple questions are related to; well there is the Local Government Innovation Fund. Rep. Cheney couldn't be here tonight but he has checked with the speaker several times about setting up the House Bill 5 Committee and that still hasn't been done but he has been trying to get the speaker to make the appointments. That is what he asked me to pass along. The other two were related to the gun bills that Representative Mac has introduced. Really the two questions that you asked; one was about churches and guns in churches because that was originally part of his bill. And the other was public places; state universities and so forth. The church is gone, he took that out. But ironically what he would have been doing with that would have been to separate church and state more and just leave it up to the churches to make the decision. And I support churches being able to make their own decisions. The other parts of the bill relates to concealed carry. What I had suggested and what I believe is, you should be able to conceal/carry wherever you can open/carry. If you can put it on your holster and walk around then you should just as much be able to conceal. Because a lot of these areas; I just think it is the wrong way to approach it. You can already open/carry. That is my opinion and strategically I think they're going about it the wrong way maybe. But the end result should be that it should be safer to carry concealed and go through the training instead of the open where they can take your gun or otherwise know you're carrying a gun.

Mr. Curp: It always strikes me that there are those; if you know people in your neighborhood who are a couple bricks short of a full load you should be able to know that they are carrying if they've got a gun because that is just a risk for your own safety; if there is somebody who's just not stable enough and passionate.

Mr. Butler: Well that's a whole other issue; mental health and that needs to be looked at as well; that you have the information if you're going to sell a firearm or give a firearm to somebody. But that's for another time too. The last thing is the garbage funding issue. I did check with our legislative service commission and the tax departments. They have indicated that it is not so much a variance that would do the trick here but just the tax commissioner kind of saying it is my opinion that this is okay.

Mayor Flaute: That what is okay?

Mr. Butler: That is okay to have garbage assessment on the property taxes. Yes, and that is actually on the bill just to clarify. It is not a separate bill in the mailing. Correct?

Mayor Flaute: Yes it's on the bill.

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Mr. Butler: It's on the bill itself. So there is a prohibition about having it in the envelope if it is separate but not on the bill is what we've heard from the legislative service commission on that. I know it is a nuance.

Ms. Grandjean: I didn't understand.

Mayor Flaute: Ms. Grandjean, are you familiar with what he is saying?

Ms. Grandjean: No.

Mr. Curp: That is not the issue. That is not what has been communicated to you. The issue is the revised code allows us to assess, it's just that we cannot compel the county auditor to collect for us. And we have been doing that in the past; we been putting it on the tax duplicate. And what we are hearing is based on the attorney general's opinion back in 2009, unless there is specific permission in the code that authorizes or mandates the auditor to do the collection for us then he is not required to or permitted to. So the key would be to put some minor adjustments in that part of the legislation that addresses assessments that would then allow the auditors to collect for us and do the assessing.

Mr. Butler: Sure, and that's certainly doable. But my understanding is he needed to get something for this year right away.

Mayor Flaute: Before August.

Mr. Butler: We are on recess until then and so I was trying to figure out a way come August to get something and then we can definitely address it legislatively.

Mayor Flaute: Now why couldn't you put an amendment?

Mr. Curp: Because he didn't know.

Mr. Butler: Well yeah, I didn't know about it.

Mayor Flaute: Well I told you what three; I mean they come in at quarter till 12 and put amendments on for a midnight vote. I told you like five days in advance.

Mr. Butler: At that point; it is true that they do that but that is way above my pay grade. So all we do is we submit a suggestion, like we did with healthcare and hope they will adopted.

Deputy Mayor Reynolds: Mr. Butler will you please give Caleb my best?

Mr. Butler: I will.

Deputy Mayor Reynolds: He is a delightful young man.

Mr. Butler: Oh thanks, I will definitely tell him you said that.

Deputy Mayor Reynolds: Tell him I'm still in the dark.

Mr. Butler: I will tell him.

Mayor Flaute: So you're going to get with Ms. Grandjean on working this out.

Mr. Butler: Okay it sounds good. Well thank you guys so much and I'm sorry it I took up so much time. Any other questions?

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Mayor Flaute: Does anybody else have any questions? Okay, well thank you for coming. So Mr. Highley has not shown up yet so at this point I will entertain a motion to go into executive session for the reasons on the agenda.

c) Executive Session:

- i) Codified Ordinances 103.01 (d) (3) – Conferences with any attorney representing the city as counsel, concerning disputes involving the city, its council, boards, commissions, officials and employees that are the subject of pending or imminent court action or discussions of any matters which are properly covered under the attorney-client privilege as recognized by the law of Ohio.**

A motion was made by Deputy Mayor Reynolds to go into executive session. Mr. Denning second the motion. A roll call vote was taken as follows: Deputy Mayor Reynolds, yes; Mr. Denning, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion passed.**

Council went into executive session at 6:37 p.m.

Council came out of executive session at 7:12 p.m.

ITEM 7: RECESS: The Council took a recess at 7:12 p.m.

ITEM 8: RECONVENE: The meeting reconvened at 7:27 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE Wilson Bowman from Troop 490 led all those in attendance in the pledge of allegiance.

Mayor Flaute: Thank you very much Mr. Bowman, we appreciate that. And good luck with your citizenship project.

ITEM 10: MINUTES: Consider approval of the minutes of the June 18, 2015 regular Council meeting.

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

ITEM 11: PRESENTATION: STEM SCHOOL PROJECT – Ohio Memorial

Mayor Flaute: So we are very honored tonight to have some folks from the STEM school here. As most of you know the STEM school is just located outside our city in Kettering and they had a big project that they were doing and I will ask the presenters to explain that a little bit. Deputy Mayor Reynolds and I went and saw all of the projects that were at the STEM school and we were very, very impressed by this project so we asked them if they would please come and give us a presentation. So Emily, I'm going to ask you to come to the podium please with your co-presenter and explain why the other co-presenter is not here. Please introduce yourself.

