

Thursday, July 6, 2017

ITEM 1: CALL TO ORDER:

Mayor Flaute called the Riverside, Ohio City Council Meeting to order at 6:00 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: Deputy Mayor Curp, present; Mr. Denning, present; Mr. Fullenkamp, present; Mrs. Lommatzsch, absent; Mrs. Reynolds, present; Deputy Mayor Smith, present; and Mayor Flaute, present.

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

ITEM 3: EXCUSE ABSENT MEMBERS:

A motion was made by Mrs. Reynolds to excuse Mrs. Lommatzsch. Mr. Smith seconded the motion.

There was no discussion on the motion.

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

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:

The agenda was revised prior to the start of the meeting.

ITEM 5: APPROVAL OF AGENDA:

A motion was made by Mrs. Reynolds to approve the agenda as presented. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

ITEM 6: WORK SESSION ITEMS:

A) Board Interview

l) Stanley Leszczuk for reappointment to Tax Appeals Board.

Mayor Flaute: Mr. Leszczuk, would you please come forward and talk to us a little bit about what you have been doing and how long you have been on? Mr. Leszczuk: I've been on for about 2 ½ - 3 years. We kind of meet every other month or once a quarter. We haven't met in about four months, but we have a meeting next week. I really enjoy it. It is my contribution to the City of Riverside. Tom is a good leader.

Mayor Flaute: Good, we like to hear that. Are there any questions for Mr. Leszczuk?
Mrs. Reynolds: He's the nicest tax man we have ever had, I think. He's kind to everyone that comes before that committee and I appreciate that so much. Mr. Leszczuk: Thank you.

A motion was made by Mr. Denning to bring forth legislation to reappoint Mr. Leszczuk to the Tax Appeals Board. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

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Mayor Flaute: Thank you for your service. We will be doing it at the next meeting.
Mr. Denning: Actually I think it is at this one. Mr. Fullenkamp: It is. Ms. Arnold: I put it on for this evening because they have a meeting. Mayor Flaute: Oh, it is this meeting. Mr. Denning: We will be doing it tonight because they have stuff going on next week and we had to get him reappointed.

There was no further discussion.

B) Liquor Control Applications

I) Ansh Petroleum, LLC DBA Linden Avenue Short Stop

Mr. Carpenter: This has been reviewed by the Police Chief and he had no problems.
Mayor Flaute: Just word on the street is they had a bad reputation before, but this is new people coming in and they are not recycling the old one or anything. Ms. Arnold: Not that we could see. Mayor Flaute: We will leave it at that. Mr. Smith: They sold alcohol before, correct? Mayor Flaute: Yeah, we will leave it at that.

There was no further discussion.

II) Cassano's Inc.

Mayor Flaute: Does anyone have any issues with Cassano's? I think they are a great establishment and from what I hear they are very happy with where they are and doing much better than they are at the location on East Third Street. Ms. Arnold: The reason we received this is because there was a stock transfer due to an estate. I did put the notes in there, but they didn't request a background check from the Police Department because it was just a transfer. They sent it to me, so I brought it to you. Mayor Flaute: Very good. Any other questions or comments for the Manager?

There was no further discussion.

C) Presentation – Miami Valley Lighting regarding street lighting.

Mr. Carpenter: We have Mr. Stallman and Mrs. Livesay here from Miami Valley Lighting to talk about our Street Lighting Program. Mayor Flaute: Welcome.

Mr. Stallman: Thanks for inviting us. Let me start out by giving you an overview as it relates to the lighting program we are referring to, which is essentially installing LED as a replacement for mercury vapor and also for high pressure sodium in many communities in the DP&L service territory. Actually this started about 2 ½ almost three years ago in which we got together with the Miami Valley Communications Council and several of the communities that are part of that, which the City of Riverside is a representative, as far as a street lighting working group to take a look at the LED technology. Through that process we included and had vendors come in to perform presentations for us, the MVCC hired a street lighting consultant to assist on that end, and we really started to dive into the LED technology. What was the distribution pattern? How did it look as far as lighting the roadway? What were some of the options as it related to what should replace what type of mercury vapor technology and what should replace a high pressure sodium? We looked at the actual characteristics of it and looked at those things in detail.

From that perspective, we moved on to the next phase which is really doing a pilot. We installed a number of LED street lights in the communities of Miamisburg, Troy, and Kettering. We installed about 60 different LED lights that we had out in the community for approximately a year or a year and a half to allow for residents and City Managers to kind of get a feel for what that looked like in the distribution pattern, the color rendering characteristics of it, and so forth. Based on that type of discussion, which actually took a period of about a year, a year and a half that led to a strategy in which we got together with the Miami Valley Communications Council and the communities that are part of that to really take a look at the street lighting technology.

The first thing that came out of that Miami Valley Lighting wanted to replace all mercury vapors with LED and so we were able to reach an agreement on that. The

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reason we did that is because they have the same color rendering characteristics. Mercury vapor has sort of a white light technology and so does LED, so it had many of the characteristics that were positive that we felt would be receptive to the communities and to the residents. The mercury vapor technology became obsolete and in fact we started removing mercury vapor off of our system as early as 2005 because some federal legislation was passed that said you could no longer make the ballast in the United States as it relates to mercury vapor, so we wanted to get that out and we were able to do that. What we didn't realize at that particular point in time is that a number of communities, in fact more than we imagined, really wanted to also replace high pressure sodium with LED and so we developed a program to do that. Last July, we began a long-term strategy to again remove all mercury vapors on our system and we were doing that at no charge to the customer and we started that phase, but we also began removing high pressure sodium for communities that wanted us to do that. Now with the removal of the high pressure sodium and the installation of LED, there is an installation charge associated with the particular high pressure sodium that we are taking out with that, but it was agreed upon by the communities as part of the agreement structure.

Speeding up quickly, we kicked that program off last July. It has been very, very successful. By the end of this year, we will have changed out 11,000 mercury vapor in the DP&L service area to LED. We have also replaced over 5,000 high pressure sodium to LED by the end of this year. The response again has been overwhelmingly successful. We have had less than five communities or residents talk to us and say that they didn't like it, so they have been very happy with what we have been able to provide with that thus far and so we are going to continue to do that. Speeding up a little bit on the high pressure sodium side, speaking of the growth of it, we have probably at least 15 communities that have agreed to or wanted us to change out high pressure sodium to LED within the next few years, so we have started that program and kicked that off very strongly. We expect that to continue for the next few years going forward. Long term we expect LED to, based on the response that we are receiving now, we are going to take it to all the communities that we have street lighting agreements with and make it an offer to them as their contract expires, and again provide them the option if they want to have high pressure sodium removed with LED. It is certainly our expectation that many of them will take advantage of that.

With that, I'll kind of take a breath and stop for a couple of minutes. I would like to introduce Robin Livesay, who is a Business Development Representative from our group, that has been involved with street lighting for over 20 years. She wants to talk a little bit about distribution and what it looks like when you take a high pressure sodium off our system and install an LED. With that, Robin.

Mrs. Livesay: Thanks Bob. You have two pieces of paper in front of you that have little oval patterns on them. Let's take a look at the first one. These are basically looking down on a light and these are photometric values. The outside line is a half a foot candle line and the inside line is a foot candle. Basically it is just comparing a high pressure sodium, as Bob mentioned we did a lot of research and talked to a lot of vendors and really looked at fixtures out in the field and wanted to come up with kind of the most comparable to the high pressure sodium. The high pressure sodium fixture was the technology of the day before LED, so we were trying to compare it to the high pressure sodium. You can see that they are very close in foot candle pattern and distribution pattern. One other attribute that the LED does have is that it disperses the light in a more uniform pattern, so under the light it is going to be a little more uniform versus the high pressure sodium might have a hot spot right under the light and disperse from there, but overall they are pretty close in distribution pattern. The LED doesn't have as much wasted light, so the light on high pressure sodium will go above the fixture and behind the fixture. The LED is designed to light the roadways and to not have as much wasted light.

This picture here, when it says the 100 wattage PS, the 9,500 lumen, versus the 50 watt LED, that's what you are going to have in your neighborhoods. That's mostly the residential lighting. The second one, you can see these two different types of fixtures at this location. There is a 27,000 lumen high pressure sodium, which is a larger one, and we would change that out to the 219 watt LED. That will show how the difference in those two would be, so you are comparing this one here to this one here and then

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down below it is comparing the 16,000 lumen high pressure sodium to the 90 watt LED. You are comparing the bottom one in each of those pictures to the bottom one, so you are comparing this to this because these are equivalent and this to this on the top. These are going to be more. The 16,000 lumen is probably more on your collector type roadways. There could be some in the neighborhoods if you requested a brighter light to be put in. If there was some crime or something going on, we do have 16,000 lumen fixtures in some of the neighborhoods in our territory. The 27,000 lumen is usually at bigger intersections.

Mr. Fullenkamp: I'd just like to ask one question. I'm seeing the coverage comparatively between the high pressure sodium and LED to be almost identical. Mrs. Livesay: Pretty close. Mr. Fullenkamp: The other thing I think you are suggesting is that HPS lights have more of a hot spot in the middle, whereas LEDs provided more diffuse and even distribution of lighting. Mrs. Livesay: Yes, the high pressure sodium is also a yellow color. Mr. Fullenkamp: But in terms of distribution, you consider them being equivalent if the appropriate wattage of LED lamp is installed to replace the high pressure sodium. Mrs. Livesay: We tried to get as close to that as possible, yes. Mr. Fullenkamp: Okay. That's my technical question. Thanks.

Mr. Smith: I'm looking at the diagram you have here as well and it looks like the LED light is more dispersed in an oval shape, which would go down the street, as opposed to the high pressure sodium being a more round sphere, which would incorporate people's yards, driveways, and down the street as well, but not as far as the LED. Plus it looks like the high pressure sodium, you are using the example of 250 watts versus 219 watts and then the other example is 150 watts versus 90 watts and you are getting more coverage with the smaller wattage using the LED which would equate to less dollars we would have to pay for electricity. Is that correct? Mrs. Livesay: Correct. Mr. Smith: Okay, so it is cheaper to use the LED as opposed to the high pressure sodium? Mrs. Livesay: Yes. The energy, yes.

Mayor Flaute: You said you would have our city done by the end of this year you are thinking? Mr. Stallman: I'm sorry, no. We took out all the mercury vapor already in the first quarter and replaced those with LED. The thing I was talking about Mayor was through all of the communities that we started the program is that by the end of this year we will have already changed out in some of the communities that we serve 11,000 mercury vapor lights and over 5,000 high pressure sodium. That is going to continue going forward. Our long term plan essentially is over the next several years we are probably be going to changing out about 50,000 street lights total over the next several years. We are in the early stages of our program. Mayor Flaute: I noticed one or two changed on my street and one or two that wasn't. Why wouldn't you do it all at one time? Mr. Stallman: The change out of the mercury vapor to LED, I believe by the end of March or April at the latest.

Mr. Fullenkamp: On my street, we used to have high pressure sodium and they have all been replaced with LED and I'm trying to figure out what the rationale is. Where did you change out high pressure sodiums because I'm seeing spots where you did? I'm seeing streets like mine that were totally high pressure sodium that have now all been replaced with LED and I'm seeing most of my neighborhood being LED at this point and in the past they were I think mostly high pressure sodium. Then I'm seeing strips of high pressure sodium that kind of intermix with LED. Was there a rationale of how your contractor went about and decided what to change and where? Mr. Stallman: If we have replaced a high pressure sodium with LED, we have done that in error except for one caveat because the City has not elected to go forward with a mass change out of high pressure sodium to LED. We've only changed out mercury vapor to LED with one exception. When we were talking to communities, we asked communities if a high pressure sodium became inoperable, if the fixture became inoperable, not just the lamp, but the entire fixture, did you want us to replace that with either an LED or with the same size and type high pressure sodium. We gave the communities the option. If Riverside, and I apologize because I don't have the information in front of me, if at that time you elected to have an inoperable high pressure sodium being changed out with LED, we may have done that. There's no way that we would be doing a mass change out of high pressure sodium to LED without your approval. Mr. Fullenkamp: I'm just seeing what I saw on my street and

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throughout some of the neighborhoods I walk at night. I'm okay with it. Mr. Stallman: If you don't mind, we can get your street and take a look at it and get the information back to you tomorrow.

