

Thursday, July 21, 2016

ITEM 1: CALL TO ORDER: Deputy Mayor Smith called the Riverside, Ohio City Council Meeting to order at 6:02 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

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

Staff present was as follows: Mark Carpenter, Interim City Manager and Fire Chief; Chris Lohr; Interim Assistant City Manager; Tom Garrett, Finance Department; Robert Murray, Economic Development; Brock Taylor, Planning and Project Management; Mitch Miller, Service Department; Frank Robinson, Police Department; Dalma Grandjean, Law Director and Brenna Arnold, Clerk of Council.

ITEM 3: EXCUSE ABSENT MEMBERS: A motion was made by Mrs. Reynolds to excuse absent members Sara Lommatzsch and Mayor Flaute. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

Mayor Flaute arrived at 6:55 p.m.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: There were no additions or corrections to the agenda.

ITEM 5: APPROVAL OF AGENDA: A motion was made by Mr. Denning to accept the agenda as submitted. Mrs. Reynolds seconded the motion. All were in favor; none were opposed. **Motion carried.**

ITEM 6: WORK SESSION ITEMS:

A. Board Interview for Health and Safety Commission: Alice Waddell was unable to attend.

B. Discussion: Eintracht River Access Project

Mr. Murray: We are getting very near the completion of Eintracht so what we are looking for is where to go from here. I would like to do a quick review of what we've got and where we are with the documents we have put in place. We do have members of the Eintracht in the audience today; Bill and Rose are joining us. What we've got outlined in white is what we originally got from the club. The two yellows are the properties we picked up through REAP. One of them was a Zennell property and you know all of the problems we had with that, but we did get it and sustain that. The other in the yellow to the north was actually down in the Miami-Erie Canal and we destroyed that as well. This shows something a little different there, the first concept of what we had when we were trying to purchase this and it also notes the cemetery. We did pick that up later through the REAP process as well. Everything you see in white as well as the cemetery we now own as part of this park, as we are calling it. The anchor there shows approximately where we were thinking in the very beginning that the boat launch should be, but we moved it down based on ODNR's direction.

These are just some of the amenities that are there. In blue is the Ohio Conservancy District property. It is a dike; it runs all the way along there. It is to be maintained by Ohio Conservancy, of course. It's not anything that we have to worry about. The Miami-Erie Canal runs right through the property, which is a feature I think we would like to exploit or emphasize or bring more to light as we go forward to make it another amenity. That is the Cooks Cemetery, again it is designated there. We've got very good documentation on who's in there, when they died, when they were buried and where they came from. We've got a very good description of that from the original owner.

Then you've got the club. I summarized the major features of all four or five of these documents. The purchase agreement, where we established the price, which was

Thursday, July 21, 2016

done by appraisal. It did line out some of the things the club is responsible for before we bought that. We did have the Fire Department go out to the club. We had Montgomery County go through the club. We had our engineers go through the club and we had a list of things that they were responsible for. At the purchase the money to fix those was put in an escrow account and those things were addressed. The next extremely important is the ODNR deed restrictions, these run with the club. These are perpetual and are run with the land. It does talk about maintaining this as a natural area and talks about the two inch trees. It also brings up the penalty, which I think you have seen there. The other thing it did was give us exception to all of those rules, so as we were going through there in negotiation with ODNR to set up the access it does say that we can use this place for party rentals. We can do things in that and change this ground with anything that helps do the party rentals as well as the boat access, so it does give us a lot of leeway in what we can do. We can't build another principle building, but we can sure build accessory buildings. Mr. Denning: Like shelters. Mr. Murray: Absolutely, band shelters. When we went to ODNR, we had a three year plan to what else we could build out there which included the band shelter and a few other things. They gave us the exception to do those things. Anything we can do for public assembly, which is an associated use not a principle use. We can do things like that out there, so we do have some possibilities to change and modify what we are doing.

The lease agreement established the guidelines under which the Eintracht occupies the place. They are there for one dollar, but are responsible for everything: the outside of the building, the inside of the building and all the mechanicals that goes along with that. That's under their preview. They have to keep it up to our standards. If the paint starts to peel or something like that, they will address that for us. Because we didn't quite get everything covered in the lease agreement, we came up with a usage and licensing agreement as the fourth document to explain things a little better. I think the main thing in there is the signage and what we are doing out front. It also extended their lease another ten years, so in the first lease it says ten years and the second lease they have the option to go out another ten years; twenty years they can occupy the site. It also indemnifies us from everything. We are responsible for the fire insurance. We are responsible for the utilities on the park side. The usage and license agreement also divided this property into two sections: One is the facilities, which is exactly what the Eintracht is leasing. The second is the park. There is a line and I've got the map on that. I've think some people have seen that, but I can give it to more of you. They are responsible for this side of the line; we are responsible for the other side of the line.

Mr. Fullenkamp: How was that line established? Is it surveyed? Mr. Murray: I have no idea. We can see it from the features where it is, but I don't think it was surveyed. I think that's an issue, that it is kind of nebulous. We can go out there and look for it and kind of find out where it is, but the actual line itself I don't think it was established by a survey. I think it was just a yellow line on that map there. Mrs. Reynolds: When we are talking about responsibility on this side of the line and responsibility on that side of the line, could you go into that a little more, sir? Mr. Murray: As you can see, the usage and licensing agreement designates one side as the facilities and the other side is the park. Our responsibility to the public is to keep that access open, so they designate us as the ones maintaining that sidewalk and everything around it. It also tells us very strictly in the ODNR exactly what we are supposed to do for that park and the property as a whole. The main difference is the facilities are to be maintained by the Eintracht Club, so all that hardscape: the buildings, the sidewalks. That's on them. Mrs. Reynolds: Anything going up to the building. Mr. Murray: Is them. Mrs. Reynolds: So everything in yellow is the responsibility of the Eintracht? Mr. Murray: I can't remember. Mike said yes, it's yes.

Deputy Mayor Smith: Who is responsible for the grass cutting? Mr. Murray: Each side of the line is either us or them. They said they would pick up everything on the other side of the fence, so they are going to do everything by the new fence that is put in there. That includes a lot of the stuff that we've got as well. Mrs. Reynolds: The walkway? Mr. Murray: At the pathway. Right. Mr. Fullenkamp: Is the septic considered facility? Mr. Murray: Absolutely. Mr. Fullenkamp: Absolutely by why? Mr. Murray: Because it can't be divided from the building; it is a fixture. It is an

Thursday, July 21, 2016

integral part of the facility, just like water and HVAC that building can't operate without it, so it is facility and is noted in the documents that the sewer septic system is part of the facilities. Deputy Mayor Smith: In your picture here in the red, there are cars over there on my left side and your right side. Mr. Murray: Those were junk. Those have been taken out by the Service Department. It's an old picture; it goes back to the original. Deputy Mayor Smith: It looks like it goes pretty close to that neighboring property. Mr. Murray: It does. The Elks Club is just north of there and they are looking to cooperate with us as well to have joint things take place so that it's a much larger venue than what you might think. Mr. Fullenkamp: One more question, does the entire septic including leach tank is that within the yellow line? Mr. Murray: I don't think so. I think it exceeds the yellow line. Mr. Fullenkamp: It is all within the yellow line? Mr. Murray: I don't think so. I think it went beyond the yellow line. It came into our area, I would think. Mr. Fullenkamp: Ok.

Mr. Murray: So where do we go from here? Current issues we've got. The septic is inadequate for current usage and has experienced overflows in the past. That's been adequately addressed in my mind and we can argue this until the cows come home, but what we've got right now is a contract with a local septic company that comes and monitors that on a monthly basis. They are there checking to be sure it is adequate to take whatever sewage it is coming for. This thing operates on a rhythm; of course, you know when people are going to be there, when there are crowds coming and so on. That contractor will address that rhythm and continually look at that space. There was a major problem in that the downspouts were headed right towards that septic and that has been corrected. Those are away from it now and should really limit what happens there. In talking to the County, they are going to be watching it and we are going to be watching it. If there is any overflow, the place will be condemned and they will stop until it is fixed so that's going to be very strictly monitored.

Mr. Fullenkamp: It's going to be a sore topic, but my understanding is the City created a problem for them in the septic system. Mr. Murray: We can debate that. Mr. Fullenkamp: Well that's my understanding. The City repaired a sink hole and poured concrete into their leach tank and obstructed it so it is no longer usable requiring them to pump the septic tank periodically. Is that correct? Mr. Murray: We touched it and whether it was adequate at the time is probably the question. Mr. Fullenkamp: Mr. Taylor is shaking his head no, so what happened? Chief Carpenter: I want to say there is more to that story. Mr. Fullenkamp: I want to hear it. Mr. Taylor: You had asked in an email about some information on that and we had compiled that and got it to the Interim City Manager late yesterday, so I don't know if you've had a chance to review that or received that yet. Mr. Fullenkamp: I've received nothing yet.

Mr. Taylor: Basically working with the Service Department, what happened back in April. When I was walking the job site for the initial with the contractor we walked through and we began as we were walking the path by the playground we were starting to smell a smell of raw sewage. We were confused and we were like you might have an issue with your septic tank, so as we walked up and got to the tank there was a sump pump dropped into the tank with a garden hose coming out of the septic tank pumping sewer water into the yard. My contractor was rather displeased; he works with ODNR a lot and has done a lot of river projects. He highly recommended that I do something about that. I immediately called Mr. Percival and he told me I need to call Eintracht and tell them to stop and that's where we started. Through that process we were trying to figure out what was the problem with the tank, so we had Roto Rooter come out and they pumped the tank. We also had Chris Doggett from Public Health come out; he's the one who reviews septic tanks and then inspects them. As the tank was being emptied and it took two trucks, which are 2,500 gallons to the tank, so over 5,000 gallons; it's a huge tank. It's not a cast in place tank, like you would expect from the 1940's. From their experience, Roto Rooter and Chris Doggett said this tank is about 10-12 years old. Chris said there were no permits from the County and that they noticed the tank was installed incorrectly. It was too low, hence the water rolling into it. There's a wheat pipe or some people call it the seat pipe. That connects your solids sink to the bottom and your fluids rise to the top and it goes through that wheat pipe and then down the leach pipe to the leach

Thursday, July 21, 2016

tank; that was capped with concrete from the inside and then was disconnected from the leach line and so according to the professionals, looked like it had been done prior, sometime a decade or so ago. Mitch can attest to this; when they ran the video for that tank that the Service Department filled, it was dry. There were no penetrations coming into it and nobody knew what it was. It was my understanding that everyone knew. I wasn't there; Mitch might be best to comment. I believe everyone was under the impression that nobody knew what it was; Eintracht also didn't know what it was and the decision was made to fill it. In my opinion, it probably didn't have an effect on the septic tank as it was already disconnected from the leach tank.

Mr. Murray: At any rate, where we are now is that will be pumped on a monthly basis and it will be monitored monthly to make sure that it doesn't get close to the top again. In discussions that I have had with the County, I explained this as a temporary situation, that this is inadequate. I also said that we really don't care if there is a septic there or not and we don't care that the Club has that. It would be totally on the Club to maintain their facility; they would need that to exist. What it got down to after a month of dealing with the County is the County said sorry, we don't have any jurisdiction here. This isn't up to us. Mr. Fullenkamp: One more question, at no time did the City dump concrete into the leach tank or blocking a sink hole at the leach tank? Mr. Miller: We did. Here is the reason we did: The pit was 10 foot deep. It had already been compromised by somebody driving a pipe through it. I believe the Eintracht Club was putting in fencing or whatever. They hit it twice and it went clear to nowhere; they couldn't tell where it went. That's when we called in Roto Rooter and had the camera. There was no pipe entering or existing. There was gravel at the bottom. There was speculation that it may have been a house at one time; unknown. We specifically asked if the Club had plans and we were told at that time that they did not. The risk of letting people walk around where you've got a pit that's 10 foot deep and falling in or a car or vehicle inadvertently driving over it was too much for my department. My responsibility is safety. We filled it in so it could be driven or walked over.