Ms. Emrick: My name is Mollie Emrick and this is Riley Peters and we also had a third presenter, Emily Richie but she was unable to attend because she is actually sick. And we had actually just got back from our DC trip that we took and we had to make a memorial for somewhere in the Dayton area to encompass a bit of our history that meant something to us. So as a group we decided to make our Memorial about the missing and found children of Riverside. Because after we actually looked into it we found out that there have actually been over 2000 kids that have gone missing in the

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past 15 years and so that is the reason we decided to make the Memorial. And then he can describe more about morale and symbolism.

Mr. Peters: With the Memorial we wanted an area where people can go if their child or someone they knows' child has gone missing and has also been found and they wanted to think about it and reflect on it. One area is open and kind of free; not captured, where it seems like they are being held in one area and being forced to look at something. So we came up with was this design which is a very open feel it is going to be placed by; or at least we hope to be placed by a river so it will have more of a nature feel to it. And so with the design there are three things that are mainly focused on the missing children part which are: the water wall, the bronze plates and the roof on top. The roof on top will show it is only covering the water wall in the bronze plates and a little bit of the back to show the missing and found children are always protected and covered. It is protecting the water wall and the bronze plates. The bronze plates will actually have engravings of children's names that have been missing and found. The water wall will have engravings of people's faces that have been missing and found then the water will always be flowing over top of it because there is always constant search and hope for the missing and found children. The two infinity torches on the side; the lit one is standing for the light that will guide and showing hope for the missing children as the unlit one is to show that there are children that have been found and are protected. It's not saying that they don't need hope, I'm just saying that there are people and that there is always light and that their children will be found.

Ms. Emrick: We also have some 3-D models if you want to see them. And they are actually 3-D models that were printed out of our Monument.

Mr. Peters: With 3-D models you may notice that there is no roof on them and the back has columns on them. It was just because the 3-D printer could not print the roof on top of it because it was too complex and the back part needed stabilization for that size in the materials it was made with.

Mayor Flaute: Do you want to explain why you chose Riverside?

Ms. Emrick: Well actually when we first discovered we're going to make a memorial or a monument, one of the first things that we thought of; and I can remember Robbie he said he wanted to make it somewhere in Mad River Park. And after we did some research we found out that Mad River was actually Riverside and so the idea just kind of stuck.

Mayor Flaute: Okay, very good. Deputy Mayor Reynolds, do you want to add something before we go to questions?

Deputy Mayor Reynolds: Thank you all so much for coming. The presentation just keeps getting better all the time, better all the time, it is wonderful. You know how I feel about it; you know I told you the night we were able to visit with you. It is strong, the use of the different materials, it is just absolutely stunning. Thank you.

Mr. Fullenkamp: So do either of you have an interest in architecture? I figure one of you did. Good luck.

Mayor Flaute: As a token for coming out on a Thursday night before a holiday we would just like to give you one of our Riverside bags. And give one to Emily, we're sorry she didn't make it. And for the audience, if you will take a pencil. Thank you all very much for coming out and for recognizing Riverside as a good place to put a memorial together. Thank you very much and if everybody could give them a big round of applause. You're all welcome to stay for the rest the meeting, hopefully it

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won't be too long. But we do appreciate very, very much your efforts to come here. The parents and other folks, thank you for coming and being part of this.

ITEM 12: ACCEPTANCE OF WRITTEN CITIZEN PETITIONS

There were no citizen petitions.

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 on Comparable Government Software

v) Memo on Food Trucks

Mr. Chodkowski: Thank you Mr. Mayor. You have the projects and activities report included in your packet as well as several pieces of supplemental information which staff and I would be more than happy to answer any questions on. Of note, Mother Nature is finally cooperating and as a result John R. Jurgens is expected to begin delivering equipment on Monday in the final restoration of the Harshman Road and Burkhardt Road. And American Pavements is also scheduled to be in town starting on Monday to begin all of the microsurfacing. But unfortunately A and B Asphalt, who has the mill and fill contract has now suffered the rescheduling issue as the result of the weather so they are now about two weeks out. They were originally scheduled to start this week. So those are some of the highlights that I think you've all been anxiously awaiting to hear. Staff and I will answer any other questions before the floor is yielded for departmental updates.

Mayor Flaute: Thank you Mr. Manager. Are there any questions for the manager?

Mr. Smith: Yes, on Burkhardt Road, on the westbound lane between Woodman and Burkhardt, are we going to raise the risers on the manhole covers along through there? Some of them have been done others have not. I think they possibly might be the ones AT&T owns.

Mr. Chodkowski: Are you talking west towards Dayton?

Mr. Smith: Yes.

Mr. Chodkowski: That area is all supposed to be; I shouldn't say all but most of that area is supposed be repaved. So I don't necessarily know if they will be adjusting the risers on the manholes as they would be able to adjust the grade on the paver.

Mr. Smith: Okay, all right good.

Mayor Flaute: Thank you Mr. Smith. Any other questions?

Deputy Mayor Reynolds: Mr. City Manager and Ms. Christian, I see the memo on government software packages that you have been looking at. Do you plan on doing any demos of those?

Mr. Chodkowski: We actually had intended to provide the memorandum tonight and then schedule some work session discussions to determine whether or not you are

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interested in pursuing any of these including the one that we recommended. And if so, we would be more than happy to schedule that presentation at the next most appropriate meeting if you are interested in pursuing or exploring our recommendation of the staff.

Mr. Denning: I think I'd like to see the one that you recommended as soon possible.

Mr. Chodkowski: Sure, will contact the vendor and review the Council calendar and we will get it on the next available, most appropriate work session.

Mr. Denning: Under Brantwood Subdivision 2, you said that they basically asked us to table the TIF. Do we have a timeline on what happens next, or what is going on with that?

