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

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

Staff present was as follows: Bryan Chodkowski, City Manager; Katie Knisley, Assistant City Manager; Bob Gillian and Tom Garrett, Finance Department; Bob Murray, Economic Development and Planning; Bob Turner, Fire Department; and Mitch Miller, Service Department.

ITEM 3: EXCUSE ABSENT MEMBERS: There were no absent members.

ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA: Mrs. Reynolds asked that item 18(I) b, Ordinance No. 11-O-464, and item 18(I) c, Ordinance No. 11-O-465, be removed from the agenda until the City Manager can speak with legal counsel on whether we could be circumventing the Charter process by doing this. She said she thought this could be perceived as circumventing because the only other instance where we use the Ex-Officio title is in the Charter. She said she spoke with the City Manager and he has stated he can speak with the Law Director and have these back for the next meeting.

Mayor Flaute asked if the Multimodal Transportation Commission ordinance would be wrong as well. He said he had concerns also because sometimes Council members can be a little overbearing and he didn't want it to be perceived that Council is steering the direction of the committees.

Deputy Mayor Smith said he had a question on Resolution No. 11-R-1533 which authorizes the City Manager to enter into an agreement with Forest City for the purposes of creating a master development plan for the Center of Flight; he thought at this time they were just going to perform a survey. Mr. Chodkowski said the scope of the work is included in Exhibit "A" and basically what they are going to do when they talk about the master development plan is they will do market analysis, meet with budget partners, they will provide a concept sketch and concept plan with a maximum density for the project, elevation drawings, preparation of concept drawings on what would be considered the best use of the property based on market conditions, and they will have economic factors for potential developers down the road. He said this is not an agreement for them to take total control of the site; it is for them to perform the 3 segments of their proposal within a maximum 120 day time frame to have the information back to us.

ITEM 5: APPROVAL OF AGENDA: A motion was made by Mrs. Reynolds to approve the agenda as amended, striking Ordinances 11-O-464 and 11-O-465 from the agenda. Mr. Fullenkamp seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

ITEM 6: WORK SESSION ITEMS:

- a. Review of Tax Ordinance – Lori Gischel, R.I.T.A.

Mr. Chodkowski said pursuant to discussions of council during the budget process, Mr. Schock had asked Council to look at our current tax legislation and to provide comments on how the legislation is being enforced and what components are gone

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through to receive this revenue. He said he and Mr. Gillian have talked about the council request and we also provided an advance copy of the ordinance which leads us to tonight where a representative from R.I.T.A. is going to explain how they perform this function for us in an attempt to address some of Council's concerns. Mr. Gillian introduced Ms. Lori Gischel who is the Tax Director from the Central/Southern Ohio branch of R.I.T.A.

Ms. Gischel thanked Council for inviting R.I.T.A. and said if any questions come up, Council should feel free to contact them. She said rather than go into general services, she would be going over some of the specifics as far as what they have done for Riverside and she would start with a recap for 2010. She said this doesn't include the day to day operations of sending out the tax forms, processing payments, audits, mailing out letters, estimated payments, etc. – all that is always being done.

Ms. Gischel said Riverside participated in the legal program for delinquent efforts and the program deals with any accounts that have filed a tax return, know there is a liability due, but they have not paid it. She said we have an entire department dedicated to collection work and currently there are 59 accounts set up on payment plans ranging from a regular payment plan to ones that have defaulted or have been arranged at court and are considered judgment payments. She said in 2010, R.I.T.A. filed 52 cases and of those, 30 have paid in full and 22 are partially paid. She said the liability for those was \$25,000 and there is currently an outstanding balance of about \$12,000.

Ms. Gischel said part of the accounts filed in court were set up on payment plans due to an agreed type of judgment, others accounts went to court but the people did not appear and R.I.T.A. received judgment. She said there is another program Riverside participates in where a law firm working on behalf of the city files liens and garnishments for collections.

Mr. Gischel said Riverside is doing everything R.I.T.A. recommends. She said we do everything from registration to litigation and everything in between and Riverside is taking full advantage of that. She said the legal program cost is minimal and the only additional cost is a per hour rate for a R.I.T.A. Representative to attend court. She said they do allow us to file multiple cases at one time, so we can file Riverside claims at the same time as we file claims for other cities that use R.I.T.A. She said that's where your sharing at the Council of Governments is reaping benefits because if we are filing cases and we have to come down for hearing, we are here for three hours; we will file for you and two R.I.T.A. communities and you are only paying for an hour of that time. She said she filled 99 cases for a community one year and the fee was under \$500. She said if a case has to go into some type of hearing, R.I.T.A. does have legal representation.

Ms. Gischel said the other piece of compliance is the subpoena program which is for people who do not file. She said we believe they have a filing requirement and we determine that from several different resources. She said some residents may have already started receiving letters on that this year; we typically start sending those out in February or March. She said we compare our roles to the State of Ohio so if there are residents using a Riverside address and they are not on the R.I.T.A. roles, we send them a letter. She said we send out thousands of those every February and March.

Ms. Gischel said for those of you who don't know, Riverside is not contracted with R.I.T.A.; they are contracted with 186 other communities in the State of Ohio for the sole purpose of tax collection. She said it is a consortium sharing in the benefits of this non-profit effort. She said one of the things we did back in 2006 was we lobbied in Washington for a change so they would recognize Councils of Governments greater

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than populations of 250,000 or more and share the IRS records; another resource we can use.

Ms. Gischel said in October of 2010, Riverside participated in the subpoena program. She said we sent out a friendly reminder letter and got a 25% to 35% response; following that, the subpoenas went out. She said for Riverside we sent a total of 1,437 letters with a total liability of \$135,000. She said there is no additional fee for the friendly reminder letter but there is a fee of \$8 per subpoena. She said the program does pay for itself and also sends a message to the residents that Riverside intends to follow through.

Ms. Gischel said if they don't file after receiving a subpoena then it can become a Mayor's Court situation depending on how your Charter reads. She said this is the piece that R.I.T.A. is hoping to eventually do away with, the subpoena process. She said we are not there yet but now that we have gained access to the IRS information; we can see and bill right off that information. She said 2010 was the first year we became active with that and we sent 277 letters out off of IRS activity for the City of Riverside with a liability of \$41,000. She said we do expect that to increase and a couple R.I.T.A. communities reaped large benefits from this; we had a couple fines of over \$100,000 last year. She said the information is very confidential and the contract with the IRS requires the information be retained within our agency. She said the Mayors and Managers organization was part of our grassroots effort to obtain this information and we appreciate all of that. She said this shows what can be accomplished by partnering with other communities.

Mayor Flaute asked which program was the \$41,000 liability. Ms. Gischel said that was the Federal Tax information; we got that going about June and it is taking us a little longer because we are building systems within systems. She said we are trying to get the process automated and sort out the information we don't need.