Mr. Fullenkamp: Let's ask another technical question. Do you believe that these distribution patterns would have any impact on the ability to assess people in those neighborhoods where the LED has replaced the high pressure sodium because in our last two meetings or last meeting, I'm not sure which, we have excluded about 50-60 people from assessment. I think they got it mixed up. Our information said that LEDs were more focused, but we know that's not particularly the case and it's quite the opposite, LEDs are more diffuse and a more even distribution pattern. Would you think that would impact assessment for lighting? Mr. Stallman: The first way I would answer that is how a community does the assessment is really up to the community. Mr. Fullenkamp: I understand. I don't know what our standard is. Mr. Stallman: Many communities do assessments in a lot of different ways and we are non-partisan in how that works and how they do it. It's completely up to them. Our reason for being here was basically to provide some information on the distribution pattern and what the comparison is as it relates to the LED along with the high pressure sodium. Mr. Fullenkamp: I think you gave us good, accurate, technical information and I appreciate that. I was just fishing for an opinion. That's okay.

Mayor Flaute: So would it be your desire to have our community say, "Yes, we want to replace with all LEDs" from now on? Mr. Stallman: We certainly believe that LED is a very good street lighting fixture, however, we had some communities that desired to keep HPS and not go to LED. That's why we made it something to where the community could elect to do so. If you elect to do so, as per the agreement, on the high pressure sodium up to the 27,000 lumen there is a change out charge depending on the individual high pressure sodium that we are taking out. For example, and I provided this information back when we were initially talking about the agreement; it's been several months ago. There's approximately 385 high pressure sodium that are eligible to be changed out that we have in Riverside. To do that, to have all of those changed out to LED, the change out charge would be I think \$9,750.00 to do all of those. Communities had to elect for us to do that and the change out charge was based on the particular high pressure sodium and as I have indicated, a large number of communities have desired for us to do that and they elected to have us change out the high pressure sodium to LED and we went through that process to do that. In fact there are probably 14-15 communities that are in the MVCC that have elected to do that. Mr. Fullenkamp: But we did not? Mr. Stallman: You did not at that particular point in time. I think the point was to move forward with the mercury vapor and then for Council to take a look at that option on whether they wanted to do that and spend that money.

Mr. Fullenkamp: So that change out charge is a one-time fee? Mr. Stallman: It is a one-time fee only. Once it is done, it is done. Mr. Fullenkamp: Once it is done, do rates remain the same as HPS? Mr. Stallman: Actually the LED, the full-service price, is slightly lower than the high pressure sodium. Mr. Fullenkamp: Okay. Mayor Flaute: So that's the advantage for us to do that. There would be a savings of electricity for the lights. Mr. Fullenkamp: For price. Mr. Stallman: It would be a savings on your bill, on your full-service bill. Mayor Flaute: Do you know about how many years payback? Mr. Stallman: I believe on the change out it is about a three year payback. It might even be slightly less than that. Mayor Flaute: Maybe that's something we need to talk about. Mrs. Livesay: Another advantage if you will is a lot of communities have chosen to change out the high pressure sodium because they don't like the difference in color. You have a white light here and a yellow light here. That's how some communities have chosen. Mr. Fullenkamp: So if my neighborhood was changed in error, we weren't charged a change out cost. Mr. Stallman: If we have your street, we will take a look at that because the only way that should have been changed is if a high pressure sodium became inoperable and the community selected in that situation to have an LED installed rather than a high pressure sodium. Mrs. Reynolds: I think we had that conversation the last time that you were here, sir, about the life expectancy of each one of these and I think that played a part into our conversation the last time about change over. Mr. Denning: I don't believe we had a dollar value. Mrs. Reynolds: We did. We had a lot of pieces of paper because. Mr. Stallman: I can get together with Mark and get more detail if we need to do that or

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Chris. Mr. Smith: I thought we were going to do the change out when the mercury vapor bulb went out, we would change over to the LED. Mr. Stallman: That has been completed. All the mercury vapor have been changed. Mr. Smith: No, I mean as the mercury bulb went bad you would switch that fixture to LED. Mrs. Livesay: We are doing a mass change out of all the mercury vapor in the system, so we are doing that proactively. We gave you a choice with the HPS. If an HPS failed and became inoperable, whether you wanted to stick with the same HPS or go with a comparable LED. We gave you that choice and I apologize too, I don't remember. Mr. Denning: I believe we did say that we did want that. Mrs. Livesay: That could be what happened is that the HPS failed. Mr. Fullenkamp: No. It is right across the street from me. Mrs. Livesay: Okay.

Mr. Fullenkamp: I would like to ask a question of the City Manager on this matter. I'd like to see a list of the properties that were excluded from this most recent lighting assessment and what the rationale was to exclude them. Looking at these distribution maps, I'm not sure I see the rationale of why those 50 or 60 properties would not be assessed for street lighting. Mr. Carpenter: Yeah, it was our understanding prior to seeing this is that it was a more focused, reduced spread of light and so that was how we came up with that. We may have to revisit that with this information. Mrs. Reynolds: That's how our whole conversation went at the last meeting because we were not getting that, as you called it, focused that it was before. Mr. Carpenter: The LEDs were more focused is the perception. Evidentially compared to this it is not.

Mr. Denning: The only place I could see that it would make an impact is if we are charging someone for no better word that is in the bubble that is no longer in the bubble because they are not part of that street. If they are being charged because their backyard gets some light and now it doesn't, that's the only way I could see it. This does seem to be more focused on the street with a narrower outreach and if that's the case then that makes sense to me that you wouldn't just use a 400 foot diameter, you would use a 400 foot linear by 200 foot oval type situation. Mr. Fullenkamp: It depends on the definition of benefit and I don't have that definition. I'm assuming somebody at the City understands what benefit means in terms of street lighting. If you could get us some of that information so we understand. I don't know when the County needs to see the final list or if that time has already passed, but I would like to see the rationale behind how we chose the properties.

Mr. Denning: These scales don't look the same between. I see the landmarks, but I would like to know what this scaling means. The 1.2, the 3.0 and 9.8, but on the LED it is 9.4, 3.9, and 1.5. Mrs. Livesay: Those are foot candle levels, so if you had a light meter and you measured in that spot, that's the amount of light that is coming out in a foot candle measurement. Mr. Denning: Okay, I'm looking at the double one right now. Just for my information, we are looking at this car that is parked down the street which has .4 on the HPS, but it is a .9 at about the same spot with the LED. Is that correct? Mrs. Livesay: Right, so it is a little more light on the LED. Mr. Denning: And at the end of that car it is .2 and it is .5 with the LED. Mrs. Livesay: Right, I know we didn't take it out further. Mr. Denning: That's fine. Mrs. Livesay: So that's a 1/2 foot candle with the LED and it's a little less than that. Mr. Denning: I understand that part and I appreciate your indulgence. Mr. Fullenkamp: Actually for future reference, it would be nice to lay the HPS directly over the top of the LED. That way you can do a direct comparison. Mr. Denning: Put them in yellow. Mr. Fullenkamp: You didn't and this is fine. I can't look at this. Mrs. Livesay: I don't know if we can do that with our program. Mr. Fullenkamp: Call me.

There was no further discussion.

D) Presentation – Medical Marijuana Control Program from Economic Development Director, Bob Murray

Mr. Carpenter turned the floor to Mr. Murray for the presentation.

Mr. Murray: I would like to start first by introducing Mike Hoying. Mike is with Farms of Riverside and he is here to answer any questions that I might not be able to. Thanks for coming Mike, I appreciate it.

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A little bit of background, first how did we get here is kind of what this Background is talking about. The State of Ohio General Assembly passed House Bill 534 on September 8, 2016. It approved the establishment of a Marijuana Control Program to license marijuana cultivators, processors, dispensaries, and labs. Ohio became the 25th state to do so, so we are right in the middle of the pack as far as getting this done. Riverside passed a Moratorium on September 15, 2016 and that was lifted and removed June 1, 2017. In my mind from the very beginning what I thought was most important to us and the thing that would give us the most benefit was a Cultivator 1 license and those were due June 30th, so between June 1st and June 30th I have been trying to work out something here that we could benefit from the establishment of this facility in Riverside.

What I was looking for, so a Cultivator 1 license is a 25,000 square foot building. They employ 50 people on average with a salary of around \$45,000.00. The estimated value of the building would be \$3,500,000.00. I was looking for these things to bring those into Riverside. The benefits from a Cultivator 1 are real estate taxes on that building would be \$115,000.00 of that we would get \$12,594.00 a year. These are annual figures, so this is every year. Mad River Schools on this facility would get \$71,144.00. The estimated income taxes on the 45 people working there would be \$33,700.00 a year. Then licensing fees, and this is something a lot of communities have done and this is something where we would have to pass a regulation to acquire these fees, but they are as much as \$5,000.00 a year to be in this facility. The biggest benefit from everything I see here though is the jobs. These are good paying career-oriented jobs with minimum entry level experience necessary to acquire these. This kind of fits a lot of the people we have in Riverside. These are also jobs that there is training that would have to take place once they were approved to do this. These jobs don't exist in the marketplace now. These are going to be very unique. There aren't people out there to do this. Farms of Riverside has gone to Holland to find somebody to be able to manage this operation. That's the rarity of these so for our people this would be a huge benefit, again 50 jobs of this caliber. I don't know where else I can get 50 jobs to do that.

So as we started looking around, there were certain qualifications in the legislation that we are trying to meet and these got to be fairly convoluted. We really didn't have enough time to analyze them to the depth that we would have liked, but I started showing properties based on what I did know. I always thought that the Cultivator Level 1 could be used to fix some problems in this community, problems of parcels that existed out there since all of us have been here. The first one of those is Danis, Danis is a Brownfield. There is a five page paper from the EPA that tells you what you have to do to open that back up again. It is encumbered by a church, it is encumbered by a park, there are a lot of things that touch that, however there are 5.5 acres right in the middle that could have been portioned off to create what we were looking for here, so we started examining this. What I ran into there is the people that do own that were in no position to sell that at that time. The principle of the company had just recently passed away, they were kind of in this dishevelment as far as what they were going to do with all the parcels that they have in their inventory, so that came to a halt very quickly because they were not in a position to do anything.

The other place I looked at was Valley Trucking, which is one of the only I-1 parcels there that we thought was not encumbered by anything. That parcel, again, the owner passed away a year ago, the wife owns the parcel, and she is not quite sure what to do with it. As I looked at it, it seemed appropriate, there is enough acreage there. One of the problems with the parcel is you have got about half of it that is flat; the rest of it goes straight up a hill. You probably know the parcel I am talking about, it goes straight up a hill. As I looked into it further, I found that the Episcopal Church is right next door. It's not on the map, it is not a part of our database, but if you look at it it's a church which excluded that. For Valley Trucking, I knocked on the guy's door to find out who the owner was and they directed me to the wife, however that's when I found out it was encumbered by another church and so that property went away.

Then the other problem I thought was the old MTC Building at the top of the hill on Linden Avenue. That is a huge structure. The carrying costs on that are enormous, but there is seven acres to the back, flat, nice area. I've called that gentleman I don't

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know how many times, a listing agent there, and I'm not getting an answer so we had to move on. It wasn't one that we could look at again because the timeframe is now, it is tomorrow, so we couldn't. Also, the carrying costs of that building would be enormous to tear down; it would be enormous as well.

We looked at International Wooden Pallet, which is at the end of there and you've got the map there that shows #4. We've started discussions with there. There's some issues there that we are not going to be able to get resolved and that's more or less the position of the property financially. That didn't seem to be something that we could do.

Next, I called Charlie. Charlie's property, he's got enough acreage on the front of there. You are familiar with Jergen's. He's got acreage there that we could have lopped off and made something happen, but he is not interested in selling either.