Mr. Chodkowski: We were able to verify some supporting information relative to the TIF in the financing package. We were able to confirm all of the necessary information yesterday with the Auditor and today with the Department of Development at the state level. So at this point in time I have asked the project leader at CSO, whose name is Jonathan Bills, he was here before Council a while ago. I've asked him to get with their crew and kind of put together an updated schedule they would like to begin the process of finalizing the TIF agreement, the infrastructure agreement and that would be in conjunction with construction in the spring. So they are now in the process of putting that schedule together and they will be back in touch with us again here shortly. I would assume in the next 60 days.

Mr. Denning: So what is the process now? Do they have to request it again or are we just starting where we left off or are they starting over? What's the deal?

Mr. Chodkowski: Once they are able to put together their tentative construction schedule; what we will do is we will then bring back the 30 year TIF legislation that was tabled early this year. So I would suspect that the TIF legislation would be back at the end of September or the first part of October. Because there is an agreement that goes with the infrastructure agreement that defines what the improvement is and the value of the improvement and then that sets up the escrow that has to be funded in advance of the bids. I would doubt that we would see anything any later than the second meeting in October because that would make their initial schedule.

Mr. Denning: We are not changing the request or anything like that?

Mr. Chodkowski: No Sir.

Mr. Fullenkamp: I have the memorandum from Mr. Taylor regarding food trucks. They are defined as peddlers and are currently allowed by our code. Has there been much discussion about that?

Mr. Chodkowski: We have had some discussion internally, and Mr. Taylor can touch on this during his report. We had the discussion that while 7.11 permits that type of activity that happens under licensing, what we do not have is a licensing procedure. So the zoning administrator has been tasked to create that procedure for Mr. Taylor's review and my review so that we can enable the food truck vendors who would like to provide that service in our community until such time as more definitive legislation can be corrected that is specific to that function. They would be able to do that.

Mr. Fullenkamp: Would any regulation be put forth; would they be allowed to be roving food trucks or would they be required to be stationary? Could they act like an ice cream truck?

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Mr. Taylor: No. If they wanted to license themselves, which we have that policy as an ice cream truck, they could do that. But specifically looking at the code 7.11, the intent for peddlers, which is what their definition of a food truck would fall under, they could be between the hours of nine and five through residential neighborhoods. They don't typically do that because there is no money. A six dollar hotdog isn't going to pay for your gas; that's not their MO. They could set up in a residential neighborhood between the hours of nine and five currently.

Mr. Fullenkamp: But it wouldn't be disallowed?

Mr. Taylor: It wouldn't be disallowed. They could do that right now. We have like Mr. Chodkowski said, we have the authority to license, we don't have the authority to have a fee for that license and of course we don't really have that license developed yet, which are new zoning administrator will develop hopefully in the next week or so. Does that answer everything?

Mr. Fullenkamp: As much as you can.

Mayor Flaute: Any other questions or comments? The only thing is I did miss the police and fire information so hopefully that will be coming and the scorecard from economic development; the financial part. It will be coming I assume.

Mr. Chodkowski: Keep in mind that this is only July 2 so we have only had the information available to create any of this for two days. So as soon as we can get it prepared it will be provided to you.

Mayor Flaute: Well then Mr. Manager we will move on to monthly updates from the various departments.

Mr. Chodkowski: Speaking of finance I will yield the floor now to Mr. Garrett for his monthly update.

b) Monthly Verbal Updates

i) Finance Department

Mr. Garrett: We are midyear and we're pretty much on track so nothing really going on there. Income tax kind of settled back a little bit in the month; receipts to us in the month of June so it is May's collection to RITA that we got. So we are about \$71,000 ahead of where we thought we would be. Whereas the month before we were \$100,000 ahead so it is kind of settled back a little bit during the month of June. June is also the settle up month where we pay a 3% retainer fee; an administrator's handlers fee to RITA every month on the distributions and then in the month of June they have had time to calculate for the calendar year 2014. So we've got a \$26,000 refund just on Tuesday. So that makes the true cost of the RITA service about 2 ½%; 2.49% for 2014. Another financial note, of course the state and the governor signed the bi-annual budget bill Tuesday. Included in that, they are redistributing some of the local government funds to the local cities to pay for the police training that they need to do that they took away from the cities. The county auditor gave us a little heads up that for the remainder of this year we might lose about \$7,000 of what we thought we were going to get. And next year it will be about another \$25,000 just because of that redistribution of the Local Government Fund. Again it's a fairly small percentage of our budget but still they nailed it. Just one other item to note, back in January there was a traffic accident right here where a couple cars got together and damaged one of the signal poles. We had to replace that; or have Bright Street replace that signal pole. Their estimate was \$24,000. We recently got from Bright Street, which I'm not sure is the final invoice, for about \$20,000. And the insurance from the at fault party's, they

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are still working on their claim. I talked to them today and the other driver had only limited insurance so the cost of the tow truck and our pole well exceeds the insurance coverage so they are going to end up prorating the coverage. So we are not going to be fully reimbursed for our loss, so pretty soon we will want to consider an appropriation out of our State Highway Fund to recoup that maintenance cost.

Mayor Flaute: Thank you Mr. Garrett, are there any questions from members of Council?

Deputy Mayor Reynolds: Mr. Garrett, you mentioned the police training that is mandated now. I believe there are so many hours yet this year and so many hours next year?

Mr. Garrett: I'm not all that familiar with the requirements but I think they have to get like 120 hours of training.

Deputy Mayor Reynolds: Do we have dollars available for those training sessions?

Mr. Chodkowski: I don't believe the training requirements take effect until calendar year 2016 and the way the fund is set up, if I recall the summary correctly, is I think every officer is already mandated 20 hours of training and so this fund will then provide payments for 10 hours of that 20 hour training. So I don't know that we do \$32,000 worth of training annually but effectively money that we spend in some capacity now for training will be reduced by the reimbursement from the state for those first 10 hours per officer.

