

# DRAFT

Thursday, September 17, 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; Mr. Fullenkamp, present; Mrs. Lommatzsch, present; Deputy Mayor Reynolds, present; and Mr. Smith, present and Mayor Flaute, present.

Staff present was as follows: Bryan Chodkowski, City Manager; Emily Christian, Assistant City Manager; Mitch Miller, Service Department; Chief Frank 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:** All Council members were present.

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** A motion was made by Deputy Mayor Reynolds to approve the agenda. Mr. Smith 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 on Item 4.

**ITEM 6: WORK SESSION ITEMS:**

**a) DISCUSSION: Storm Water Master Plan**

Mr. Chodkowski: As you will recall just a few short days ago we were all here together to review the results of the Storm Water Master Plan that was performed by AECComm. During their presentation they reviewed in brief what the content of the report contained which by and large addressed a number of maintenance and infrastructure improvements within the city and those obviously have additional expenses to those that the city already incurs. At the conclusion of their presentation AECComm made a recommendation with regards to next steps and they recommended two steps in particular. One was to proceed with a stormwater utility study; exactly what a stormwater utility would look like here in Riverside, the rates and how those rates and revenues are derived and then would be implemented against the Storm Water Master Plan findings. And they also recommended a more detailed engineering study of Lilly Creek specifically to bypass storm sewer lines that they had recommended as part of their proposal as they had recommended in the master plan. Following that meeting I reached out to Mr. Kerr and asked him to provide us information to further discussion tonight and that information was effectively which of those to which should be the priority, what would the expense incur to perform these tasks to the city and what the timeline be relative to each one of these tasks. So would they be concurrent, if we take them back to back what would we need to do to move forward. Mr. Kerr and company did manage to put something together in advance of the meeting. I have to confess I was planning to go over it with you all tonight but we did get it yesterday and it was provided to you last night in advance of the meeting with Mr. Schneider. The storm water utility study would cost approximately \$95,000-\$105,000 depending upon the scope and parameters that we would put together. Would you take care of that for a minute if you would continue discussion?

Mayor Flaute: So he said \$195,000 or \$95,000?

Mr. Fullenkamp: \$95,000-\$105,000.

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Ms. Christian: So \$95,000-\$105,000. Like you said that would depend on the scope of work. It looks like it will take approximately 10 months to complete the storm water utility study. And then the Lilly Creek watershed engineering report would be estimated at \$80,000-\$90,000 and it would require eight months to complete.

Deputy Mayor Reynolds: Could you stop there for just one second and if you go back up to the third sentence up from where you were reading. We are not sure how much public coordination you will need on this project. What do they mean by that and what was the intent of that? It is right after the \$6 million, perhaps we can find a way to reduce the overall cost.

Ms. Christian: Okay, for the Lilly Creek okay. I don't want to put words in their mouth but I would presume that it would be related to the fact that the Lilly Creek watershed crosses many properties; it is all on private properties so I'm assuming that they mean that there is going to be a lot of public input; public meetings that's what I'm assuming that they meant. But I can certainly follow up with that and find out.

Deputy Mayor Reynolds: Well they say we have proposed approximately four meetings with the city and other stakeholders in addition to some of the other activities to publicize the study.

Ms. Christian: Mrs. Reynolds was asking about the Lilly Creek study and they had mentioned they weren't sure how much public input would be needed for the study and she wanted to know if we could expound on what they meant by that statement.

Deputy Mayor Reynolds: They referred to it as public coordination.

Mr. Chodkowski: Based on my conversations with Mr. Reinicke and Mr. Kerr I think what they are talking about in this aspect is having access to some of the private properties in that area so that they can maybe do some survey work and some correlation. If you recall that there were several drain tiles that lead from the sewer that already exists on Bayside into the creek so there will have to be some more detailed engineering and survey work at inlets and outlets.

Mayor Flaute: So going back to wanting to know the scope, \$95,000-\$105,000 shouldn't they tell us what scope they should do? How do we know what scope or how much we should put into this? That is crazy.

Mr. Chodkowski: Keep in mind that they had all of four days to put this rough estimate together. So this would be something that if we wish to engage them and work under a direct award we would ask them for greater detail than this plan. If it was something that we wanted to release as an RFP or an RFQ we would also provide detailed information. So this was just to give us some kind of semblance of a starting point to understand what is the expense to get this information. What are they going; in a general sense what are they going to have to do to give us the information that we are looking for.

Mr. Denning: So that we had a budget; so that we could budget for it for whenever we choose to get this moving forward.

Mr. Chodkowski: Correct. So that's part of the reason why this is vague. This was a quick turnaround to just simply say, hey look give us some ballpark estimates so that we can have a somewhat intelligent conversation about what to do next.

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Deputy Mayor Reynolds: So the second piece; the second of the three pieces we received last night talks about the Storm Water Utility Plan and what will be involved in that. I assume that was the scope of services that we are talking about here.

Mr. Chodkowski: Correct. Both of these are, with the exception of the placement of Riverside, these are templates from other communities in which they had performed. So ours would be written specifically to us but this was a version that was used for similar work in another community.

Mayor Flaute: I guess what I'm thinking is that we spent \$200,000 to tell us this. I would think that they could help us out little bit here. Now do they have an engineer on board to do this for us so if we wanted to continue this with them then we could?

Mr. Chodkowski: That is correct.

Mayor Flaute: But they are not going to do anymore work for us for the \$200,000 that we gave them.

Mr. Chodkowski: This is what we contracted them for, was to prepare this binder so that we could understand the scope of the problem and issue as it exists from that using the plane analogy from that 30,000 foot perspective. Now we have to get down to 25,000 feet or 20,000 feet and that would be the rate study, which when I talked with Mr. Kerr, he had said that if you were only going to do one of these two next year you can't construct Lilly Creek. Even if we were able to provide timely responses you can't construct it until you have the money to do it. So the rate study is what you're going to have to do first. So that rate study then comes down; you know that is your 20,000 foot or 25,000 foot view of how we are going to address this issue. And then the next is are we going to implement it and what is the way to implement it and then that gets you closer and then the day that there is money in the bank to put a shovel on the ground then you've landed that plane.

Mr. Denning: Well I think the other part is we need to look at that report. They had Lilly Creek as their top priority and I don't know that that would necessarily be the top priority.

Mayor Flaute: I don't know it's getting pretty bad. You have fences falling in.

Mr. Denning: But the question is how many people does it impact versus how much money do you have to spend.

Mayor Flaute: No I don't think so. I think it's how bad are the people who are impacted being impacted.

Mr. Fullenkamp: How do you think they came up with that priority?

Mr. Denning: Well I don't know, I don't know.

Mayor Flaute: I mean it is bad.

Mr. Denning: I don't know but my question is how were those priorities set and do we agree or disagree with their priorities.

Mr. Fullenkamp: Have you read their report yet?

Mr. Denning: I read the executive summary.

Mr. Fullenkamp: Read the report.

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Mr. Denning: Okay.

Mr. Curp: Well the report says that they got their priorities from the city.

Mr. Denning: Okay.

Mr. Curp: I don't know who that is but that's what they said.

Mayor Flaute: So that means from us.

Mr. Chodkowski: That is correct and that was based on the conversations that staff had with them. We had files that existed on several of these projects already. If you read the report in detail they reference Glen Martin, Fourth and Mann. You guys already had a study done by LJB and they talk about Mayapple; you already had a study done by LJB because Lilly Creek was the thickest most recent and most publicly involved project. That is why based on those experiences and the content of the file that we handed over they moved that to the top.

Mayor Flaute: If you count all of the people in Seville Estates that are involved with this, and they are whether they would like to believe it or not, you are talking a lot of people. I think it is very important work, Lilly Creek and get it done because it has been a pain ever since I've been on Council. It has been a pain.

Mr. Smith: Yeah but that's owned by the property owners, Lilly Creek.