Mr. Fullenkamp: Did staff speak with the Eintracht Club before they performed this action. Mr. Miller: I believe Mr. and Mrs. Eintracht were in the vehicle when it was cameraed. Mr. Fullenkamp: I'm saying when you did the remedial action. Mr. Miller: We discussed what the options were and the options were not very many. The options were to fill it in, make it safe or make a swimming pool out of it and put concrete in the bottom of it. It was pretty big and it was an eminent safety hazard to the City and to residents who might be walking in the area or driving in the area. Mr. Fullenkamp: Was that in the park area or in their control area? Mr. Miller: I believe the discussion before was outside of their area. The leach pit was outside of the Eintracht's rental area. Mr. Murray: I think so, right? You have an old drawing of it and it kind of showed that the leach... Mr. Miller: We did get the plans a couple of months later from Eintracht showing that both pits, the septic system, the connecting pipe and that pit. It was a couple of months after the fact and personally I don't like taking risks. I like making sure that things are safe, so that was my decision to do that. Mrs. Reynolds: I know very little about leach fields and septic systems; I just expect them to work right. Did whatever the Service Department attempt to fix, did it cause a greater problem? Mr. Miller: No because the piping was already collapsed and disconnected from the initial set up. Mrs. Reynolds: Nothing was going into the leach bucket? Mr. Miller: That is correct. I've got a contract with Choice One right now to basically make soil tests, determine whether or not it is feasible to have leach lines out there. The problem with that, you have to realize, this is in a flood zone. The other alternative, this is what the Board of Health gave us, is to get a little mini lift station, which you would have to do. I believe the sanitary is on the other side of Troy. We would have to bore and jack to run a line up there and then connect it to the existing sanitary. There's no sanitary on that side of the road to my knowledge. Mrs. Reynolds: You are saying a lift station on the east side of Troy to pull this up? Mr. Miller: You would have to pump it up to where it could flow into the existing sanitary on the other side of Old Troy.

Mr. Murray: So where we are right now is temporarily we have a solution that everybody will maintain. The long term is to do the real fix. To look at the funding for

Thursday, July 21, 2016

that, we've got the Well Field will come to our aid and do 50% of the project; we've had soft discussions with them to go ahead and do that. From the beginning, ODNR said if the population and the amount of people going to the site warrants it ODNR would do another grant for us to install restrooms at the bottom of the hill down there for that park side. If we get them down to the park side, the facility could be tied in too at that point. The next is an overall sanitary sewer for all of Old Troy Pike, especially for those guys down that hill. Eintracht is not the only one that is going to be suffering from this, there are two or three or four or five houses that would need a lift station and that could be shared by everybody at that point. The long term is to look for those sources to fund this. Right now, it is resolved to the point where we've got someone maintaining the facility. Ohio EPA is the ruling party here now; the County doesn't have anything to do with it. If either us or the County finds that there is any more overflow from there, it will have to be addressed by the Eintracht immediately. That's where we are. I think they are a good partner of ours and we want a long term solution that is financially viable to everybody.

Mrs. Reynolds: We do have options for grant dollars from the Well Field and ODNR?
Mr. Murray: Absolutely. Mrs. Reynolds: Have you talked to either one of those to see the viability? Mr. Murray: Soft talk with the Well Field people. It hasn't gone to their committee. We don't want to do that yet, but among the multi-jurisdictional people we have talked about that and they would be willing to support that. Mrs. Reynolds: I think we've had many conversations with the homeowners along that...
Mr. Murray: We've got problems up and down through there. Ohio EPA is aware of our problems over there. They've sat me down and said you need a sewer here and I said how much money do they have and they don't have any so we are still trying to find that. We have talked about going to the Well Field and asking for some dollars there to do a complete fit out there. I've got estimates from Montgomery County Sewer which tells me exactly what it would cost to run it all the way up Troy Pike and it's something we should be fighting for still. We can look at all that; it's expensive.

Mrs. Reynolds: What do you have from the EPA? Do you have a report from them?
Mr. Murray: I've got a map and it shows that we've got septic systems across the street from the Well Field. I was asked to go to a meeting with the City of Dayton and Ohio EPA; they wanted us to address the fact that we've got very little lots with septic systems on them that have been there for 50 years. After a certain amount of time, the soil can no longer absorb the affluent that comes out of there; everything gets filled up and we've got a slick. That time is coming. We've got a problem right now on Old Troy Pike where we've got one that is seeping down into another homeowner's property and they are looking at that. So that is something that needs to be addressed. Again, I have spent hours with Charlie Schaefer. He drew up the plans. He gave me very good estimates and we have all that data. We've tried to present that to the City of Dayton; we didn't get very far with that. We think we were talking to the wrong person. We would like to re-talk to those people and see if we can't get something resolved, but to look for a long term solution and the Eintracht would fit into that is what I think we need to do. Again, I have presented this as a temporary solution to Montgomery County. They are good with that as long as it doesn't go on too long and no one wants this to go on too long. ODNR is going to have to have numbers to prove that they can and their grants are 100%, just like this one was, that the site warrants a restroom in the park side and I told them that's going to be at least a year before we can get those numbers together to get those numbers back up to that. When we first met with ODNR, it was a three phase thing here for the park. The first one was putting in the launch. The next one was restrooms. The next was some amenities that goes there and that's always been the intent.

Mrs. Reynolds: Would the facilities attaching to an ODNR grant for the restrooms, would that be a cost to the Eintracht or would that be part of the project? Mr. Murray: That would be the Eintracht, but it far less going to that than it is trying to get up the hill. Deputy Mayor Smith: The septic system, is that on Eintracht's property or the park property? Mr. Murray: I don't know that it's a system; it's a tank right now. The system was originally where that line was drawn; I think it went right through the middle of the septic system. It's a traditional system though. First it's got the storage tank and then it goes out to a leach field thing. It's common. Mr. Miller: It's much

Thursday, July 21, 2016

different this day in age though. Mr. Murray: It's common for then; for the 40's. Mr. Miller: The current existing systems are much different than what you have. For that size of facility, you would have at least probably a couple of acres for a leach field. Mrs. Reynolds: So what is the size of it now? Mr. Miller: Right now it is basically a portalet. Mr. Murray: Right now that tank holds 4,800 gallons, so it has a certain capacity with the time that they've got to use that it should never get up to 4,800. Mrs. Reynolds: How long can we continue to do that before the total system starts to... Mr. Murray: Well, it's just a concrete tank. Mrs. Reynolds: I realize that, but is this something we are looking at doing for years? Mr. Murray: I would say we need a year to put a solution together.

Mrs. Reynolds: Mr. Miller said that Choice One is looking at it. Where are they at? Mr. Miller: There are looking at two elements. One they are going to do soil testing on the site to determine if in fact there could be a leach field put in. The second element was they are going to feasibility of interconnecting with the Troy 202 sanitary that is existing on the other side of the road. Mrs. Reynolds: That includes a lift station and all of that? Mr. Miller: Bob made a good point. You can get a petition together of all the people that do not have sanitary and the EPA has grants. I've done this for 10 years for a county level operation. The EPA has all kinds of grants. You've got the Well Field protection which provides grants. You've got OPWC that could be in that. You are talking about multiple streams. You've got to have the costs first to identify that, but you could put a pipe to where everybody could connect and you would have a gravity feed once it hit the connection down to where it gets processed. It's doable. It may be very expensive, but it is a very doable. Mr. Murray: It's very much needed for the whole area. There is a reason Old Troy Pike has developed. There are no utilities.

Mr. Fullenkamp: Is the Choice One approach looking at the whole area or just the Eintracht Club? Mr. Miller: Currently they are only looking at Eintracht, but they can expand that. Mr. Fullenkamp: The whole area seems to be the more effective, more efficient approach. Mr. Miller: For \$2,500.00 all they are looking at is property owned by the City. Mr. Murray: We know the leach field isn't an option. Mr. Miller: It is if the soil test comes back that it will accept the effluent. Mrs. Reynolds: Is the County willing to come in and talk to the community again? Mr. Murray: Absolutely. They will be here in a minute. Mr. Denning: That would only fix that situation. That would not take care of the rest of the properties that have had a leach field for 50 years. I don't believe that option should be looked at. I think we need to look at the long term and if we've got to wait a year or even two years so we can get the funding to do it right, let's do it right rather than put a band-aid on it and then do it right later. Mr. Miller: The only concern that I have is that part of that land we have is in a floodplain. Mr. Fullenkamp: That whole thing is a floodplain. Mr. Denning: It's all Well Field protection, so I would not want to put a leach field in there even if that land is capable of doing it. I wouldn't want to put it there because if that does flood, it is going to go into the river and that just doesn't make sense this day in age; 50 years ago, yeah maybe.

Mr. Fullenkamp: What will be ODNR's... They are going to look at numbers and somehow they are going to measure the usage and I'm not sure how that is going to happen. So, what would their grant include? Mr. Murray: They have a long list of things that it could include, but restrooms are definitely one of those. Mr. Fullenkamp: But to do restrooms, you have to have sanitary sewer. Mr. Murray: Well, the whole bit. These aren't going to be holes in the ground, it would be a sanitary sewer connected to the real one up the hill. Mr. Fullenkamp: And can that be combined with a bigger project, do you know? Mr. Murray: Can ODNR do more than a park? I doubt it, but Mitch has got 3 or 4 sources and I've got 3 or 4 sources. We would look to combine all of those to make this right. You know to me going to the Well Field makes a lot of sense. We pay a lot into that. Mrs. Reynolds: What timeline are we on for the grant opportunities of each one of those? Mr. Murray: I think ODNR is at least a year away because they are going to do the counts. Mrs. Reynolds: But with the Well Field, you can approach... Mr. Murray: A month or two months. They are quick. I would like to be backed up by Choice One's documentation on the cost of that and that would be good, so we could probably go 2 or 3 months. I don't know what the due date is over there.

Thursday, July 21, 2016

Mrs. Reynolds: OPWC? Mr. Murray: OPWC is the larger one where we would go all the way out. The well field I'm talking about is a single solution with just for them to go up and tie in. The other secondary well field is doing a larger project where they are funding a larger piece up the road because everybody affects the well field. Mr. Fullenkamp: Why wouldn't Well Field be interested in everything where septic tanks are involved? Mr. Murray: We tried that last time. I think that they should and I think they have done it in other communities in the past, and then they kind of stopped doing it. They said we aren't going to do that anymore and that wasn't based on anything we said, that was based on the history of what that other community had done and the problems they had with that. I think it should be addressed again and I think they should. We've got a lot of good arguments why they should. Mr. Fullenkamp: I would think that would be the triumvirate, right. ODNR, OPWC and the Well Field protection; all that funding coming together makes sense to me. Mr. Murray: Absolutely. That's the way I do it. Mr. Denning: And then have the EPA jump on their heads. Mr. Murray: I've dealt with Ohio EPA for 5 years and it is just not the organization that it used to be.

Deputy Mayor Smith: You mentioned the septic tank kind of straddles this line, the red and yellow line? Mr. Murray: Not the septic tank, I don't think. The larger system did. Deputy Mayor Smith: The one we filled in? Mr. Murray: The 4,800 gallon tank does not. That's all on their property. Mr. Miller: It's located right next to the building. Deputy Mayor Smith: Okay. That makes more sense. Mr. Fullenkamp: But the leach tank does. Deputy Mayor Smith: Okay. That's a cost that Eintracht is going to bare themselves to pump that out. Mr. Murray: I've got the contract and all of that together. Deputy Mayor Smith: It sounds like we can't do any more with the leach field or the septic system until we get the report back from Choice One and further documentation as to what our options are and programs to find funding. Let's move on to these other items.

Mr. Murray: Expand the parking to accommodate buses with trailers. This is something to make that parking lot bigger than what it is today. Right now, I think it will accommodate something at the Eintracht, but it needs to be bigger than that. We are going to work with moving the parking blocks over further, so this will all work out for us as well. We fully hope and expect that we would have buses with kids on those and a trailer behind that for people launching canoes from there. It is a great way to get into the Great Miami River and it is a 2.5 hour very gentle canoe ride downtown. The idea to accommodate those is something we had always thought about and want to move forward in doing that. Again, working with more marketing involved with that and actually some companies.

Next is moving the gas meter at the street; Mitch is working on that. Brock put some bollards around it. He is still going to talk to Vectren about just getting it out of there so it's not in the way of anybody. It's an old system and Mitch was telling me those are buried from now on. Mr. Fullenkamp: Did you do #1 yet? Mr. Murray: The septic system? Mr. Fullenkamp: Continuation of the ramp to the water's edge. Mr. Murray: You are looking at my old one. I have summarized things now for the new ones and no, the next one is to complete the path to the river. So Mitch is working with Vectren; we think we can get that buried and out of the way. It's still a hazard, I think, and to get it in the ground would be a great thing for everybody. Deputy Mayor Smith: On the gas meter, Vectren is now removing gas meters out of people's basements by neighborhood. They are going in and doing that at no charge to the property owners. Mr. Murray: That's what Mitch has said. Deputy Mayor Smith: I don't know if that is a special program or if they've got a grant to do that, but that's something to talk to them about. Mr. Murray: I have a meeting with one of Vectren's people next week, so I will bring that up to him as well.