So we had to move on from there, so #6 I ended up at Center of Flight. Center of Flight has its own issues. I do see it as something that needs fixed and I do see the Cultivator 1 license as being able to do that. So that left us at Center of Flight and examining the Farms of Riverside, LLC at this location. This is the first artist's rendering that they did, the first architectural rendering of the building. It is a one story building and about 25,000 square feet, as we said. It is a 1 ½ maybe story, tilted roof; the hotel is what 3-3 ½ stories and a roof, so it would fit into there. This is the first design and we are going to have input as to what that exactly looks like.

A little bit about Farms of Riverside, Sangeeta Agrawal is the Owner and President, a minority female owned business. She is the owner. It is going to primarily hire veterans and people out of Riverside, that is their priority and that's where they are going to be looking at hiring people. One of the issues that has come up time and time again is these places smell bad. These guys in their business plan have certified to the State of Ohio that this is a closed-loop air filtration system. That means nothing gets out of this building. There is not a scent that will be carried into the neighborhood here and in the packet I gave you, or if I didn't give you it is on the back, it's a part of their business plan that explains that air filtration system in detail and that must be followed.

One of the things I found interesting as I read through all of this is each plant is RFID tagged at 12 inches. It gets an RFID tag on it for inventory control. They are not going to lose one of these, so each one of these gets an RFID tag. This is traceable throughout their operation. If something gets away from them, if there is somebody on the street that is smoking something that may have come from somebody each of the plants in the facility has a DNA tag identified on it. The plants out of this facility are chemically analyzed, electronically analyzed, to show exactly the DNA from that plant, so you can pick up any stray cigarette in the world, run a DNA test on it, and they are going to be able to trace it right back to who the responsible person was. Of course it won't be these guys it is going to be somebody else. With these things in place, I am looking at this more as a pharmaceutical company. These guys are producing chemicals not unlike Bayer, not unlike a lot of other places, they just happen to be organic. They are grown in soil and they are not created chemically.

Mrs. Reynolds: Mr. Murray, may I ask a question? Mr. Murray: Yes. Mrs. Reynolds: The purpose of the RFID tagging and the DNA identification is a benefit to community, to the grower, to? Mr. Murray: The RFID tag would be used primarily for inventory control, so anybody can go through there and know exactly what plants are in there just by scanning it the same way we scan our way into these places. It keeps control within that organization. Does that mean anything to you and I? Not much. That RFID tag doesn't mean anything. It can't get out of there. The DNA does. The DNA tagging absolutely does, so now we know these guys are operating within the law and nothing is escaping, nothing is getting out. If something is found, these places are shut down. That's done on a daily basis, monthly basis. These plants will be unique to that location. This is just like you and I have DNA that is very similar except that .55 percent. Mr. Denning: Those are all requirements of the State. Mr. Murray: Absolutely, which I thought was very interesting and a lot of people don't know the extent to which this stuff goes to control.

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Mrs. Reynolds: I think that is an important piece because controlling that inventory, we know where that grower is at at all times because I'm sure with it being a State requirement there are periodical checks that are going to be made by the State. They are going to be in there checking that inventory. Mr. Murray: Absolutely. Mrs. Reynolds: Okay, I just wanted to be sure of that. Thank you. Mr. Murray: The other thing with that, as you know any time we buy a prescription drug we go into a database. There is a massive database that can tell you exactly what medicine you have had for the last five years and these doses will go through that database as well. Everybody will know exactly what everybody is receiving at the time they are receiving it forever on this. That again is a safety measure as far as what these facilities are doing.

After a lot of gyrations and looking at Center of Flight, we have been around and around with this thing more than once. We finally located about 2.8 acres to the very back of this site where a plant could go. It is not encumbered by the 500 foot bike path, it is not encumbered by the 500 foot from the small, little park buried in the Center of Flight. To the left, that's also the bike path that is encumbering on that property there. I want you to examine this map and I want you to look at his real closely. Really there are three parcels there that we were looking at. You've got the square, the rectangle, all the way down in the lower left hand corner; that was one of the parcels. Then we have got this parcel, that huge parcel right in the middle right where the bullseye is located, that is attached to the parcel to the north. That is all one parcel. It is not subdivided. There are not lots there that could be easily sold and easily broken out. Then we come down to the narrow part of it, the point, which is hard for any developer to look any say that is economically viable for anybody. Some of the things we are trying to address here, so Center of Flight kind of needs fixed here as well and I see Farms of Riverside being able to help us with that. Any questions about the map at all? You see what we are doing. Again it is the striped area that is free and clear of what we are doing. It's the area that we would be proportioning off in such a way as to make it meet all the regulations that the State has put on us.

Mayor Flaute: You said it is 2.8 acres. Mr. Murray: 2.81 or something like that. Mayor Flaute: I thought you needed five. Mr. Murray: Five would have been good, but we don't have five. Everything is going to be condensed a little bit. Mayor Flaute: So now we aren't going to have a parking problem because it is too small? Mr. Murray: Well we still have a lot of places there. These guys are looking into making a development which far exceeds this one building. Mrs. Reynolds: Say that again, sir. Mr. Murray: They are looking at a development that far and away exceeds this one building. This is more than what we are talking about. We have to win the first one to get the second one and the third one and the fourth one. If you think of a cluster, right everybody is familiar with Economic Development clusters, companies that come together and fit each other. You have an engineer here, then you have a manufacturer here, then you have assembly, then you have sales. Where you cluster operations together for economy and scale, for economy and mobility, for a lot of economies that can go around that, so this is the first one. Nobody wants to be hauling marijuana plants across the country to go to a processor to turn them into oil, to turn them into processes. The next building that we hope would be here, it would make sense if we get the cultivator, and we get a processing operation. This is taking the raw leaves and converting them into a product, into an oil, and into medicine that can be dispensed. We are looking at more than one. When we get the first one, we get some logical assurances that we can get the next one. The processor has different qualifications than the cultivator from what I understand.

Mr. Smith: Looking at the map, I see three green boxes. Is that where you are looking at locating this? Mr. Murray: No, that's that little park. That's that postage stamp park over there. It's really cute. There is some equipment on there. It's a nice park. I don't know how much it gets visited, Mike. I don't know how many people show up over there. A lot of us didn't know it was there to tell you the truth. Mr. Smith: On the map, where are you looking at locating it? Mr. Murray: The hatched area. Mr. Smith: Where it says 2.19? Mr. Murray: Yeah.

(inaudible comment from an audience member) This is the rail that is the hatch. We are slammed up against the rail. Audience Member: Not in front of our homes? Mr.

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Murray: No. What do you mean down below here? No. Audience Member: We were told in front of us. Mr. Murray: No, we had looked at some things down here. This is tough to build on, as I said. It's too narrow. It's very narrow and to put anything in there is just tough to do, not that we aren't going to try. *(inaudible comment from an audience member)* Mr. Murray: No, Ellen is way over here. *(inaudible comment from an audience member)* Mr. Murray: That gravel lot. *(inaudible comment from an audience member)* Mr. Murray: Here's these apartments, these little white buildings. Right there, beside that. *(inaudible comment from an audience member)* Mr. Murray: It's a gravel lot and it's been lots and it's been blacktopped, so it is slammed up against there. Does that answer? *(inaudible comment from an audience member)*

Mr. Murray: The blue is the bike path that we have all been concerned with and then the only other radiance we were interested in was that small, little postage stamp park, which took some away from what we were able to do there. That's it.

Deputy Mayor Curp: You mentioned earlier that this would fix issues that exist with the Center of Flight property. What are those issues? Mr. Murray: I'm getting there. That's the next slide or two slides down. I will show you what those are in a second. Deputy Mayor Curp: Also, are you saying now that the request has gone down from seven acres to 2.6 acres? Mr. Murray: Yes. Deputy Mayor Curp: Because that what was in the original. Mr. Murray: They can still buy the seven, if they want to do that. They can't build on all seven. They can build on the two or locate their facility on the two. Deputy Mayor Curp: Why would we want to sell seven? Mr. Murray: We might not want to. We'd like to restructure that, exactly.

Deputy Mayor Curp: Do we run into an issue? To take a look at the Department of Commerce and whoever is doing the evaluations of the applications, take a look at a snapshot in time that the application was filed or the deadline date of the application period? Isn't that what's in some of the language as far as zoning and the ability and qualification of the property? Mr. Murray: The applicants are going to submit the option late. They are ready to do that. I talked to another applicant and she's looking for a whole new lot to submit as well. Although it might be a snapshot in time, they think we can fill in the blanks as they go forward. They did not submit this option with their application, so we've got the ability to restructure this a little bit to meet what we found out late in the process was here. Deputy Mayor Curp: The rules will allow for the modifications to applications that have been submitted? Mr. Murray: Okay, they are ready to submit. Deputy Mayor Curp: My question is do the rules allow the modifications of applications that have been submitted? Mr. Murray: According to the applicants, they feel it does. Mike, can you address that? Does the application allow for modification? Mr. Hoying: Yes. Mr. Murray: So that's the answer I'm getting.

Deputy Mayor Curp: They can provide us with direction as to where to find that in the regulations? Mr. Murray: Where is that in the regs, Mike? Do you know? The Councilman is addressing can we make modifications to the application or submit late? Mr. Hoying: Once they do their evaluation period, if there is any clarification on the building, on the structure, on the land, then they will actually be seeking those questions from the applicants. We can either A) submit an amendment to our current application or B) wait for their clarifications. Deputy Mayor Curp: That's in the regulations? Mr. Hoying: Yes. Deputy Mayor Curp: And you can point that out to us? Mr. Hoying: Well, yeah that's basically what was explained to us in the RFA Procedure. They have a request for applications.

Basically we had to provide a very detailed, extensive application from the actual business plan all the way through the harvesting of the crop, to the security measures. Anything from how you are hiring, who you are hiring, and background checks required. The inventory control, as Bob spoke about earlier, the State did their diligence to make sure. Their program was probably more strict than some of the other states. Those are the rules that we have to abide by and then what will happen is while they do this application process they understand that some of these things are impossible to know because they can't tell 150 applicants to go buy your 10 acres of land and if you don't get the license, then you are stuck with that land. They just don't do that. That's why they say if you have the building, present it. If you

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don't have the building, present what your concept will be and that's what we have done.

Mr. Murray: I want to make one thing clear to the crowd. I put these to the back. This was a very early drawing and I included that so they could get an idea of the detail that this applicant has gone to or is going to. This is not what will be done, of course, because this doesn't qualify and falls within the bike path. This is where you may have gotten the original, but this is no longer applicable because we found out that the bike path stops this. Why I gave you this is so you could see the detail of what these guys have gone into and will continue to do.

Again, what Councilman Curp brought up is fixing Center of Flight and I think the first sales contract in six years, that's a big start, putting a building there and reconfiguring it. The other thing I was looking for and the applicant has agreed to do is to do Urban Core zoning here. We have talked about that and one of the things we haven't enacted is because #1 we didn't have a user and #2 we didn't want to pay for the design standards to put in place. We would rather have somebody bring to us an architect that they would like that they are using and put in design standards, which are required for Urban Core. Urban Core again is a denser zoning, it allows for shared parking, it allows for more things on smaller space, which again increases our tax values. They were willing to go through the process to submit design standards on this site.

The other thing we have got are EPA restrictions on the property. We've got a no further action letter, but you scratch the surface and there are certain things you still have to do. That dirt's not as clean down there. It doesn't need removed, but you can't be playing in it and this is all the DAP site. This is the whole thing and I've got the restrictions on my desk right now that are this thick. These guys are willing to deal with that.

Next, assisting in creating the saleable parcels, parcel off the property in such a way that makes them saleable in five acre increments: square, not triangles; something that is easy for a builder to look at and conceive. Can you go back to the map again? You can see that we've got a conglomeration of things here. We've got an arc, we've got this little wedge, we've got some things here and this applicant will help us cure these problems to create saleable aspects so that they can help us pay for it. This is expensive. Surveys and deeds on all of this, I don't know how much that is going to cost.