Mayor Flaute: It doesn't matter.

Mr. Fullenkamp: Let's not have this conversation because we have had this conversation so many times and we are all dumping into Lilly Creek and we are all damaging this people's property by dumping into Lilly Creek. So if you want to believe that is private property and you have the right to use their private property I'm not sure quite where that comes from. Are they responsible to provide you storm water sewer Mr. Smith?

Mr. Smith: No.

Mr. Fullenkamp: Well that's what they are doing right now.

Mr. Smith: Well I think they inherited the problem.

Mayor Flaute: Well they try and do something and then it pushes the water the other way and then they try do something and push the water the other way. It is a no-win situation.

Mr. Denning: All I'm saying is that's the question. How many people does it impact? And if you consider if somebody down there on Lilly Creek said, I don't want that coming into my creek anymore.

Mr. Fullenkamp: They're not allowed to do that.

Mr. Denning: I know they are not but I am saying; so the question is does impact all of Seville. That counts in the headcount of who it impacts.

Mr. Fullenkamp: Seville has an impact on that creek.

Mr. Denning: To me that is part of the count that you count in. It's not just the 109 people that are along Lilly Creek it is the 850 people.

Mayor Flaute: No it's 4000.

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Mr. Denning: Whatever the number is.

Mayor Flaute: If I remember what that number was years ago it was a lot of people.

Mr. Denning: Then that is the most impactful and it does move to the top of the priority list.

Mr. Smith: So you are saying 4000 properties. That's pretty high.

Mayor Flaute: Yeah that's what I was thinking. I guess that's pretty high.

Mr. Fullenkamp: It's all Seville and everything north of Burkhardt.

Mayor Flaute: Yeah that's everything.

Mr. Denning: Wagon Wheel and St. Helen and all of that.

Mayor Flaute: Yeah up in our area; for some reason that number is in my brain but don't quote me on it.

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

Mr. Fullenkamp: Last time we had this conversation it was all about, well it doesn't impact me why should I have to pay.

Mr. Denning: I don't necessarily agree with that statement.

Mr. Fullenkamp: But that's what the nature of the conversation was several years ago.

Mr. Chodkowski: And that's part of the reason why we commissioned a study is because if you recall when we were working with soil and water and we were working from the ORC perspective at that time that we had preliminary engineering there were several residents, some of them who were at the last meeting, that said that study wasn't prepared correctly, it doesn't correctly show all of the information and if you show us all of the information and we see the study, well and that is a different story. Well here you go. So this is now the third study by the third different organization that says the exact same thing.

Mayor Flaute: And we still don't have the information.

Mr. Fullenkamp: And the fourth study with the engineering firm and the design of the system is going to be the final say.

Mr. Chodkowski: Right, so this is definitive and the purpose of this at least in my opinion and what it provides to Council is the argument that many of the folks that were initially affected were, well it's just us. But this plan says no, it's not just you, there is an entire city that has storm water issues. This is our plan and our guide to address it. And so we just happen to be starting with you but there are lots of other citizens that are going to be impacted by this both financially and from an infrastructure benefit; an infrastructure improvement.

Mr. Denning: And the answer is we have \$20 million of infrastructure things that we have to get done and how are we going to pay for it and that is what the first study hopefully can tell us. The way to do this is to charge each person six dollars a month or whatever the answer is; whatever the answer from that study comes up to be.

Mr. Chodkowski: Yes, I could tell you that the study itself; the initial study itself and the estimate they are providing I would say is adequate. In 10 months, I would round that to 12 and we will call it good. What's

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going to happen is that is just the recommended plan; that is the recommendation. What happens next is the actions to implement and that is going to take a while because churches have to pay, schools have to pay, nonprofits have to pay and then there becomes this negotiation that occurs between the initial report and the actual rates and the basis of those rates that will come into effect.

Deputy Mayor Reynolds: Talk a little bit about those negotiations because I think that is the important thing.

Mr. Chodkowski: Okay sure. So I will look at this from my experience and REU (Residential Equivalency Units) as it relates to wastewater because they're very similar. So what happens is Mr. Garrett were run a mathematical equation based on a random sampling of properties and they will come up and they will say, okay every residential property from this size to this size has 20% impervious surface and from the size to the size has some other number and then there will be a third number then collectively the average of the average becomes X. So for a half-acre every person is going to have to pay five dollars. And then they'd take that and then they overlay that on Airway Shopping Center and they are going to overlay that on all of the commercial districts and that is now going to apply; I don't know how much the acreages is at Airway Shopping Center but it is significantly larger so that bill that you and I would pay at five dollars a month suddenly becomes \$380 a month to Airway Shopping Center. So they will all come in and they will say, look I've go to charge rent and we're going to lose people and these people are going to pay income tax so now they are going to make the argument that you are making money from me but the money that you make will go down. So they will put forth their position that maybe the rate should be this or maybe the rate should be that and we will go have a conversation with the engineer and the engineer will say okay this one I can make work, this one isn't going to fly because here's how it impacts schools and churches and nonprofits and these folks are going to say, hey look we have limited budgets, we are publicly funded, we work on donations we can't afford \$300. And so there will be policy discussion and then there will be science and engineering that goes on and all of this so then maybe you're going to have subcategories. In the wastewater business we typically have different kinds of subcategories for commercial flow billing based on the size of your meter, based on the content so we will come out and sample the content of your discharge and depending on the content of chemicals in your discharge that we then have to counteract when it reaches the wastewater plant. We have a variable rate so it is not uncommon to have anywhere from 3 to 8 different commercial rates in the wastewater industry. In this instance I would foresee that to be something similar. So you're going to have to account for the fact that churches and schools and nonprofits contribute to this issue. They're going to benefit from this issue and you are going to have to account for the fact that yes there is a supply and demand in the commercial market and in the business market for rents and revenue and income but at the same time you're going to have to account for the fact that you have residential property owners and in some capacity are going to have to pay a relatively consistent rate over and over again. So that is really where a lot of time will be spent before this thing gets implemented. It is going to be a negotiating act because you are going to want to hear from all of these groups. They're going to want to tell you what they think.

Mr. Fullenkamp: That's true but you are also going to have to talk to the residents because I don't know that the same charge for each resident's property is going to apply. Because for small properties, for these little 1000 ft.<sup>2</sup> properties that we have around town and compare them to people that have 3000 or 4000 ft.<sup>2</sup> homes I don't think you can charge the same rate. And for those residents of small properties to view that as being anywhere near.

Mrs. Lommatzsch: You are talking about an average right?

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Mr. Chodkowski: That is how they propose it and that is how it is most commonly done. However, I would like to believe and I don't know if this would affect the price of the project; but I would like to believe that based on the technology that we have today and the resources that we have here we would be in a position to more accurately provide a by parcel or by property price based on what science offers us today that science did not offer us five or 10 years ago.

Deputy Mayor Reynolds: So you feel that it is possible to do it per property.

Mr. Chodkowski: We were able to do it when we looked at the impact of storm water and the impervious surface I believe it was in relation to the project, then Planning and Zoning Administrator Williams was able to log on to the county GIS database and specifically measure impervious services within the city.

Mayor Flaute: The problem with just doing Lilly Creek and then making that assumption of how much it is going to be per property then we still haven't talked about the rest the problems that we saw up there and I believe it will be a lot easier to sell this thing to our residents if they saw it as just not Lilly Creek, it's Marjorie.