Complete the path to the river. Mitch has got some good ideas on that. We've got to get people all the way down there and he's got some ideas. We are going to do that. Mr. Fullenkamp: I've got pictures. I've got a plan here from MS Consultants and item 3 says, "Contractor to install 8 foot wide paver path for boat launch. This will extend pavers to normal water line." Why wasn't this done on this phase? Mr. Murray: I'm not sure, but we will continue. Mr. Fullenkamp: Because that's what a boat launch is and that's what the detail on the MS Consultants' plan says. When was that scope

Thursday, July 21, 2016

changed? Mr. Miller: It was due to the steepness of the grade. Mr. Taylor: It was never changed. If you look at the drawing and maybe we can pull it up on the screen and we can zoom in, but if you look at the actual detail of the drawing it goes to the top topographical line. Mr. Fullenkamp: It says, "Extends to the normal water level for the Great Miami River." Mr. Taylor: Here is the set of drawings and we can provide this and I think we have provided it to multiple people already. I've got it electronically and electronically it is easier to see where it stops at the top topographical line and the reason for that is that you have floodplain and floodway. The floodway is more extreme, so for every ounce of dirt you take or add to the floodway has to be removed somewhere else and so this project never entered into the floodway. The original design doesn't have that. Mr. Fullenkamp: So this document from MS Consultants is not valid? Mr. Taylor: These drawings and the specs from MS Consultants that we built and were provided, that's what they show. Mr. Fullenkamp: The date on this was February of 2016. Mr. Taylor: These are the original drawings that were from MS Consultants. I'm assuming that you are looking at the same thing I am. Mr. Fullenkamp: I'm looking at C2. Mr. Taylor: So you have the note and then you have the corresponding drawing with it. The note and the drawing go together. Mr. Fullenkamp: Note 3 is very clear to the normal level. Mr. Taylor: I guess you could argue what the normal level.

Deputy Mayor Smith: I'm going to stop you right here, all of you. Mr. Fullenkamp, we would like to make a copy of that for all of council. We don't have that information here in front of us, so we can't talk about it. Mr. Fullenkamp: Staff I'm sure can provide that to you. Deputy Mayor Smith: Do you have a copy? Can you give that to the Clerk to have her make a copy real quick, so we can all have a look at that? Mr. Fullenkamp: He's got copies. I mean, I'm looking at the words and I know what the normal level of the Great Miami River. I know what that means. That's water level, so if there is a conflict between the words and the drawing, I understand. Mr. Taylor: Yeah. The drawings I have say the same thing. The drawings clearly show it stopping at the highest topographical line there. Mr. Fullenkamp: That's what the drawing says, but the words. I think there is a conflict between the words. Mr. Taylor: The words attach to the drawing; it's one document. Mr. Fullenkamp: Normal water level. Mr. Taylor: I guess you could ask MS Consultants why they would put that note in there and why they would stop their drawing at that topographical line. Mr. Fullenkamp: That would be something that you would have asked. Mr. Taylor: As the project manager, when I spoke to the engineer about that he explained that we can't take it down there because that is the floodway.

Mrs. Reynolds: Can I just ask a question? I was over there at the Eintracht facility today because I received a call on some tree cutting. I looked at the pathway, it's a very nice pathway, but it's a pathway to nowhere. It just drops off and we've talked about the intent of this was to have a kayak launch. That's not what we are getting then from what I'm seeing today. That's not what we are getting. I know you gentleman indicated Mr. Miller was looking at something to do, but that wasn't part of the original plan? Mr. Taylor: Correct and I don't know why. You can ask Mr. Murray, he hired MS Consultants and they designed the project. I just executed what's in the packet. Mrs. Reynolds: Because I was under the understanding that we were going to have a boat launch there for the kayaks and we were going to be able to get down to the water level. I don't know how to put more water there to get it up, but it concerns me that we've gone this far with this and spent this much money and we cannot utilize this without spending more dollars. I tried to get down there and the tree trimmers, Mr. Morgan, they tried to help me with everything today and I could not get down there. I've got a big backside and I can bounce real well and that's what I was doing trying to get down to the water. Mr. City Manager, we need to look at this. We need to figure out what to do, quickly. Chief Carpenter: I realize that.

Deputy Mayor Smith: Is this is a reading problem? Mrs. Reynolds: The pathway just stops. It just stops and then it is straight down. Mr. Fullenkamp: It goes from brick pavers to dirt. There's holes in the dirt. There's hazards and I'm assuming that it's not Eintracht that's responsible for the liability there; that's us for the boat launch. Mr. Taylor: All I can say is the documents are as they are. It's built per the plans. ODNR will be out on the 28th to inspect it. I'm 100% sure that everything will be to their

Thursday, July 21, 2016

standard because they approved the drawings. The permits came from them and I don't disagree, there's something that needs to be done to massage that to get people a more easy access down to the river. This project and as it was designed, that's how it was. Mr. Fullenkamp: So you are pleased with every other aspect of the project? Mr. Taylor: I think the project looks really great. I encourage everyone to go look at it. Mr. Fullenkamp: I do too and so you are okay with the drop off on the river side of the path there where it is not graded? Mr. Taylor: I think it needs to be fixed, but it wasn't part of the ODNR grant, it wasn't part of this project. If we want to appropriate more funds or find more funds to do that, I think that's a good idea. As this project was scoped out, specked, drawn and designed, it is built as it was designed. Now if we don't like the design, I don't know if we can go back and hash out why we paid them to do the design that nobody likes. All I did was get these drawings.

Mr. Fullenkamp: There were no change orders? Mr. Taylor: Not for that portion. There was two change orders. One was to put up bollards, so that people couldn't drive on it because it won't support a car's weight. Then upon inspection, if you look at the note I think it is note 1 on the same page, it talks about 2 inches of gravel on top of existing gravel. There was asphalt throughout in various areas, which would have made it unsatisfactory. You would have never been able to compact that gravel on top of that asphalt, so what we did was in part of the access where Bob is talking about putting buses, we deleted that gravel and then added in removal of that asphalt so there was kind of a wash of funds that we weren't overextending ourselves. Does that make sense? Mrs. Reynolds: Speaking of that gravel in the parking lot, that is huge gravel. Is that going to be compacted any? Mr. Taylor: I'm assuming it will eventually compact in, but again that's the size that was specked out. Mrs. Reynolds: Mr. Taylor, if you all would go over there and walk that it's very dangerous. The gravel is just bad. I was just wondering if we could roll it some way to make it easier to walk on. Mr. Taylor: I'm sure we could look at it. Chief Carpenter: The fact is we built it the way the drawing was and we are not pleased with the final outcome, so we are exploring as far as getting down to the river. We are exploring a way to make that better. As far as the gravel, I'm sure we can explore ways to make that better as well, but this is what the project was and this is what we did.

Mrs. Reynolds: We probably needed more thought into the project because we now have a walkway... Mr. Denning: I will tell you that in March if you go down there, it will probably go right to the water's edge. Mrs. Reynolds: No, it won't. Mr. Murray: No, there's no way. Mr. Denning: I've seen that water clear up. I haven't been out. Mr. Murray: For 2 days maybe. Mr. Fullenkamp: Only during a flood. Mr. Denning: I've been down there and that water was way, way, way up and it looked like the river was a half mile wide instead of 13 feet or whatever it normally is, so I understand that they may have done that so that it doesn't wash away. I understand that part, but we also need to figure out what we can do to make that a smoother transition whether it is compacted gravel. We need to also understand that whatever we do, we are probably going to be redoing every spring after that water comes up or every 5 years or whatever it is when the water gets that high because that was the year we had all the snow. This is where we are, we just need to move forward and come up with more low costs solutions and I think that's more where we should put the engineering company. If we are going to pay them \$2,500.00, I'd rather see them come up for an answer for that. I'm not going to approve them putting a leach field in there. Mr. Miller: The thought was to temporarily get a better solution because what we have right now is not good.

Mrs. Reynolds: We are going to clean up around the area? Mr. Murray: Yes, we will look at that and I'll bring that up to Mitch what you brought up earlier. Mrs. Reynolds: I know we can't move the concrete and all that, but there's a lot of debris on what would be the west side of the riverbank. They are taking out some trees. I talked with Mr. Morgan and the trees that they are taking down now are horrible, but will the trees that they are looking at along the bank and going back to what Mr. Denning is saying, will that create any flood situation there? Mr. Fullenkamp: Erosion, I think. Mr. Murray: It won't create a flood. It depends on where the trees are exactly. What we don't want to do is encourage erosion. These grants we went after, the sole purposes is for two things. First, create open space that gave access to the river.

Thursday, July 21, 2016

The second is to make sure the bank is stabilized, so we can't be doing things that un-stabilize the bank. I don't know the particular trees that you are talking about, but if you are killing them then you are creating dead roots that were holding the bank together so we've got to look at that. Mrs. Reynolds: Is that something that you all are going to be watching, Mr. Miller or whoever? I think Mr. Keaton is the one that has been working with Mr. Morgan. It goes along the bank. Mr. Murray: It will have to be evaluated. Right.

Fifth the electrical issue, we did tie into the Eintracht's main electrical box and as you saw from all the documents, we are responsible for everything in the park and they are responsible for everything in the facilities. At the time the lighting in the park area was on a separate meter, as well the sign out front was on a separate meter and Eintracht had their own meter within the facility. We ran the power to their facility, which means that they are picking up the bill for the park section which is the part that we are supposed to be doing, but we don't have a meter to that respect. We don't have a way to tell what that electric is. They are LEDs and what the Eintracht is willing to do is to pay that bill, if we put their box on the municipal system. They will use municipal rates there at the Eintracht and that makes a lot of sense to me because we do own the building and it is a municipal facility, so to switch them out of what they are doing now to ours I think makes a lot of sense. They don't have to put in a box and everything is on the same thing and they are paying for it and we are not.

Mr. Fullenkamp: How do municipal rates compare with apples to apples rates out at PUCO's site? Mr. Murray: I don't know. I would have to look into that, but they are good with it. If that's alright. Mr. Fullenkamp: Do we know what our rates are? Mr. Murray: No, I don't. We just know that we are part of the municipal cooperative that purchases these, so maybe Mitch knows. Mr. Miller: I sign the bills, so I can give you the kilowatt cost. Mr. Fullenkamp: What is it? Mr. Miller: I don't have it off the top of my head. Mr. Fullenkamp: Around 4 cents, 5 cents? Mr. Miller: It may be 8 or 9 cents. I'd have to look at the invoice. I just signed a bunch of invoices today. I look at the total amount. We had one invoice for electric that was like 4 times, so I compared the previous month to the current month. That's what I'm looking at, the trim line on the invoices. We get a few invoices for electric, by the way. Mr. Fullenkamp: I'm sure you do. I'm sure it is just easy to divide the total cost by the number of kilowatts. Mr. Miller: We had one invoice that was 5 times. Mr. Fullenkamp: I'm just making sure they are getting a good deal. Maybe they will go out and sign up for apples to apples at PUCO and get a better deal. Mr. Miller: I can get the information to you and email that out, if you would like. Mr. Fullenkamp: Thanks.

Mr. Murray: Next is the street signage and we still need a sign out there to identify that. The old one does exist, it is there, but we are looking to put something else out there so we will walk through that and put something with their name on it and the hall rental on that. Those are the issues we think we've got now. We will work through these, but here's where we are today. How do we want to be? These are going to be some of the things we need to address. Now everybody knows. Mrs. Reynolds: You mentioned the cemetery, sir. How many burial plots do we have in there, do you know? Mr. Murray: There's like 25 people buried in there. Mrs. Reynolds: They are quite interesting, aren't they? Mr. Murray: Yes, they are. They go back to the late 1700's. Mrs. Reynolds: Could our signage maybe list those family names? Mr. Murray: We very well could do that; there are some things we can do. Again, very early on in this process we walked through the Dayton History or whatever it is called and he is more than willing to participate in this project by offering different signage that brings up the historical aspects of what's available there. The Erie Canal being one, as well as the cemetery, as well as the history of the Eintracht and German tradition that goes through this whole area out there. We can go to them for help. We can go back to Miami Valley Conservancy District for some help. There are places we can go to keep building this as an asset not only to us, but an asset for the whole region. I see this place as changing the way people perceive us. This can be an outward sign to everybody in the region that changes everyone's perception of who and what we are. That's what we need to do, I think. Mrs. Reynolds: There's so much history there that there should be some records of it when all of those buses

Thursday, July 21, 2016

you were talking about coming in and all of that. The usage there would be... Mr. Murray: Huge. Again, I see this as a great asset to what we are doing here. It is a place we can leverage who and what we are and we don't have very many opportunities to do that. Surely to God, we don't have any money to do it and this is a way for us to do it. This is something that the region got behind. They gave us a lot of support. They gave us a lot of backing on our grants, so I don't want to screw it up. It's got to look better than what it does today.