Deputy Mayor Smith asked if Ms. Gischel could briefly recap the people we collect taxes from. Ms. Gischel said it is an earned income tax and would include anyone that is working within the city limits and living elsewhere; anyone that lives here, even if they work elsewhere, there is a requirement to file; individuals as well as businesses. She said we refer to those as individual tax types, the profit from the business itself and the business also has to file withholding if there are employees working for the business.

Mr. Schock asked how they collected tax from the rental property residents; how is R.I.T.A. informed when a new tenant moves in. Ms. Gischel said she believed there was a tenant clause in Riverside's ordinance which requires the landlord to provide a list as stated in the ordinance; sometimes it's quarterly, sometimes it's every six months, or it could be annual. She said the list is provided to the city and/or to R.I.T.A. She said the list is reviewed; if they are only there three months then we might not catch them because of the address. She said typically the tenant clause also provides for a penalty if the landlord is not providing the information. Mr. Schock said we are pretty much known as the island city; he asked if there was a physical count of what properties are in Riverside since we are surrounded by Fairborn, Huber Heights, etc. or is it done by zip code. Ms. Gischel said we don't do anything by a home, we track by the number of returns filed and by the number of W-2s filed but those can both be off because of joint returns or for instance a plumber who has several different W-2s because they are working in several different jurisdictions. She said we can give you an estimate or the Census tracks those types of thing or if you have a Better Business Bureau in the community or a Chamber of Commerce that is tracking that type of information. She said the tax roles are not really utilized for that type of effort as far as exact numbers. She said we use several different resources, for instance, Mr. Garrett is our community advocate; he knows if a school is being built or if there is

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some sort of special project going on and he notifies R.I.T.A. with general contractor information. She said he may or may not decide to handle the subcontractors; if he doesn't and wants R.I.T.A. to do that, we will. She said some of the resources we use are funneled directly from the city; we use tenant rosters or water/sewer permits or permits for the businesses; anything that is available, we will use. Mr. Schock said so for the people who rent out their homes; in this county, you have to file at the county that the home is being used as rental property, so you also use that data too. Ms. Gischel said we use county sites but not always for that; we get deed transfer information from the county. She said she didn't know if Mr. Garrett was looking at that particular source for that information but that is where your tenant clause would come into play. She said another thing that comes into play with the landlord is they should be filing a Schedule "E" with the IRS. She said if nothing else, we will eventually catch up with them. She said it would be an incorrect statement to say we have everyone on the roles; if everyone was just honest and filed and paid there wouldn't be a need for all of us in the jobs that we do; but we have resource after resource we are utilizing especially now with the IRS information.

Mr. Chodkowski said between the subpoena program and the IRS program R.I.T.A. has identified about \$170,000 total in delinquencies. Ms. Gischel said back in 2004 when we started lobbying to see the IRS information we estimated it would generate \$21,000,000 for the size of the membership of the Council of Governments at that time. She said it's a very powerful tool and we thank you for your efforts in helping us get that.

Mr. Schock thanked Ms. Gischel for answering many of his questions. Ms. Gischel said if there are complaints out there, please get as much information as you can to help us review those accounts and see if there is a true problem out there or if this person is just upset because they have to pay taxes. She said keep those channels open and let us know if there is something else we can do to help gain compliance.

Mr. Schock said he knows there are some cities that do this – for people who come in and rehab homes or a company comes in and lays a gas pipe – they are only working in the city eight hours; some cities require permits for that service so they can collect income tax from them. He asked if that was workable or difficult to enforce. Ms. Gischel said if cities are getting permits or even registrations, the information does help us especially if you capture the ID number or Social Security number. She said contractors are a challenge; they are everywhere and they will show that they have expenses against what they are doing and we struggle with that. She said there is also a 12 day rule; the employer is not required to withhold if you aren't in a city longer than 12 days. She said at the thirteenth day the employer is required to go back to the first day to withhold. She said it's a challenge and we have to try to balance that now that we have the federal tax information. She said things are changing for R.I.T.A. and how we are doing things because now we have this extra resource. Mr. Schock said he just wanted to see what her opinion was on that.

Mr. Fullenkamp said he was working with the Finance Director a few months ago looking at the three categories of income tax payers we have in our city: people who live in the city and work in the city; people who work in the city and live elsewhere; we have people who work elsewhere and live in the city; and then we have this reciprocity tax for people who work outside the city. He said when he got the numbers for these categories, it didn't add up; it seemed to account for about 80% of the total. He said they tried to explain it to me and he's not saying it needed to be solved tonight but is there some reason why the numbers are off. Ms. Gischel said off the top of her head if she had to guess; R.I.T.A.'s calendar year doesn't match the city's calendar year. She said we pay twice per month but our December receipts are your January receipts which could account for part of it. Mr. Fullenkamp asked if the calendars could be aligned. Ms. Gischel said she didn't know if they could do that; part of what

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Mr. Gillian is probably using is a Workman's Income Report and by year end it will tell us how many people and W-2s you had filed for those working in Dayton or those working in Fairborn, etc. She said she assumed that was the report Mr. Gillian used for projections. Mr. Fullenkamp asked if this year we could figure out what's going on here and see if we can match the numbers. Ms. Gischel said maybe the refund adjustments weren't done, it's hard to say. Mr. Schock said Mr. Fullenkamp likes to crunch numbers. Mr. Fullenkamp said he thought this was important. Mr. Schock agreed.

Mr. Fullenkamp asked if we taxed service people who come in the homes and if they reported where they worked. Ms. Gischel said if it is more than the 12 days. Mr. Fullenkamp asked if that was just one location or the sum of all the locations a service person works. Ms. Gischel said it is the sum of the locations for one employee.

Mr. Denning said the company his son works for withholds regardless of the amount of time whether it's a day or ½ day; his son had 25 W-2s and the company doesn't follow the 12 day rule, it's just what the company does. Ms. Gischel said the companies are responsible on the thirteenth day so many of them don't want to have to worry about when the thirteenth day is and then have to go back and figure out what should have been withheld; so they have found out administratively, it's just easier. Mr. Denning said when it's time to file taxes it's just a pain and the IRS won't accept it electronically when you have that many W-2s.

Mrs. Reynolds thanked Ms. Gischel for coming and said she had a question on the liens and garnishments; she asked if there was a threshold before it was taken to that level. Ms. Gischel said she did not know; those cases are handled by legal counsel but the threshold to file those cases is \$200 or \$250 and that would be the minimum we would push over to them.

Mayor Flaute asked if a person lives one block outside of a jurisdiction and unknowingly pays to that jurisdiction, does R.I.T.A. work together with the other communities on that. Ms. Gischel said it happens all the time; it's not intentional and mainly happens because the postal boundaries in Ohio do not match the municipalities. She said we make an effort and we have access to surrounding records which is a benefit of being a part of the Council of Governments.