Mr. Chodkowski: Well you have to get to that point but in order to tell people how we are going to comprehensively address the city we have to know how much revenue we have to expend on the problem. So if you look at the model information that is provided in the master plan where they talk about the revenues and expenses they talk about a debt obligation. One of the things that it is not uncommon for government to do in large-scale capital improvement projects and something that I will talk with you about later in regards to local streets is a tax to bond measure. So tax to bond or in this instance tax to special revenue, so we would prepare the rate study, we would then turn the rate study over to the bank and we would say, here's what we are planning to do, how much would you charge me in interest over so many years to borrow X amount of dollars. So the bank would lend us X amount of dollars and then we would take that money and we go out and subcontract with so-and-so and they would cut ditches and then we would have Y income, you take out X and some of the work gets done. Then you take what's left Z and say, okay we're going to do some of the work ourselves so you subtract A expense and that leaves you with B. And then we are going to do some engineering on the more technical stuff like Lilly Creek so we might be able the first two years of this program to go out and re-cut ditches over in northern Avondale at the same time while we are doing the engineering on Lilly Creek and at the same time maybe we have an extra person in the public service department so that we can go out and we can sweep the streets more frequently and rebuild five more catch basins annually than in the year we did before. So there is a way if you manage the revenue stream appropriately. There is a way to kind of slice the pie so that there is equal progress so that you can demonstrate, sure we are doing construction in your neighborhood today but we are coming to do construction in your neighborhood tomorrow and here's how it's funded and here's how it is laid out.

Mr. Fullenkamp: And I'm assuming the storm water utility has to take into account all the capital costs and the anticipated maintenance costs over not just the five year period that the scope talks about. That is kind of confusing to me why would you do a five-year scope when you have 30 years worth of work? But I'm assuming that that Storm Water Utility Plan has to take into account all of those projects not just Lilly Creek.

Mayor Flaute: Everything south of Burkhardt you would have Lilly Creek I would think.

Mr. Fullenkamp: I understand but we are all going to be one big district.

Mayor Flaute: There are going to be different numbers though for different parts of the city right?

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Mr. Fullenkamp: But the city storm water district is going to be one big district. We aren't going to have individual districts

Mr. Chodkowski: That is correct.

Mayor Flaute: We are not going to have individual districts, okay. But we are going to have different numbers for different areas.

Mr. Curp: For individual projects.

Mayor Flaute: Because of the project scope. Is that what you said Mr. Curp?

Mr. Denning: I'm going to pay whether there is any work going on on Schwinn or not.

Mr. Fullenkamp: That's right.

Mayor Flaute: But are you going to pay less than me because my water flows into Lilly Creek?

Mr. Denning: No, according to the way that they want to do it is it is based on the square footage of my house or the amount of impervious surface that I have. I will probably pay more than you do.

Mayor Flaute: I'm not sure that that's the way I want do that.

Mr. Denning: The only benefit that I'm going to get is that the city as a whole is going to have a better storm water which is going to; once we get everything done that is going to raise everybody's property values because now we have a positive thing for the city that we have good storm water drainage or better than it has been. That is the thought process, at least that is my thought process.

Mr. Chodkowski: That is the argument behind it. It is a benefit to all homes and that's why everyone pays.

Mr. Denning: It is a benefit to the whole city.

Deputy Mayor Reynolds: Mr. City Manager, tax to bonds is that based on the yearly dollar from the tax or is that based on a five-year period of time? Tell me how that works.

Mr. Chodkowski: So in the tax to bond instance it is based on whatever tax revenue estimate that you are pledging against the note. So if the citizens voted to increase the property tax by 2 mills and that generated \$500,000 a year and that was for 10 years then you could effectively borrow.

Deputy Mayor Reynolds: The full 10 years.

Mr. Chodkowski: You have to account for interest and whatnot.

Deputy Mayor Reynolds: Right, right.

Mr. Chodkowski: Let say it brings in \$500,000 over 10 years. That is \$5 million so with interest you could borrow \$4.5 million or whatever the case might be. But what you are doing is you are creating a special revenue fund. So only the money specifically dedicated goes to the payment. So in this instance this is a special revenue to bond issue so you are specifically pledging revenues only generated by this storm water utility fee to pay against any debt the city would incur specifically for storm water improvement projects. The trade-off while, it doesn't count against the city's borrowing capacity and it isn't applied against the general fund, what it does do

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is because it is pledged against a specific rate it is A, it typically drives the interest rate up  $\frac{1}{4}$  to  $\frac{1}{3}$  and then it also has the context within the note typically associated with the law that says if we fall short we have to raise the rate; we are obligated to raise the rate.

Deputy Mayor Reynolds: And falling short would; I'm thinking of the different scenarios.

Mrs. Lommatzsch: If you didn't collect the money you didn't have to pay.

Mr. Chodkowski: So if we thought there would be an 8% default rate and there was an 18% default rate.

Deputy Mayor Reynolds: So you're going to figure that out.

Mr. Chodkowski: That would all be part of what we could do once we knew how much money the utility would bring in. So having that discussion on the revenue to bond activity that would be a detailed conversation that we would have probably a year and a half to two years from now once we had some kind of semblance of what revenue we have. The ability to bond to special revenue is probably 3 to 4 years out because you have to implement the plan; you have to have the revenue stream.

Deputy Mayor Reynolds: So looking at the projects that we need financing for; looking at the projects that can be handled in-house have you and staff had discussions on those maintenance issues that were addressed in the plan? Have you looked at the cost to the city and staffing and what we can complete without it being a major project put out for bid?

Mr. Chodkowski: At this point in time no we have not.

Deputy Mayor Reynolds: Are you going to?

Mr. Chodkowski: Yes that would be something that we would look at if this were a matter that; the storm water utility that the city Council wanted us to pursue more diligently. At this point in time the recommended maintenance that is in here based on our current staff, we do not have the in-house resources for labor if we were to do it. We have the equipment but we don't have the labor time. So some of the maintenance work to reestablishing ditches would be work that we would have to subcontract out based on our current set up. But if additional revenue were available and we were able to take on certain maintenance responsibilities we could indeed run a cost analysis to determine if additional staff.

Deputy Mayor Reynolds: I would like to see that cost analysis. I know that that is a big request but a general idea of the dollars that we could save of the maintenance that we could do and what it would cost internally to have that additional staff or not have the staff. What we can complete that would help this process along because I think Lilly Creek is our biggest concern but I think there are all of the other concerns all across the community that have to be addressed and we need to look at how we can get to those and if there is a better way to do it.

Mr. Chodkowski: Not having had a lot of time to digest this material in depth I think to take on some of these larger scope of projects; Lilly Creek specifically, I think the only way that the project is going to be successful is for the easements and the maintenance obligations for those easements and to assume those responsibilities is going to be an additional demand on staff. So regardless of whether or not it is a short-term and the addition happens early in the process or the addition happens late in the process, additional labor will be necessary in this process. So we can take a look to say, hey we brought John and Joe on in year one, here is what we would be

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able to knock out in the maintenance category versus while we are prepping for the Lilly Creek as opposed to not.

Deputy Mayor Reynolds: Because looking at the report and I tried to read it is thoroughly as I can, some of those issues I think that we can probably deal with them in-house and maintain them and I know there will be a cost associated with it and I don't know that cost. I'm sorry that's just isn't happening. But if we have the tools that we need and just not the hands then that is something to look at. Thank you Sir.

Mr. Chodkowski: Sure.

Mayor Flaute: Maybe this is not the time for the fight but if we want to sell this thing I'm thinking that there are going to be two different prices for different residents. I guess we'll have to talk about that later.

Mr. Denning: They can do that as part of that study.

Mayor Flaute: We will never be able to sell this thing if it is so high and somebody on Schwinn Drive has to pay for Lilly Creek. I don't think we are going to be able to sell this thing.

Mr. Chodkowski: They aren't paying for Lilly Creek they are paying to maintain the city's storm water infrastructure.

Deputy Mayor Reynolds: It is a storm water utility Sir that's all it is.

Mr. Chodkowski: That is a fancy cup of coffee every day that somebody has to forgo. So instead of my lovely wife buying her \$4.95 Starbucks coffee every day she's going to have to get the \$1.20 at Speedway but I paid my storm water utility.

Deputy Mayor Reynolds: Speedway is very good Sir she will enjoy it.