Mr. Smith: If I could add real quick, when the police chief gave his report last time he said it wouldn't cost the city any money for those additional training hours and that it would come from the drug seizure fund; the money received that has been seized.

Mr. Chodkowski: That depends upon the type of training Mr. Smith. So certain types of training we get for free other types of training are paid for out of the state or the federal equity funds from seizures under state law or seizures under federal law and then some training we just have to pay for it because every officer is required to do firearms training, there is tactical training, those are common core training elements that cannot be paid for by those equitable funds that come out of the general fund to begin with. So the last time I think we horse traded surplus equipment to the county for the SWAT team in exchange for training. So we were able to get it, this year I believe it was at no cost because of that change but typically that would be training that we would pay for. So the reallocation of the local government fund that Mr. Butler and Mr. Garrett just spoke of would go to offset effectively half of our department being trained in that tactical and firearms training that has to occur every 24 months.

Deputy Mayor Reynolds: Are the auditor still in-house?

Mr. Garrett: They are here intermittently. They plan to be back Monday and they think they are getting near the end of the audit.

Mayor Flaute: Okay, thank you for your service. Next we'll move on to the economic development Department.

Mr. Chodkowski: Thank you Mr. Mayor, I will yield the floor to Mr. Murray for his monthly update.

ii) Economic Development Department

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I did produce another list. And again this is just walking through the projects that we have on our desks. It is Mr. Taylor and mine and everybody's projects but it keeps you up to date. I think it is like development gossip and what is going on. I will only go through the highlights of this. The first one is Linden Plaza and tonight you've got some legislation in front of you that would create the overlay district at the Linden Plaza. Next is Smiley's, that auction has been rescheduled, he is lowering the reserve on that. He is going to lower that down to \$300,000. I am receiving a lot more questions about it and some of these are from very good developers so we'll keep our fingers crossed that something important will happen there.

Mr. Denning: How much land is there?

Mr. Murray: 13.5 acres. So again I am encouraged. Another place I'm encouraged about is Lady Fox. She is still in there cleaning that up. That is that black bar there at the corner of Valley and across from the drive through. So there is somebody in there cleaning that up. It is the granddaughter of the owner. She's trying to make a hairstyling salon out of that. The building itself is basically sound but it is a mess and is probably going to take a while yet to do that. Next is Airway and I think you've seen that building come down. That is now destroyed and they will be putting in final submission for the plan in about a month, there are still some things they have to do there. They are accepting pre-leases and so I've offered a couple people to them who are discussing leasing that out; a portion of that out. A lot of time spent working on Radiance; Radiance of course has a huge use of the facility there at Wright Point. I think we went through the final changes on the build out that they are looking for. I think we'll receive a final floor plan next week and you will be receiving a lease for approval at the next Council meeting. Black River that you approved a couple weeks ago is in place now. They have given us their first check and they will be moving in the first part of next week. So that one is done and completed. We are working through General Dynamics, I had a letter of interest out of them next week and we should be receiving that back in and we can start the lease documents for them. CDO, we are working through a new floor plan proposal. Of course they've asked for a renewal and there is a long protracted process in getting them what they want. In the grand scheme of things, CDO is on two floors right now and we are trying to move them all to the third floor. That gives Radiance the chance to expand on the second floor where CDO is currently located. Maintenance items over at the Center of Flight, the installation of the rooftop units has been delayed due to the weather. If you remember last Friday it was a mess. What we're actually doing is we are taking these units and creating a huge hole in the roof and so none of this will take place when it is raining and we hope to get started again next week; next Friday. Sonitrol has completed the new security system, we have experienced a few problems and we are ironing those out. We need a new fire panel at 5200 to accommodate all of the changes we're making. Again that is a 30-year-old fire panel. I've got Nauman and Zelinski reviewing that to see exactly what we do need to come up with; some unique ideas on how to solve the problem at a far lesser cost than estimates I got from before. Jahn Electric has been hired to review all of the emergency lights in the stairwells at 5100. The electricity did go out on that building and we found out that a whole stairwell; the emergency lights in that stairwell did not come on. And so this is a much needed thing because there are three stairwells that we are looking to overhaul. Working with the office complexes, to switch to the next subject, we will do we what we can do with everything on top of the hill. I see I've misspelled Claypool. There are three individual realtors up there with those four buildings and I have appointments with all of them to see if there is anything we can do to help those guys increase their occupancy. An important thing that is coming up, and the city of Dayton has been years trying to get this through, is new legislation for the well field. And I will be discussing that at the earliest possible time that I can get on Council's agenda to show you what they want of us and what we can possibly ask of them in return. MVRPC is assisting me with

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this, they are doing all of our GIS now and helping with the evaluation of what these changes will lead into for Riverside. In exchange for that MVRPC has asked me to help them create a multi-economic development application/multi-device application. That would mean I could take my phone into the field with the developer, push a button, give you the address and give me all of the relative data connected with that piece of property. I can kind of do that now while sitting at my desk but I can't do that while out the field showing people different properties. So this will be an application that we will be trying to create together and once we come up with something that works then we will be offering it to all of the other jurisdictions in MVRPC's area. If there are any questions?

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

Mr. Fullenkamp: Is this going to be a new Taco Bell or will the one on Airway go away?

Mr. Murray: This will be a new Taco Bell.

Mr. Fullenkamp: So they are both going to be in business.

Mr. Murray: Yeah, it is a long process to get through Taco Bell's approval process. It is long, it will take it lease until mid-August or the first of August to get that approved. In the meantime, the owner is still showing the property. So Joe Smiley has the property under control and also the original listing agent. So I have taken them a few people who are interested in that site and we are 90% sure that Taco Bell will go in there. Just in case we got some backup. It is a place people are interested in; it's got great highway frontage.

Mayor Flaute: And DPL is on schedule to move that pole?

Mr. Murray: I don't know how on schedule they are but they are working towards it. I don't follow up on that stuff. It is something that has to be done.