Mayor Flaute said the forms are very difficult; he asked if they had talked about changing the forms and having software that can do this. Ms. Gischel said yes; the form you are referring to is Form 37 which has to be able to do any type of scenario you may have, for instance, someone has rental property or is in a partnership or has out of state wages; the form has to be able to handle that. She said the State of Ohio requires that we take any generic form; if all the information is on whatever piece of paper is filed for that tax year we have to accept it, that is part of the Ohio Revised Code. She said the State actually likes our form because it contains everything. She said we have Form 37B if you have only W-2 income; just put your wages in, multiply by the tax rate, and then subtract the withholding. She said we are also introducing electronic filing and it is available now to make payments, register, and residents and businesses can file online. She said we are looking at enhancements to that to make it better and easier. She said in the last five years we have started to partner with software companies, currently we are partnered with CCH Drake and Creative Solutions and those companies handle over 50% of the preparer's software in the State of Ohio and those forms. She said when the preparer keys in information; it then transmits to the IRS, the State, and now R.I.T.A.

Mr. Fullenkamp said since you will accept any form, can I send you my State or IRS filing – would that be good enough. Ms. Gischel said yes. Mr. Fullenkamp said that sounds simple. Mayor Flaute said we're making progress. Ms. Gischel said the easy

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form we had out there pretty much said to attach your information, sign it and send it in. She said the only reason we are removing the easy form from the process is we are finding we weren't able to get to all that information in a timely manner and people were almost using it as an extension. She said you can file for an extension, but an extension is an extension to file, not to pay. Mr. Fullenkamp asked if it was better to over-estimate a payment then wait on a refund or credit towards next year. Ms. Gischel said yes, if they believe a payment is going to be due and historically, they probably know. She said we are also willing to assist with the forms.

Mayor Flaute thanked Ms. Gischel for coming in and said he really appreciated them simplifying the forms.

Ms. Gischel said there is one other thing she wanted to mention that R.I.T.A. does behind the scenes and that is monitoring the legislation that would have an impact. She said you may know that from some of the other bills that had major impact, last one being HB 95. She said once that legislation goes through; we forward correspondence to you to let you know what changes need to be made in your ordinance so you are in compliance.

b. Boards / Commissions Term Expirations – Member Interviews

Mrs. Brane said there are some terms expiring; one on the Board of Tax Appeals for Mr. James Zaidain. She said his term expires on April 18, 2011 and he would like to be reappointed. She said Ellen Fletcher is also here tonight; she has a term on the Multimodal Transportation Commission that expires tomorrow. She said Mrs. Fletcher also has a term on the Personnel Appeals Board, which has never met, and that term expires April 6, 2011. She said Francesca Hary also has a term expiring on the Personnel Appeals Board on April 6, 2011 but she hasn't been able to get in touch with Francesca.

Mayor Flaute asked Mr. Zaidain to tell us a little about his experience on the Board of Tax Appeals and if Council can do anything to help improve it. Mr. Zaidain said he has lived at his current address 16 years and lived on Wagon Wheel 10 years before that, so he has been here even before we became a city. He said he decided to volunteer and contribute his help to the city.

Mr. Zaidain said he is a CPA working for a couple different companies; he enjoys taxes and even does taxes on the side. He said he enjoys being with the group, the Board of Tax Appeals, which also includes Chuck Evanhoe and Hal Nielsen who are both here tonight. He said we take an advocate role for the taxpayer as well as for the city and we try to do what we can that is fair for any case that comes before us. He said he wanted to give the group a plug – they were the ones who put into the income tax code the ability to tax lottery winnings and you know how the city benefited from that.

Mr. Zaidain said we enjoy doing our share and having any tax appeals come before us – helping the city with these cases and making a decision on them.

Deputy Mayor Smith asked how many years Mr. Zaidain had been on the Board of Tax Appeals. Mr. Zaidain said ever since it was started. Deputy Mayor Smith said 15 or 16 years. Mr. Evanhoe said he thought the board was started around 2002. Deputy Mayor Smith said about 10 years; he asked Mr. Zaidain if he wanted to stay on the board and Mr. Zaidain said yes, he enjoys doing it.

A motion was made by Mr. Schock to bring forward legislation to reappoint Mr. Zaidain to the Board of Tax Appeals. Mr. Fullenkamp seconded the motion. On call of

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the roll: Mr. Schock, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mr. Denning, yes; Mrs. Reynolds, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

Mayor Flaute asked Mrs. Ellen Fletcher to come forward and talk about what's been going on with the commissions she serves on. Mrs. Fletcher said the first thing to talk about would be her attendance but she has enjoyed it and even when she is not able to be at the meetings, she does participate by attending MVRPC workshops, the Rec Trails meetings, MetroParks events, Bike Sharing webinar, and she is a member of the All Aboard Ohio group and has attended Rail Association meetings. She said she does report back when she is in town.

Mrs. Fletcher said when she was a member of the Planning Commission, she helped write the by-laws for the Multimodal Transportation Commission when it was forming and the by-laws were a little different for this commission than the other commissions because it can report specific proposals for money back to the council. She said she knows there is some consideration about ex-officio members for the other commissions but she does believe the Multimodal Transportation Commission definitely needs one because they are handling monies in regards to the city.

Mrs. Fletcher said of all of the things she has participated in, Mr. Jim Wellman has also been a participant, and she didn't believe anyone else on our commission went to any of these other things or reports back.

Mrs. Fletcher said she has enjoyed being on the Multimodal Transportation Commission and she would enjoy continuing but she also realizes that if attendance is a main factor then she would leave that to the pleasure of the council. She said she did check her schedule for 2011 ahead of time and she will not be able to attend 7 out of the 12 meetings, but that is a day of the month and that won't stop her from participating at the trails or the complete streets or other things. She said she has to leave it open; it is a priority but it's not at the top of her list because of other functions she participates in. She said she's enjoyed serving, would continue to enjoy serving, but she realizes that she is not here all of the time. Mayor Flaute thanked her for her service.

Mr. Schock said it put some flags up when she told us her schedule but at least she told us ahead of time. He said maybe she can't make all the meetings but the other activities she does will overcome being absent. He said Mrs. Fletcher has always been a good advocate of our community and he would make a motion to reappoint her to both committees.

A motion was made by Mr. Schock to bring forward legislation to reappoint Ellen Fletcher to the Multimodal Transportation Commission and the Personnel Appeals Board. Ms. Campbell seconded the motion.

Mr. Fullenkamp said he was concerned with her inability to come to meetings but he did agree with Mr. Schock regarding the latitude she adds attending the outside activities. He said he didn't realize they were going to address these together and wondered if it should be separate issues.

Mayor Flaute said personally he would at least like to see Mrs. Fletcher be put back on the Personnel Appeals Board but he's torn on the Multimodal Transportation Commission. He said he agreed with everything Mr. Schock pointed out and he knows when Mrs. Fletcher does come to the meetings; she is a very active participant. He said the motion is for both reappointments.