Mr. Chodkowski: I preferred the Brazilian myself Ma'am. So unfortunately what is happening is that there are; and we see this in our budget, there are too many adjustments for too many people in how we address our expenses and we are running out of options and we are running out of alternatives to consider making modifications in rates because of who you are or where you live or what you do.

Mr. Denning: And just because that particular neighborhood was built in the 60s, 70s, and 80s so that everything was put in nicely versus some of the other neighborhoods that were put in in the 40s, 50s and whatever, 50s and it doesn't work today the way it was then doesn't mean they aren't all part of the same community and we don't all share in the same situation. We all pay for the schools and how many households don't have children in school but they still pay for the schools because it helps the community. And to me the storm water utility is the same thing and is for the good of the community as a whole.

Mayor Flaute: I see I am in the minority here so we will pick this fight up a little later.

Mr. Denning: So what do you need from us? Do you need some direction that we think we want one of these studies in next year's budget?

Mr. Chodkowski: Correct. The other issue is whether or not you would like to continue our relationship with AECOM as a result of the work that they have done or whether or not you would like us to again solicit RFPs for the work. Obviously AECOM would be entitled to provide a response on that.

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Mayor Flaute: Legally do we have any issues that we have to consider?

Mr. Chodkowski: You can do either. Based on what we saw as staff when they made their presentation on this we think that Mr. Reinicke and Mr. Kerr have the appropriate personality to work with us and our community.

Mr. Denning: They did an awesome job.

Mr. Fullenkamp: But it is \$100,000. I wouldn't object to bidding it out. And if they want to come in since they've done a lot of legwork they should be able to come in lower.

Mr. Chodkowski: And that is also true.

Mayor Flaute: I think I agree with that. Everything is in the report but I guess we are going to have to pay somebody else to read the report if they don't get the bid. I think I agree we ought to a bid on it.

Mr. Denning: I would like to see the study for the storm water utility in next year's budget.

Mr. Fullenkamp: We could estimate \$100,000.

Mr. Denning: Yeah we could estimate \$100,000.

Deputy Mayor Reynolds: Will you be changing anything in the bid package different from what we have seen?

Mr. Chodkowski: From the RFP? Yes what we will do is we will most likely find several examples; I mean RFPs for storm water utilities are a dime a dozen. So we will probably find a few that we would like. LJB has the capacity to respond to these but typically when we've asked them they have not. So they have elected to take a small lump sum fee to review and verify the engineering or the technical data we are requesting and if the RFP is appropriate and then we release it. And that's exactly what we did here with the Storm Water Master Plan. We will go ahead and prepare something and include funds in the 2016 budget.

Mr. Smith: Why would we want to do both studies? Because the water is coming from Greene County it originates there. Some of it.

Mr. Fullenkamp: Some of it.

Mayor Flaute: A lot of it.

Mr. Smith: You could be putting a Band-Aid on a problem that is much bigger.

Mr. Fullenkamp: That would be the Lilly Creek study.

Mr. Smith: Yeah well you have the Lilly Creek study and then you have the Greene County study.

Mr. Denning: No Lilly Creek as part of it.

Mayor Flaute: Yeah I don't want to be strung along again.

Mr. Chodkowski: There is no other way to say this other than to say we cannot continue to wait and argue that it is Greene County's fault in particular to Lilly Creek. These problems exist. The problem does not just exist from Greene County and the problem also has contribution from Riverside and Dayton and if you did a watershed study you will find that there is plenty of water from Riverside that sheds into Dayton and that sheds into Huber Heights, Bethel Township and vice versa. So we can continue to play the blame game all we want

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but it gets us no closer and there is no compelling argument for us to compel Greene County or the City of Beavercreek or Beavercreek Township to pay.

Mr. Denning: So are you suggesting that we do both studies and we set aside \$185,000 next year in the budget?

Mr. Smith: No he said don't do the Greene County study.

Mr. Denning: We have to do the Lilly Creek eventually.

Mr. Fullenkamp: We have to do the Lilly Creek and it has to include the entire watershed.

Mr. Denning: So we may or may not get anything.

Mr. Fullenkamp: Do we want to do that before we had the storm water utility study?

Mr. Denning: I want to get the storm water utility done. We need that to know how much.

Deputy Mayor Reynolds: It's the only practical way to do that to know what is going to be.

Mr. Denning: Yes only practical way to do it. Now the question is do you do them both next year or do you do one and then the other the following year.

Mr. Fullenkamp: We can always bring forward legislation to move; we'll have to have it in the budget right?

Mr. Denning: I think the manager would prefer.

Mr. Fullenkamp: Do we want to pay that through the general fund or do we want to pay for it through the storm water utility?

Mr. Chodkowski: Right.

Mr. Denning: I would think that the storm water utility would help pay for that.

Mr. Fullenkamp: Well but if we don't have it in place we have no mechanism.

Mr. Denning: But then that is the first thing we have to get going.

Mr. Fullenkamp: That's what I'm saying. But that is not going to be done by the end of next year.

Mr. Denning: Well no.

Mr. Chodkowski: Then you are talking all of 2017 to have the public outreach and to prepare the legislation and to talk about rates.

Mayor Flaute: What I'm asking is please do not say we are going to have to pay another \$95,000 for another study because this one wasn't complete enough.

Mrs. Lommatzsch: Well we are.

Mayor Flaute: This has got to be it. We just spent \$200,000 to tell us we have to spend another \$180,000.

Mr. Chodkowski: This \$200,000 study says you have to spend 15 million to 20 million.

Mayor Flaute: It's got to come to an end though.

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Mrs. Lommatzsch: There is not an end to running a city.

Mayor Flaute: I know but there has to be an end to how many studies we do before we get the shovel in the ground.

Mr. Fullenkamp: We have to quit putting them on the shelf. We have to start implementing them.

Mr. Denning: This is the first step in implementing this 30 year plan and they told us that this is what we needed to do. And they said these are the first two steps. Now the question that I'm asking is do you want to set aside \$100,000 or \$190,000 in next year's budget?

Mrs. Lommatzsch: What are you not going to budget then?

Mr. Fullenkamp: Are you going to fix less roads?

Mr. Denning: What would be your suggestion Mr. Manager?

Mr. Chodkowski: I would tell you that the most appropriate thing to do is simply budget for the utility plan. If you do the watershed study it will include additional information and include more detail costs but remember you are 24 to 48 months out from having enough revenue to construct it so your estimates are going to be skewed anywhere from 20% to 30%. So you now have to spend another \$10,000 on top of the \$90,000 to get the updated engineer's estimate so you have to spent more money than you need to to get the same information.

Mr. Denning: It is going to be five years before we can start implementing this 30 year plan.

Mr. Chodkowski: No I would say the Lilly Creek project. Some of these other items like the maintenance that Ms. Reynolds talked about that is highlighted in the plan that can start almost as soon as the rate study is in place. As a matter fact if it involves additional equipment acquisition or if it involves additional personnel being added to the service department those costs can actually be; the general fund would loan the special revenue fund money to make these purchases and those hires and when that money came in you would pay it back. So we can do that as well.

Mr. Denning: So three years.

Mr. Smith: It is a long-term project.

Mrs. Lommatzsch: I think the people along Troy Pike think their problem is just as serious as the Lilly Creek. If you live up there and your yard floods every time it rains you are just as impacted as the people in Lilly Creek.

Mr. Fullenkamp: We can't do them all at once.

Mrs. Lommatzsch: It's all equal. I'm saying there's no special area that needs it more than anybody else.

Mr. Fullenkamp: Okay but we can't do them all at once so we do have to set a priority.

Mr. Denning: We can go borrow \$20 million, hire a contractor and have it all done in one year and then pay for it over time.

Mayor Flaute: Okay, we are all talking in circles here this will all come up at a later time. So is there any other discussion? Do you need any more information from us?