Deputy Mayor Curp: I want to stop you there for a minute. I don't understand that logic. I absolutely don't. Mr. Murray: In what respect? Deputy Mayor Curp: Because if any applicant purposes only a fraction, they don't care about the rest of it. They don't care about how it is platted or plotted. We can do that ourselves at this point in time. I don't see how that is a fix to something. Mr. Murray: We are asking them to care. It's in the option that they will put that in the design standards that they do some surveys for us, that they create this as a total development for us. Deputy Mayor Curp: See you are talking to us about documents we haven't seen. I have asked for these documents now since the beginning of this week and I haven't seen a document yet, so you are asking me to vote a size of parcel that shifts in size from the seven acres to two acres to maybe two acres plus some parking lot space and some documents with specs that I haven't even seen. Mr. Murray: I understand. We are not voting tonight, probably.

If we can go onto the next one, again these are things we need to improve and again the possibility of follow-on development for processing facility of \$1.5 million. If you are growing this stuff, you don't want to be trucking it. You want to be converting it to the smallest size possible so another processing plant and another 25 people working there to create something that is saleable. Again this is clustering and this is done in a couple of places in the country.

So from here, we have a long list of things we would have to do. Undoubtedly this is tough, this is not easy, it's the way to get the reward that I talked about earlier. #1 We need to sign the option to purchase and we are not going to do that tonight. We are here to talk about it. We can't do this right now. Our attorney showed up, there are some issues that he has so we are going to set this aside. We are going to

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discuss this more. We are going to go into this so everybody understands what we are doing.

#2 Surveys and produce the deeds for the parcels required. #3 Establish Urban Core Design Standards and I have talked about that already. #4 Make a Zoning Application for Planning Commission and again this would be an open meeting where everybody can get involved in not only what the building will look like, but what that whole development would look like. That would be an open forum for citizens and participation as far as what we are doing. The other thing we need to do is enact business regulations for these type of businesses. The City Manager gave me a copy of what West Chester? No. Mr. Carpenter: Cleveland Heights. Mr. Murray: What Cleveland Heights did. That needs to be put in place also. That needs to be something we look at where we can control it even more. We are able to put more standards on this business. We are able to talk about application fees. We are able to do some things in that agreement. That should be in place before we did it.

This is a brand new business. Very few Zoning Codes could meet this. Very few Zoning Codes are in a place or updated enough to address this situation, so there are some things we can put in place and by God we have time to do it because this application isn't going to approve until September. There are some things we can put in place as soon as we can. That's where we are today. I think there are some tweaking to, if you decide to go forward. If it is something you guys want to do. If you find this useable and beneficial to the citizens, there are some things we have got to put in place to make this work and I don't think the document that we've got right now does that. We will work on that, bring it and back and see how we can do. Any questions for me or Mike?

Mr. Denning: Have we talked to A) the neighbors and B) our largest neighbor across the street which is a federal installation which says that this is still illegal? With the museum there and Area B there and all that, have we talked to the Base Commander or the 2nd or whoever we can and what was their reaction? Mr. Carpenter: I did reach out to the Base Commander. We missed each other and he's off this week. I did talk to the Vice Commander briefly today. He's pretty new to the area. He didn't really offer much of an opinion other than this is City of Riverside property, it's a legal business, therefore he doesn't have much of an opinion. Mayor Flaute: I talked to the Dayton Development Coalition and they said you can talk to the Base Commander, but you are not going to get an answer. Mr. Denning: You are not going to get the real answer. Mayor Flaute: He's going to say exactly what the City Manager just said. Mr. Denning: That's what I would expect, but what do they really think and what does that really mean to us and what is that going to do with the relationship that we have with the Base and the museum and all that and the residents? I think we need to talk to them and find out what they think regardless of our personal beliefs. If they made fentanyl legal to manufacture, would we want that in our backyard? Mr. Fullenkamp: It is legal. Mr. Denning: Oh, it is legal. Do we want that manufactured in our backyard?

Mr. Fullenkamp: This is an incredible opportunity for this City for its Economic Development I have seen in a long time that has any merit. It's a legal business. It is an opportunity to provide jobs in this city, just like Mr. Murray said in his presentation. It's a well-regulated industry. It brings in revenue and might provide a jumpstart for the Center of Flight that sat there dead for so many years. We've not succeeded in this community with Economic Development since I don't know when and you can show me a success story if you can. This is a real opportunity. If done right, this helps this City. This helps people have good paying jobs and it helps raise revenue so we can fix the roads and the highways and provide the services that residents demand that we provide to them.

There's a perception issue, I get it, but we live in the 21st century we are not living in the 80's and 90's anymore. We are in a minority at this point in terms of our state in terms of medical marijuana and it is coming. It's legal and it's going to happen. If we don't grab ahold of this puppy and ride it and make it benefit our residents, I'm not sure where we are going to succeed. It doesn't just benefit the City, it benefits the schools, it benefits the County, it benefits everybody. I think we have got to ride this horse and we have to look where it goes. We have got to do it right and I'm all for

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that. I'm all for taking a step back because I want these residents out there to be comfortable with what we are doing. Mr. Murray: Absolutely. Mr. Fullenkamp: But what's going to be good enough for us if this isn't? We know it is not going to be office buildings that we are going to fill Center of Flight up with. We've had opportunities and talked about things that were dead ends. Mr. Murray: Those days are over. Mr. Fullenkamp: There is no guarantee that this will succeed, but for us not to go after this and to allow this company to come in and invest in our City, I think that is a serious mistake if we decide not to move forward and give them the opportunity to have this application succeed. That's all I have to say. Thanks.

Deputy Mayor Curp: Going back to the page that has the dollars on it, what property valuation do we have to come up with to generate \$115,000.00 in real estate tax income? Mr. Murray: The \$115,000.00? Deputy Mayor Curp: Yeah. Mr. Murray: That was \$3.5 million on the building when construction is done. The dollar amount was calculated by Sam Brun at Montgomery County. He also calculated for me the Riverside value and the Mad River Schools value. I did a 1.5 on 50 jobs at \$45,000.00 to come up with the \$33,700.00. Then the licensing fees, that came out of the business regulation from Cleveland Heights, so we added that in there too. These are annual figures. We could garner more of the real estate taxes, right, through a TIFF? 60%. Deputy Mayor Curp: Except didn't the TIFF expire? Mr. Murray: But we are going to renew. It's coming forward. We will have that in place before anything is built over there.

Mr. Denning: The Level 1, is that the large grower or the small grower? Mr. Murray: Believe it or not, it's the large grower. A Level 2 is the 3,000 or the backyard. Mr. Denning: That's as large as they can get is the 25,000 square feet or is that what they planned on doing? Mr. Murray: No, that is as large as that level. Mr. Denning: That's as large as they are allowed? That's the most square footage that they can. Mr. Murray: Under that license for right now, right. 30,000 keeps ringing in my head, but I don't think that is. I think it is 25,000. Mr. Denning: I was just curious if that was the large or small. *(inaudible comment from an audience member)*

Mrs. Reynolds: I just have one thing and I think most of this Council will remember several years back when we were looking at seriously developing the Center of Flight. Our consultant at the time High Five mentioned the value of that parcel and those parcels there and they saw at that time that one day it would be a benefit to the residents and to the City it would be a great asset. We have an opportunity to start some development there. I'm of the belief that we need to work through the situations that any of us have to see if it is something that would benefit this community in the Center of Flight. There are probably issues that we need to deal with, but when I'm looking at, as Councilman Curp talked about, what do we base this on a \$3.5 million operation in the Center of Flight generates a number of dollars. Along with what Councilman Fullenkamp and I'm just Councilman Curp is thinking about is putting some of our residents in well-paying jobs and providing for their quality of life. You all sitting in the audience are the people we need to hear from and I'm going to encourage all of you. I know probably more about grow sites tonight than I ever wanted to know in my life, but it is interesting. I'm worried about the concerns of what it can and may do to a community. It could be growth, it can be opportunities. I want to see that Center of Flight where a lot of you live. I want to see it our downtown area. I want to see it growing. I want to see things there for you all the same as for the rest of us. As Councilman Curp said, I want it to be good for you. I want it to be good for you, but I'm asking you please call me, talk to me, tell me your concerns. Let us try to get any information we can that is important to you all. My number is 256-0004. It's real easy, so please.

Mr. Smith: Yes, have we looked at the economic impact putting this business over in the Center of Flight will have on the residential properties that are over there in the Center of Flight? Mr. Murray: No. Mrs. Reynolds: It would probably drive up their property values. Mr. Murray: This will border the apartment buildings and then on the other side there is some property there. We can look at that. I don't know what it would be. Do you tear down a dilapidated house or you fix it up type of thing? Right now it is hard to get a business owner to look at Center of Flight. It is tough. They have egos off the chart and when they look at Center of Flight that might not be where my ego wants me to be. This will be the first part of that. I think we can get a

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modern building with a lot of glass and a lot of flair, which will change the perception of that. It will bring structure to the situation right now. I think it brings all that which I think will help the property values. I am amazed at how much they have gone up just recently. We are looking pretty good around here to tell you the truth. Yeah, we've got some eye sores, but in general things are looking up. It's based on the economy of course, the whole world is looking up.

Mayor Flaute: When we were talking about having a train station there, where was the train station? At the end of what street? Mr. Murray: It would be right about there. Mayor Flaute: Would that screw that up should that ever happen? Mr. Murray: We'd have to move it one way or another, but that was the exact place it would be. Are we going to get trains is another thing? Mayor Flaute: If we had a change in administration at the builder's level it might come up again. We don't know, but we want to make sure we don't mess up that opportunity because we need that train station there. That train station would do a whole lot more than any of this. Mr. Murray: Well we can wait for it. Mr. Smith: That's not coming.

Deputy Mayor Curp: It's not that this doesn't have that plot of land, the Center of Flight, doesn't have potential to develop. It's because the City and this Council have not put any money into getting it done. I will give you an example, the business park that we had on the drawing board over on Brandt Pike set there for years. We created a CIC, but we didn't give them any money to go out and do their work. The parcel of land set there and set there and set there because they had no money to work with to go out and market, recruit, do whatever it took to develop that property and that's the same thing with the Center of Flight. We have plans on the books. We have plans and plan revisions for mixed use development in that area, but nobody has put the effort into getting it done. I'm not saying that medical marijuana should not come to the City of Riverside. We saw this evening that there are five other plots of land where it could go. I'm not saying don't bring it, I'm just saying we need to take a look at what we are doing especially being stampeded into making decisions based on lack of information. Mr. Murray: Yeah and of course we are taking two steps back, so there is no stampeding going on. The other thing is we have been a strapped budget for how long? We can't get our roads done much less get over there and do something. Deputy Mayor Curp: Some things don't take a lot of budget. Mr. Murray: They don't, but now we have got an individual that is going to step up for us and get some of the things done on his dime. Deputy Mayor Curp: I haven't seen that. None of us up here have seen any plans, any proposals, to say that. Mr. Murray: That's what I'm proposing right now and you will see it. Deputy Mayor Curp: I need to see something a little more concrete instead smoke and mirrors. Mr. Murray: You will.

Mrs. Reynolds: Mr. City Manager, would you get us work sheets on business regulations? Something that you think we could start working from that we could have just to be prepared on that end. That's an important aspect. Mr. Murray: Everybody out here has a copy of those. I'll see if we can get you one.

There were no further questions or comments.

ITEM 7: RECESS:

The Council took a recess at 7:17 p.m.

ITEM 8: RECONVENE:

The meeting was reconvened at 7:30 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

The Pledge of Allegiance was led by Planning and Program Management Director Brock Taylor.

ITEM 10: MINUTES: Consider approval of the minutes of the June 15, 2017 regular council meeting.

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A motion was made by Mrs. Reynolds to approve the minutes as submitted. Mr. Denning seconded the motion.

Mayor Flaute: Just so everyone knows, I will not be voting on this because I was not at that meeting. I will be abstaining.

There was no additional discussion on the motion.