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Deputy Mayor Smith asked the clerk if the Multimodal Transportation Commission had not been able to meet due to lack of a quorum. Mrs. Brane said not that she has been made aware of. Mr. Denning said not since we went to seven members; in the beginning there were some problems when there were only five members.

Deputy Mayor Smith thanked Mrs. Fletcher for all her service and said if you are reappointed and find that missing some of the meetings is not doing the city any good, he would ask that she step down just to be fair. Mrs. Fletcher said absolutely; and if someone comes and would really like to be on the commission, please do not hesitate to make me aware of that. She said she is all for what makes a vibrant community.

Mr. Schock said if Mrs. Fletcher knows she will be stepping down from one of these boards, he would welcome her recommendation for a replacement commission member.

With no further discussion, a roll call vote was as follows: Mr. Schock, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, no; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

Mayor Flaute asked if Mrs. Hary came in during council's discussion. Mrs. Brane said no. Mayor Flaute asked Mrs. Brane if that completed tonight's interviews and Mrs. Brane said yes.

c. Joint Work Session – Council / Health & Safety Commission / Parks & Recreation Commission

Mayor Flaute said let's start off with the Health and Safety Commission and he asked Mr. Tim Schneider, Chairman, to come forward.

Mr. Schneider said he had two items to cover tonight, first being the commission's plans for two bike rodeos this year – one in May and one in June. He said he doesn't recall the exact dates but he would like to invite the council members, members of the audience, and members of the other commissions to join us; we can always use an extra pair of hands.

Mr. Schneider said this past year; we fitted 250 to 300 children with bike helmets. He said it was an astounding success at Beverly Gardens and we are going to go there again this year. He said we had another event at Rohrer Park which was also a great success. He said we did generate enough money to have a drawing to present a girl's bicycle and a boy's bicycle at each event. He said Ponderosa contributed a bicycle. He said we had great successes last year and look forward to more success this year; those being our biggest events for the year.

Mr. Schneider said for his second item we have another initiative. He said we were given this opportunity by the Multimodal Transportation Commission but we are going to drag them in with us and anyone that would like to volunteer. He said this initiative is to determine whether or not we can establish a formal transportation program for the seniors in our area. He said we are still formulating a vision and a goal but we are looking at a low cost or no cost program. He said it's going to be a big endeavor which is why we are calling for volunteers

Mr. Schneider said what's the timeline for this endeavor – it's not going to occur overnight but our goal is within the next 12 months to figure out a method or program we can implement so our seniors can have transportation to the doctor or grocery or wherever. He said right now we are assigning tasks to some of our volunteers to determine what is feasible, what other communities are doing, can we join existing programs, are grants available, and what other options we can look into to make this

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initiative a reality. He said it's going to be a big job, we gladly take it on, and we think it is going to have a lot of value for our seniors.

Mayor Flaute asked if they had spoken with the seniors. Mr. Schneider said we are not that far yet. Mr. Denning said the Multimodal Transportation Commission spoke with them at their picnic, so information is getting passed back and forth between the two.

Mr. Schneider said these are some of the details we are going to have to find out about and act upon and is why we are calling for volunteers. He said we think it is a great initiative for Riverside, especially for the large population of seniors.

Mrs. Reynolds said she would be glad to help with anything she can on this. She said she believed this was a need that needs to be met in this community and if there is anything she can do, please call her. Mr. Fullenkamp offered the same assistance.

Mr. Schneider said right now we'd really like to find out if there is a program we can join because that would seem to be the easiest, most viable option. He said if that's not available then we need to see what other options we have. He said at our last meeting we discussed this briefly and issues came up, such as liability insurance. He said there are a lot of little details that have to be flushed out before we can really determine what course of action to take.

Mr. Schock said so what you are looking for is an already working mechanism you can study for it's feasibility of use in our city; with that in mind, we can talk with our people at the First Suburbs Consortium and check the cities around the Miami Valley. He said he and Mayor Flaute are also on the First Tiers Committee for the National League of Cities and will soon be attending a conference in Washington, so we can check to see what is done in cities across the United States. Mr. Schneider said we have some leads; we just haven't had time to run down the details.

Mr. Denning said the way the Multimodal Transportation Commission found out about this is through RTA and there is some funding available there. He said at our meeting last night it was suggested that the gentleman that spoke to our group, come and speak to the Health & Safety Commission; he can help flush out some of those questions. He said it's been almost a year since we spoke with him so things may have changed; funding may have gotten better or worse, but that would be a good place to start. He said the Multimodal Transportation Commission was told Riverside was only one of three communities that do not provide this service to seniors.

Mr. Fullenkamp said he thought he would start by talking with Huber Heights and Fairborn since they are our neighbors.

Mr. Schneider said he will send out an email that outlines a very rough vision and a very rough goal that focuses on one thing – affordable transportation for seniors. Mr. Schock asked Mr. Schneider to copy all of council on that email.

Mr. Schneider said he wanted to publicly acknowledge Katie Knisley, Cindy Watson, and Bryan Chodkowski and thank council for allowing them to work with the Health and Safety Commission; we couldn't do it without them. He said he also wanted to thank council for their generosity in continuing to fund us.

Mr. Smith said he wanted to thank them for providing a bike helmet to the little girl who the Parks and Recreation Commission gave a bicycle to at Christmas time. Mr. Schneider said our pleasure; we always welcome things like that and the bottom line is the child's safety.

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With no further discussion, Mayor Flaute said we want to publicly thank all of the Health and Safety Commission for all the work they do; we are very excited about what you are doing. He said we will move on to the Parks and Recreation Commission.

Mr. James Perry, Chairman, said he didn't want to be negative but all the other commissions have money and we don't; it seems like we are the outcasts but maybe that will change. He said with the help of Mrs. Knisley and Mr. Chodkowski, the Parks and Recreation Commission have applied for a grant. He said last year we applied and it was defeated so this year we resubmitted for a grant for Glendean. He said Mr. Denning, one of our past members, has been the guy in charge of cleaning that up along with the Boy Scouts and other groups; hopefully one day that will be another park for us, adding to the six parks we currently have.

Mr. Perry said somehow or another we seem to have all our good help on the city council. He said every year we get somebody good in our group and city council comes and snatches them away from us. He said you can't have anybody else.

Mr. Perry said we are trying to get the fence completed at Shellabarger Park; we had \$15,000 but if the grant doesn't pass, he believes those funds are going back to the city and we won't be able to use it for the parks. He said that is another problem in itself.

Mr. Perry said another item we are working on is a program to put a flagpole in Shellabarger Park to honor former Mayor Doan. He said we are trying to get that done this year; Mr. Cole and Mr. Anderson are working on that. He said we are looking for donations and he didn't know if the city has considered sharing in that responsibility. He said Mr. Denning has agreed to get us a flag.