Deputy Mayor Smith: We're not allowing any new burials there, are we? Mr. Murray: No. It is no longer a cemetery. It does need restored; there are monuments there laying around. There are some things we can do there that would really greatly enhance it. One of the things I think is an asset of that is the fence. That's a blacksmith created fence that is extremely unique. I've never seen anything like it before. They've got limestone footers for each one of the posts and then there is a limestone back up support post, so you've got the main post that holds up the railing and then there is another rail that goes down this way. I've never seen that before and you know it's done in the 1800's, so it had to be blacksmith created.

Next is what we would like to do going forward. We are here and where we are today and we do think it is an opportunity. We've already discussed this with the Eintracht and it is to establish a sub-committee, maybe within the parks and maybe not within the parks. What we would be looking for is to put some people in the room that are from the hospitality industry, people that know what a banquet hall is and what it could be. What's the current market? The guy that I've been able to talk to about this so far is Chuck Childers. He does 200 weddings a year. He knows what these venues can look like and he knows the price that these can go for. One that just opening up and I was there with Mark, it just opened up and it was booked for a whole year. There are some things that have to go onto this place for us to be able to do that, but that's the type of thing that we can do here. The goal of the committee, and again I'm looking for professionals on this committee, we're not looking for just anybody to do this. We are looking for guys in the industry that can give us some good advice, much like an advisory group. We want to make money on the Eintracht so we can spread it around the world here and to plan things like the grand opening ceremony, which should take place fairly soon, and there is a long laundry list of people that should be invited to that because we got a lot of help from everybody and their brother. One of the things we could do is host a first of the year kayak season kick-off for the Great Miami Corridor. The Great Miami Corridor is building in strength. There are probably 10-20 communities in that organization; we could be very well a diamond along that corridor and that's the way we should look at this. The other thing we should look at is there is money to be had in advertising with that corridor, so there are places we can go to popularize our location there.

I'd like to move the oversight of the Eintracht to another department and change the classification to something else other than a park. Again, we talked about that nebulous line that goes down through there. Are we selling liquor on one side and aren't we selling liquor on the other side? Maybe just to change the designation so it comes out of our park and we make it something else. Maybe it's a venue; I don't know maybe call it the Eintracht. Maybe it's something separate than what it is today and again, just to elevate it out of who and what we are to make it more than just a park. Moving it out from underneath the service; the service has a certain way of operating that isn't conducive to maybe this venue and so to move it to somebody else and to have them do that work, but have somebody else direct their actions. Incorporate Eintracht into the City's website and marketing materials. That's something that we've got to work towards just so everybody knows about it. You are going to talk to 9 out of 10 people in Riverside and they don't know what the Eintracht is. It has to be popularized among ourselves first because it's our facility and then go out to the world. Then have the sub-committee establish policies and procedures of how they work with us, among us. Again it is establishing the Eintracht as a complete partner here. We can utilize what they do and do this together. I can see leveraging what they do into what we are doing here for the betterment of both of us.

Deputy Mayor Smith: Is Alice Waddell here? I don't see her in the audience and just wanted to ask. That concludes the work session for this evening.

Thursday, July 21, 2016

ITEM 7: RECESS: The Council took a recess at 7:07 p.m.

ITEM 8: RECONVENE: The meeting was reconvened at 7:17 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Economic Development Director, Bob Murray led the Pledge of Allegiance and there was a moment of silence, Doug Anderson, Jr., who recently passed away.

ITEM 10: MINUTES: Consider approval of the minutes of the July 7, 2016 regular council meeting. A motion was made by Mr. Denning to approve the minutes as written. Mrs. Reynolds seconded the motion. There was no discussion on the motion. All were in favor; none were opposed. **Motion carried.**

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

Mr. Garrett: The reports have been presented and available. We've got the fund report right here in the packet. Expenses are pretty much on track. There was a couple of exceptions, which we were trying to address in the upcoming supplemental later today. Revenue, as we have been pointing out with the income taxes, is a fair amount higher than we've projected it so far this year. Gas and vehicle registrations also seem to be up somewhat. Mr. Fullenkamp: I just want to ask about encumbrances and whether we can flush that out a little bit more and itemize what encumbrances are present in these reports. Is it possible to expand these reports to reflect the specific encumbrances or do I have to look at the open order list? Mr. Garrett: That's what the open order list is. Mr. Fullenkamp: I have to look at two documents? Okay.

Mrs. Reynolds: Mr. City Manager, each month that we do the financial report for approval if we have received in our Fire and EMS, Police income tax and our Brantwood income tax, I can pretty much follow that one. Our Fire and Police, I don't know the dollar amounts that go into each one of those departments and if we could have that in this report, I would appreciate it. Chief Carpenter: The way it is broken down? Mrs. Reynolds: Yes, the dollar amounts that goes to each one. Mr. Fullenkamp: Can I tag onto that? Can we do that for all revenues that are coming in? Chief Carpenter: The ones that get divided up? Mr. Fullenkamp: Yeah, even like EMS billing just so we can see. Chief Carpenter: We could include a monthly amount...From the EMS billing company, they suggest everything for that previous month should be in by the 11th and so on the 11th I can print a report and I could add it if you wish. Mr. Fullenkamp: Even if it is a month behind, but even for the Service Department if you could give us an idea of where the sources of revenue are for the departments that have kind of a continuous flow. I'd be interested in seeing that. Mr. Garrett: All of those things are already itemized in the standard financial reports that are posted on the website. There is a separate line for EMS billing. There is a line from transfers from the Police and Fire income tax, the amount that comes into the Police, the amount that comes into the Fire. Mr. Fullenkamp: Boy, it would be really nice to have something where I could just drill down on a real data sheet. It would be a lot less work for me. Mayor Flaute: Would you get any more than you would get on the internet on our website? Mr. Fullenkamp: It would be a lot easier to find it, yeah. It would be a lot easier to use, but we don't have it so I understand. Chief Carpenter: We could look and see what we can come up with and make some suggestions to see if that's what you would need.

A motion was made by Mr. Denning to accept the June financial report. Mrs. Reynolds seconded the motion. All were in favor; none were opposed. **Motion carried.**

ITEM 12: ACCEPTANCE OF WRITTEN CITIZENS PETITIONS: Mayor Flaute advised citizens to fill out a form if they wished to speak about agenda or non-agenda items.

Thursday, July 21, 2016

ITEM 13: CITY MANAGER'S REPORT:

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

Chief Carpenter: I did just have a couple of updates on some of these items. Under the Planning and Program Management for the Spaulding Road Improvement Project, we did receive the grant for doing that project. Also on the next page under the senior housing, the staff did meet with Miller-Valentine. Everything is moving along and assuming it continues that way, they could possibly break ground next spring. The staff met with Choice One today and is talking about a comprehensive street maintenance reconstruction program. We hope to have them in here in November during a work session to do a comprehensive work session and presentation for Council. Also, staff is working with other members of Choice One on putting together a parks plan. That's just some of the updates. Mr. Denning: The Bark Park is scheduled for the 14th, not the 13th at 2:00 p.m. It's actually going to be the second Sunday because the 13th is the school's big thing with their sports spectacular, so just everybody gets it right.

- d. Income Tax Scorecard
- e. Planning Commission minutes of the May 16, 2016 meeting

- (2) Monthly Verbal Reports
 - a. Police Department

Chief Robinson: I just have a few things I would like to talk about tonight. Our new vehicles are obviously in and they are striped and ready to go. We are just waiting tonight for the approval to move forward with putting the equipment in those vehicles. We went through a bid process and only ended up with one person that bid, K.E. Rose. I'm looking at the numbers and the equipment that we got from the past; I think we got a really good deal on what he actually bid on. I'm pretty pleased with that. We will move forward with that as soon as we get this process done tonight. It should be about 3 more weeks before we get the actual vehicles on the road, so we are looking forward to that.

As far as training goes, our guys and gals are involved in firing training for the long guns, the rifles and shotguns. We want to make sure we are very proficient on that, so we are going through the motions on that this month. As you can see, we are very in tune with the community with National Night Out. You can see the billboard out front of 1791, it is advertised in there, and there are plenty of other places on social media where it has been advertised. If you see anybody, you want to tell them to come on out there. It should be a very good event and we have been making preparations every day. It's not going to be as elaborate as it will be in the future, but I think it is going to be really good this year. I'm very impressed with the staff that has been working with me and involved in that: Major Close and our Records Clerk, Renee Stacy, and also Sergeant Colon.

Personnel wise obviously most of you were here last council meeting when I swore in Major Close; very excited to have that happen, I appreciate that. We also are still dealing with our 3 lateral transfers. They have all been to their physicals and passed those, now I have got to hopefully swear those folks in at the next council meeting on August 4th. The last thing I want to talk about is something that has come to my attention a few different times and different places and I don't quite understand it, but I want to talk about it with you tonight so we can understand. I've heard several places that we have the blue flu here in Riverside. I would like to pretty much stamp

Thursday, July 21, 2016

that out this evening and make sure you understand that is not what's going on in Riverside. Obviously you know what blue flu is, a work stoppage that's based on the pretense of being ill and basically union employees do that when they can't strike. That is nowhere near what the truth is in Riverside. I can give you the data on that, if you want to see it. Just to run down a few things, in November we lost Sergeant Jones to retirement. That moved Angie Jackson in to be the acting Sergeant and then Close was in the task force. That moved another Officer into an acting position, so that makes us down two people. Then Close comes out to take over the position for Trego in detectives because he was retiring, so than Major Hughes leaves, Sergeant Trego retires in May and then Patrolman Kyle Treon resigns in May. That cuts us down to 3 officers that are on the road and 1 detective. At the same time we had an officer injured, we had an officer out for 12 weeks because his wife had very serious complications with the birth of their child, so that put us down 5 people.

It's not my wording and I do not like when my guys say we are a little understaffed. I don't really care for them to say that, so I've been trying to tell them not to say that. We are doing the best we can with what we have. Also during that same timeframe, you have to throw in the time off for sick time, vacations, Kelley days, the maternity leave of course and office training. We don't stop training during that timeframe, so there are a lot of times that we were running at minimum staffing. Minimum staffing is 3 officers and that could be 2 officers and 1 sergeant and that's all that's on the road at one time. I can give you the percentage from this last November to July during the dayshift, 35% of the time we were at minimum staffing, and at nighttime we were at 17.45%. The biggest change happened in May, if you look at the numbers in May and obviously I did, it went from 45% during the day. It was 46% during the day in June and 60% so far in July with minimum staffing. Same with nighttime, it was only 16% in May, but then in June it went to 40% and in July it's been 45% minimum staffing. It's only because we don't have those bodies on the road that we are trying to get the lateral transfer. That was the whole purpose of the lateral transfer to bring folks in here that we don't have to train as much. They are already police officers; we just have to train them to Riverside. That was the whole premise behind that. We are still going to be down one person, I think. I want to make sure that everyone knows that during that time, that's 264 days in that 9 month period, we only had 35 occurrences where people actually called off sick. Also in those 35 days, that included when someone had an injury on duty or one of the occurrences was when one of the officer's wives had a baby. Out of those 264 days you will see, there's no blue flu in Riverside. I just want to make sure that everyone understands that. Mayor Flaute: Thank you for clearing that up and we are very pleased.

Mrs. Reynolds: When do you think, Chief, we will have the positions filled? Chief Robinson: August 4th we will hopefully swear those officers in here and we will begin their training immediately. We are getting them uniforms now and trying to make sure we have the right sizes for them now and vests as well. Mrs. Reynolds: Did you say August 4th? Chief Robinson: Yes, ma'am.

b. Fire Department

Chief Carpenter: The crew has been working pretty hard. We wanted to develop a new patch design, so we have come to one final design and right now we've got to run it through everybody. This is the last week for anymore comments regarding the new patch. I think it looks terrific; we have incorporated the Riverside wave. It looks really nice and everybody so far in the department has been very pleased. When that's complete, I will definitely circulate a copy. I think everybody will be impressed.

The fire engines; we are trying to align all the schedules of all the people involved and we are looking for the week of August 8th to go out there and pick up the fire engine. We purchased the new SCBA air packs and along with that we had to purchase a new fill station because they were different size bottles. A new fill station was installed yesterday; there was a slight leak so the technicians came back out today, but we should have those air packs in service here by the end of the month. Also, we do have one vacancy in the Fire Department and we should be doing interviews in August. We should have that filled by the end of August. That's all I have.

Thursday, July 21, 2016

c. Service Department

Mr. Miller: We have been pretty active. We have had good weather and the guys have been checking on multiple construction projects. Brantwood phase II, we have had inspections on that and sometimes two of three. Paint striping has had daily inspections. Mill and fill, we've had daily inspections on that. Cape seal is slated for an October timeframe. Eintracht, daily inspections. We have been repairing damaged City property; it seems we had some vandals at Rohrer and some other places. We had the Airway shopping entrance; apparently DP&L signed off on plans and decided to move their pole in the middle of the sidewalk. We had them remove that pole from the middle of the sidewalk to a more appropriate area. A lot of driveway inspections, a lot of construction going on right now. We have been provided GIS and GPS support for some of the contractors when they have questions on what's located where.