Mayor Flaute: Any other questions? Alright, thank you for your service. And the next department update is the administrative department, Mr. Manager.

Mr. Chodkowski: Thank you Mr. Mayor. I yield the floor to Assistant City Manager Christian for her monthly update.

iii) Administrative Department

Ms. Christian: Alright, thank you. Good evening everyone. I did want to provide an update on the Safe Routes to School Phase 1 Project. It is slated for sale on July 17 with construction starting August 26, just in time for school to start but it is what it is I guess. And they are slated to finish the project around December 18. I did take a look today at the specifications that are available online and it looks like there are five companies that have already pulled the specs so we'll see there might be more. So following Council's passage of the street lighting resolution necessary at the last meeting, we did send a notice to all of the property owners that will be getting a new assessment on their property tax bills in 2016. The ORC only requires us to send it to the people who are getting a \$200 or more charge but we felt it was important to just give this information to all the people who will be receiving that assessment. We sent that out early last week. Since we sent the letter out, we probably fielded about 20 calls from folks just clearing up some confusion. So if you are out and about and talking to anybody and they have some questions, feel free to send them my way and I will hopefully straighten them out. It is a somewhat complicated topic to explain.

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Mr. Curp: Is this just for people who are getting the new assessment who have not gotten assessed before?

Ms. Christian: Right. We did also put an ad in the paper, in the Dayton Daily News, which is also a requirement of the Ohio Revised Code. The ordinance for assessment is slated for the July 16 agenda, so for the next meeting. In terms of human resources, the City Manager, Fire Chief and I have been doing negotiations for the fire contract which covers the full-time firefighters and lieutenants. And then we also look forward to the new police major who should be starting around July 20. So he may not be here for the next Council meeting but probably the first one in August. And then those employees who are celebrating July anniversaries are as follows:

July	Position	Years
Jay Keaton	Operations Mgr	26
Kevin Miller	Foreman	22
Chad Ferguson	PT FF	7
Colton Trego	PT FF	4
Craig Lairson	PT FF	2
Travis McCool	PT FF	2
Joshua Haney	PT FF	2
Bernnie Gonzalez	PT FF	2
Nicholas Page	PT FF	1

Ms. Christian: Congratulations to those folks. Does anyone have any questions?

Mayor Flaute: Thank you Ms. Christian. Does anyone have any questions for her? All right then, thank you for your service. Next the monthly update from the planning and program management department. Mr. Manager.

Mr. Chodkowski: Thank you Mr. Mayor, I will yield the floor to Mr. Taylor for his monthly update.

iv) Planning and Program Management Department

Mr. Taylor: Thank you. We've been extremely busy I am very happy to say. Wright Point one and the relocation of City Hall; as you can tell we already have several resolutions for you tonight. We've been working really hard on that. In addition to that I was able to visit our furniture supplier, Furniture Solutions. We went down there Monday and were able to finalize our selections and arrangements for our workstations. And now those configurations are going to work within the spaces which is an important piece as you can see from CDO to make sure that all the wires lineup and where they're supposed to go on the desks. So hopefully in August when I do my next update I should have a nice little presentation and samples for how those areas will look and what the furniture is going to look like in the new City Hall. So it's kind of exciting. Second, as you know, we were looking for a zoning administrator, I am very happy to introduce Chris Lohr. He comes highly recommended from Huber Heights and the village of Enon. He has several years of experience in zoning

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enforcement and administration. I can't say enough about him, in the first week; a short week for him and he is already proved to be a valuable member of our team. So Chris Lohr everybody.

Mayor Flaute: Do you have anything that you would like to say?

Mr. Lohr: Thank you for the opportunity, I'm looking forward to it.

Mr. Taylor: And you stole my thunder about the food trucks. So that's all I have. Are there any questions?

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

Mr. Fullenkamp: Don't put it in the city manager's report then.

Mayor Flaute: Alright seeing none, thank you for your service.

ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS

There were no public comments.

ITEM 15: UNFINISHED BUSINESS

a) ORDINANCE

- i) Ordinance No. 15-O-578 an ordinance expressing the city's intent to negotiate jointly with other cities in the region on one price schedule under which electric light services shall be furnished to the residents of the city for the purpose of street lighting.**

Mr. Chodkowski: Thank you Mr. Mayor. This ordinance is brought forth to authorize negotiations for the street lighting contract with Miami Valley Lighting and DPL Energy, Inc.

A motion was made by Deputy Mayor Reynolds to approve the second reading and adoption of Ordinance No. 15-O-578. Mr. Denning second the motion. The clerk of council 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) ORDINANCE

- i) Ordinance No. 15-O-579 an ordinance by the Council of the City of Riverside, Ohio approving a change in the district boundaries as shown on the Zoning Map of the City of Riverside, Ohio as initiated by a resolution of Council for the properties located at 4515 - 4565 Linden Avenue and vacant lot on Spinning Road, Parcel ID No. I39-101-503-0005, I39-101-503-0006, and I39-101-503-0007 from B-1 to B-1 with HC-1 Overlay Zoning District.**

Mr. Chodkowski: Thank you Mr. Mayor. This ordinance is brought forth to rezone certain properties located on Linden Avenue from its current zoning classification to provide the overlay district of heavy commercial. As a procedural note, there is a public hearing required prior to the passage of this particular piece of legislation and in consultation with the law director and the applicant regarding their schedule, the law director has advised that it is appropriate for Council to provide for the first reading at this meeting and then at the July 16 meeting, the public hearing will be held

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prior to final adoption, which is in accordance with the code. So I want to make sure that you are all aware that this is typically out a form with our procedure but it is not out of form with the ordinance requirements.

Mayor Flaute: Thank you Mr. Manager.

A motion was made by Deputy Mayor Reynolds to approve the first reading of Ordinance No. 15-O-579. Mr. Denning second the motion. The clerk of council read the ordinance in its entirety.