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Mr. Chodkowski: No. Just to let you know this segues nicely into the October 1 work session; we started the budget season. It will be to release for us to have valid data to do operational projections but what we are going to do is kind of pull out and highlight what we know to be the infrastructure and capital projects that we would like to do. Ms. Christian will be here that day. She will just be back from the ICMA (International City Managers Association) conference in Seattle. I am not back in the office until Monday. So she and staff will be here to present that information to you. This item will now be included on that list as well as some other items.

Mayor Flaute: So you need any more information from us? Any guidance or anything?

Mr. Chodkowski: Not at this time.

**ITEM 7: RECESS:** The Council took a recess at 6:47 p.m.

**ITEM 8: RECONVENE:** The meeting reconvened at 7:00 p.m.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE** Mr. Steve Fullenkamp, Council Member led all those in attendance in the pledge of allegiance.

Mayor Flaute: I know I said something at the special meeting we had about a moment of silence for our service department employee. There may be some folks out here that weren't here for that meeting and don't know that we lost one of our fine employees. He had been working with us for 24 years and was killed in a car accident. So at this time I would like to have another moment of silence for Steve Bucholtz, our employee in the service department.

**ITEM 10: MINUTES: Consider approval of the minutes of the September 3, 2015 regular Council meeting.**

A motion was made by Deputy Mayor 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 WRITTEN CITIZEN PETITIONS**

There were no petitions.

**ITEM 12: CITY MANAGER'S REPORT**

a) **FYI**

i) **Council Request Sheets**

ii) **Council Agenda Calendar**

iii) **City Manager's Project and Activities Report**

iv) **Income Tax Collection Scorecard**

Mr. Chodkowski: Included in your packet you have several pieces of information representing the manager's report including the project and activities report. Staff and I would be more than happy to answer any questions that you might have regarding this information.

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Mr. Denning: Mr. Manager, was it us or Dayton that was doing repair work on Harshman on the other side of the bridge today? On the other side of the railroad tracks. It was our street. They were doing patchwork.

Mr. Chodkowski: That is us. That is Booher blacktop. We subcontracted with them to patch numerous cold patch clusters on the major thoroughfares.

Mr. Denning: It looks awesome and I'm hoping it will be a lot smoother. I know sometimes it is a traffic pain in the butt but sometimes you've got to do what you've got a do to make it better. Thank you.

## **b) Monthly Verbal Updates**

### **i) Police Department**

Chief Robinson: Thank you Sir. Basically I just want to touch on a few things that we talked about just a few weeks ago. The car crashes, you'll see I gave all of you handouts on the crashes and the locations that have the most issues. Also on there I gave you the amount of crashes that we have on main roads so you can take a look at that.

Mayor Flaute: Chief is this for a year?

Chief Robinson: This is for 2015. If you look at the crashes that we had; the worst spots, it pretty much tells the tale of the main drags here, Needmore, Harshman and Woodman. Those are our main issues. The numbers are up a little bit from last year from July or September until now. They are up to about 39 which I'm not real happy about. We will be discussing that with Major Hughes this week or tomorrow I guess. The other piece of paper that I gave you gives a breakdown of all of the intersections on a particular street so that will give you an idea of how many crashes we actually have not just on the intersections but also on Airway/Woodman, Airway/Access. It gives you the whole breakdown of all of the crashes so you will know where we are having some issues at. The one that actually concerns me the most and that I think was very odd was Troy Pike which was at 19. That was a lot for there; for the amount of traffic that we have there. That one is concerning me.

Mr. Fullenkamp: Sir can I ask a question? Is there a reason that Route 4 and State Route 35 aren't listed on this or don't we consider those? Do we just go by residential and thoroughfares?

Chief Robinson: Right if you look at the traffic crashes for the Woodman and 35 intersection that is actually both sides of 35 so both stoplights on either side of 35. We just combined the number to make it 31.

Mr. Fullenkamp: But the accidents that actually occur not at the intersection put on Route 4 or on Route 35.

Chief Robinson: No Sir. It actually occurred on Woodman at the intersection.

Mr. Fullenkamp: But we do have those numbers too?

Chief Robinson: Sure. I'm worried about the fact that we have 39 crashes from where we were last year however those are things that we can't really control as much as we like to.

Deputy Mayor Reynolds: Chief if I may, can you tell us any indication of what is happening? Is it raining, is it snowy, is it a clear day? Is there anything that is standing out that is creating this because that's a lot of crashes.

Chief Robinson: There is. There is a lot of ACDA which is assured cleared distance. Just people not paying attention. There are a lot of left and right turns in front of folks. But driver inattention is mostly what the

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problem is. I mean the traffic is congested and obviously there has been construction, there has been the weather with the snow, then we've had the ice and that has caused a lot of the accidents.

Mr. Denning: And there is texting.

Chief Robinson: And there is texting and there is talking on the phone and there is driver inattention. But we are trying to get out there and do some patrol and I think people are going to look at Troy Pike and find out why we've had 19 accident there which to me is a lot I thought. It is a little bit more difficult for the guys to stand up there or sit out there in their cars at this particular intersections like at 35 because there is nowhere for them to stay.

Mrs. Lommatzsch: But you know when you're coming west of Linden Avenue and you're going to make a right onto Woodman and it is no turn on red, is there any way that we can make that more visible than just the hanging sign up there because I have to do that a lot and it is amazing how many people just slide on around. They don't pay any attention to its no turn on red.

Chief Robinson: I gotcha. I will look into that and see what we can do.

Mrs. Lommatzsch: The only thing; there is the hanging thing and there used to be back there by KFC there was a sign but I think it isn't there any more.

Chief Robinson: Okay, yes Ma'am I will look at it.

Mr. Denning: I think if you put one of them cameras up and put a big sign on it they would notice it. I didn't say use the camera I just said put it up there so that they notice it.

Mrs. Lommatzsch: But there are a lot of near misses because of people in the inside lane and backup going into Dayton.

Chief Robinson: I will take a look at it and see what we can do.

Deputy Mayor Reynolds: It would start looking at your numbers Chief. Woodman that whole strip is just accident ridden. Is there anything we can do?

Chief Robinson: Like I said we can try and patrol as much is possible. I had an officer last month that probably wrote 100 citations. They're not all speeding tickets, they are all a bunch of other things but I'll be honest we are out there trying to move and shake on that to slow these down. But it just seems like the volume of traffic that we have, it is difficult.

Deputy Mayor Reynolds: Over half of the accidents that are on this report alone are on Woodman Drive.

Chief Robinson: Absolutely. You are correct.

Mr. Smith: And Airway Road comes in second.

Mrs. Lommatzsch: We had the speed sign out there the last couple of days.

Mr. Denning: Is the SPEWIE going to help with some of this?

Mr. Chodkowski: Yeah the SPEWIE would effectively; in theory eliminate the accidents in that 35 group. So where he is talking what is 31 accidents or 33 accidents in the report, this would effectively go away.

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Mr. Denning: Hopefully. That's the idea behind it anyways.

Chief Robinson: If it could somehow decrease it yes that would be nice.

Mr. Chodkowski: I would tell you that most likely once the SPEWIE was constructed and operational you would see a spike in accidents at the intersection in the first year and then you would see those come back down to a significantly lower number.

Mr. Fullenkamp: You know I keep asking about the counter that record speed too so we can know. Do we have a speed study for Woodman?

Mr. Chodkowski: Not that I'm aware of.

Deputy Mayor Reynolds: Do we need to do one?

Mr. Chodkowski: And that's part of; as we had talked about the city's current traffic counter does counts but does not account for speed so we do have estimates to acquire new counters that would account for speed which we do intend to purchase and then we would deploy. One of the things that we will be looking at initially once we have this equipment are the speeds on the Wright Brothers Corridor and that actually relates back last year to what is now the Woodman Drive median sign removal because through that study; or through that issue and evaluating that we identified at least three different speeds on that road. So we are going to take a look at exactly; not just what's posted but it is going to tell us what people are driving. And that will also help us know better maybe how to address some of these issues.