Five were in favor; Mayor Flaute abstained; none were opposed. **Motion carried.**

ITEM 11: COMMUNICATIONS

A) First Suburbs Bylaws Update from Mayor Flaute

Mayor Flaute: We are the last city to do this only because I was slow at getting it done. The Bylaws say that the cities who are members of the First Suburbs have to approve the Bylaws even though our membership has already approved it. There are very few changes in it, but it is a new version of it so I'd ask for your consideration for doing that. As I said, all the other cities in the First Suburbs have approved it except us. If you would please consider that when we get to that part of the meeting, I would appreciate it.

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.

ITEM 13: CITY MANAGER'S REPORT:

Mr. Carpenter: In your packets is the Project and Activities Report. The staff and I would be happy to answer any questions.

Mrs. Reynolds: Mr. City Manager, I understand that this community, as many other communities, are going through a very serious drug epidemic right now. After reading the June 25th Dayton Daily News article on soaring overdoses straining the EMT crews, I have even greater concerns of what we are going to do and how we can work with the County, State, whoever because we cannot keep draining our resources on mutual aid calls. It was 226 mutual aid calls in the first five months of this year. 226, sir. If I have done the research, every time a medic goes into service on a dispatch for mutual aid it is about two hours that they are out of service. They take the patient either to the hospital for emergency services or they go to the hospital to replenish their supplies. They are out of service for two hours. That was almost 452 hours out of service on those 226 calls. We have these residents sitting in the audience now. I understand mutual aid, but when it becomes detrimental to my community and having a medic in service and ready if they have an emergency. What can we do? Can we look at our mutual aid? Those were only mutual aid calls for the City of Dayton.

I don't know how many other mutual aid calls that we had for other communities. I don't know how many calls went out for us to need mutual aid. It's a situation we've got to deal with. I'm looking at and just being very generous that's about \$40,000.00 in mutual aid calls for five months. I don't know what reimbursements we are receiving back. I don't know if those patients have insurance. I don't know if they are without insurance, if they are Medicaid recipients, if we are receiving any reimbursements. I don't know and that's information I think we need because we've got to do something. We have got to start working some way on this problem.

Do you know how many of those 1,398 doses of Narcan were from us? Mr. Carpenter: I don't know off the top of my head. I don't know if we have a current tally of Narcan for the year. Chief Stitzel: I don't have how many were given in the City of Dayton when we respond to mutual aid, but as of about 3-4 days ago we were at 330 doses of Narcan from the Fire Department this year. That was over 168 overdose patients, I believe. We are working to gather all those questions you just asked. I am

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working on gathering all that information. Mrs. Reynolds: I appreciate that, but the article talks about the number of calls they have a day and they only have seven medic units and they have 10 calls a day medics are coming out from somewhere else. That's a lot of burden on Dayton. I don't know what Dayton is doing. Are we in contact with them and seeing what is going on? Chief Stitzel: I briefly met with Chief Payne and we have a meeting scheduled for the 18th of this month to sit down and go over all of this and talk about the numbers, what they are doing, what they are planning on doing, what else can they do to kind of help us and working in a more regional cooperative spirit so we don't put our own citizens at risk by our vehicles or our resources being in another community too often. We are working on that and I do have a meeting scheduled for the 18th with Chief Payne. Mrs. Reynolds: Will you keep us updated on what's going on and what's happening because it's becoming very serious. Chief Stitzel: Absolutely. Mrs. Reynolds: It's becoming very serious and this is my concern and there is not one person sitting out there that wouldn't say go take care of that person. We've got to go take care of them. Thank you very much. I appreciate that.

Mr. Smith: To piggyback on that, I agree with Mrs. Reynolds. At the last meeting or sometime in between there I believe I spoke with the City Manager and maybe I brought it up in the meeting. That is a big drain on us to have to constantly run and do the mutual aid calls. Sometimes our medic is out taking care of our people and the second medic goes out and does the mutual aid and vice versa, but then there is that period of time where there is nobody here taking care of our people on standby and then we have to call for mutual aid to bring somebody in. My thoughts are that if we had one unit out on a call, whether it be mutual aid or here within the community, that the other medic stays here in the city for our residents only. When the other unit comes back into service, then we are available for mutual aid. At least keep one medic here on call in the city at all times, so we are not stranding our citizens. Our citizens are paying for our Fire and Police and Service and Medic Service through their tax dollars and it is only right that we have a medic standing by available for them. I think that's what we need to look at and talk to our surrounding communities about. This is a plan or a direction we need to go because the epidemic with the drugs is spreading rapidly and we have that problem in our city just as well as they do in theirs, but I would like to deal with our people first. I'm not saying I don't care about the other people in the other communities, but our people are paying for our services. I feel we need to have a medic available for them.

Mayor Flaute: The flipside is they come into our city too. Mr. Smith: I know they do, but the response time is longer. To give you an example, my mom and dad needed an ambulance. The first ambulance came from Riverside and they took my mom to the hospital. The second ambulance came from Fairborn and my parents lived on Yorktown Court and the Fairborn ambulance went to Yorktown Apartments. Yorktown Court is in Saville Estates, so we had to wait for that ambulance to get their correct directions to get to the plat. It delayed the time for them to respond to the house and then take my mom to the hospital. Mayor Flaute: That had nothing to do with mutual aid. Mr. Smith: Well it did because the mutual aid was not familiar. They went to the wrong area of town.

Mr. Fullenkamp: It's time for this region to declare a health emergency when it comes to the opioid crisis. These individual communities are not going to solve this problem and I'm just going to focus on this mutual aid, this emergency runs, these EMS runs. There needs to be a coordinated effort at the regional level, not the city level, to help resolve this problem. Whether we can pull the County in to provide resources, they want to be hand's off on this. This isn't our business, but it is a health emergency and they do have a role in making sure that the resources are available so we can respond. If we don't respond, these people are just going to die and that's the dilemma we are in, we don't have the resources to respond appropriately in all cases. The County is sitting there on their hand's going, "Well, what do you want us to do?" I want them to bring these parties together to put a real plan together when it comes to EMS response. That's what I want. We are not going to solve this as a city. We have not even talked about this as a city and neither have other cities. They have ignored it. We've stuck our head in the sand on this issue and we are not alone on this. We don't want to address this issue and we need to climb up this ladder whether it be to the County or the State level and demand that they provide us some

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resources so that we can be responsive both to our residents and the residents in the surrounding communities.

That's where the solution is going to be. We are going to talk around the edges and we are going to talk to neighboring departments and we are all still going to be resource strapped. Until we resolve that problem, until we have enough personnel on duty that they can respond without suffering PTSD and emotional problems. Our EMS crews did not buy into this continuous 4, 5, or 6 runs a day for opioid overdoses, but they are doing it and they are doing a damn good job at it. I want it to continue, but it is a thankless task and there is no gratitude for the job that they are doing in this health emergency. It's time to call it just that, it's a health emergency. That's all I have to say.

Mrs. Reynolds: Mr. City Manager also in the Dayton Daily News there was an article about the Mobile Home Park Board has been dissolved. Fellas, it's time to jump on it. Okay? Mr. Carpenter: We are well aware. Mrs. Reynolds: Thank you very much. Please keep us updated so we will know what is going on.

There were no additional questions or comments.

- (1) FYI Items
 - a. Council Request Sheets.
 - b. Council Agenda Calendar.
 - c. City Manager's Project and Activities Report.
- (2) Monthly Verbal Reports
 - a. Finance Department

Mr. Carpenter turned the floor to Mr. Garrett for the update from the Finance Department.

Mr. Garrett: Good evening Council members. Of course we are up to June now; I did close the month of June. The Finance Reports should be on the website for you to look at.

Just a couple of things to highlight, we did receive at the end of June our adjustment for the RITA retainer fee that we have been paying through the course of the year. The RITA fees worked out to like 2.37% or whatever, so we got a \$34,000.00 refund at the end of June. Speaking of income tax, I looked back and compared and we are up to \$2.9 million of income tax received year to date. That puts us still a little bit below where we thought we'd be on our budget plan, but looking back to last year that's about 3.6% less than what we had at this point last year. Of course, it varies a little bit month to month. That was a little surprising to me to find out.

We also have had a consultant doing a motor vehicle registration audit and that consultant found about \$12,500.00 worth of erroneous registrations that should come to Riverside. Of course they found a few that have to leave Riverside and be correctly attributed to some other cities too. We will be getting a little bit with that.

As you are probably aware the contracted audit team for our annual audit is pretty well wrapped up and in the next week or so they will be filing and releasing the final report if you will. I guess those are the highlights I've got for you.

Mrs. Reynolds: Mr. Garrett, can I have a copy of the Open Order List as of June 30?
Mr. Garrett: Yes, I have been normally putting that in the mid-month Council meeting.
Mrs. Reynolds: I know, but I love your green bar paper, sir.
Mr. Garrett: Well it has been on white paper for the last six months.
Mrs. Reynolds: I like that. I can write on it. Thank you.

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Mr. Fullenkamp: Could you repeat the shortfall from last year to this year on income taxes? Year to year. Mr. Garrett: Year to year, last year at this point which was the collections at the end of May and then gets distributed back to the City in June. We had just over \$3 million. This year we got \$2.9 million, so that works out to about 3.6% less. Mr. Fullenkamp: Alright. Thank you.

Mayor Flaute: I just wanted to say that I have requested that we talk to another company called CCM. Mr. Carpenter: CCA. Mr. Garrett: The CCA is one option. Mayor Flaute: And bring them in to talk to them. They have a Dayton office now. They are originally from Cleveland, but I think it is time that we talk to them at least and see what they would do for us rather than RITA. We have had RITA for a long time. It's time to at least, I think, explore that. Mr. Manager, if you could put that on a work session item or presentation item I would appreciate that. Mrs. Reynolds: Can we talk about doing in-house at the same time? Mayor Flaute: We could. That's true.

There were no additional questions or comments.

b. Economic Development Department

Mr. Carpenter turned the floor to Mr. Murray for the update from the Finance Department.

Mr. Murray: I will just quickly go through the changes from the month before. Probably the biggest one is the Linden Avenue Car Wash has sold for cash, so it is done. It is currently being looked at by an architect in Columbus and they will be putting some things together for Planning shortly. Mayor Flaute: Do we know what it is? Mr. Murray: I don't know what they are going to do with it yet. Mayor Flaute: So we don't have to move the DP&L line either? Mr. Murray: Not at this time, but we still might get around to it. Mayor Flaute: Okay, thanks. Mr. Murray: We will see what happens.

Again Harshman Station is filling up, so we have an Asian café over there that will be opening soon. It is done out very well from what I saw as I walked through. There is tile on the floor, tile on the walls, and it looks real nice. Style Salon is going in over there as well. A lot of our retail is doing well right now and Harshman Station is the last one to get filled out here.

Spin-Kemp, the Veteran's store is expanding. There is a new person going into 5415, that's where the Mexican grocery was going in and there is something else going in there now. It may be appliance sales or something. I haven't been able to talk to anyone at that location, but they are working in there to redo it. Taco Loco has changed hands. The brother has come in and the food is better than it was before believe it or not. It's doing very well and they just put a new front on that and some new signs, so it is not going by Taco Loco anymore and I can't remember the name. Mr. Taylor: Tres Hombres. Mr. Murray: That's right. Again, I ate there just a short time ago and it is delicious.

I've got a few more leases coming in. We've got three to talk about tonight and I received another extension over the phone today and I will have that for you at the next meeting. I also have the real estate agreement for Bruns at the next meeting. I didn't quite get around to making that a reality, but I will have that for you next time.

Capital improvements at Wright Point, I've got the construction scheduled to redo the parking lot at 5100, so that will begin August 16th and it will take about a month. That's redoing all the parking lot on 5100. Next year will be this building, 5200, so we will start the one where most of the tenants are.

The REAP is completed on the property across the street next to the white house that we purchased some time ago, so I should be receiving the deed on that very soon and that will be a lot that we will be cleaning off. We will be taking all the honeysuckle out of that and make it look parklike at some point. I do have a purchaser for 5803 Huberville and again that will be on the next Council Agenda. That did purchase for \$35,000.00.

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Sparky's, the only update I have on that is Tectra Tech has started Phase I, so they have started working on the grant and that's moving along. Any questions at all?