Mr. Perry said we have been asked to share in a mutual event with Five Rivers MetroParks. He said Mr. Cole has attended meetings and we are in the process of making headway on that.

Mr. Perry said last but not least, we have had an ongoing problem with Pee Wee Football in our community. He said we don't have any problems with any of the other groups we have but right now the Pee Wee Football has come to us for approval to recondition the concession stand at Community Park. He said they want to take down the present structure and remodel the old structure that has the restrooms and water in it. He said as far as he knows, approval has been given for that to take place. Mr. Cole said we've just agreed to a plan and he asked if council had seen it yet. Mrs. Knisley said no plans have been brought forward yet; once they produce a plan it will come to council. She said the Parks and Recreation Commission approved the concept of a plan.

Mr. Perry said those are some of the things the commission is working on and they look forward to working with everyone to see what else we can come up with to improve the city. He said he did hear that council has taken care of having port-o-johns in the parks and hopefully we won't have any problems.

Ms. Campbell asked why last year's grant was turned down. Mr. Perry said they weren't told why. Mr. Chodkowski said there were more requests than there were funds available and our application didn't score as high as others. Ms. Campbell asked if they were applying for a grant to remodel the concession stand at Community Park. Mr. Perry said no; Pee Wee Football is going to pay for those new facilities.

Mayor Flaute said he would like for the Parks and Recreation Commission to see the plans submitted for the remodeling at Community Park before those come to council.

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Mrs. Reynolds thanked Mr. Perry and his group and said they do make sure those parks are well taken care of. She said she appreciated that very much.

Mr. Perry said one last thing; we do need money to replace the grilles at the various parks. He said the ones at Shellabarger Park are rotted out. Ms. Campbell asked how much the cost would be. Mr. Perry said he didn't know; Mr. Chodkowski would be the one to ask but they need to be upgraded; people do use them to cook and we don't have a lot of them out there. He said he didn't think it would cost much to replace them.

Mayor Flaute said that would be a good item to replace because they are used a lot. He asked where they were going to put the flagpole. Mr. Perry said that is something we haven't decided yet. Mr. Cole said there is a possible pole available that we might be able to relocate subject to our discussion. Mr. Perry said we would like to dedicate that during the time we have our community festival.

Mr. Schock asked if they had looked at the cost for the flagpole yet. Mr. Cole said yes and those are very expensive - \$4,000 for a 30 foot pole. Mr. Denning said they didn't pay that much for the one in Memorial Park and they might want to consider a 20 foot pole. Mr. Perry said it didn't matter to him whether it was 20 feet or 30 feet as long as they had it there in time for the festival.

Deputy Mayor Smith asked if it would be a lighted pole and Mr. Perry said yes.

Mayor Flaute thanked the Parks and Recreation Commission members and asked if anyone else had any comments.

Mr. Cole said he wanted to thank Mrs. Reynolds for bringing it to council's attention about the ordinances to place council members as ex-officio members on the commissions. He said the Parks and Recreation Commission would like to keep the City Manager, Assistant City Manager, and Jay Keaton because they have their finger on what's available and what's likely to happen and he wouldn't expect that kind of information from the council; but they are more than welcome to attend the meetings. He said he thought the specific knowledge from staff was critical to what they do.

Mayor Flaute said he appreciated them working with Five Rivers MetroParks to find out what's going on there. Mr. Cole said he spoke to them today about the bicycle trail that's coming through; there are some legitimate concerns and the contract is broad based but what it really comes down to is if they put the bike path in and if the city really wants that property back, we will get it back. He said he tends to endorse it that way. He said what he would not endorse is the reconfiguration of the Center of Flight; for \$300,000, that is just ridiculous to him. He said we already have a plan that includes a train station and we won't have a train station for at least four years but in the event we ever got one, we might want to hang on to obsolete planning until the end of the four years or until there is a better use for the land. He said the bike path is a good idea for now; it could give the area some exposure and might even be an attraction, when people come to visit it's nice to know there is a nice walking path nearby.

Mayor Flaute thanked everyone for coming to the work session tonight.

ITEM 7: RECESS: The Council took a recess 7:43 p.m.

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

ITEM 9: PLEDGE OF ALLEGIANCE: Deputy Mayor Smith led all those in attendance in the pledge of allegiance.

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ITEM 10: MINUTES: Consider approval of the minutes for the January 27, 2011 Special Council meeting and the February 3, 2011 Council Meeting.

A motion was made by Mrs. Reynolds to approve the minutes as written. Mr. Fullenkamp seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

ITEM 11: COMMUNICATIONS: There were no communications.

ITEM 12: PRESENTATIONS: Mr. Chodkowski introduced Mr. Gregory Brush, Montgomery County Clerk of Courts.

Mr. Brush thanked council for having him this evening and said it has been awhile since he visited. He said last time was 2008 when he spoke about the passport issue and briefly talked about electronic filing. He said we have been electronic filing in our office now for over a year and he wanted to come in and bring everyone up to speed on what's going on.

Mr. Brush said he wants to call this his Government Works tour. He said he didn't know about Riverside but he kind of feels we are being beaten up as government employees or government entities – that we don't do enough, that we overpay our people, and we are not doing cool things. He said that is not the case; you have people working hard at Riverside and we have people working hard at Montgomery County. He showed a video highlighting the court's change from paper records to electronic filing.

Mr. Brush said this is a brief overview of the project and one of the things we had to deal with is our budget cuts. He said when we recorded the video it was 25%; we are now at 30% of our staff. He said it is going to keep going down; as you face cuts in the Local Government Fund, we are facing the same kind of thing, so it's a constant problem for us.

Mr. Brush said just in the business sense, this is a multi-million dollars project and for his share of the pie, return on investment is one year; \$500,000 saved in one year and that's going to be every year. He said that's a big deal; nobody else is doing this and it's not because of me, it's because of the staff and it's because of the judges having the faith that we could pull this off and get it done. He said we are really excited about it; it has been demoed in Denver, Colorado to international people; we've been to Cleveland for displays; we have another display in May, New Jersey in June; we're going all around the country to show the system and show how it works.

Mr. Brush said he is really glad they got started prior to 2008 because that's when there started to be a budget crunch and people weren't sure they wanted to start a project, but it really has enabled us to take our cuts and better organize our staff so we will be better able to serve. He said the technology is affordable; it can be taken into his Auto Title Section to be used over there. He said we don't license too much, we buy it, we own it, and we tweak it.

Mr. Brush said he appreciated council giving him the time to do this; it is a great example of how government works. He said it's saving them a lot of money which in turn saves everyone a lot of money and it provides a service.