We are working on repairing the catch basin at Airway and Woodman. Every two years since I have been here, which is going on 10, we've had to work on that. Unfortunately, the scheduling we were hoping for a major roadway improvement in that area would cover that, but we are going to have to get out there and repair it again because the scheduling is not for another couple or 3 years to do the major repairs for that area. As stated, we have been working with Choice One on coming up with a long term plan and a long term cycle, hopefully some alternatives on how to fund it. What funding requirements might have to be made? What changes might have to be made? I've been working on getting quotes to enhanced electrical improvements on the service garage.

Organization and operation; we have been cross-training all of our personnel, specifically the safe and proper way to do things in work zone safety, playground safety, fabrication, city code for repair and backfill. The Service Department has been also on a continuous evaluation of all of the street conditions and updating our street conditions. Right now, I think Choice One's got two reams of paper on the conditions of all of our streets that we have gone around and evaluated. One thing they don't have, which I will send them a file, they don't have some of the widths in some of those areas and I will send that to them tomorrow. We've been basically implementing standard operating procedures for everything we do.

Parks – Twice weekly we empty trash, usually Mondays and Fridays. With Rohrer Park because they are having an educational luncheon there, that's daily. Per the Parks and Rec's Board recommendation, at Shellabarger we placed trash cans close to the basketball courts. We did do some cleaning of the Eintracht access riverbank; the reason was there were non-native species that were growing on that bank. In our contract, I believe, it gives us authority to do that. Unfortunately and this is a sad note, we have been raising and lowering flags due to all of the police shootings and our prayers are with their families. That's terrible, what's going on there. We repaired the fence gate and hung signs at the Bark Park and then we took them down. I have a better date now where I know we can put them up and keep them up.

We've been doing a lot of pesticide application to do the weeds and that. I obtained quotes for a water line and electric conduit at Shellabarger; I figured while we are running water, in the same pit you can run an electric conduit. At some later point in time, we will put the electric in there because it would be nice to have a lit sign. The estimate for that is about \$2,200.00, which is not bad because that is 500 ft. of line that will be installed there. At Eintracht we did remove an ash tree that was dead and we removed a clump of trees that's trunks were compromised, they were hollowed out and any high wind or anything else like that would have brought them down and that would be very unfortunate for anyone being in a close proximity to be the recipient to a tree.

Catch basins on the roads, we have been cleaning and rebuilding them. A lot of critters to pick up this year; a lot of animals getting hit. Roadway trash pick-up or prison workforce trash pick-up have been helping us out tremendously; if you guys every talk to the Sheriff please pass on our compliments to them. We have been Dura-Patching the roads that we are going to cape seal so that it's more effective and

Thursday, July 21, 2016

lasts longer. We've been patching potholes and I'm sure you saw a very significant pothole over at St. Helen's; that was over 10 feet deep, it was like a bell. It was a very big hole and a lot of material we put in there to fix that. Street sweeping; we have been street sweeping the mains and about 50% of the residential so far. The problem with our street sweeper is for about every day we use it, we have about a day of maintenance on it; it breaks down and is getting up in years. We have provided a lot of mulch for Fire Station 6. Those guys take care of the place pretty good and it's nice that we can provide that for them. We've been dealing with organizational improvements in our shop. We've been trying to keep the flower beds clean and maintain the entryways and other areas. They've been mowing all the highways and right of ways and parks weekly. Sign work; they installed and put flags on the speed limit change signs so it would draw people's attention to them. We install or re-install, I would say 15-20 signs per week, sometimes more. It depends on whether there is snow or ice. We have basically daily briefings and a weekly schedule that we have implemented; it's been in effect for quite a while. We have frequent checks of all of our equipment. The crew did something really special this past week; we've got a bunch of MacGyvers back there. Our VAC truck apparently blew a gasket and the suction tube, it's a unique design, and actually the material wore it through until they had to get a new one. The new one cost over \$3,000.00. The guys went out to a junkyard and got a couple pieces of metal and welded them together and we're up and running again.

Mr. Denning: The light at the museum exit is that ours or is that the museums? Mr. Miller: That's ours and I called it in. Mr. Denning: It's been flashing red for over a week. Mr. Miller: I just found out about it today and I called them at about 2:15. They are really responsive. Mr. Denning: I didn't have time to call it in. Mr. Fullenkamp: What do you mean by enhanced electrical upgrade in the Service Department? Mr. Miller: That's a good question. Whenever they are welding, they have to unplug everything. Mr. Fullenkamp: This goes back to the presentation a month ago? Okay, you are upgrading that now. How much is that going to cost? Mr. Miller: I don't have estimates yet. Here's the problem, all of the people that I've asked for bids have to coordinate with DP&L. If you've ever dealt with DP&L, sometimes they are not real responsive. Mr. Fullenkamp: They have to upgrade your service. Mr. Miller: Yes and what they need to know is how they want them to do it. Depending on the carrying capacity at that exact location, that determines how we end up upgrading.

Mr. Fullenkamp: Second question has to do with the speed limit signs, why doesn't the City use reduced speed ahead signs? I know they are not required to by the State, but it seems to me like a better warning than sticking flags on top of the speed limit sign on thoroughfares. Mr. Miller: We could put them there, but we have a lot of signs right now and every time we put up a sign it costs us right around \$380.00 to install a sign. We could put them there, if you want them put there. Mr. Fullenkamp: That seems more typical. Mr. Miller: Usually when you put up speed limit signs and you do things like that, you do it under the direction of a civil engineer. The reason is because they are licensed and study this. They can do traffic simulations and determine what is the safest place to put a sign is. By us arbitrarily putting up signs, we may actually create more of a safety issue than otherwise. Mr. Fullenkamp: So you got a traffic engineers opinion on southbound Harshman to put it back there by the curb? Mr. Miller: I would have to look at that one. Mr. Fullenkamp: It's just the thoroughfares I'm mostly concerned about. I don't expect speed reductions on... Mr. Miller: Just a consideration, honestly any time any speed limit or traffic control devices, you really want a civil engineer involved because they actually have computer simulations that can determine what's the best location and where to put things.

Mr. Fullenkamp: Let me be clear, I approve of reducing the speed limit north of Airway. I think that was a very good move and it should have been done a long time ago, but my only suggestion is why don't we...I think we should push back the one on the northbound lane farther away from Airway Shopping Center. Mr. Miller: There is consideration for congestion management, so usually again they have computer simulated designs that they can go through and run through simulations to determine what's the best practices, what would be safest. Mr. Fullenkamp: Didn't we do that

Thursday, July 21, 2016

with the safety study in 2013? Mr. Miller: On some of that, yes. Those were the interchanges, not necessarily along the roadways. You would have to take in the whole roadway to determine...All those lights are all timed differently. Mr. Fullenkamp: No, I understand. I'm thinking of speed limit; I'm thinking of safety, not in and out. I thought it was not appropriate before to have on southbound to have it across Airway. I thought that was always a safety hazard; people were allowed to cross that at 45 and then hit the brakes. The same with northbound, I think that could be pushed farther south on Woodman. That's my only point and then speed reduction signs might be more appropriate than putting flags on signs. Mr. Miller: We are trying to go with a cost effective, cheap way. Mayor Flaute: Your point of not too many signs is very important, especially when you are going around that curve. People are trying to watch that wall; they're going around the curve and all of the sudden they have to slow down. If you put another sign in there, I don't know. I'm not sure that's something that we would want to do. Mr. Denning: Is that something that Choice One can do for us? Mr. Miller: I would recommend that you set aside some money. Mr. Denning: That makes sense to me instead of arbitrarily putting signs up; I think Choice One needs to take a look at that and say does this make sense or does this not make sense. Mr. Miller: A lot of that has to do with if you have a curvy road and line of sight, the placement of that is very critical. Mr. Denning: I understand that; I'm just saying let's get the right people doing the right job. The other thing I want to say, Mitch, is I was appreciative of the information on the Valley Street Bridge because I have already had a couple of people call me and say why is the 20 ton sign up? I can say because it isn't in very good shape and if you drive over a 20 ton truck across there, you might not make it across. Mr. Miller: I've been up underneath it and it is in bad shape. Mr. Denning: Thank you. I appreciate the information, it is useful. That way when someone calls me and says why all of the sudden did these signs are up, I don't have to call and find out; I can give them the answer right away.

d. Planning and Program Management Department

Chief Carpenter: Mr. Taylor wasn't here; he was out on vacation two weeks ago, now as Mr. Percival promised the monthly update from Planning and Program Management Department. Mr. Taylor: Thank you. I've got quite a bit because we are at almost a month here, but I do want to do two things really quick. I want to recognize a couple different people. First Chris Lohr, he has been the ZA here for a little over a year and now he is acting as the Interim Assistant City Manager. I think that is important to note because he is doing both jobs. If you look at the PAR or the City Manager's Report, the first item I have is that we had over 50 permits last month which is a substantial number of permits. We are still above what we had in the last 5 or 6 years, so permits and zoning are way up and he is doing a great job doing HR, ZA and whatnot for us for the last month. I just wanted to recognize him here. I also wanted to thank Jay Keaton and Mr. Miller. I think you noticed that the turn lane out front of the building and the re-striping. I worked with an engineer to do some traffic planning and they put that together. We got it finished in almost the same day that they were striping and we were able to execute that striping almost on the last minute. Mr. Miller: We also changed the timing at 35 and Linden which we have gotten very positive feedback on that. Mr. Taylor: The same engineer worked on that, but I wanted to thank them because that was a last minute change and I think it made a big improvement out here. We had a lot of wins this week, the City did. The first one that the Interim City Manager touched on, Spaulding Road; we received that grant. We had initially asked for through OPWC \$199,000.00 and typically that comes in a form of a loan grant, 50/50. You get 50% as a grant and then the other is a 0% interest loan. We were lucky enough that all \$199,000.00 is a grant, so that significantly lowers the City's cost on that. We don't have to pay that \$199,000.00. We do have some costs programmed into that, but that was a big win.

In addition as we were just talking about Airway, the traffic study in 2013 was done as you know and then earlier this year that was highlighted as the #1 most dangerous intersection in the Miami Valley, not just in the City of Riverside. That was bad press for us. That was disappointing. We are already working with ODOT, so we have been awarded \$619,000.00 to make those safety improvements in that study as a part of the Airway Road West Project. It will kind of get wrapped up in both projects and the

Thursday, July 21, 2016

way the funds will work we are anticipating no additional funds from the City to pay for that. It should work out as a wash; I will keep you updated on that as we go to see how those funds work because the Airway Road West Project was a 60/40 project and part of that project already was inside of that intersection. We can take that work that was already part of that project and move it into the Safety Intersection Project, since that project was awarded at 83/17 split our contribution is less so that should kind of work out where we are getting additional work for the same City cost.

As you know Harshman Lofts, we had that meeting. I think that went really well. That is going to be a \$12 million investment up there on the 2300 block of Harshman. I know some of the concerns that Council had when we met was that 3 story building, part of their credits. The bad news is they are only going to do 48 units, not 66 like they had proposed, so that building will become a 2 story building and not such a large structure. In addition, there will be cottages in the back similar to what people have seen in Beaver Creek and Huber Heights. As we get conceptual drawings and we get closer, I'll share that with Council as well. Like I said, that was just a kick-off meeting to discuss what permits they are going to need and what the process is and they seem to be a really great group to work with so we are excited about that. As the Interim City Manager pointed out, they are looking to break ground in the spring.

Last, but not least, you've got a packet in front of you. This is the packet that I gave to Planning Commission about urban chickens. The information, I think Debbie Hobbs is very passionate about this, I know she gave you guys a packet. What is in the packet I gave you is the same thing I gave to Planning Commission and what we discussed. There's two journal articles, peer reviewed articles, done by universities. You are not looking at information from pro-chicken or anti-chicken side; it is empirical data that tells you what really is going on or what the impacts are. The second article doesn't really answer any questions, but it kind of asks you to ask more questions and think about it so the Planning Commission is going to review that. In addition there's a couple articles from communities that already have chickens and it's 58 pages, it's not that bad to read but when you read them some of them are going to look like anti-chicken and I think they ask good questions. Don't look at the message; look at the content and what the issues are. Planning Commission is going to look those issues and we are going to try to address those issues, so we don't have the problems that these other communities face. Also in there are some feel good articles as well about why chickens are good, so I just wanted to run that by you. If you have any questions, let me know.