There were no additional questions or comments.

c. Administration Department

Mr. Carpenter turned the floor to Mr. Lohr for the update from the Administration Department.

Mr. Lohr: Good evening. Before I give updates to Council, I just wanted to say to the residents we have here that I had some requests to make copies of the presentation of Riverside Farms, so I have made some copies and they are on the table top in the back there.

I just have a few updates for Council this evening. I'd like to talk about the music event that we had at Shellabarger Park last Friday. It went really well, especially considering we had to reschedule and then we also had some threatening weather then that held off for us and we had some really nice weather. We didn't do an exact head count, but we are estimating 100 people. We gave out somewhere around 150-175 water bottles, so we used that to kind of estimate what we had. We had the band 5 there, which was fantastic and all the comments we got from the residents were very positive about the band. We had the five food trucks there. I had an excellent chili dog and a gyro. It was a lot of fun. Everybody seemed very receptive and positive to having that event there in Shellabarger.

The next event we have up for the summer is over here in Community Park. It is our Family Fun Festival. We are going to have two bouncy houses, one for the real little kids and one for the slightly bigger kids. We are going to have Touch a Truck, so we are going to have a fire engine, a medic, a police cruiser, Republic Services said they are bringing a truck and I'm really hoping that is one of those big dump trucks that they get cleaned for us and doesn't smell like trash, but that will be kind of neat. We are going to have a backhoe, just some really cool stuff for the kids to climb on. We've got a face painter booked. I don't think he is really a clown, but he does the twisty balloon animals and things like that, so we have got a lot of fun stuff. That is July 15th 10:00-2:00. We were going to have concessions open by the Pee Wee Football League, but they are not able to do that for us so we are looking at a plan B or a plan C. Food trucks don't seem to be an option so we may just be grilling hot dogs and giving those away for free. Keep an eye out on Facebook and we will let you know what kind of food we will have there. So that's what we have for the Family Fun Festival.

The other update I have for this evening. We are still working on the website. We are working very hard on getting the content done. We had a meeting with some of the members of the public, which was just last Thursday a week ago. We had a representative from the Chamber. We had a couple of members who are just residents of the community and I would like to thank them for helping out with that meeting. I appreciate that. We got some good feedback and got some good information of what the residents really want as we move forward with the website. I think we got a real positive impression from the residents who just saw it generally; I guess the bones of the website: the look of it, the colors, and the structure of it. We are moving forward and I think what we talked about initially was by the end of August we were going to have it all wrapped up and done. We are on target for that and probably sometime next month we will be looking at the final draft which we will have our group of residents, plus City staff, plus City Council take a look at that and provide some final input before we actually do the launch. That's all I have.

There were no additional questions or comments.

d. Planning and Program Management Department

Mr. Carpenter turned the floor to Mr. Taylor for the update from the Planning and Program Management Department.

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Mr. Taylor: Thank you, Mr. Manager. I will try to keep this short; I know a lot of people want to speak. We are about half way through the year, so I ran some of our numbers on our zoning violations and then next meeting when I speak I will talk about some of the permits because I think there is some good news there too. What we noticed as we compared last year's numbers to this year's at the same point and what we found is that some of the strategies we have been using are working, the Cooperative Code Enforcement, the Abatement Fee, and some of the Community Meetings. Getting out and talking to folks has really been a benefit, especially in grass abatement. Currently we are down almost 32%, almost 35%, in grass violations. Our complaints are down and I don't have hard numbers on the complaints because in our system it is hard to track that way, but we have noticed that just from our observations in staff. Having that large of a decrease in having to chase grass violations gives us opportunities to do some other things. In addition some are inoperable vehicles and that was down by 15%.

Overall, our total violation numbers for the whole year up to this point are relatively the same. How we can see that is working is without having to chase grass violations, which I think I have explained before. Our Code Enforcement Officer, before we abate a grass violation he has to touch it or visit the property almost three times, so that is a lot of driving around. He's more free to do larger and bigger issues and I think what we have seen in the last large trash and debris issues at homes, but we have had more tickets for trash and debris. Those are up by almost 84%, but the good news with that is that the actual abatement, so when we actually abate whether we are cutting grass or we are having our contractor go and clean up or board a house, that's down by 20%. More people are being responsive to our requests. I think a lot of that again goes to our strategies with the informal notice, followed up with an actual notice. We are really being more productive in Code Enforcement, so that is great news there and I'm hoping that trend will continue and we will see that in the Annual Report.

Community Park, I had a meeting and we talked about the CDBG money and the grant award with Parks and Rec. I was going to have a presentation tonight, but they have asked me to do a couple more things so I wanted to reach out and get those things complete before I come to Council with that full plan and we are starting to get close because I have to use that grant by the 31st of September. We will make that deadline.

A quick touch up on Tim Horton's at Airway Shopping. I have been working with Paul Shand on that. We should be seeing something from me in the next Council packet or an update. There were some things happening there and you will see what is going on as soon as I can get that information out to you. It's at the Law Department right now. Other than that, any questions I am happy to answer.

Mrs. Reynolds: Mr. Taylor, I have been watching the old fish place, I'm sorry I can't remember the name of it. Mr. Taylor: Long John Silvers. Mrs. Reynolds: That hole in the ground, they are not keeping that safe. Something has got to be done. Mr. Taylor: I have a call into them. We also didn't get a demo permit for that, so I need to have a conversation. I'm hoping we can get out there and talk to them. They have some pictures of what is going on. I knew it was coming down, I didn't know it came down sooner than I knew. Mrs. Reynolds: It's very dangerous. There are piles of gravel and there is a big hole. Mr. Taylor: It will be my first call tomorrow morning. Mrs. Reynolds: Thank you very much, sir, I appreciate that.

There were no additional questions or comments.

ITEM 14: PUBLIC COMMENT ON AGENDA ITEMS:

Mr. Kyle Winning of Trunk Drive requested to speak before Council regarding Ordinance No. 17-O-628.

Mr. Winning: Mr. Mayor, Council, staff, and fellow citizens, thank you. I would like to talk about the medical marijuana program. I come with the understanding that it is not something that is ever going to be unanimous. We deal with a lot of prejudices

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any time we start talking about pot, weed, whatever you want to call it. The issue I have with it is we have had two companies approach us that have applications in. They have now spent at least \$20,000.00 each putting this application in on the premise of we will help you with this, so to take it away at the last second to me is going to set a very negative precedent to any other company that would like to come into Riverside. If they come in and are told, "Hey, we are willing to work with you. We know it's not perfect, but we will work out the flaws as we go. We have a little bit of time to do that." Then we say, "I'm sorry. The winds of time have changed and you are out your \$20,000.00." I don't see that good for any other future companies wanting to come in.

The \$150,000.00-250,000.00 for the first year for a cultivation site, depending on what numbers you run, and growing for the next three years, that's huge. That's 10% of our deficit in year one. We can close the deficit 10% or that's that many miles of roads we can pave. I would like as we talk about this to remember we need to do what is best for the City and get rid of old prejudices.

Everybody has some experience with pot. They know family members who have been addicted to drugs or the stoner in high school. That's not what we are talking about. We are talking about medical marijuana that the State of Ohio has bragged they are the strictest state in the country. We were the 25th to pass it. I believe there are 31 now that do medical marijuana with six recreational. The last study I saw from February 2016 said 75% of Ohioans in the study done by the University of Cleveland support medical marijuana. The issue is everybody supports it, but not in their backyard. We don't have a perfect site. We have a site that has some flaws we can address with this moving forward. If somebody is going to come in with angel money and say they are willing to develop the rest of the site to get other businesses to come in, you can't look the gift horse in the mouth.

With that being said, I do believe we need to set up some strict regulations for these companies. We need to make sure they are doing it right. I don't want the building to be identifiable by anybody driving down the street and saying, "Oh, that's that pot place." The renderings I saw there is no signage saying, "We grow pot here." There are no plants outside. I believe when it comes to cultivation there's very little to no risk involved. The product will never see the light of day. When it comes to dispensaries, that's going to be a whole other issue, but that is not where we are at. We need to put in the program that we had the gentleman from Extra Step Assurance come in, tell us how we can set up a program to require a certification with auditing, and we have a license fee. Let's do that. Let's get them to pay for them to be checked for compliance. I will take any questions from Council if there are any or from staff.

Mr. Smith: Yes, real quick the number you mentioned a benefit to the City of \$250,000.00. It's actually \$150,000.00. That would be the real estate taxes and the income tax combined. Mr. Winning: At least \$150,000.00 looking at other states that have done it on what profits have been and that. It's anywhere between the \$150,000.00-250,000.00 range. The \$150,000.00 would be the low end and the \$250,000.00 would be the higher end and that's without doing the tax. Mr. Smith: We are just looking at real estate taxes and income taxes, not the business tax on the profit. The first year they are probably not going to make anything the first couple of years. Mr. Winning: That's all accounting. You can make numbers say whatever you want. Mayor Flaute: Thank you, Kyle. We appreciate it.

Mr. Thaddeus Brittain of Huberville Avenue requested to speak before Council regarding Ordinance No. 17-O-628.

Mr. Brittain: I live at the very other end of Huberville and this will affect me in the very least amount as far as my personal thoughts on it. Truthfully, I am completely ambivalent to the fact that you are going to have medical marijuana grow in Riverside and if rumors in my neighborhood are true, you already have it growing there anyway. If that person is here, they are probably really upset that you are going to cut into their profits. That being said and with all comedy aside, my wife and I, we are completely ambivalent to the idea that you are going to have it growing in Riverside, that's fine. I don't understand with regards to the Air Force Museum right across the street, you

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have one of the biggest museums and one of the biggest attractions in Dayton with over a million visitors a year and you have left that entire area of Flight untouched for so long. When I have talked to the people at the hotel they are talking about pulling their stakes and getting out of there. I don't understand why you can't utilize that in a way besides having this marijuana grow facility.

That being said, I'm hearing also out here that the facility might be further back toward the railroad tracks versus what is in this drawing. Is that accurate? Mr. Murray: Yes. Mr. Brittain: See that would be one thing, but I just don't think you want all these people who are coming from out of town to have this facility be the one thing we see as they are driving off to go to the museum. You can go down that parking lot any day of the week and you see all 50 states; well, all 48 states coming to visit there. I don't understand why we don't cash in on that.

The other thing, after my wife and I did some research on this, I know there is a lot of concern about blight in the area. Generally when you have new construction, the area around that tends to go up in value. I don't know if that is quite accurate with a growth facility. That's why you are seeing property values in downtown Dayton going up because you have new growth.

The other thing to be concerned about is ground water. The EPA aspect of this, they are going to clean up the old DAP site is that what you were saying? Mr. Murray: We have a no further action letter on the DAP site, but when you scratch the surface there are issues with the soil. There is no clean up required. Mr. Brittain: Marijuana, and believe me I am not any expert on this, I know it is a very clean and hearty plant to grow and uses very little water, but in the ad it says it uses 200 gallons to be recycled every day which means through reverse osmosis you are losing 200 gallons on top of that so it is using 400 gallons of water. How is that going to affect the water for our neighborhood?

The other thing I read about online is these grow facilities, even though they are indoor they are more like a greenhouse and there is a lot of light pollution at night. That's another concern. Is that not accurate in this case? Mr. Murray: That is not accurate. Mr. Brittain: Okay. It's all over the internet about that, even the closed facilities. That's one of the concerns that I would have about it. The main thing is I think you are underutilizing the cash crop of the Center of Flight to begin with. You should be putting restaurants, shops, anything like that and that would raise our property value and make me very happy. Thank you. Mayor Flaute: We have tried three different times. Mr. Brittain: Try harder. We vote. Mayor Flaute: We keep trying. Thank you, sir.

Ms. Crystal Farris of McGrevey Avenue requested to speak before Council regarding Ordinance No. 17-O-628.