Deputy Mayor Reynolds: I just have one question. Mr. City Manager, will you explain to me an HC-1 overlay? I'm not quite sure I understand that.

Mr. Chodkowski: Sure. The heavy commercial overlay effectively allows us to conditionally partition use at 60% B-2. So a heavier business district than B-1 and 40% industrial use. In this instance it accommodates the needs of the storage and rental business as opposed to giving the parcel carte blanche, I-1 industrial uses. So this is a way that allows the city to specifically control the use both for this applicant and for future applicants to limit the freedom that would come with an out right I zoning classification. Is that an adequate summary?

Mr. Taylor: It was eloquently said.

Mr. Chodkowski: Thank you.

Deputy Mayor Reynolds: Well I won't be quite as eloquent but what is the general rule for enforcing the 40% rule? What is that based upon?

Mr. Chodkowski: At this point in time I think Mr. Taylor can probably provide greater detail than I can. But effectively what would happen is we would ask the applicants to identify how much total square footage they would need for the display of vehicles and how much total area that they would need in square footage to provide for storage; physical items storage. That is then how that percentage would be allocated.

Mr. Taylor: That will be one way to do it. The code is very; the zoning code talks about the HC-1 where you can take the 60%/40% rule. It's very flexible, specifically that 40% is the uses of that I district. So there are 12 uses inside of that I district, so 40% of that is six; no that's half. Someone from STEM school help me out here. So what we are able to do is look at; it gives us the flexibility to look at the person asking for it which is U-Haul in this case and they had a very specific use which is storage. Storage is not allowed in a B-1 district or a B-2. So the initial thought was the I-1 district which allows some adverse usage like a trucking terminal which you wouldn't want to have directly across from Carroll high school. So what we are able to do is select out that 40% of uses that we think; through planning and looking at quality uses around and what would be the best in case U-Haul ever left or sold the property and we would still have flexibility to bring something in but not the dangers of; I don't want to say that trucking terminals aren't what we want but just not across from the high school. There were some other uses like a machine shop or a research facility or a laboratory, so these are kind of scary. So that kind of gives us that flexibility. Did that answer what you are looking for?

Deputy Mayor Reynolds: My concern was in looking at the I-1, we know what is allowable around an I-1 situation and I wanted to make sure that this wasn't allowing some of those things.

Mr. Taylor: In addition to the overlay, the B-1 standards that you would normally have for B-1 still apply to the HC-1 overlay. So you can still do the B-1 uses and those additional uses in the HC one overlay. However the standards for the setbacks,

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driveways and all of that are still the standard B-1 use with a small couple nuance changes that don't really apply to that parcel.

Deputy Mayor Reynolds: Thank you both very much.

Mr. Fullenkamp: So this is a standard 60/40 usage distribution? Or is it tailored to the end-user?

Mr. Taylor: I would say it is kind of tailored towards the end-user because their need was specifically storage so we made sure that storage was one of those uses. The other couple uses that we brought in there; and what's really interesting about B-2 and I is that some of those uses already overlap. So if I took 40% of those I uses some of those are already in the Bs. We didn't have like 27 uses for that one parcel. So some of those uses would be a wholesale nursery, which I think would open this up if somebody would like to do a market, like a Webster Street Market, that would fall under that because they have sales and wholesale stuff. And warehouse was also intended. I was looking at that parcel specifically thinking if you have this go here what else could we use this to attract.

Mr. Fullenkamp: So is the split 60/40. In an HC-1s is that split always 60/40 or can't vary?

Mr. Taylor: No it can't, it specifically says 60% B-2 and specifically 40% I.

Mr. Fullenkamp: Okay, so we have other C2's, C-3s and C-4s?

Mr. Taylor: Current use is just considered an HC. I gave it the HC-1 designation in case you wanted to use a similar overlay; heavy commercial overlay and maybe where we wanted to not use storage and have a research facility or something like that so we could have HC-2. We could go up with HC-3 and HC-4.

Mr. Fullenkamp: So this really is tailored to this kind of situation.

Mr. Taylor: Yes it is and I think that is the intended use of the overlay.

Mr. Fullenkamp: Thank you. I think there is one thing that some people are concerned about and that is spot zoning.

Mr. Taylor: And that is what I was concerned about with the I district. You have an I that would've been next to a B-1 across from a school district next to a B-2 and it just would've been a pocket of all I and that is the very definition of spot zoning.

Mr. Curp: That was my question, how does this differ from spot zoning?

Mr. Taylor: In my opinion in the way that I look at it differs, spot zoning is specific to changing the zoning district as a whole. And so this leaves the B-1 district in place but allow these additional uses. It is very similar to the overlays for the well field's and floodplains. So it is just additional zoning on top of that. And then we extend those that I thought; there's the one parcel that they have and I extended it to their existing parcel plus the vacant lot behind it to try and expand that as far as we could. McDonald's, I didn't see where that lot would benefit from that.

Mayor Flaute: Very good, any other questions? Just for the audience's sake, this building is located across from Carroll high school. Right now it is pretty much in disarray and has been for many years. So U-Haul is interested in purchasing the property and I for one am very excited about that. This building used to be a Gold Circle so they are finally making good use out of that building. That's just for the audience information; you will see a lot of activity from that facility.

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Mr. Denning: Goldman's. Their school building used to be a Gold Circle.

Mayor Flaute: I stand corrected.