Deputy Mayor Smith: In reference to the Harshman Road properties, the St. Mary's development, in the discussion we had about that when they came before us we talked about them putting that 3 story building in the back and the 1 story buildings in the front and now you are saying that it is a 2 story. Is that still on the table, is that something we can do? Mr. Taylor: The way they had the original conceptual drawing, we talked about that in the meeting and I think when we get closer you will understand that it's best to keep that building in the front. The reason for that is you have these cottages and if you put that on the road there it's 5 lanes, 2 lanes in both directions of the turn lane. The speed limit is 45 through there and I don't know if those would be that attractive from a marketing standpoint, if people would want to live that close and of course 2 properties up you have apartments that are on the road and then down you have apartments on the road and then it is surrounded by churches. We are going to get some good conceptual renderings to see what that's going to look like and like I said we will share those; they are in their infancy. They are going to make a decision based on what they think they can sell and what they think will best. To follow that up with, they are asking for a CRA, the Community Reinvestment Act, so we have some leverage to ask for some things. I don't think it is off the table, but they are really interested in having that building in the front and then you pull in, it hides all the parking and then you have this nice little park area for the cottages that they are putting in. When I say cottages there, I think they are 2-3 bedroom attached homes with 2 car garages each. They are good sized patio homes. I can't remember the number, but like I said there will be 48 unites total. Mr. Denning: The idea is that it would be quieter back there for the cottages. Mr. Taylor: Precisely and I think when we brought it up that was what they thought. It would be an easier marketing for them to have it because typically they have a lake when they

Thursday, July 21, 2016

build these, so you will have fishing. We don't have room for that, but they do have a detention pond there behind those and next to them and then there is an open space and that could be a dog park for them or a community area. That kind of puts them back there a little and I think they could get more money for those; we discussed that at length, so it is in discussion.

Mr. Curp: Do you know why they are reducing the numbers of units? Mr. Taylor: I wasn't happy about that, but the reason for that is when they asked for the federal tax credits, and with Miller-Valentine they are doing multiple projects throughout the Miami Valley, they are only allowed so many credits to be awarded and so the 66 put them over their allotment. As they were explaining, typically when you ask for something like a project over your allotment they just deny the whole project, so again another win for us. When the federal government tax credits looked at that, they saw that it was a good project, they saw that it was a good need. Instead of nixing the project they just reduced the allowable units and some of the units will have to be market rate.

Mayor Flaute: At the last meeting I asked for signs for our buildings here, where are we at? Mr. Taylor: We are going to have to have a meeting on that and put that together. Mr. Denning: How soon are we going to have that meeting because we've been in here almost a year and there's no sign that says, Riverside, up there? I'd like to hear a timeline. Chief Carpenter: Next week. Mr. Fullenkamp: So what percentage of the units have to be market rate? Mr. Taylor: I'm not sure, but he guesstimated that it was going to be between 6 and 8 units. Mr. Fullenkamp: 20%.

ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS: There were no public comments on agenda items.

ITEM 15: NEW BUSINESS

A. ORDINANCES

I) Ordinance No. 16-O-601 determining to proceed with the improvement of certain streets between certain termini in the City of Riverside, Ohio, by lighting the same with electricity.

Chief Carpenter introduced Ordinance No. 16-O-601 to proceed with street lighting.

Chief Carpenter: I would like to point out that in Section 2 there was a typo. The resolution cited should read 16-R-2167 and it reads 15-R-2167.

A motion was made by Mr. Denning to read Ordinance No. 16-O-601 for the first time in its entirety and approve its first reading. Deputy Mayor Smith seconded the motion.

The Clerk read Ordinance No. 16-O-601 for the first time in its entirety.

Mr. Curp: Once we complete the second reading and vote on this, is this the last we are going to see it this year or do we still have the assessment that we do? Is this the assessment? Do we still have the individual assessment that we do for the individual properties? Mr. Lohr: Yes, that is correct. Once we have the second reading and it is approved by Council, Mr. Garrett would take that and provide the documentation to Montgomery County. They would go ahead and assess that to the property taxes.

Mr. Curp: So the resolution has a list of the assessments for the individual properties? Mr. Lohr: Yes. Mr. Curp: A couple of months ago when this first came to us, one of the first things I mentioned was that there were some inconsistencies in the way that some properties are being assessed compared with how some other properties are being assessed. I asked that that be looked into and adjustments be considered when it comes back to Council and here it is in front of us and I don't see any indication of those adjustments. Mr. Lohr: Depending on where the property is located in the City, the amount assessed is calculated differently. There are certain properties that I believe are exempt because they were formally in the Village or formally in the Township. There are others that are assessed by the distance that

Thursday, July 21, 2016

they are from the light and how much frontage they have. Maybe we could have a phone conversation and we could discuss that or I would be glad to bring more information at the next council meeting before the second reading.

Mr. Curp: There should be a sketch in the building because I gave that to the previous Interim Manager. The situation is that in some situations you have a property that is illuminated on the front side directly by a street light and that same property is also impacted by a street light that is one street over. So the radius of impact for that second street light might hit this property's backyard and in some cases, they properties are not being assessed for both street lights. They are only being assessed for the one on the frontage and not the other one. Mr. Lohr: That sounds correct. Mr. Curp: Yet you have some other streets where they have no street light or they are not impacted by a street light on the frontage and yet they are being charged or assessed for a street light from the street over where a portion of their backyard is within the radius. It seems inconsistent to me that in one case the property will be assessed and in the other case, it won't. Mr. Lohr: I can see why you would say that. Let me review the process. I wasn't intimately involved in the way that the assessments were calculated, that was done by previous staff, but I will look at how the process was completed. Mr. Curp: Because I can tell you that the situation with some property owners is they have no street light on the frontage, so they get an assessment and they think I'm going to get a street light. No, you aren't getting a street light. You are getting charged for a street light that is a street over that your backyard happens to be within the radius of impact; they don't think they are getting any benefit from that street light. Like I said, they think they are getting the benefit of a street light and I had to tell them, no you are not getting a street light.

Mrs. Reynolds: Mr. City Manager, Fairpark and I know there is an explanation; I just don't know what it is. In Fairpark the number of parcels is 26, the total assessment is \$29,000.00 and the assessment per parcel is \$1,150.00. Where is that? Chief Carpenter: I'm going to have to ask Chris. Mr. Lohr: I'm going to have to get back to you. I will review it all and get a good understanding, then do my best to explain it to Council. Mrs. Reynolds: I think they would greatly appreciate it. I can't explain it. Deputy Mayor Smith: Should we hold off on passing this? Mayor Flaute: We have a second reading, so we have a chance to stop it. Mr. Denning: It looks like somebody has the decimal point in the wrong place.

Four were in favor; Mr. Curp and Deputy Mayor Smith were opposed. **Motion carried.**

II) Ordinance No. 16-O-602 making supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period of January 1 through December 31, 2016.

Chief Carpenter introduced Ordinance No. 16-O-602 to make supplemental appropriations.

A motion was made by Mr. Denning to read Ordinance No. 16-O-602 for the first time in its entirety and approve its first reading. Deputy Mayor Smith seconded the motion.

The Clerk read Ordinance No. 16-O-602 for the first time in its entirety.

Mrs. Reynolds: I'm concerned, Mr. Garrett, that the capital outlay has decreased in the Brantwood II fund by over \$1 million. Are we comfortable with those figures? Mr. Garrett: Yes. We had an engineer's estimate for \$1.9 million for the roads and water pipes in there. The contractor signed up to do it for \$789,000.00, so the difference is that \$1 million.

Five were in favor; Mr. Curp was opposed. **Motion carried.**

Thursday, July 21, 2016

A motion was made by Deputy Mayor Smith to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

A motion was made by Mr. Denning to read Ordinance No. 16-O-602 for the second time by title only and approve its final adoption. Deputy Mayor Smith seconded the motion.

The Clerk read Ordinance No. 16-O-602 for the second time by title only.

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

III) Ordinance No. 16-O-603 repealing Section 182.02 (C)(12)(m) of the Codified Ordinances of the City of Riverside.

Chief Carpenter introduced Ordinance No. 16-O-603 to repeal Section 182.02 (C)(12)(m).

A motion was made by Mrs. Reynolds to read Ordinance No. 16-O-603 for the first time in its entirety and approve its first reading. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 16-O-603 for the first time in its entirety.

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

A motion was made by Mrs. Reynolds to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

A motion was made by Mrs. Reynolds to read Ordinance No. 16-O-603 for the second time by title only and approve its final adoption. Mr. Denning seconded the motion.

The Clerk read Ordinance No. 16-O-603 for the second time by title only.

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

B. RESOLUTIONS

I) Resolution No. 16-R-2182 setting forth appointment of Alice Waddell to the Health and Safety Commission for a three year term beginning August 3, 2016 through August 2, 2019.

Chief Carpenter introduced Resolution No. 16-R-2182 appointing Alice Waddell to the Health and Safety Commission for a three year term.

A motion was made by Mrs. Reynolds to approve Resolution No. 16-R-2182. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion carried.**

II) Resolution No. 16-R-2183 setting forth appointment of Loren Krege to the Health and Safety Commission for a three year term beginning August 3, 2016 through August 2, 2019.

Chief Carpenter introduced Resolution No. 16-R-2183 appointing Loren Krege to the Health and Safety Commission for a three year term.

Thursday, July 21, 2016

A motion was made by Mr. Denning to approve Resolution No. 16-R-2183. Mrs. Reynolds seconded the motion. All were in favor; none were opposed. **Motion carried.**

III) Resolution No. 16-R-2184 authorizing the City Manager to enter into a contract for the purchase for the lowest responsive and best qualified bidder, K. E. Rose for police cruiser equipment and installation for use by the Police Department.

Chief Carpenter introduced Resolution No. 16-R-2184 authorizing the purchase of police cruiser equipment and installation for use by the Police Department.

A motion was made by Mr. Denning to approve Resolution No. 16-R-2184. Deputy Mayor Smith seconded the motion.

Mr. Curp: Is this the same outfit we have used before? Chief Robinson: We have not used K. E. Rose in the past, maybe before I got here, but the Service Department has used them and the Fire Department. Mr. Fullenkamp: In the memorandum sent to the Clerk, I realize it got rolled back \$4,000.00. What additional things would you anticipate would occur that would cause these to...I'm assuming these are fixed bids. Chief Robinson: These are fixed bids, but there could be some complications with the equipment that they could have to change, so it could cost a bit more. The other parts for the striping and the un-striping of the other vehicles is coming out of that money as well. Mr. Fullenkamp: That wasn't in this bid. Chief Robinson: Because it is only \$2,100.00, it wasn't included in the packet as part of the actual bid. Mr. Fullenkamp: I would like to know if it goes over bid, especially if Rose does more work than we anticipate, I would like Council to be notified of that. Chief Robinson: Sure.

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

IV) Resolution No. 16-R-2185 authorizing the City Manager to enter into the Montgomery County Land Reutilization Corporation Neighborhood Initiative Program Community Agreement.

Chief Carpenter introduced Resolution No. 16-R-2185 entering into the Montgomery County Land Reutilization Corporation Neighborhood Initiative Program Community Agreement.

A motion was made by Mr. Denning to approve Resolution No. 16-R-2185. Mrs. Reynolds seconded the motion.

Mayor Flaute: This is coming from the Land Bank; can you tell us how the program works? Just summarize it. Mr. Taylor: The Land Bank has been doing this; I think this is the second or third round of funding that they have done. Basically, this agreement is just an agreement with the Land Bank so we can have a seat at the table. At no point does this agreement mandate that we need to do something. As you saw in the paper, maybe perhaps, they received \$8.2 million to use in communities in what they call Tipping Neighborhoods. They have a ranking system and they gave us that data and we have put it into that GIS map that you have in front of you. Only certain areas can use this money and so the point is that by removing structures in that area, property values will bounce back. Once we get the agreement, we are going to receive somewhere between 1.5-2% of funds out of that \$8.2 million. That translates to about 10-15 houses, it could be more or could be less depending on how many communities participate. None of the funds come to us, they control everything. They have partnered with the City of Dayton; they are using a gentleman named Denny Zimmerman, he runs their housing department and they will contract and do all the work. All we have to do is point out which houses we want. They will tear those houses down. They will do the environmental. They will do the bid packets. They will do everything. We will partner with them to do inspections to make sure things are done correctly. They will also incorporate

Thursday, July 21, 2016

requests in our bid packets, like if we have a special grass we want to put in or if we want to leave large trees or have large trees removed. However we want that, we can work with them on that. Once the structure is removed, the Land Bank will take possession, acquire the property and then they own it for 3 years. There is no risk to us; they mow it. They may only mow it 3 or 4 times per year. They won't mow it every time; they will only mow some many times because there are so many funds. In some of these lots we may spec different grass so that it doesn't get bad, but they only have funds for mowing so many times. At the end of that 3 year period, the risk to the City is that those properties get transferred to us. Any time during that 3 year period, however, if we come to them...Let's say we tear down 10 houses in one Bank, one street, and we have a group of houses, if a year and half down the road a developer comes to us and says they'd like to put some apartment building there. We can go to the Land Bank and they can transfer the property to us and we can either sell it or give it to the developer to use. In addition, if we perhaps do a house between two neighbors...We have some really great houses and then in the middle of those two houses is an abandoned structure. What we can do is remove that house and instead of them going through the REAP process and spending months and months, sometimes years, and about \$2,000.00, the Land Bank will sell that to that neighbor for \$200.00. Our imaginations the limit here, so we can do a lot of great things with it. If we pass the agreement, the next step would be to get with them to finalize how much funds or houses we can do with that and then strategize on how we want to use that. Do we want to do a clustering, where we take out a large group of housing, or do we want to go into a different neighborhood and take out a house here and a house there?