Ms. Farris: Mr. Curp and other esteemed members of Council, this is terrible to us. We live there. If you want to put in a facility like this there, then I recommend that each of you buy a home there and park your homes next to it and let your children play there and your grandchildren play there right next to it. Let them deal with the traffic going in and out. The trucks, the facilities, we don't want that. We love our neighborhood. We do not want this in our neighborhood and it has nothing to do with just being weed. I would have the same issue with a soap factory, a powder factory, a diaper factory. Bring us in real quality things and quit giving me this line of "We have tried." We don't want to hear that anymore. We are done hearing that. We are also done being interrupted by our Council members when we try to speak to them. You say, "Let us speak" and then you never let us really speak.

We are asking now at this point, we want parks, we want small mom and pop style restaurants similar to what other communities have gotten. We want nice things that are going to benefit our bike path, our beautiful bike path, and benefit our beautiful Air Force Museum, not any manufacturing facility. I don't mind medical marijuana. My husband is an epileptic; there is an advantage for me. I don't want it in my neighborhood. I have a reason, it is personal. We have children there. We have grandchildren there, and honestly if you look at where he plans to build and if he needs to expand that means tearing down homes that have people living there that

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have lived there for 40, 50, 60 years. These homes belong to us. We are a community and we are very tight knit and we love each other and support each other. We intend to stand strong against this. This is our community; we have a right to stand strong.

On top of that one of the things that you are not thinking about that has happened in other communities such as Michigan and in Colorado where they have these grow sites, I don't care what they say, I don't care if they tell you there is no smell. I have been to several of those states and the areas, there are odors. There are also standards. They will say, "We will meet the standards." These slip under. Every place does it. Money changes hands, people get hurt and injured and we don't need that here. That's not the reputation we need in this community. It wouldn't matter what manufacturing facility it is, this is a residential neighborhood. Find something that benefits residential, not something that benefits manufacturing. Put manufacturing where manufacturing goes, put residential things where residential things go. Give us a small gas station, give us an ice cream parlor, give us a small pizza parlor, and give us a beauty shop. Do beautiful things. To the bike path, give us some bike rentals like Dayton did. We would love that. There are a lot of us that say why can't we have some of those bike rentals that Dayton has? That would be wonderful for us and we would support you. We would be glad to work those parks even as volunteers. We would help. We have even all talked about why not giving us a small area to plant plants. Let us decorate that little area of Flight.

Let us add to the community and build on what we love so very much. Quit trying to destroy our neighborhood, instead bring us growth and bring us happiness and quit upsetting us. That's all we are asking for is you recognize the fact that we are a tight, small community and it has been there a long time. You have two, not one but two, places there that are important, the old one-room schoolhouse that turned into a home and then you have the Ellen House. It is beautiful and it is part of our Riverside historical. Pay attention to that, start realizing those are the most important things to our community. We can bring in revenue if we have tours of the area and signs up saying this is what this was and this is what this was. Those are the revenues that are good for our community, not a facility that is going to bring some negative connotations and manufacturing of any sort brings negative connotations. Mayor Flaute: Thank you, Ms. Farris.

Ms. Julie Spencer of Huberville Avenue requested to speak before Council regarding Ordinance No. 17-O-628.

Ms. Spencer: Okay, so I noticed in the smaller packet about the facility itself there are a lot of things, especially with recyclable materials, energy efficiencies, etc. The wording is intends to use wherever possible and that kind of wording makes it a lot less concrete and it gives the company no obligation to guarantee any true efficiency or true attempts at being eco-friendly. If this is going to happen, I would suggest instead of using the energy efficient LED lighting doing solar power because it is going to be a pretty large facility, so that could easily fit on the roof and have no other problems.

My main thing is, yes, marijuana is a pain reliever and so that could be an alternative to opioid pain killers like for the prescriptions for them, but who is going to control the amounts for that? There are already too many prescriptions for opioid pain killers and that is why there is such a problem. I had a minor surgery and I was given 12 more pills than I needed. If I were a person of dubious moral standing, I could sell those to someone and contribute to the opioid problem. I don't think there is any guarantee that this couldn't happen to said marijuana. They could be more given more than is necessary and it could add to the drug problem in this area. That is generally all I have, so if anyone has any questions.

Mr. Fullenkamp: Can I comment? The guidelines are very strict on the amount that can be prescribed for medical marijuana. Per condition the guidelines are very strict and this isn't going to turn into a recreational drug for these folks. They are required to see a doctor every 60 days. Ms. Spencer: You are required to get a prescription from a doctor for opioids too and here people are getting way more than they need. Mr. Fullenkamp: I understand that has been a problem, but in terms of the medical

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marijuana the guidelines are very strict on who can prescribe and what conditions they can prescribe for. I invite you to go out and read the regulations in terms of prescribing and dispensing medical marijuana. That's my comment to counter the position that this is going to be a bad thing for pain relief. There are a lot of things that are being proposed: glaucoma, nausea for cancer patients, there are a lot of things. I just want you to keep an open mind about some of the benefits, not just all the negatives. Mayor Flaute: Are there any other questions or comments?

Ms. Fiona DeMoss of Huberville Avenue requested to speak before Council regarding Ordinance No. 17-O-628.

Ms. DeMoss: I am here with my six children and we in the past 16 years have been residents of this area and we have stayed in the Harshman House. For the past 10 years, we have come to visit back and forth. I have to say when I came this time; I was a little disappointed with the advancement of this area. We were very pleased to see there was a bike path, that's awesome. As someone who has walked the area of the Center of Flight, I have walked that area many times with my children and I don't have any issues necessarily with medical marijuana, but as others have stated I feel like and I know you said that you have tried to bring in other businesses, but as someone who will continue to come back because this like a home base area for me I would love to see the area get built up in a way that would support the revenue for the City and also for the tourism. I know that other things have been proposed for other hotels and restaurants, so anyway, I just wanted to speak and say that I'm excited to see what will happen with this area and how the City will handle everything and looking forward to things that would benefit the community and families in the area. Thank you. Mayor Flaute: Thank you.

Mr. Glen Jordan of Wake Avenue requested to speak before Council regarding Ordinance No. 17-O-628.

Mr. Jordan: First, I have lived here over 35 years over on Wake Avenue. Except for the fact of tearing down DAP and the motels and stuff, I haven't seen a whole lot that the City has done to raise our values. I've seen places in Dayton where the neighborhoods are a lot worse, but the property values are more. Whatever has caused that, I don't know. I know whenever they tore down the DAP building and everything down, that was supposed to be built up to compliment the museum and of course the museum would complement it. I don't see where the medical marijuana is going to complement the museum or vice versa. I don't have a problem with medical marijuana, I think it is great, I just don't think we need a grow facility across the street from where I live. I'm worried about my property values, now whether or not I live there until the day I die and my kids sell the place or I decided I wanted to get up and move away, I'd like to get some of my investment back. Since I have lived in Riverside, I've been losing money when it comes to property value.

I got here at 7:00, I don't know who dropped the ball, the paper I got said the meeting started at 7:00, so a lot of the things that went on and were said I didn't hear. I thought somebody said something in regards to there being five other areas. Was that in the City of Riverside, the five other areas? I don't know why this area is the best versus the other areas. Mr. Curp, whether I misunderstood or not, other business areas as well as the Center of Flight supposedly you are not putting any money in try to build it up or try to invest in it. Now whether that is an issue or not, I don't know. When it comes to jobs, taking care of the City money, I'm all for jobs, but not at the expense of my property values.

Mr. Fullenkamp: Sir, if you want to see the parts of the meeting that you missed, you can request a video, a DVD, of the meeting and you can watch that or you can read the minutes after they are published next Friday. *(inaudible comment from an audience member)* Mr. Fullenkamp: We don't control the press releases, but anyway those are available. You can ask the Clerk for a DVD, if you want to watch the beginning of the meeting. Mr. Jordan: It would be nice to see a lot of the information. Mr. Fullenkamp: Then you will see the presentation that was given and you will hear Mr. Murray's presentation in full, okay? Mr. Jordan: Alright, thank you. Mayor Flaute: There are some of the presentation you missed in the back there are some copies of it. Mrs. Reynolds: Here, sir, you can have my copy.

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Deputy Mayor Curp: If I can make a comment, I leafleted the neighborhood on July 4th because I got my agenda packet and to my surprise there was this item on the agenda dealing with this issue. I thought the neighbors should know and I went and leafleted the neighborhood and I told them in the leaflet that this was on the agenda, the meeting starts at 7:00 which is when the business portion of the meeting starts. Unfortunately the meeting agenda got changed, timeframes got changed, topics got moved around, and so some people, like Mr. Jordan was saying, missed some of the meeting. I apologize for that those things sometimes happen, but it is good that people came out to at least listen and see what is going on and speak your minds, so thanks for coming. I apologize for the disruption because of the change in the agenda. Mr. Smith: Mr. Curp, thank you for doing that. I appreciate it.

There were no additional requests to speak before Council.

ITEM 15: NEW BUSINESS

A. RESOLUTIONS

I) Resolution No. 17-R-2280 supporting the Paris Climate Agreement.

Mr. Carpenter introduced Resolution No. 17-R-2280 supporting the Paris Climate Agreement.

A motion was made by Mrs. Reynolds to approve Resolution No. 17-R-2280. Mayor Flaute seconded the motion.

Mayor Flaute: I just want to say this has been something that is happening all over the United States of America. It is something that we need to take very seriously and I hope that Riverside can go on record for agreeing to this.

Mr. Fullenkamp: I would like to comment, so what are we going to do as a City, as an organization, to fulfill some of the promises that are implied by this? Are we going to demand high efficiency in the way our City operates or is this just we support the Paris Accord? Mayor Flaute: To my understanding it is a support type thing and the National League of Cities will know about it. It will get sent to various places wherever we need to let them know that we support the Climate Agreement.

Mrs. Reynolds: I was just going to say and Mr. Fullenkamp I understand what you are saying, but I believe as a City and here again I can only go from the research that I do and how I feel about issues. I think the Paris Climate Agreement is an important document. I believe in some of those documents and some of those standards, I believe that is something we should all be working towards. Just having said that, that's why I'm voting yes on this because I believe in that and I believe we need to take those very seriously, even at the City level.

Mr. Fullenkamp: Let's be very clear, I thought at the national level we made a terrible mistake by withdrawing, so I will support it too.

There was no further discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mayor Flaute, yes; Deputy Mayor Curp, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; and Mr. Smith, yes. **Motion carried.**

II) Resolution No. 17-R-2281 setting forth reappointment of Stanley Leszczuk to the Board of Tax Appeals for the remainder of the term ending April 6, 2019.

Mr. Carpenter introduced Resolution No. 17-R-2281 reappointing Stanley Leszczuk to the Board of Tax Appeals.

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A motion was made by Mr. Denning to approve Resolution No. 17-R-2281. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

III) Resolution No. 17-R-2282 appointing the City of Riverside's representative to the Regional Income Tax Authority (RITA).

Mr. Carpenter introduced Resolution No. 17-R-2282 appointing the City's representative to RITA.

A motion was made by Mrs. Reynolds to approve Resolution No. 17-R-2282. Mr. Denning seconded the motion.

Mr. Smith: Who is the representative? Mr. Carpenter: It is Mr. Garrett and myself. Mr. Smith: Okay Mr. Garrett, I'm sorry. Ms. Arnold: It was previously Brian, so we are updating it to Mark.

There was no discussion on the motion.

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

IV) Resolution No. 17-R-2283 approving revisions to the Bylaws of the First Suburbs Consortium of Dayton, Ohio.

Mr. Carpenter introduced Resolution No. 17-R-2283 approving the revised First Suburbs Consortium Bylaws.

A motion was made by Mrs. Reynolds to approve Resolution No. 17-R-2283. Mr. Denning seconded the motion.

There was no discussion on the motion.

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

ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Frank Smith of Byesville Avenue requested to speak before Council regarding brine application.

Mr. Frank Smith: Good evening, Mr. Mayor and Council. I just have a question. I've been home, but I haven't seen any spraying over at Jerry's. Is there anything on the agenda? Mr. Carpenter: We are scheduled to go over Monday. We had it set up, but with the weather being rainy and wet we thought it would be best to wait for a dry day.