Ms. Campbell said she is all for this; the past few years she had done taxes online and had the money in the bank in three days. Mr. Brush said it's the way the world is going; he had a discussion with some folks today at a statewide organization and we need to drive folks onto the computer. He said he loves everybody but he doesn't want

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them to come downtown when they can sit at home and get the information they need on the computer. He said we are designing a kiosk now that when you come in, you will basically serve yourself. He said the biggest cost is personnel – 80% to 85%; so if I can deliver a service to you through technology without having to invest in having that person there but yet have the personal attention for the folks who need it, that's where we need to go.

Mr. David Browne, a member of the audience, asked how long it would take to get the years and years of paperwork filed electronically. Mr. Brush said we go back to the late 1800's on criminal stuff; the cases were kept by hand and once it was done, it was tri-folded and tied with a red ribbon. He said it is going to take years to get that cleaned up; historians and archivists are very particular about this stuff and the law won't allow you to get rid of some of the stuff. He said once they get past a certain age the Ohio Historical Society say those are historical documents.

Ms. Campbell asked how they kept those from being destroyed; are the records kept in two places. Mr. Brush said no; the records are humidity controlled, temperature controlled, and for old books special equipment is used to scan the items. He said we used to get the paper document which we would scan in, and then the electronic document would be converted to microfilm; what this process does is we get the document already scanned. He said the secret to this is I just made the attorneys my data entry clerks. Ms. Campbell asked what about a fire. Mr. Brush said it's great with an electronic file but the other stuff is very susceptible to fire; there are decades and decades of stuff. Ms. Campbell asked if a fire would destroy the new stuff. Mr. Brush said no; since we are digital, the records are backed up off site.

Mr. Fullenkamp asked why the files are converted to microfiche. Mr. Brush said unfortunately it is the only standard recognized in the State of Ohio. He said he's been told the reason for that is if there is a nuclear bomb, we can all go out, hold the microfilm up to what's left of the sun and read it. He said if there is a nuclear bomb, he's not going to work that day, we have bigger problems than reading the microfilm. Mr. Fullenkamp said microfilm seems like a step back. Mr. Brush said he would agree wholeheartedly; if somebody appeals a case and four years from now the appeals finally kicks off you have to go back and index and it's very difficult. He said but the preservation of records is tantamount; he would rather keep them electronically. Mr. Fullenkamp said so they trust microfiche more than they trust technology. Mr. Brush said right and the State is not always up to date on the latest technology.

Mayor Flaute said he appreciated all the good work Mr. Brush does and said he was welcome back any time.

ITEM 13: 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 14: PUBLIC HEARINGS: Planning Commission Case# PC 11-0001, Text Amendment to the Zoning Code.

Mr. Chodkowski said staff briefly discussed this with council at the last meeting in reference to the pending map amendment in council's packet and for a detailed summary of the Planning Commission report he would refer council to Mr. Murray.

Mayor Flaute opened the public hearing at 8:22 p.m. and asked for the staff report.

Mr. Murray said this is a request from Planning Commission to bring forward the second step to permit the Turkish Community to open a cemetery on Old Troy Pike. He said we discussed earlier that following a rezoning of the property, they would

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have to go before the Board of Zoning Appeals which could have left us with a rezoned parcel without a user. He said this is the second step and will change the definition of a cemetery to be 10 acres or less and allow the cemetery to be a primary use.

Mr. Murray said this property seems to be of little value otherwise; as you heard at the last hearing, the property was originally zoned agriculture and was changed to industrial and the property owner couldn't find a use for that. He said the property backs up to the sewer plant with Huber Heights to the north, no access to additional water at that site; and the property falls off to the back.

Mr. Murray said the Planning Commission and Staff recommend Council support modification of Section 1153.01.

Mr. Islom Shakhbandarov of the Ahiska Turkish American Community, 2324 Stanley Avenue, took the oath to give sworn testimony. He said he was at the last meeting to speak in favor of this and he just wants to express, again, that this is very important for us. He said this is not just a basic case; it is very important for our people and this will help us build a future in this neighborhood – Montgomery County, Dayton, and Riverside. He said this would be a significant change for our community.

Mayor Flaute asked if there was anyone else wishing to speak in favor of the proposal. Being none, he asked if there was anyone wishing to speak in opposition to the proposal. With no further speakers, Mayor Flaute closed the public hearing at 8:26 p.m. and asked if there were any comments or discussion from Council.

ITEM 15: CITY MANAGER'S REPORT:

- (1) FYI Items
 - a. Council Request Sheets.
 - b. Council Agenda Calendar.
 - c. Weekly City Manager's Report.
- (2) Monthly Reports
 - a. Fire Department
 - b. Police Department
 - c. Service Department
 - d. Planning and Economic Development
 - e. Finance Department

Mr. Chodkowski said you have my report as well as supplemental reports from Staff and he would be happy to answer any questions. He said in reference to a comment earlier from Parks and Recreation Commission Chairman Perry regarding the fence at Shellabarger Park, it was completed today. He said he didn't want to spoil the surprise Mrs. Knisley had for them at their next meeting.

Mr. Chodkowski said bids for the Law's Trailer Park project were received last week and the lowest and best bidder is Cox Paving with a bid just under \$48,000. He said the estimate for the project was \$120,000 which will leave excess CDBG dollars that can be reallocated once the Law's project is complete.

Mrs. Reynolds asked if there was any way to suggest to Cox Paving and to Mr. McMahan that the ones in the front go as quickly as possible; it would look so much

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better and people would be able to see the affect of their tax dollars at work. Mr. Chodkowski said as part of the preconstruction meeting our request will be to have those along Valley Pike and those along Rt. 4 removed first. Mrs. Reynolds said she would appreciate that very much.

Mrs. Reynolds said on the violations report, she saw there were two situations and she wondered if those had been resolved. Mr. Chodkowski said the judge did issue warrants in those instances; one individual turned himself in and we are currently in the process of tracking down the other individual. Ms. Campbell asked what those were for. Mr. Chodkowski said in those particular instances – signage on Linden and fence construction on Springfield.

Mayor Flaute said we got 70 resumes for a police officer position. Mr. Chodkowski said that was for a part time position and we've recently had a full time opening. He said the process will be a little longer because we going to go through the full testing process and create an eligibility list for collective bargaining. He said it will take a little longer than we originally thought but its all good.

Ms. Campbell asked if somebody quit. Mr. Chodkowski said yes; Officer McFarland.

Mayor Flaute said on the Service Department report, he couldn't believe we had less overtime in January than we last year. Mr. Chodkowski said last year was the third worst winter on record; so we lucked out this year with the fourth worst winter on record. Mayor Flaute said last year there were 399 overtime hours in February vs. 237 in January; if the weather is kind to us, we will be in good shape. He said he was pleased to see that - good job.