Mr. Fullenkamp: We do have quite a few speed changes on Woodman.

Mrs. Lommatzsch: All the way out to Hara Arena.

Chief Robinson: I talked to you about the Victims Advocate and the plan to make her job change little bit to include some the stuff that we want to do for the kids and I think what we are talking about right now is kind of a family resource . Remember that book I gave everybody that had all of the resources? Doing some kind of a family resource book that is just specific for families and having her go out to some places and give those out and give some speeches and talks to folks in the churches or the schools. We're still working on that right now. We haven't gotten it completely nailed down on how we are going to do it. I know that tomorrow she's going to be in Stebbins High School teaching five groups domestic violence and assault as well. Those are the type of things that we are trying to get out. That kind of information when we go to the schools and we give handouts for the kids at the school there.

Mr. Denning: Chief, the neighborhood watch, once we start neighborhood watch groups that would be a good place for her to do that type of stuff too.

Chief Robinson: Absolutely. She can come and talk to any of those any time that you want to have her. We'll just set that up and we will have her come out and talk to anybody that you want her to talk to. That's what she's there for. I mean obviously the Victims Advocate is for after a crime has been committed but there is nothing that says we can't get ahead of the game and start trying to educate people about what protocol you need to take or steps need to make to get things accomplished when something does happen or to be able to assist other people in your neighborhood. If somebody's having a problem next-door you could have that resource book and say hey, you know what, I can help you out with that. So I think it is a very good thing.

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Deputy Mayor Reynolds: And Chief may I suggest that she talk with Children Services personnel there.

Chief Robinson: I was just about to say that. She's been talking to Children Services as well as the Family Juvenile Court to see what is trending at this time and what we need to focus a little bit more on.

Deputy Mayor Reynolds: And the counselors at the schools would also probably be a good resource.

Chief Robinson: I'm sure she will be talking with them probably tomorrow when she is doing her stuff there. Moving on to tomorrow night at Stebbins High School is the homecoming. We will have some extra officers out there as well as Major Hughes is going to be on hand to be out to assist them on that as well. Also this weekend is the Air Force Marathon. The officers are going to be visible and you will see them at the various locations that you normally see them at to assist traffic issues that we have. The one last thing that I have is cyberbullying. It is out there and we are trying to get ahead of the game on that as well. So there is some cyberbullying and that includes stuff like that texting and the pictures so we are going to go over to Carroll High School which is very nice. We haven't been able to get over to Carroll High School to be able to do this. We are going to do a presentation on October 2 to the students there and the faculty in reference to cyberbullying. We'll tell them the bullying laws, talk about sexting and the online dangers of being on your phone as well as on the computer. So we will have a couple of officers over there doing that class as well.

Mrs. Lommatzsch: What time is the parade tomorrow? When this road is going to be closed?

Chief Robinson: You've got me on that one because I cannot answer that for you.

Mr. Denning: They're not closing the road. They do it from one end of Stebbins and they go around the building.

Mrs. Lommatzsch: Oh they don't have to go across the road.

Mr. Denning: They don't go across the street any longer.

Mrs. Lommatzsch: Cool. I guess that's why you didn't know.

Chief Robinson: Thank you for relaying that information Mr. Denning.

Mrs. Lommatzsch: Well they used to close the road for like an hour.

Mayor Flaute: Okay any other questions or comments for the Chief? Thank you Chief, thank you for your service.

## **ii) Fire Department**

Chief Carpenter: First I just want to say I want to apologize for not having the newsletter on hands; the Fire Department Newsletter. I was out last week; out of the office Monday and so I just needed to proof it over before I publish it so I think tomorrow it should be out. As you are aware we were awarded and Assistance Firefighter Grant of over \$130,000. We are very pleased about that. The money will be used to purchase and upgrade our SCBA's (Self-Contained Breathing Apparatus). We are going to work on an RFP and we should have it out before the end of October. One of the rules as far as the grant is that you have to have the equipment purchased and in place within 12 months. I think we should be able to take care that and meet that requirement. Also our new medic that we ordered in March, it is in Ohio. That's where it was Monday. It's at the dealership. We went through the medic and did a punch list. There are some things that we need to take care of and we are

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expecting it next week and hope to have it in service before the end of September. It is going to depend on a couple of things; the company that does the striping and the people that install the radios but we do have them scheduled. Also the fire engines, we have completed our change orders and so now it is back to the factory as far as the paperwork and in mid October we should get the production specs and once that is done they will give us the date that we should expect it. We are still currently expecting it to arrive in March or April 2016. If you are not aware; we were just recently made aware actually that our EMS crew standbys by at Friday night football at Stebbins High School and they nominated our EMS crew as Team of the Week last week, so we got a little plaque and it is very much appreciated. That's all I have.

Mayor Flaute: Alright thank you Chief. Do we have any questions for the Chief? Seeing none thank you, thank you for your service.

### **iii) Service Department**

Mr. Miller: I want to thank the administration in particular and Council for the amount of support you provided. Mr. Chodkowski and Ms. Christian I think provided a food platter which the guys scarfed down pretty quick. But just tremendous positive support which we appreciate. We can't really put into words but we do appreciate the support. Getting on with the report, Harshman and Burkhardt, American Pavements has been out and they completed sealing Harshman. We have miscellaneous mill and fill which Mr. Chodkowski mentioned Booher is doing. We are selectively looking at areas that are really in pretty bad shape and need to be cut out and then blacktopped. We are working on researching some projects for next year such as our 2016 cape seal. We are developing some lists and looking at where would be best to do that project. You can't do that on a road that has failed it has got to be in fairly good condition and you are preserving it up to an additional seven years so it costs about maybe 20% of a mill and fill. So the cost is really a good utilization of our financial resources to preserve our roadways. We have had meetings with Dayton for work exchange and also with Trotwood for work exchange. We met with Mr. Stovall today. We explained to him our situation; we are actually two workers down. We have one person that is out on medical and I'm not sure when he will be back or if he will be back but we had two operators and now we have no operators right now. We have workers but no operators. So it is going to be challenging this winter. We were talking with Dayton about some considerations on taking over some areas that are joining Dayton because if you have 12 hour shifts you only have four people and we have five trucks. We are really going to be pressing the envelope to try and get everything done and keep the standard that we have tried to set over the past years. It is going to be challenging. The guys took a trip up to Bucyrus to look at the trucks that are in the process of being built. We are anticipating them maybe the third week of November they will be delivered that's what we are hoping. We've got all the normal work that we do, catch basin repairs, street sweeping, the grocery list of mowing has not slowed down but we've been trying to keep up with everything. If you have any questions?

Mr. Denning: So we are not going to get any snow until the fifth week in November.

Mr. Miller: Will still have trucks.

Mayor Flaute: You just don't have operators.

Mr. Miller: We don't have operators.

Mr. Denning: I only want to use a new truck.

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Mr. Miller: I've talked to Mr. Stovall today in regards to that.

Mr. Smith: So when we say we don't have operators does that mean we don't have truck drivers, backhoe drivers?

Mr. Miller: Well I can always step into a pickup truck and run it. That is not beyond question at all. And the guys may end up overlapping shifts is probably what we will end up doing. But there could be long hours. If you get 20 hours in the truck it starts getting a little problematic.