Mr. Frank Smith: That answers my question. Getting back to your thing on this, I know I didn't mark the sheet, but I'm not really a big fan of this marijuana grow thing. I don't see and not against anybody, but I just think that in that area across from the museum and by Wright Patt we should have a restaurant or something to benefit the citizens, not just like Wendy's or Taco Bell, something real nice. Like the one gentleman said, you've got people that come from all over the world that come to visit our museum. This is our attraction to Riverside. When they want to eat and want a good meal, they go to Beaver Creek or Fairborn or some other place when they could go right across the street from the museum and have a nice meal and then walk right next door to a nice hotel. You keep all those funds right here in our neighborhood. That would increase our appeal to Riverside. I think that would be more beneficial. Not that I am against because I know it would be a benefit to people for the medical marijuana, but I don't feel that we need it in our backyard when we could maybe have a nice restaurant there to benefit other people that come into our community.

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Mr. Fullenkamp: Mr. Smith, we can still have a restaurant in that area. Mr. Frank Smith: Well I haven't seen it. Mr. Fullenkamp: I know we haven't. This doesn't change that possibility. Mr. Frank Smith: But there has been a lot of work put into this to have this to make it happen, but I don't see the same hoorah to try to bring a nice restaurant to our neighborhood. Again, no offense against you because I can understand everybody's issue, but if you put the same pizzazz into putting in a nice, big restaurant over there and benefit these people too in their neighborhood. Mr. Fullenkamp: We've waited a long time for somebody to bring in \$3.5 million to this community and make an investment. Mr. Frank Smith: There might be a lot of other people to build here if they had a nice restaurant and they don't have to go out of their own community to get a nice meal. Mayor Flaute: Thank you for your very positive comments.

Mr. Mike Marshall of Yeoman Court requested to speak before Council regarding the rezoning of 1708 Brandt Pike.

Mr. Marshall: Good evening, Mayor and Council. My name is Mike Marshall and I own a business in this community, Authorizing Properties. I'm asking the Council and the Mayor to revisit the issue of zoning on a property that I own at 1708 Brandt Pike. Recently we discovered that the zoning was changed some years ago, I guess when the City or the Planning Department had rezoned the community. We had purchased a property, my father and I, 20 years ago. This property at 1708 was zoned B-4 and when you changed the zoning Codes and the zoning areas, we discovered that our property is now zoned B-1, which is not comparable to what it was when we purchased the property. We are asking that you revisit the issue and vote on that. I had made petition two or three months ago with the Planning Department to have that changed and I met with the Planning Department and they voted to do that, but I understand last month there was a vote to change that back. I need to know if that is what my next step would be to get that changed.

Mayor Flaute: You said that there is a property right next door. How many acres about? Mr. Marshall: There is a property south of 1708 which is I'm going to guess about 10 acres. Mr. Taylor: It's the Jergen's site that we talked about. Mr. Marshall: When you did change the zoning that was changed to its comparable B-2. We ended up getting a B-1. Mayor Flaute: Are there any other B-1s around there? Mr. Marshall: There are, actually that would be the property directly across the street which is owned by I want to say Cary Fisher, but he owns that carpet cleaning business. He as well when the zoning was all changed, he ended up getting a B-1 instead of a B-2; he was B-4 as well. I think the issue that was at hand last month when you voted is it was presented as spot zoning. I don't believe that is the case here. I believe we should fall into the same zoning comparability that we originally were.

Mr. Fullenkamp: Sir, was there a reason you didn't challenge the zoning change back in 2014? Mr. Marshall: That is a good question and I wasn't going to travel that road, but let me say this to you my father and I own 63 properties in Riverside. We think Riverside is great. The thing is that out of those 63 properties, not one of those properties did we get a report that there was a letter presented that there were going to be zoning changes. I can assure you had we known there was going to be a zoning change or at least an issue we would have been down here. Brock will verify for you that I did immediately once we discovered that it was changed to the B-1, I've been working on this for the last three months to try to get this reversed.

Mayor Flaute: I guess I just don't see how it could be spot zoning and I'm sorry I wasn't at the last meeting, but it can't be spot zoning if the property right next to it is a B-2 and the only B-1 you have is across the street. I would think that it looks more spot zoning when you have a B-1 sitting right next to a B-2. I'm not sure how that is spot zoning. Mr. Marshall: Just so you know, I don't want to interrupt you, but what I want to say to you is that we have no intention of utilizing that B-2 zoning. It's more what we look at as future use. If that property next door is purchased by an investor, our property is going to be appealing to that investor because we follow the same zoning. They are side by side and they have been side by side as businesses for

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many years. I don't see the problem with the City changing the zoning back to its original status or its original state.

Mayor Flaute: I'm suggesting we bring it back. I would like to bring it back and talk a little bit more, so if we could see that on the next agenda if that is okay with Council.
Mr. Fullenkamp: Well we voted it down on the first reading 4-2. I'm not sure what the rationale would be to bring it back.
Mayor Flaute: I just don't think it is spot zoning.
Mr. Fullenkamp: Well it wasn't presented as spot zoning during the meeting.
Mayor Flaute: It just doesn't make sense.
Mr. Fullenkamp: It wasn't presented as spot zoning.

Deputy Mayor Curp: Typically what happened when the city as an entire view is looked at doing the UDO is looking at creating buffers between harsh uses and more residential of something not quite so harsh. A good example is in Floral Park in the area where the Salmon's property is, when the UDO zoning portion was presented those properties in that area that have been zoned Industrial was continued to be shown as Industrial or proposed to be zoned Industrial in the revised UDO. One of the things we said was, "Wait a second, we should take a look at not what it is today but what we want it to be." That's what you should be doing with land use. That got changed to a B zoning instead of staying as an Industrial zoning because we said there is a residential area here and we need some kind of buffering between a harsh use and something less harsh. The Salmon's property and those other properties along there that have been zoned Industrial got rezoned to Business instead of Industrial because in Business you don't have trucking and that sort of thing. You can't push the trucking out, but when it stops being a trucking business or usage then anyone else who wants to use the property would have to conform to the requirements of the Business classification and that's what has happened with this piece of property that Mr. Marshall has brought to our attention this evening. It sits between a residential property and the Coleman, it was Coleman camper sales and now it is primarily storage of campers and trucks and boats and whatever, so what you have is his property is zoned as a B-1 to serve as a buffer between a harsher use and the residential property next door and on down the street. That's the rationale. It wasn't because of spot zoning, it was done that way for buffering purposes.

Mayor Flaute: So there is no interest to bring it back? Okay.

There were no additional requests to comment on non-agenda items.

ITEM 18: EXECUTIVE SESSION

- A) Leases / Real Estate Sale Discussion – 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.*

Mayor Flaute: At this time the Council needs to go into Executive Session to talk about the things that are on the agenda. We will be in Executive Session maybe 30-45 minutes at the most and then we will come out and vote on the Ordinance for the real estate and the Farms of Riverside. If you want to stay, you are welcome to do so. We should be in our in about 30-45 minutes at the most.

A motion was made by Mrs. Reynolds to enter into executive session for the reasons stated on the agenda. Mr. Denning seconded the motion.

There was no further discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion carried.**

Council entered at 8:40 p.m. and came out of Executive Session at 9:21 p.m.

ITEM 19: NEW BUSINESS

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A. ORDINANCES

- I) Ordinance No. 17-O-628 authorizing the City Manager to enter into an Option Agreement for the sale of seven (7) acres of real estate.**

A motion was made by Mr. Denning to table Ordinance No. 17-O-628. Mr. Fullenkamp seconded the motion.

There was no further discussion.

All were in favor; none were opposed. **Ordinance tabled.**

B. RESOLUTIONS

- I) Resolution No. 17-R-2285 approving the lease of certain space at the City's property located at 5100 Springfield Street, Suite 520, Riverside, Ohio.**

Mr. Carpenter introduced Resolution No. 17-R-2285 approving the City Manager to enter into a lease agreement.

A motion was made by Mr. Denning to approve Resolution No. 17-R-2285. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

- II) Resolution No. 17-R-2286 approving the lease of certain space at the City's property located at 5200 Springfield Street, Suite 300, Riverside, Ohio.**

Mr. Carpenter introduced Resolution No. 17-R-2286 approving the City Manager to enter into a lease agreement.

A motion was made by Mr. Denning to approve Resolution No. 17-R-2286. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

- III) Resolution No. 17-R-2287 approving the lease of certain space at the City's property located at 5200 Springfield Street, Suite 101, Riverside, Ohio.**

Mr. Carpenter introduced Resolution No. 17-R-2287 approving the City Manager to enter into a lease agreement.

A motion was made by Mr. Denning to approve Resolution No. 17-R-2287. Mr. Smith seconded the motion.

There was no discussion on the motion.

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

ITEM 17: COUNCILMEMBER COMMENTS

Mayor Flaute: We did not have Councilmember Comments before we went into Executive Session. I apologize for that. Are there any Councilmember Comments?

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Mr. Smith: Yes, I attended the First Suburbs dinner and concert there at the Frazee last night. Mayor Flaute: That was last night. Mr. Smith: That was last night and it was poorly attended. Mr. Denning: I didn't even know about it. Ms. Arnold: I was not made aware of that. Mr. Smith: By all communities, really. There weren't many people there. Mr. Denning: The ribs. Mr. Smith: Yeah, the ribs were good. Mr. Denning: The ribs are always good. Mr. Smith: The concert was good, but the turnout was pretty low. I don't know if it was because of the suspected bad weather for the evening, but there weren't a lot of folks there even in the crowd for the show itself. Mayor Flaute: I did not have that down. Thanks for attending. They aren't going to invite me anymore. Anything else? Deputy Mayor Curp: Maybe they didn't invite you this time if you didn't know about it. Mayor Flaute: I RSVP'd, but vacation messes with you.

The only thing I have is that I had three weddings since June 1st, you know vacation does that to you. I went to the 100th Anniversary of AFRL and that was good. I was honored to be elected the first Vice President of the Ohio Mayor's Association at the Annual Conference and if everything goes well I will be President. Just for your information, on the Executive Board the Mayor of Celina and the Mayor of Sidney. This is the first time that the Ohio Mayor's Association has been so well represented from this area; usually it is the Cleveland area. We have a lot of things we are going to do and you will see a lot of action from that. Remember the Family Fun Festival on July 15th.

We had a meeting with Councilmember Lommatzsch and Lori. This is kind of what we came up with. Not much different from what I understand than what you guys talked about last time. The only thing is we will have a formal meeting with roll call and I have minutes recorded, but I thought I was just going to do very abbreviated minutes and resident sign-in. You don't need to attend these; it is not going to be held against you or anything like that. It was our understanding that it is best to have the formal meeting since the City is calling it and all that. The first one she wanted to have it over by the little park there. Ms. Arnold: Delhi and Blue Rock. Mayor Flaute: Yeah. I suggested we go to Arby's, so I guess that is going to happen on October 24th. Mr. Denning: August 24th. Mayor Flaute: August 24th. Deputy Mayor Curp: Will that be inside or outside? Mayor Flaute: Inside. We are going inside because if we do outside you've got bugs and you have to bring your own chair.

ITEM 20: EXECUTIVE SESSION

- A) Clerk's Annual Review – Section 103.01(d)(1): *Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.*
- B) Personnel Matter – Section 103.01(d)(1): *Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.*

A motion was made by Mrs. Reynolds to enter into executive session for the reasons stated on the agenda. Mr. Denning seconded the motion.

Mayor Flaute: Hopefully we will only be in Executive Session for less than a half hour. I don't expect any legislation to be passed when we get out, but you are welcome to stay around if you would like to.

There was no further discussion on the motion.

A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Deputy Mayor Curp, yes; Mr. Fullenkamp, yes; Mr. Smith, yes; and Mayor Flaute, yes. **Motion carried.**

Council entered at 9:28 p.m. and came out of Executive Session at 10:11 p.m.

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ITEM 21: ADJOURNMENT

A motion was made by Mr. Denning to adjourn. Mrs. Reynolds seconded the motion.

There was no discussion on the motion.

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

The meeting was adjourned at 10:11 p.m.

William R. Flaute, Mayor

Brenna Arnold, Clerk of Council