Mrs. Reynolds said the City Manager talked about the \$120,000 for the trailer park clean up and now it's only going to \$48,000; how soon will you be presenting ideas to us for the remaining funds. Mr. Chodkowski said he and Mrs. Knisley were out today and it looked like there were some properties in the Avondale area that looked like they were going to qualify. He said our biggest challenge has been the Health Department; we have been trying to utilize them to keep our costs down but in this instance it looks like with surplus dollars we may have to have some civil engineer declarations. Mrs. Reynolds said the older church building on Pleasant Valley by Rohrer Park; would that in any way qualify. She said it is an eyesore and is really a safety hazard for that community. Mr. Chodkowski said he doesn't recall noticing any visual structural issues but we would definitely be willing to put that on the list.

Ms. Campbell said there is also one at Rohrer and Rondowa, a two story. Mr. Chodkowski said the green one? Ms. Campbell said yes. Mr. Chodkowski said we noticed that today; it looked like someone kicked in the rear door. He said from what he could see, that wouldn't qualify for condemnation and it wouldn't qualify for structural; based on the county's workload it might be some time before that property would be condemned. He said we are going to run it through the process so we can at least get the lower floors secured and boarded. Ms. Campbell said what about the garage; it looks like it is about to fall in. Mr. Chodkowski said it all depends; we just need to take some time and go through; at this point in time we have just been grabbing whatever property we can fit in for the dollars available. He said with \$60,000 available, we are going to have to spend some time to get that list ready to go.

Mayor Flaute asked all the council members to let the City Manager know if they see any properties that might qualify.

Mr. Schock thanked the Fire Department for the excellent job they did in containing the fire at Page Manor. He said he was amazed that they had that type of structure under control so quickly and saved the other structures there.

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Mayor Flaute said it is also refreshing to know that our staff is working hard to try to find another place in Riverside for those businesses that were burned out. He said we want to keep those folks here and he hopes those efforts continue.

Mayor Flaute said he wanted to piggy back on the comments earlier about CDBG; that is one of the huge efforts he and Mr. Schock will be taking on when they go to Washington. He said they want to cut those funds by 30% or more and we will be talking to everybody we can. He said right now there are 3,000 people coming to this seminar and we are all going to converge on the Capital steps and make it a big media event. He said we will also be meeting individually with our representatives. He said it will be a big event and both of us will be working very hard to keep those CDBG funds coming to us.

Deputy Mayor Smith said he too would like to thank the Fire Department for the excellent job done at Page Manor; he understands they had eight fire departments there which says a lot for the mutual aid program we are involved in. He thanked Chief Turner and asked him to also thank his staff.

Mrs. Brane said she wasn't clear on if Council wanted her to bring forward legislation on the text amendment discussed earlier at the public hearing.

A motion was made by Mr. Denning to bring forward legislation for the text amendment. Deputy Mayor Smith seconded the motion. A roll call vote was as follows: Mr. Denning, yes; Deputy Mayor Smith, yes; Ms. Campbell, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, yes; Mr. Schock, yes; and Mayor Flaute, yes. **The motion passed.**

ITEM 16: PUBLIC COMMENT ON AGENDA ITEMS: There were no public comments on agenda items.

ITEM 17: UNFINISHED BUSINESS:

- a. **Ordinance No. 11-O-461 granting easements on city lands to Five Rivers MetroParks in order to unify certain segments of an existing bikeway. (SECOND READING AND CONSIDERATION OF ADOPTION)**

Mr. Chodkowski said this ordinance is brought forward pursuant to Council's request related to the extension of the recreational trail by Five Rivers MetroParks.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-461 for the second time by title only and to approve its final adoption. Mr. Denning seconded the motion.

The Clerk of Council read Ordinance No. 11-O-461 for the second time by title only and Mayor Flaute asked if there were any comments or discussion.

Mrs. Reynolds said a question had been raised by some community members on the response time the bike path might create for our Police and Fire Departments. Mr. Chodkowski said he has not had an opportunity to talk to the Chief regarding response times but we have identified how we plan to address the primary concern which is the access. He said once we are through this ice issue, Mr. Miller and I will talk about the configuration and the cost of the light at the base entrance but as far as the control and access points, he has not had the opportunity to talk to Chief Reiss about that. He said he and Mr. Zimmerman have had discussion to make sure the bollards and barriers are removable in the event we need to push traffic onto that section. Mrs. Reynolds said she thought the main concern is if an ambulance is called to the bikeway and a

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resident needs a medic at the same time; have we looked at how that's going to be handled. She said she had no idea how often medics and police are called to the bikeway and she thinks those were some of the concerns they were hearing. She said she would like to have that information to share with them; that they will still be serviced in same fashion in which they have always been served.

Mayor Flaute said he understood that any opposition to this has been addressed and we haven't heard anything back from those folks. Mr. Chodkowski said there were 30 plus persons who attended the public meeting and he was aware of one formal statement expressing concern but the remainder were all in support thereof.

With no further discussion, a roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Ms. Campbell, yes; Mr. Fullenkamp, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

ITEM 18: NEW BUSINESS:

I. ORDINANCES

- a. **Ordinance No. 11-O-463 approving a change in the district boundaries as shown on the Zoning Map of the City of Riverside, Ohio pursuant to the adoption of a motion by the Planning Commission for various properties located in the City of Riverside from I-1, Light Industrial to A, Agricultural Zoning District Zoning. (FIRST READING)**

Mr. Chodkowski said this ordinance is brought forth pursuant to Council's request to rezone a parcel from Industrial zoning to Agricultural Zoning.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-463 for the first time in its entirety and approve its first reading. Mr. Schock seconded the motion.

The Clerk of Council read Ordinance No. 11-O-463 for the first time in its entirety and Mayor Flaute asked if there was any discussion.

Being none, a roll call vote was as follows: Mrs. Reynolds, yes; Mr. Schock, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

- b. **Ordinance No. 11-O-464 enacting a New Chapter 131, Public Health and Safety Commission and repealing the existing Chapter 131 of the Administrative Code of the City of Riverside, Ohio.**

Ordinance No. 11-O-464 was stricken from the agenda pending additional research.

- c. **Ordinance No. 11-O-465 enacting a new Chapter 133, Parks and Recreation Commission and repealing the existing Chapter 133 of the Administrative Code of the City of Riverside, Ohio.**

Ordinance No. 11-O-465 was stricken from the agenda pending additional research.

- d. **Ordinance No. 11-O-466 to make supplemental appropriations for current expenses and other**

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**expenditures of the City of Riverside, State of Ohio,
for the period January 1 through December 31, 2011.**

Mr. Chodkowski said this ordinance is brought forth pursuant to Council's direction in executive session at the February 3rd meeting.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-466 for the first time in its entirety and to approve the first reading. Mr. Denning seconded the motion.

The Clerk of Council read Ordinance No. 11-O-466 for the first time in its entirety and Mayor Flaute asked if there was any discussion.