Mr. Chodkowski: To address your question Mr. Smith, the department breaks down into several different categories of employees. Two of the department employees are equipment operators so they are the most proficient and spend most of their time working in the more technical pieces of equipment. So they are the ones that typically operate the backhoes, they are the ones that run the street sweeper, the dump trucks and those types of things. All of our personnel can do those things but the maintenance workers are not as proficient as the equipment operators. So when we say we don't have any equipment operators, all of our personnel can operate our equipment but for what Mr. McBee and Mr. Bucholtz could do in a backhoe in 20 minutes a maintenance worker might take 30 minutes or 40 minutes. That is just simply because they are not proficient. So with regards to how we are going to address the needs and the short-term our first reach is to Dayton and the hope is that some of the areas where we already exchange; at least for the season; instance Forest Ridge, Popa Tiga and Renfield and Segue. Dayton would simply pick up all of that area on our behalf just for the season. In the event that that is not the case or Dayton does not have the resources to do that we will look at contacting a private company who may be able to do some of the nonpriority; nonroadway but still priority areas. So City Hall, the fire stations and some of the other areas where we still need to be in there on a regular basis during snow events but present a more refined scope of work for those vendors. So that is what we are exploring right now and as Mr. Miller said our first step was to touch base with Dayton. So we would expect to hear back in probably a week or two. It is something I asked today for them to strongly consider and to dig deep and find the resources to help us out.

Mr. Smith: Thank you.

Mr. Miller: They have gone from 500 employees to about 260 employees since their cuts. Since I've been here I remember about every year and a half or two years there have been massive cuts in Dayton. So he had 500 personnel at one time and he's got 260 now. And that includes trash removal and a lot of other functions.

Mr. Fullenkamp: So Dayton will do this in return for what?

Mr. Chodkowski: Because we are going to ask them nicely. I did mention to Ms. Dickstein that if there were financial considerations that were necessary for them to be able to assist us provided they were reasonable we would be more than happy; if they needed the equipment and we could provide a truck or two that they needed; if they needed financial support for overtime or part-time or whatever it is they may need I think we would be more than happy to provide that or some type of assistance.

Mr. Fullenkamp: Are non-operators qualified to drive snow equipment?

Mr. Chodkowski: It depends on the piece of equipment being operated. So it is not uncommon for; well I know how to drive the larger trucks I do not because I do not possess a CDO in the state but it is not uncommon for me for instance to get in one of the 250s and go out and help the guys in the residential neighborhoods. Mr.

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Miller has the ability to do the same. So there might have to be some special consideration of work assignments but there are personnel who can go out and do those things.

Mr. Fullenkamp: Is it possible that this is an opportunity for some of our staff to get additional training to become proficient?

Mr. Chodkowski: Every person that we have in the public service department regardless of their title is capable of driving the 5 yards and operating the 5 yard dump trucks. So this isn't an issue of we don't have skilled and capable labor to perform the tasks we don't have enough labor to perform the tasks based on what we typically have for the season.

Mr. Fullenkamp: So obviously we have to hire at least one person.

Mr. Chodkowski: That is correct. And it may wind up being that we are able to make that hire within time but collective bargaining requires us to first offer the equipment operator position to internal candidates.

Mr. Fullenkamp: How long is that process? As defined in the contract?

Ms. Christian: The posting is 10 days and they can hire in 60 days following that.

Deputy Mayor Reynolds: Say that again Ms. Christian.

Ms. Christian: We have to have the posting up for 10 days and then the hire has to be made within 60 days after the expiration of that posting.

Mr. Chodkowski: And I believe the posting was today?

Ms. Christian: No, it will be tomorrow morning.

Mr. Fullenkamp: Alright. Thank you.

Mr. Miller: We have developed a test also, a practical test for the operator where we are basically going to grade him on how well he operates the equipment. We also have an interview process which Ms. Christian really was very instrumental on helping us with that. It won't be an automatic just because someone applies for it they're going to have to earn it just like they do everything else around here.

Mr. Fullenkamp: It sounds like they ought to use the old trucks for a while.

Mr. Miller: So it is.

Mayor Flaute: Okay any other questions? Alright thank you Mr. Miller, thank you for your service.

## **ITEM 13: PUBLIC COMMENT ON AGENDA ITEMS**

There were no public comments.

## **ITEM 14: NEW BUSINESS**

### **a) ORDINANCES**

- i) Ordinance No. 15-O-583 an ordinance amending Chapter 931 of the Codified Ordinances of the City of Riverside. (First Reading)**

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Mr. Chodkowski: Pursuant to future action by this body this ordinance is brought forth to make amendments to Chapter 931 of the Codified Ordinances as it relates to waste collection services for the City of Riverside.

A motion was made by Deputy Mayor Reynolds to approve Ordinance No. 15-O-583. Mr. Denning seconded the motion. The Council Clerk read the ordinance in its entirety.

Mr. Fullenkamp: I'm just looking at some of the amendments to the document. All persons owning an occupied residential unit within the city of Riverside. This is 931.02. We have change that from units. What happens if a unit is not occupied?

Mr. Chodkowski: Well in this instance the property owner; it will be the resident who is responsible to pay the fee or pay to throw if you will. So where we are talking about things like maybe I am a snowbird or maybe I own the home and I'm trying to sell the home but I am military and I've been transferred. I am not producing waste to be thrown or to be collected therefore there is no obligation to pay for the service that I'm not receiving. The obligation to have to pay the vendor does not exist so that is why we put that condition in there.

Mr. Fullenkamp: And then there is 931.03. Nevermind that's all I have.

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

**ii) Ordinance No. 15-O-584 an ordinance repealing Chapter 147 of the Codified Ordinances of the City of Riverside. (First Reading)**

Mr. Chodkowski: This ordinance is brought forth pursuant to Council's request to repeal Chapter 147 of the Codified Ordinances referencing the Multimodal Commission.

A motion was made by Deputy Mayor Reynolds to approve Ordinance No. 15-O-584. Mr. Smith seconded the motion. The Council Clerk read the ordinance in its entirety.

Deputy Mayor Reynolds: Again Mayor I think we just need to thank all of the members for their service and spread that across the minutes.

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

**b) RESOLUTIONS**

**i) Resolution No. 15-R-2094 a resolution accepting the amounts and rates as determined by the Budget Commission and authoring the necessary tax levies and certifying them to the County Auditor.**

Mr. Chodkowski: This legislation is brought forth with regards to Council's capacity as the budget commission to set tax rates and amounts for tax year 2016.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2094. Mr. Denning seconded the motion. With no further discussion a vote was taken. All were in favor; none were opposed. **Motion passed.**

**ii) Resolution No. 15-R-2095 a resolution authorizing the City Manager to enter into an agreement with Dempsey Waste Systems II, Inc., (DBA: Republic Services of Dayton) to provide wated collection and disposal services to the City of Riverside under certain terms and conditions.**

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Mr. Chodkowski: This resolution is brought forth to authorize the City Manager to enter into an agreement with Dempsey Waste for waste collection and services as defined in the bid for such services.

A motion was made by Deputy Mayor Reynolds to approve Resolution No. 15-R-2095. Mr. Denning seconded the motion. With no further discussion a roll call vote was taken as follows: Deputy Mayor Reynolds, yes; Mr. Denning, yes; Mr. Curp, no; Mr. Fullenkamp, yes; Mrs. Lommatzsch, abstain; Mr. Smith, yes and Mayor Flaute, yes. **Motion passed.**

## **ITEM 15: PUBLIC COMMENT ON NON-AGENDA ITEMS**

Mayor Flaute: So now we will move into public comments on non-agenda items and there has been a person that has asked to speak before Council and so we would like for Mr. Wright to come forward and try and keep your comments between three and five minutes please.

Mr. Wright: Yeah this is directed to the Police Chief. On July 30; we own Eastside Auto so me and my dad. I went over there to cut his grass that morning and found vandalism to a vehicle. I called the police department and Sgt. Ritchie I believe it was came out and did a nice job on the report and everything. It went on for about a week and a half and I didn't hear anything from him and I made an attempt to call him and waited two or three more days and I finally got ahold of them. He basically told me that he went out and put a card on the people's door; the children that were involved in it and they haven't contacted him. I waited another week and called them back and said have you heard anything. No I haven't heard anything from the parents. I said, well have you sent anybody back at a different time? No. Are you going to do that? Well at this time I really don't know what else we can do for you. So that's not good. So I hung up the phone and called two or three friends that are police in different areas and asked them what their protocol was. They said they would transfer it to second shift and have them go back out and talk to the people to see what is going on. As to date every contact that I have ever had with the police department I have initiated. And I was just wondering are you going to go out and talk to the kids? Are you going to do anything? Am I just stuck with this or what? I don't feel like you guys have made an effort at all and I called and left you a message since yesterday and the Major yesterday and I haven't heard anything from either one of you. I know you can't go out and talk to a kid without the parents being there but if they are not there and you're leaving a note on the door do you really think they're going to call you?