Mayor Flaute: Do they give us any guidelines or anything? Do you guys decide that or are we going to have Council input? Mr. Taylor: As long as it is in the Tipping Neighborhood that's identified in the map, we can decide. We will work with them on how those properties become acquired. There are only so many funds, so if we purchase a house from somebody for a price and then tear it down. If we do a tax foreclosure or however we acquire it, those funds will come out of that. It will reduce the amount that we can use. Mayor Flaute: I would like to have a work session item on that when you getting into that and before you make final decisions. Show us what our options are because we want to be a big part of that. Mr. Taylor: That would be the next step to talk about how we want to use these funds because it's not beneficial to tear houses down and then not have a plan afterwards. It hurts the community to just tear down houses. Chief Carpenter: We have talked about it and maybe we could do this in a way with Economic Development, Neighborhood Planning, whichever best benefits the City is what we are looking to do. I agree a work session on this would be great.

Mrs. Reynolds: The resolution does say that the City Manager has identified a target neighborhood or targeted neighborhoods. Are you using the map only? Mr. Taylor: That's what that is referring to because we couldn't sit at the table unless we identified what our Tipping Neighborhoods were. Mrs. Reynolds: Using that map, you will come back to Council and let us look at all of those and have input? Chief Carpenter: We will do some proposals and bring them back to you. Yes. Mrs. Reynolds: Did staff invited to the recent meeting that was cancelled on the Land Bank? Mr. Taylor: No.

Mr. Fullenkamp: So the Land Bank or what organization provided the map? Mr. Taylor: MVRPC provided the data; I believe Chris put that data into the map and the GIS so that's where that comes from. The data is MVRPC and they are working of course in conjunction with the Land Bank and the Reutilization is just the same thing as the Land Bank. Mr. Fullenkamp: I'm assuming there's a set of guidelines that determines whether a neighborhood goes into a Tipping Neighborhood. Mr. Taylor: It was a formula. Mr. Lohr: It was a formula and I don't know all the details to it, but they took into account the number of foreclosures, number of vacant houses, income of the residents in the neighborhoods and they put that all together and created a scale of 1-10. We think the tipping point is somewhere in the middle 4-6, but you can take a look at that map and all of our neighborhoods are ranked there. With that said, it's not perfect because a lot of the data they used from the census was from 2010. There is some of it that we like and some of it not so much, but I think the tipping

Thursday, July 21, 2016

point neighborhoods we identified are going to be really good target areas for us to do some demolitions. Mr. Fullenkamp: So this could change over time is what you are suggesting? Mr. Lohr: If they were to do it again and they had updated census data, then yes the map would certainly change. Mr. Denning: Good because that's what I was going to ask. It doesn't make a lot of sense to me that the whole brand new Brantwood area is on this in the tipping neighborhood and Schwinn is in the tipping neighborhood and even Northern Circle. Those just don't make a whole lot of sense and I understand that they probably just cookie cutter and looked at the average of this whole area. Mr. Lohr: I think Schwinn is a perfect example; it just got lumped in with some other areas. Mr. Denning: Northern Circle is too. That's a pretty nice area to live in too.

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

ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS:

Bernadette Baker of Mentor Avenue requested to speak regarding a church on Mentor.

Ms. Baker: First of all, I would like to start out by saying when I was here at the last meeting I was supposed to get a call from somebody on the Board. I know, Mr. Mayor, he was the one that told somebody and I think it might have been the Manager. I'm not sure, but he told somebody to give me a call about the issue I'm talking about. Mayor Flaute: You never received that call? Ms. Baker: No, I never received that call. Then I talked to you. Then I talked to Mr. Fullenkamp and then I called the Chief of Police. I left a message with Zoning. A police detective that called me and told me that our problem wasn't a police matter, that it was a zoning matter. This is about the church on 870 Mentor Avenue; the one I was telling you that people were living in the last meeting that I was here. When Chris finally called me back, told me that there was going to be a fire inspection and that he was waiting on that information. I was just waiting for someone to call me back after the inspection. The inspection was a couple of weeks on a Saturday and it took about 13 minutes. I then waiting for a call which I never got again. I left another message with Chris this week, in fact, I think it was Monday or Tuesday and I never received a call back again. I feel like I take my time coming here and talking to you people and listening to all this stuff which is interesting and I like to listen to it sometimes or like to hear about it because I am involved. I live here. I'm a resident here. I pay taxes here. There are several issues here that was talked about that I am concerned about, but the one that is here is that we pay taxes and I feel like it should be businesslike for somebody to get back with somebody that takes there time and comes in and presents a problem. That isn't much to ask you know. It's a church there and it's not a residence.

We pay taxes. They don't pay no taxes. I've got here it's a E Church Public Worship. That's what it's supposed to be. We had no problems with the church being there, but somebody living there full time. I don't know where you all live, but it's not right. We pay taxes. Just like the light thing, you said it was free for some of these people. You know they pay \$200.00 taxes every 6 months or something. I pay \$3,000.00 taxes right across the street with half a house that they got; it's a church. They are living in the church. It's not a separate place. It's not right. I haven't gotten any response or anything back from this, but there is several people that are concerned. Mayor Flaute: I do apologize for that and I don't have an excuse for you. I don't know why that didn't happen, but I can assure you with our new Manager on board he will take your comments very seriously. If he doesn't call you, please call me because I hand this stuff over to those folks. I apologize on behalf of all of us and someone will be getting back with you as to where it is in that situation.

Mr. Denning: Chris, can you give us a quick explanation about what's going on? Mr. Lohr: Yes, I can. We did have a fire inspection there. I'm not sure about the results. Chief Carpenter: I can tell you we did send crews. The first time we went by there, there was no one there. Ms. Baker: They are there they just don't answer the door. Chief Carpenter: We rescheduled. We got the pastor's phone number and scheduled a visit. The crews went in and they found no evidence of any kind of permanent housing inside. We noted a few fire things to take care of, but that's what

Thursday, July 21, 2016

we noted. Ms. Baker: Well I don't know what happened or what they did, but they knew that the stuff was getting pretty heavy and since you've been out there in fact everything started cooling down and settling down. There were hardly any cars there. They were coming like they were supposed to on church night, except for these people that say they are going to live there and they are going to get out of there when they get a place because he's transferring to a different place and he didn't have a place to take all of his furnishings or something. You know they've lived there for almost 2 months now. You know he works every day and so does this other guy that lives there. He says now, he tells me that's his son. You know his son, his mother-in-law, his wife and now he's got a daughter. Every time I talk to him there is another person added onto it because I see all these people and I wonder who the hell they are. It's not a church thing. Chief Carpenter: He did admit that there was people that were in transition that would stay there for short periods of time and then move on, but our crews didn't find any evidence of any kind of permanent housing inside. Ms. Baker: I can't sit here and say that they are lying because I have to have proof. I have got pictures of different times. 2:00 in the morning I was out at Meijer's and came home and it was about 1:30 a.m. because my girlfriend had to pick her daughter up. Well long story short, I've got a picture of them being there at 2:00 a.m. I've got pictures of them all the time there, not just on church nights.

Mayor Flaute: Mr. Manager, could you get a plan of some sort or maybe a surprise of some sort? Is there a way we could do this? I know you tried the Fire way, now is there another way that we can check on these folks? Chief Carpenter: I can look into some other alternatives. Ms. Baker: He even came over after you inspected and he was really mad. He said it took him a couple of days to cool down before he could talk to me. I said well you think you're mad. Then he explained that boy was his son. I can't say if he's lying or whatever, but I don't believe it because he keeps adding things. Then he said he would make a schedule out and tell us when the church was going to be and that they will keep it quiet. They wouldn't bother anybody until they get another pastor he cannot leave. He's leaving to go to work in the morning. He's coming in at night. Mayor Flaute: Okay. Staff will figure out what they are going to do. Ms. Baker: They don't answer the door either. There's people in there all day long. They even have a black dog.

Mr. Fullenkamp: I would just like to have a copy of these people that speak before us with their telephone numbers and their names and their address for Council to have that so that we can actually speak with them outside of the council chambers and work with them. If the Clerk could and that could be emailed to us that would be fine. Mr. Curp: Ms. Baker, do you know if they actually have church services there? Ms. Baker: I really don't. This is funny, my brother said why don't we go over there when they are supposedly having church and surprise them and see what they say. I said I'm not going over there. No, I really don't know if they have services or not. They are there sometimes on a Sunday. Sunday and Wednesday is usually when they were there for church. That was always the way over there, but now it is Monday, Tuesday, Wednesday. You know, it's every day. They have cooled down ever since this stuff and we are talking to them. Then they said they called you for an inspection, but Chris said they were scheduling an inspection. Then he comes over and says he called you and scheduled the inspection. He said with the zoning, it was okay that he lived there. Mr. Curp: Is your printout from the County Auditor's website? Ms. Baker: Yes. Mr. Curp: It shows it being owned by an outfit in Michigan. Okay. Ms. Baker: He was worried about the taxes. I talked to the guy that owns the property, well he doesn't own it. He's responsible for renting and leasing the properties out that he's got for this church organization. He said that he does deal with a lot of Spanish people, but he said that he was always worried about the taxes because he got stuck in something like this before where it was a land contract and they came back on him for taxes. I said is that all you are worried about because we don't know what is going on over there.

Donna Gregg of Hazelton Avenue requested to speak regarding a rundown house in her neighborhood.

Ms. Gregg: I'm here about the property at 2257 Hazelton. I called you the 16th of July and asked you about what was going to be done about it. Did you return my

Thursday, July 21, 2016

call? Mayor Flaute: Ms. Gregg, would you please tell us your issue? Ms. Gregg: No, I'm tired of it. I got this house next door. The tree is growing into the roof. The trees are growing into my fence, bending my fence that I paid for and put up years ago. I call and asked people. I called Dayton, I called this, I called that. They say talk to the Mayor; I have, that's why I'm calling you because the Mayor don't respond. I was here last year about it and for a couple weeks everything got done. They cut grass. It had already been cut. This guy goes out and cuts it, but he can't get the mower through it because there is that much dead grass in the yard. That's why he couldn't get the mower through it, not because the grass is high because they had just cut it the week before. He thinks this is going to make everything right. He cuts down a little bit of the bushes that are in the backyard that I had to pay \$1,300.00 for to have tree limbs cut out of. I paid \$1,300.00. I don't have that kind of money. I watched a tree get hit by lightning and fall in my yard from theirs and had to beg them to cut that tree down. Now they are gone. They have been gone since 2008 and trees are growing into the roof. Trees are growing into my fence. When I asked you and finally have to come down here and ask you, you might do something. After that the next year, nothing. The grass is growing. The tree is still growing into the roof and the fence. It is still growing into my fence. I don't care if you have to go out there and cut the tree down.

What right does this guy have to sue you for cutting that tree down? He owes \$29,000.00 in taxes. I figure there is 82 foreclosures in Riverside, so you take 82 times \$1,500.00, like what I pay in property taxes. You take these 82 times those by \$1,500.00, that's \$123,000.00 that Riverside could get from money. You got 82 you times that by 82, if the guy gets by with 8 years like the guy next door that's \$984,000.00 that Riverside is not getting. So who is going to have to take up paying for the rest of the taxes? Who is going to pay for the school levy that you will probably ask for pretty soon? Who's going to pay for the police levy? Who's going to pay for the fire levy? The people in Riverside that are paying their taxes and doing what they are supposed to do. So, why? Then you tell me you can't go over and do it because it's against the law, we might get sued. He hasn't lived there for 8 years. He come out and painted the numbers; painted them red. That was exciting. Mayor Flaute: Ms. Gregg, just for the record I want you to know that as soon as I received your call I emailed the staff and emailed the Council telling them about the problem. I did make the assumption that they were following up, so that was my fault for not following up on that. Ms. Gregg: Did I ask you to call me back? Mayor Flaute: I did work on your behalf and then they got on it. After the second call, I sent another email to all of Council and to staff and hopefully they did get ahold of you after that. Again, I do what I can and I did let you down. Ms. Gregg: Yes. I pay your salary. You've let me down for 8 years. Eight years I've had to look at this. Eight years. Eight years. This guy has a job. He has a job. He's a cop in another area. Now what if somebody came on and said these people ain't paying their property taxes here, so we're not going to pay you. We are going to have to let you go.