Being none, a roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Ms. Campbell, yes; Mr. Fullenkamp, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

Ordinance Nos. 11-O-463 and 11-O-466 will be read for the second time on March 3, 2011.

II. RESOLUTIONS

- a. Resolution No. 11-R-1533 by the Riverside, Ohio City Council authorizing the City Manager to enter into an agreement with Forest City Asset Services, LLC for the purposes of creating a Master Development Plan for the Center of Flight.**

Mr. Chodkowski said pursuant to Council's direction in executive session at its February 3rd meeting this resolution authorizes the City Manager to enter into an agreement with Forest City Development, LLC for the purposes of a Center of Flight master development plan.

A motion was made by Mrs. Reynolds to approve Resolution No. 11-R-1533. Deputy Mayor Smith seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Deputy Mayor Smith, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Mr. Schock, yes; and Mayor Flaute, yes. **The motion passed.**

- b. Resolution No. 11-R-1534 by the Council of the City of Riverside, Ohio advancing \$100,000 from the General Fund to the County Grants/EDGE Fund.**

Mr. Chodkowski said pursuant to Council's direction at its February 3rd meeting this resolution is to further the objective of the master plan development process by advancing funds from the general fund to the EDGE fund until such time as the dollars are returned to the city from Montgomery County.

A motion was made by Mrs. Reynolds to approve Resolution No. 11-R-1534. Mr. Schock seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Schock, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

ITEM 19: REPORTS: There were no reports.

ITEM 20: PUBLIC COMMENT ON NON-AGENDA ITEMS: There were no public comments on non-agenda items.

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ITEM 21: COUNCILMEMBER COMMENTS: Mr. Schock said the Miami Valley Military Affairs Association is having their Presidential Golf Outing this year to benefit the Fisher-Nightingale House. He said we didn't appropriate any money this year so staff can participate in that and he was wondering if he could take some of his travel/training money and pay for the staff's green fees. He said he and three members of staff would participate. Ms. Campbell asked how much it would be. Mr. Schock said \$95 per person; a little under \$400. He said we have been doing this for the past three years he has been on Council and we've been more active with the MVMAA. He said this is another way of contributing to the Fisher-Nightingale House.

Mrs. Reynolds said she didn't think it could be taken out of the travel/training accounts but Mr. Gillian could probably move it to an appropriate account. Mr. Gillian said we can move it to the donation line item with the money originating from Mr. Schock's account. Mrs. Reynolds said she thought that would be the best way to do it.

Mayor Flaute asked if everyone was okay with that. Hearing no objections, he said he thought that could be done. Mr. Schock said it was up to Mrs. Knisley to put a team together.

Mr. Schock said there is still another meeting before we go to Washington D.C. to do our lobbying for monies. He said their joint effort will be on a Wednesday morning and his schedule for begging was filling up fast.

Mrs. Reynolds thanked staff for everything they do and thanked Chief Turner for keeping everyone safe during the fire. She asked him to please thank the Chiefs at all the other departments that came to help us that night. She said she appreciated everyone being here and all they do for Council – Mike McKinney from DP&L and Cory Frolik from the Dayton Daily News. She also thanked the Clerk.

Mr. Fullenkamp thanked Chief Turner. He said that is his neighborhood and he was glad our Fire Department was there. He said he was concerned about what is going to happen to those businesses. He thanked staff and everybody else for being here and he thanked Mr. Mike McKinney from DP&L for only keeping him out of power for 16 hours. He said that was better than the alternative and he appreciated the efforts of DP&L.

Ms. Campbell asked Mr. McKinney if he had any business cards yet and Mr. McKinney said he was still working on it. Ms. Campbell thanked everyone for coming to the meeting tonight.

Mr. Schock said there is a young man who has been sitting in the audience all night. He said that's quite an accomplishment and generally something you don't see. He said there's no game in his hand, no blackberry, he's not texting anybody. Mayor Flaute asked if the young man would stand up; tell us his name and what his project is.

Mr. Trey Guy said he was here tonight for Scouts and he is doing a merit badge in Citizenship and Community. Mr. Denning asked if he was here last year; Trey's Mom said his brother was here last year. Mr. Schock said he was glad to see him participate, especially in local government because many of Trey's generation couldn't tell you what a Council Member or Mayor does. He said he applauds Trey for coming to the meeting. Mayor Flaute asked what school Trey attended. Trey said he attended Pathway School of Discovery. Mayor Flaute thanked Trey for coming to the meeting.

Deputy Mayor Smith thanked the area Fire Departments for coming to our aid and he thanked staff for everything they do.

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Mr. Denning thanked everyone for everything they do and he thanked the audience members for attending the meeting. He said it is their involvement that helps us make the right decisions for the whole city.

Mayor Flaute said for folks that need their taxes done for free, they can go to the Dayton Town Plaza at 1912 Needmore Road which is the closest one to Riverside. He said the Community Action Partnership is located there and this is for anyone who is lower income.

Mayor Flaute said the WPAFB Airmen Against Drunk Driving has asked for our support by having a resolution or proclamation passed supporting their efforts. He said in 2010, their program kept 703 drunk drivers off the road and to date in 2011 they have provided safe rides for 164 individuals. Mr. Chodkowski said a proclamation would be most appropriate and we will contact the Sergeant and invite him to the next meeting.

Mayor Flaute said he received a letter from the Stebbins High School Junior ROTC who is joining up with the Mad River Lions club to host the JROTC Drill Team Championship. He said they have asked for our commitment to help them out with a \$100 donation and he asked for that to be taken out of the Mayor's fund.

Mayor Flaute said he has had 11 weddings in the past two weeks. He said the weddings are so much fun; there have been nice crowds for some of the weddings and again, we continue to provide that service for our community.

Mr. Chodkowski said in reference to our earlier discussion, he can share this now; two pipe-like bomb devices were found in Shellabarger Park this evening. He said Dayton Bomb Squad is on the scene and they are getting ready to deploy their robot to x-ray those devices. He said once they have determined whether or not those devices are live, they will pick them up, take them deeper into the park, and detonate them on site with controlled detonation. He said he will have a more detailed update from Chief Reiss but television media is already on site. He said that is the current state of that situation.

Mrs. Reynolds said she hoped someone will make an announcement if they decide to detonate in the park. She said the neighbors need to know that because it could be very frightening. Mr. Schock said they also need to determine how much explosion factor there is before they detonate because it can take out windows. Mr. Chodkowski said they will determine if it can be done in the park or needs to be relocated to another site.

Mayor Flaute thanked the City Manager for the update.

ITEM 22: EXECUTIVE SESSION: There was no executive session.

ITEM 23: ADJOURNMENT: A motion was made by Ms. Campbell to adjourn. Mr. Schock seconded the motion. A roll call vote was as follows: Ms. Campbell, yes; Mr. Schock, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. The meeting was adjourned at 9:03 p.m.

William R. Flaute, Mayor

Clerk of Council