With no further discussion a vote was taken. Five were in favor; one was opposed (Mr. Curp). **Motion passed.**

b) RESOLUTIONS

- i) Resolution No. 15-R-2064 a resolution setting forth appointment of Mr. John Schnieders to the Health and Safety Commission for the remainder of the term ending August 2, 2016.**

Mr. Chodkowski: Thank you Mr. Mayor. Pursuant to Council's request this resolution was brought forth to appoint Mr. John Schnieders to the Health and Safety Commission.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2064. Mr. Smith second the motion. With no further discussion a vote was taken as follows: Deputy Mayor Reynolds, yes; Mr. Smith, yes; Mr. Curp, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; and Mayor Flaute, yes. **Motion passed.**

- ii) Resolution No. 15-R-2065 a resolution setting forth appointment of Mr. Wesley Livesay to the Health and Safety Commission for the remainder of the term ending August 2, 2015 and continuing through the three year term beginning August 3, 2015 through August 2, 2018.**

Mr. Chodkowski: Thank you Mr. Mayor. Pursuant to Council's request this resolution was brought forth to appoint Mr. Wesley Livesay to the Health and Safety Commission.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2065. Mr. Denning second the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

Mayor Flaute: Congratulations to both of you. Thank you for your willingness to serve our city.

- iii) Resolution No. 15-R-2066 a resolution authorizing the City Manager to enter into a contract with Brumbaugh Construction, Inc., the lowest responsive and best bidder, for the general contractor for the City Hall Relocation Project.**

Mr. Chodkowski: Thank you Mr. Mayor. Pursuant to the wishes of Council and upon the recommendation of ALT Architects and Mr. Taylor, the city Planning and Program Manager, this resolution is brought forth to authorize a contract between the city and Brumbaugh Construction for the renovation of Suite 100 at 5200 Springfield St. for the new City Hall.

A motion was made by Mr. Denning to approve Resolution No. 15-R-2066. Deputy Mayor Reynolds second the motion.

Mr. Curp: I've never been in favor of this so I'm going to vote no.

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With no further discussion a vote was taken as follows: Mr. Denning, yes; Deputy Mayor Reynolds, yes; Mr. Curp, no; Mr. Fullenkamp, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion passed.**

iv) Resolution No. 15-R-2067 a resolution authorizing the City Manager to enter into a contract with CDO Technologies, Inc., for professional services in support of the City Hall Relocation Project.

Mr. Chodkowski: Thank you Mr. Mayor. In furtherance of the aforesaid resolution, this resolution is brought forth for a contract for professional services to CDO Technologies for various IT and audio/visual needs associated with the City Hall Relocation Project.

A motion was made by Mr. Denning to approve Resolution No. 15-R-2067. Deputy Mayor Reynolds second the motion.

Mr. Fullenkamp: So I have some questions. I expressed my questions to you this morning at some point. Have you followed up with Mr. Taylor on that or not?

Mr. Chodkowski: We have indeed Sir. He is your target, take aim and fire at will.

Mr. Fullenkamp: Okay good. So Mr. Taylor, on the list of assumptions I see activity seven; network and backup systems. It says the city of Riverside's long-term plans call for a generator. I was unaware of this.

Mr. Taylor: As was I. In previous discussions and I hate to put this off as before I was here but that was from previous discussions before I was here. In his notes, Mr. Huff from CDO had that in there. Nobody else had those notes and I've gone through the assistant manager's notes and I didn't see that in there so we couldn't figure out what that was.

Mr. Fullenkamp: I want to make sure that if bad things happen, more bad things don't happen.

Mr. Taylor: And that was a concern of mine and as I was going through this I talked to Mr. Huff, who is going to be our lead project manager if we go forward with this resolution, that on page 13 he explains that in section 7 that you were talking about; there are specs for the contractors that they will have. Everyone met those specs and exceeded them. So we will have over 15 minutes of UPS (uninterrupted power source) in case the power goes out while we are in the middle of working on something. The big concern is our server which is being housed at their location. I was assured there would be no loss of data. Once everything is on that server the power can cut immediately and everything is saved. So they have accounted for that.

Mr. Fullenkamp: I just want there to be a chance for a graceful shutdown.

Mr. Taylor: Yeah, they will be able to do that at their site and they have a contingency plan; we are covered.

Mr. Fullenkamp: Activity three; phone solutions, on the second line it says CDO will order 25 VoIP phones, two conferencing speakerphones, two receptionist desk phones and two VoIP.

Mr. Taylor: Which is a typo. We are missing VoIP adapters and so that will be updated. I will have the new one before we sign assuming everything passes tonight. I meet with Mr. Huff on Monday and we will have the new completely error-free document.

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Mr. Fullenkamp: That's fine. My last point of interest is the execution of the Council chambers, 8.6.2. I see you have one video camera aimed at Council and will provide video feed. You put the dais to the AV system. I'm assuming this is expandable easily.

Mr. Taylor: Yeah, that was a concern of mine too because I had previously heard at Council meetings about wanting to have that ability to expand. And so that is a fully adaptable and expandable system. I think one of the concerns that you had is that we have that single camera setup already and then we want to add three or four or however many more and are cutting into walls. The conduit is already in their bid and to have a thicker conduit so they can run additional wire and then it will just go through the tray ceilings and to the locations that we want.

Mr. Fullenkamp: So that's not going to impede our ability to expand it.

Mr. Taylor: It should be a minimal cost to add to it in the future.

Mr. Fullenkamp: My final; I won't call it a concern but as a public servant I always look after the dollars. I see their final bid package here for services under recurring costs, did they bid these services through multiple vendors? Do we know specifically what they did? Let's talk about the capital cost summary quote first. Do you know what process they went through to make sure they got highly qualified and cost-effective bids?

Mr. Taylor: I was not part of that process but I was assured when we first went in through a special agreement with CDO that they have a policy and procedure in place. They do a lot of work at Wright Patterson Air Force Base so they are under the scrutiny of the eye pretty tightly there.

Mr. Fullenkamp: So they applied the same standards?

Mr. Taylor: They assured me they applied the same standards and I also believe that in our meeting notes that we had asked them if they had that in place and if they document that. And they said they do. I don't have those documentations with me now. If it comes to a point where we need them I can ask for them.

Mr. Fullenkamp: So with a recurring costs summary quote I guess it's the same question. For phone service and for internet service how do we know that these are competitive quotes for that sort of service?