Mayor Flaute: I don't think that staff has anything new stuff for you since they called you yesterday or the day before. Ms. Gregg: In 8 years. Mayor Flaute: If they do get some new information for you, we will pass it on to you. Ms. Gregg: I don't want you to call me because you do not call me. You do not respond. I'm sitting in a neighborhood, do you know how much? Mayor Flaute: Ma'am I would want them to call you because they have the information. I don't. Ms. Gregg: But I want to know. Harrison Township identifies 31 demolition projects, now they are getting rid of houses that are in bad shape. Clark County is getting demolition for foreclosed and tore down houses. Here's Fairborn. They are getting stuff for tore down houses and repossessed and stuff like that. They are getting it. Here's Beavercreek.

Mrs. Reynolds: Mr. City Manager, can you please work with Ms. Gregg in the morning, the first thing in the morning and see what we can do? It needs to be taken care of. If there is anything at all that we can do, we need to do it. If we need to look at going in there and talking to the owners, whatever, Ms. Gregg needs our assistance and our help now. Ms. Gregg: I mean the tree is growing through the roof. What happens when it grows into the roof? What is going to crawl in there and what is going to die? Mr. Fullenkamp: Hazelton is in a tipping point area. Mr. Denning: It can go on our first hit list. Ms. Gregg: I've got prices for houses going up

Thursday, July 21, 2016

for sale. This is for real estate in 2015, \$46,000.00. I'm not hearing from him. Mrs. Reynolds: Give the City Manager until in the morning at about 10:00. Can you all please get with Ms. Gregg by 10:00 in the morning? She needs a time. Ms. Gregg: I'm tired of it because they are going to send me a thing pretty soon saying I owe \$50-60,000.00 in property taxes. Mrs. Reynolds: Ms. Gregg, they will get in touch with you by 10:00 and I will give you my number. If they haven't called you, you will call me. Ms. Gregg: He's talking about a Land Bank, how many years will that take?

David Coterel of Fairfax Avenue requested to speak regarding S.S. Enterprise and B&M Towing and Parts.

Mr. Coterel: I'm here to talk about the problems that you guys got with S.S. Enterprise on Byesville and Planters. For some reason or another, you guys don't seem to think that you don't have to make this man apply to the rules or whatever. Number one, it has never been zoned a business same way with Fairfax and Byesville with B&M Towing and Auto Parts. B&M Towing and Auto Parts come in there after Greg Salmons was shut down after we become a city because he was illegal. Jerry Salmons and S.S. Enterprise down there has never had a permit to run a business, period. He's been shut down 4 times, but for some reason the Council and what I understand somebody made the statement that Council wasn't supposed to get involved in this. Am I right? If the Council don't get involved in this problem and abide by the rules and the regulations. If you're not zoned business, you've been shut down all the time since you been there. You are going to look at me and I'm going to tell you how it is. I'm 74 years old and I've lived in the same house basically all my life. I know everything and anything that went on in this plat, ok?

Now you are going to hold me to 3 minutes. I could sit here and tell you every time that they was shut down; why they was shut down. From what I understood from you one time you said why are you messing with him because he's a good ole boy and if you made that statement, sir, you don't even know what a good ole boy is. Mr. Smith made a statement that why don't you get an attorney and sue Jerry Salmons. If there's an attorney going to come down, it's going to pull against the City of Riverside and Mr. Brock Taylor because he's the one that all the time is out there. What are you going to do, cut me off? He's the one that is giving the permits to run a business that hasn't ever been zoned business and is not legal to be zoned business. Okay? I can set here and I can go on a half hour and tell you everything that went on down there from the time in the 60's. My parents had this house. I'm 74. I was in there from '42 up until was a freshman in high school, went back in 1964 and I know everything that went on down there. I know all the bull crap that went on down there. You guys understand this? When you make a statement that City Council is not supposed to be involved, that's wrong.

Mayor Flaute: Mr. Coterel, we have been in touch with our Law Director. Our Law Director says, well do you want to say it so I don't make a mistake and say it wrong? Ms. Grandjean: Well, I think if there were a mistake made it would be to discuss any advice the Law Director gives. The situation is that on February 22nd of 2016, the City Manager issued a certificate of non-conformity, which is in compliance with the Riverside Code of Ordinances. That's the situation and that's where things stand right now. Mr. Coterel: He's not here and when I asked him one time I said I don't know who in the heck Jerry Salmons is paying off over here, but he's paying somebody off. Mayor Flaute: We don't believe that. We doing what the law has said we can do. Mr. Coterel: I'll tell you how it is. If we have to get an attorney, I am coming after all you guys. The City of Riverside and Mr. Brock Taylor will be the ones that will be put on it. Mayor Flaute: You are welcome to do that, sir.

Steve Massa of Planters Avenue requested to speak regarding Planters Avenue.

Mr. Massa: I really don't need to discuss anything. I just want to give you some more opinions and mine will be a lot milder than Dave's was. It's concerning the same thing. I'm just going to read the letter to you. I just kind of want to update you people how I feel at this point and just give you some information because there is a lot of information going around and everybody's got a different view of it. Nobody knows what anybody else is doing. The staff don't talk to the Council. The City Attorney

Thursday, July 21, 2016

knows things and I don't know whether she's told everybody else. The whole thing is a mess. Anyhow; good evening. My name is Steve Massa. I would like to make clear, I understand our City Manager, Mr. Carpenter, has been on the job for only 2 weeks. At this point, I in no way hold him responsible for Riverside's past failure that spans in excess of 3 years to find a solution to the issues that have and are occurring on Planters Avenue. Riverside's previous City Manager, Mr. Chodkowski, mishandled and pointed this problem in a very bad direction years ago. Unfortunately, this problem has remaining on this bad trajectory for many years. I spoke with Mr. Carpenter for many hours concerning the direction and magnitude this problem has taken. He made clear he understood the gravity of the situation and assured me he would work diligently and quickly to find a solution. I greatly appreciate the time Mr. Carpenter gave me to speak with him, as I know he is very busy with many responsibilities.

As of late, I feel Mr. Carpenter's willingness to end this situation is some way being undermined by persons unwilling to give this problem the attention it deserves. If this is truly the case, the affected residents have a right to know why this is occurring. Over 3 years ago, affected residents made two simple requests: dust control in the Planters Avenue area and semi-trucks remain on the paved roadway. These requests were very basic and as residents of Riverside, these requests were in no way out of line. These residents simply wanted to live in a healthy and safe environment. If these two simple requests by residents had been handled properly by staff when it was brought to their attention 3 years ago, the affected residents of Riverside would not be in the war they are in today. I, for one, never wanted this; however as a resident and property owner I will not sit idly by and let Riverside trample my rights. If anyone would like to comment, the affected residents and myself would greatly appreciate it.

ITEM 17: COUNCILMEMBER COMMENTS:

Mayor Flaute: First of all, I want to talk about the Great Debate. As many of you know, I have been working very, very hard on the Great Debate and it has now been cancelled. One of the reasons was because of money problems and the other was because we felt threatened. We were threatened by the bad guys. The bad guys just took \$28 million out of this community and the bad guys won. I'm just really sorry about that. If it was a money problem to get the \$8 million, I wish that's what was said because maybe the plea could have gone out to get the \$8 million, but the bad guys won. I don't live my life in fear, as all of you know. I wish that the President of Wright State had made a different choice, but I appreciate everybody's support. We had watch parties going. Lynn was working on stuff for the Great Debate and it's very sad to see that go down.

We had a good IN Crowd at the VFW; always have a good time there. Hope 4 Riverside had a meeting and there are two things here. We are having some school supplies to be donated to the Mad River Local Schools. You can do it through your church. Is there any other way you can do it? Mr. Denning: You can drop them off at Stebbins High School on the 31st. Mayor Flaute: On the 31st. Help the folks of Riverside get the kids their school supplies. If you need any more information see me or see Mr. Denning about that. National Night Out is going to happen on August 2nd and it's going to be happening here, so invite all of your neighbors to come. We are going to have free hot dogs, hamburgers, drinks, Kona Ice, face painting. All of that is going to happen here on the National Night Out that is August 2nd. It will be happening in our parking lot. Everything's free and it's for our police. It is a national thing that our nation does and I want you to all be a part of that. I went to welcome 7 new leaders tonight at Wright Patterson Air Force Base and the Springfield Guard. I appreciate Deputy Mayor Smith taking over for me while I was out welcoming in our new leaders. It is a very, very big deal and we are honored to have such good leaders coming into our community. I did 4 weddings in the last couple of weeks, so we will continue them on.

Mr. Massa: Mr. Flaute, I would like to speak. Mayor Flaute: You already did speak, but you will need to be really short. Mr. Massa: I just have a couple of questions. First of all, I want to know, what are the guidelines for approving a non-conforming

Thursday, July 21, 2016

permit? What are the guidelines for approving a non-conforming permit? I'll talk to you. What are the guidelines for approving a non-conforming permit? Mayor Flaute: You will have to talk to the City Manager about that. Mr. Massa: Okay. I can't talk to her outside of this room because she works for the City. Mayor Flaute: Okay, then you will have to talk to the City Manager and get that information from him. Mr. Massa: I'm going to want that. Everybody in this room heard me say that. I'm going to want that information. I don't want it next month. Ms. Grandjean: It's in the Ordinance, sir. Mr. Massa: The Ordinance says for legally permitted businesses. Ms. Grandjean: Go read Section 1103.13. Mr. Massa: Could you read it now? Ms. Grandjean: No, I don't have it handy. It's on the website. Mr. Massa: And it has the guidelines for getting this permit? It has the guidelines. Mr. Taylor: It explains the process. Mr. Massa: It explains the process, but what are the guidelines? Who makes the decision if this person is legally allowed to get this permit? Ms. Grandjean: The City Manager made the decision and issued the permit. Mr. Massa: Okay, he did do that. Chris Lohr signed it, so who issued it then? Mayor Flaute: It would be through the City Manager. Mr. Massa: Who did? This City Manager didn't issue it. He had nothing to do with it. Ms. Grandjean: He wasn't the City Manager on February 22nd. Mr. Massa: He did not issue this permit though. Mayor Flaute: That is correct. Mr. Massa: The previous City Manager started the process. The permit was signed by Mr. Lohr, so who actually issued it? How does that work? Ms. Grandjean: I just told you, the City Manager did. Mr. Massa: Even though he didn't sign it? Ms. Grandjean: The City Manager approved it, yes. Mr. Massa: Wouldn't his signature be on it. Ms. Grandjean: This is really an unproductive way to. Mr. Massa: You talk about unproductive. This has been 3 years that we have been doing this regardless of this permit; it ain't going to make any difference anyhow. Mr. Manager, are we going to continue to work to try to solve some of these issues? Chief Carpenter: Yes, sir. I would be glad to talk to you more in depth after the meeting. Mr. Massa: Because the issues still are there regardless if the permit is there or not. The issues are really what we want taken care of. Mayor Flaute: Okay. Mr. Massa, thank you. Mr. Massa: Also, you know how it feels now for the bad guys to win. Mayor Flaute: Well, thank you.

ITEM 18: EXECUTIVE SESSION: A motion was made by Mrs. Reynolds to enter into executive session for the purpose of discussing the candidates for the position of City Manager as allowed by Section 103.01 (d) (7) C: *To receive and consider from an applicant for a permit, license, variance, zoning change or other similar privilege granted by the City, the following information confidentially received from the applicant: C. Production techniques and trade secrets and Section 103.01 (d) (1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against City employee or official.* Mr. Denning seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Mr. Curp, yes; Mr. Fullenkamp, yes; Deputy Mayor Smith, yes and Mayor Flaute, yes. The council entered into executive session at 9:28 p.m. Council came out of executive session at 10:08 p.m.

Mayor Flaute introduced Resolution No. 16-R-2186 authorizing the City Manager to a foreclosure action on the tax delinquent lands identified as Parcel: I39 00102 0010 in accordance with Chapter 5722 of the Ohio Revised Code.

A motion was made by Mrs. Reynolds to approve Resolution No. 16-R-2186. Mr. Curp seconded the motion. All were in favor; none were opposed. **Motion carried.**

ITEM 19: ADJOURNMENT: A motion was made by Mr. Denning to adjourn. Mr. Curp seconded the motion. All were in favor; none were opposed. The meeting was adjourned at 10:13 p.m.

William R. Flaute, Mayor

Clerk of Council