Mayor Flaute: Mr. Wright, Chief will get back with you on your questions and comments. He will call you tomorrow. Thank you Sir. The next person is Mr. John Schnieders. Mr. Schnieders.

Mr. Schnieders: Thank you distinguished Council members. I wanted to say that I've seen some progress with the police department in helping with the neighborhood watch off of Valley Street. I don't know what's been happening but it seems like they are more visible out there to us now and I applaud the Chief and his department for that. One thing that comes to my mind is the speeding Chief that we have down there on Broadmead and flying through there. I for one and a couple of other people have mentioned to me about setting up cruisers or allowing us to use your speed checks; about doing that and the people say, well you are out there and half the neighborhood knows you are there because you keep pulling them over. Well I myself would volunteer to let you park one of your vehicles in my yard and catch them that way. But there are a couple of other people that said they would be willing to do it also. And as far as the other big thing that I am having problems over, there are people wanting to know how come we cannot get our curfew enforced and I tell them what I've heard, that kids can go out and get in trouble if they want to get even with their parents and then the

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parents have to pay a penalty for it. The response I've been getting is I will pay it and then I will take it back out on the kids and put the correction where it belongs. But they want to see it enforced. Thank you very much.

Mayor Flaute: Thank you Mr. Schnieders. I don't think that there is anything that the Chief needs to respond to you with.

Mr. Schnieders: No.

Mayor Flaute: Okay, very good, very good.

## **ITEM 16: COUNCILMEMBER COMMENTS**

Mayor Flaute: Okay moving on to Councilmember comments. Are there any Councilmember comments? Yes Mrs. Lommatzsch. Did you have an interesting meeting today? Were you at the Miami Valley Regional Planning Commission?

Mrs. Lommatzsch: No that was another group.

Mayor Flaute: Oh I'm so sorry.

Mrs. Lommatzsch: That's all right. But I will remind everybody that the 13<sup>th</sup> is the trip to Columbus for MVRPC. I understand that may be Mr. Taylor is going and I plan to go. Tentatively we would like for you to keep December 10, that is a Thursday evening, for our new building open house. 4 p.m. to 6 p.m. maybe we would invite the business associates, other city Council, managers or whatever and then have it open for the public and the city residents from 6 p.m. to 8 p.m. and invitations would read that. So put that down and the City Manager and I will confirm that later. Tomorrow I will be out with the Chamber which is putting on a promotional piece for the city and Chuck Childers and I have been doing a lot of; well one time we've been out for about three hours taking pictures through the city and we will finish it tomorrow with the firemen and policemen and service department. And any recreational thoughts that you have. We have all of the parks and all of the obvious things. So anything that particularly hit you as a photo of the city I will talk to you after the meeting because we are going to be taking more pictures tomorrow. We are banking a lot of pictures just to have for the Chamber and the city but tomorrow we will be doing the three departments and hopefully they will be no fires and no wrecks. And then hopefully this piece will be ready shortly for dissemination. And it should be a nice piece.

Mayor Flaute: Thank you, thank you Mrs. Lommatzsch. Anyone else? Deputy Mayor Reynolds.

Deputy Mayor Reynolds: Thank you Mayor I appreciate that. Mr. City Manager and Chief Robinson, we've had two men come before us this evening talking about more enforcement of the curfew law. I don't know what we are really doing on that now. I don't know how that is being handled by the police and I don't know to Mr. Wright's concern that we knock on someone's door a couple of times and then we don't go back if there is been vandalism. And I know I may be catching you all of guard but I think it is something that if that is occurring we need to look at maybe the protocol that we are using and if the vandalism is continuing in certain areas and kids are out late at night what are we doing with the curfew.

Mayor Flaute: Do you want and answer now?

Deputy Mayor Reynolds: Do we utilize that much Sir?

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Chief Robinson: No we are not really catching a lot of younger people out late at night especially this time of year with school. But like anything else if we get a call we will respond but if we don't see it we can't go out there; if we don't get a call from the citizens to tell us to come out there.

Deputy Mayor Reynolds: Also just a couple more things. I feel so bad for our service department. The service department has had a rough week and I know that you all will get through it and will do what's right but I worry because we are down and in those situations we are going to create a burden on the service department. So Mr. City Manager if there is anything that we can do to maybe tighten up those timelines. I don't know if we can talk with our union reps to see what we can do or things like that. And not knowing how long our medical leave personnel will be out, that is another constraint and it is going to be hard this winter for our residents if we are down staff. So whatever we can do I would appreciate that. Also I want to remind everyone we are having a Candidates Night on October 14. You are all invited to that and I hope you will participate in that. And thank you all for coming this evening. There are some of you in the audience that bring messages to us that we need to hear and thank you for that.

Mr. Smith: Where is this Candidates Night at and what time?

Deputy Mayor Reynolds: Candidates Night will be in this room at 7 p.m. and Mr. Smith is helping with refreshments. If nothing else come for the doughnuts.

Mr. Denning: Don't forget that the Air Force Marathon is here this weekend and we will have lots of outside folks here from about 5 o'clock in the morning on Saturday until about noon. So be careful and be cognizant of the extra traffic that is going to be in the area and don't forget we are going to have to work through it. But these folks are our guests in our city.

Mr. Smith: The Ice Cream Social is Saturday at Airway Shopping Center put on by the Riverside Historical Society. It starts at 1 o'clock and goes until 4 o'clock. So come out and get the ice cream. And there will be vendors there.

Mr. Denning: And I think Elvis will be there. Elvis is supposed to be there. It is his 80<sup>th</sup> birthday.

Mayor Flaute: And there will be some popcorn.

Mr. Smith: You're all welcome.

Mayor Flaute: Okay just a couple things. The Community Church had an East Dayton Senior Collaborative that they've been doing and it was a very good luncheon that was there. I went to the anniversary ball celebrating 68 years of the Air Force so that was quite a good thing that we need to be involved in. I celebrated A Day of Peace on Sunday with the Sikhs. We have a Sikhs temple on Harshman Road and they are a very interesting group of people and every year they invite me to either the environmental day or celebrating their day of peace. So it is a good thing for community to have diversity. I celebrated lunch with our senior citizens and they're doing a lot of good work. Montgomery County Appalachian Board, as many as you know I am on the Montgomery County Appalachian Board and our goal is to give a lot of information out to the Appalachian folks in our city and I continue to do that. The In Crowd at the Dairy Queen was last Tuesday and so it was a fun night. Come to the In Crowd. They are once a month and we go to a different restaurant every month and the next one we are going to Germany. We are going to the Eintracht Club so come on out it is always a great event. Tonight I went to the POW/MIA Recognition Ceremony on the Base so that was a very somber but very

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good events. There are a lot of folks that are still missing in action especially from World War II. There were still 79,000 people still missing in action; Americans missing in action from World War II. There are 132 missing from Iraq and Afghanistan conflicts so that is the difference we live in. But it is still 132 too many people. But 79,000 to 132. We have to keep pushing those efforts and making it happen. We've already talked about the Ice Cream Social. So the last thing is I had three weddings in the last two weeks and they are gearing up again as fall goes on. That's all I have. Is there anybody else that has anything else that they want to say?

## **ITEM 19: ADJOURNMENT**

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

The meeting ended at 7:47 p.m.

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William R. Flaute, Mayor

Clerk of Council