Mr. Taylor: I missed those conversations previously but I know through the file that we have that we had numerous quotes from different phone companies. We already use AT&T and their quote was the best so that should've already been embedded in it and it appears to be so in the notes that we have.

Mr. Fullenkamp: And the same is true for internet service?

Mr. Taylor: Yes.

Mr. Fullenkamp: Okay I just want to make sure that we are getting good value.

Mr. Taylor: And I believe as we go through this, once we get over there in the move, I think we're locked in with a contract with AT&T but it's not a forever contract.

Mr. Fullenkamp: I'm assuming a recurring thing can be negotiated annually or whatever the term of the contract is.

Mr. Taylor: I'm not sure what those terms are but I want to be able to keep an eye on this in the future.

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Mr. Fullenkamp: Thank you.

Deputy Mayor Reynolds: Mr. City Manager I am concerned with the key card operation and 8.8.2 execution and all of these things that we are doing to secure the locations for our employees. Are you satisfied that the system you're looking at is the best that we can provide?

Mr. Chodkowski: We feel that the total set up of all of these security measures is a significant improvement over those security measures that we currently have in place at this facility. And they are adequate to meet the needs of our staff based on our anticipated clientele for that particular operation.

Deputy Mayor Reynolds: Considering that we are in a completely new location; a new environment for all staff members and a new environment for different types of traffic, I just want to make sure that we have researched that and made sure that that is a good system and there is not a breakdown of things other than what Mr. Fullenkamp has brought up to you.

Mayor Flaute: Okay, then the question that I have is back to those cameras. Should the Council decide they want to televise our meetings as a lot of other cities do, will we have the capability to do that with the plans that we have?

Mr. Chodkowski: Yes Sir, it currently is designed that with the click of a button we could effectively record Council and that's why the one camera that is being installed is specifically being aimed at the Council dais. So whether or not we choose to implement that immediately or whether or not that's something that the city would choose to add on later once we are in the facility and have used it for little bit, that's exactly what it is assigned to. And then in the event that we become more technically proficient in-house and we can add additional cameras, those that would show the staff tables and the podium, those are all future upgrades or add-ons to that system. But the immediate system is effectively designed to videotape just the Council, record that to a device and we could upload that to our website or hand it over to PBS or whatever the Council might desire.

Mayor Flaute: So wouldn't we want to add the podium camera now?

Mr. Chodkowski: You're talking about the filming? The issue is our ability to operate that particular system. At this point we don't have a policy in place; we don't have a procedure in place to videotape Council meetings. We're not familiar with this technology yet because it's not in place. So I would tell you in the event that this is the direction that Council would like to go I think it is best that we do some test runs with a very basic system before we look at upgrading because once again somebody that is sitting at one of these tables or an additional staff member will have to be called in to change camera angles and edit and do all that jazz to have a fully functional system that gets not only Council but staff and members of the audience.

Mayor Flaute: For safety reasons we will want that also. Okay.

With no further discussion a vote was taken as follows: Mr. Denning, yes; Deputy Mayor Reynolds, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion passed.**

ITEM 17: PUBLIC COMMENT ON NON-AGENDA ITEMS

ITEM 18: COUNCILMEMBER COMMENTS

Mr. Denning: Happy Fourth of July everybody.

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Deputy Mayor Reynolds: Thank you all for coming tonight and happy fourth to everyone as Councilman Denning said. Please be safe and enjoy the fireworks.

Mr. Denning: Thank you for staying for the whole meeting. Seriously, a lot of times folks come in and give their presentation and they are out the door so thank you for staying for the whole meeting.

Mr. Curp: I attended the ribbon-cutting for the opening of the new section of the Soin Medical Center Emergency Department. One of the good news-bad news things is that; the good news is that they're getting a lot of traffic from the communities around here. And that's the bad news; they are getting a lot of traffic. But the point is that people are exhibiting confidence in the quality of attention that they get there. I know we transport a lot of our residents and nonresidents who are involved in traffic accidents and things like that. So it is good to see that we have a facility nearby and it cuts down on transport time. It was nicely done.

Mayor Flaute: Thank you Mr. Curp. I just have a couple of things here. I went to the groundbreaking ceremony at NAISC at the Base. That's a big deal. That thing has been in the works for five or six years at least and there has been a lot of tug-of-war going on with that and Wright Patterson prevailed. And that's very, very good for Wright Patterson and for the community. And again, I want to the ribbon-cutting ceremony that Mr. Curp talked about, it was a good event. I also went to the hundred anniversary of the Miami Conservancy District. They have been around 100 years, since the 1913 flood. They were celebrating their agendas for what they were doing. I also went to the release of command for Col. Donald Grannan and Lt. Col. Brenda Oppel to Col. Rick Johns and Lieut. Col. Brian Snyder and they are of the 88th Communications group here at Wright Patterson. They had a very impressive ceremony for that. If anyone is interested that is there. Also I received a card from one of the winners of the bicycle and it says, dear city of Riverside, Council members, firefighters and all those who participated in the Bike Rodeo, our five-year-old Blake won the boys bike and he is thrilled. His old bike was getting very worn out and his legs were growing and he was too small for the bike. The timing couldn't have been better so thanks a bunch. And it is signed by Blake Kiesel and family. So they appreciated it and Chief if you would send that message over and give it to the Health and Safety Commission. At least two of our members now know the importance of just that one event and the whole commission does a lot more things to help out. And again, thank you all for giving us the presentation, we appreciate it very, very much. I see a lot of future mayors out there or Council members; it's a good job, or city manager's. It's a good job, it is public service, we don't get paid a lot of dollars for what we do but there is a lot of good that comes from what we do and I hope you got a little flavor of the things that your city is doing to make sure you have a good place to work, play and spend some time. Again thank you very, very much for coming and we appreciate that.

ITEM 19: ADJOURNMENT

A motion was made by Mr. Denning to adjourn. Mr. Smith second the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

The meeting ended at 8:40 PM.

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William R. Flaute, Mayor

Clerk of Council