

Thursday, March 3, 2011

**ITEM 1: CALL TO ORDER:** Deputy Mayor Smith called the Riverside, Ohio City Council Meeting to order at 6:03 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, absent; Mrs. Reynolds, present; Mr. Schock, present; Deputy Mayor Smith, present; and Mayor Flaute, absent.

Staff present was as follows: Bryan Chodkowski, City Manager; Katie Knisley, Assistant City Manager; Mark Reiss and Mike Brown, Police Department; Bob Turner, Fire Department; Bob Gillian, Finance Department; Bob Murray, Economic Development; and Mitch Miller, Service Department.

**ITEM 3: EXCUSE ABSENT MEMBERS:** A motion was made by Mrs. Reynolds to excuse absent members Mr. Fullenkamp and Mayor Flaute. Ms. Campbell seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Ms. Campbell, yes; Mr. Denning, no; Mr. Schock, yes; and Deputy Mayor Smith, no. **The motion passed.**

Mayor Flaute and Mr. Fullenkamp arrived at 6:04 p.m.

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** A motion was made by Deputy Mayor Smith to remove Item 18 (II) a, Resolution No. 11-R-1532 from the table. Mr. Schock seconded the motion. A roll call vote was as follows: Deputy Mayor Smith, yes; Mr. Schock, yes, Ms. Campbell, yes; Mr. Denning, no; Mr. Fullenkamp, yes; Mrs. Reynolds, no; Mayor Flaute, yes. **The motion passed.**

Mrs. Reynolds asked that Item 6b, Capital Items Discussion, be removed from this agenda and she made a motion to do so. Mr. Schock seconded the motion.

Deputy Mayor Smith asked why. Mrs. Reynolds said Council would discuss it at a later date. Mr. Denning said he thought they should have the initial discussion then they could talk about how it should be funded later. Mr. Schock said it's not time sensitive and he thought it would be appropriate to discuss at a later time.

Mayor Flaute asked if staff was prepared to discuss this. Mr. Chodkowski said this was not a particular item we were prepared to discuss, we were just simply asked by Council as part of the budget process that we bring forward our estimated capital needs for you to discuss and determine what we should devote our resources to in the upcoming years. Mayor Flaute said he believed he understood that this was being pulled because of the discussion in the last executive session. Mr. Schock said yes. Mrs. Reynolds said she thought it would be more appropriate to be delivered in that discussion to be handled at the final meeting we have.

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

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

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**ITEM 6: WORK SESSION ITEMS:**

a. 2010 Year End Departmental Updates

Mr. Chodkowski said we have assembled a brief PowerPoint presentation (attached) for Council and he turned the floor over to Mr. Murray to begin.

Mr. Murray reviewed the Economic Development update slides.

Mayor Flaute said in regards to the March 18th meeting to discuss Center of Flight with the coalition of WPAFB, the Museum, and Montgomery County who would be attending. Mr. Murray said we are going to do the meeting in stages; first we will meet with Randy Parker and Col. Gladney, and then General Hudson who hasn't confirmed yet.

Mr. Schock said GE donated money for the building that will house the space shuttle. Mr. Murray said they have about ½ the money needed to complete that but everything he's heard this week sounds more and more favorable that this will happen. Mayor Flaute asked if we needed to do anything to make it happen such as a letter writing campaign. Mr. Murray said he thought organized letter writing always helps and they are trying to arrange a meeting with Senator Brown for when Mayor Flaute and Councilman Schock are at the National League of Cities in Washington.

Mr. Murray showed a slide of the repositioning of the Center of Flight and said the project received the second highest priority at the Dayton Development Coalition. He said a lot of people want that to happen and it wouldn't be so much of an earmark as a military contract. Mayor Flaute said if Mr. Murray wants him to talk with Senator Austria when he is in Washington, he will be more than happy to do that. He said also if Mr. Murray needs anyone from Council to attend the March 18<sup>th</sup> meeting just let them know. Mr. Murray continued to review the slides.

Mr. Murray said for Old Riverside Village, there are two owners of the gas station; one group of doctors has signed off on the demolition and the other group has not. He said they have until March 16<sup>th</sup> to make the decision; they may not want to remove it as a gas station. He reviewed demolitions planned for that area.

Mrs. Reynolds asked if Mr. Murray had any preliminary figures on the tax generation from a gas station. Mr. Murray said no; he hasn't done that yet. He said what they are looking at is there are not any gas stations in the area so it would be kind of a monopoly and with everything that is going on with Forest City, he thinks it would be a draw. Deputy Mayor Smith asked what Forest City thought. Mr. Murray said he didn't get their opinion; it's a little too far away. Mr. Schock said that was one of the busiest gas stations and busiest delis you would ever want to see; the only reason it went out of business is the corporation went out of business.

Mrs. Reynolds said before we sign a new development agreement, she would like to have a calendar attached to it when we see it. Mr. Murray said great idea.

Mr. Murray said Yorktown has three story apartments and behind those are one story flats and the idea is to convert the one story units to senior housing; that would help occupancy rates.

Mayor Flaute asked Mr. Murray to explain the CRA tax credits. Mr. Murray said that is the Community Reinvestment Areas; any place that is a low to moderate area, we will offer property tax deductions on city supported projects and he thought the senior living project was a great idea. Mayor Flaute asked if the schools are notified and Mr. Murray said yes. Mayor Flaute asked if we were looking at assisted senior living or

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just regular senior living. Mr. Murray said both. Mrs. Reynolds said they will be going for tax credits with our letter of support. Mr. Murray said yes; right now there is a group of seniors that can't go into assisted and they can't afford the more expensive ones, so he is trying to help the group in the middle.

Mrs. Reynolds asked what was going on with the group that was going to purchase Mad River Manor. Mr. Murray said that purchase isn't done yet; we will know March or April. He said it's filled up and there is a waiting list.

Mr. Murray reviewed a slide with an aerial view of the area around Brantwood School and said the former business park site has 18 acres but it is surrounded by 155 acres of farmland. He said the pitch to home builders is they would have the ability to expand outward as those properties became available and he called the area Brantwood Community.

Mr. Murray reviewed the business development in Riverside for 2010 and he reviewed the 2011 initiatives which include Center of Flight, Harshman Village, Brantwood Community, modify and adopt Chapter Eleven, Eintracht Club acquisition, assist with tenants in Page Manor and Airway, assist with Safe Routes to School, establish RTA Districts for Community Grants, and incorporate Complete Streets into the thoroughfare plan.

There was a discussion regarding the Safe Routes to School Grant and Mrs. Reynolds asked for Mr. Murray to follow up on the application.

Mr. Miller reviewed the 2010 highlights for the Service Department starting with road maintenance.

Mr. Miller said for the snow/deicing operations, they have changed a little bit in what they are doing which used a few hundred tons less in salt; we are concentrating on turning the roadways black on the major thoroughfares, hills, and dangerous intersections. He said unfortunately if your street is flat, we are not salting. He said with the cost of salt and overtime man-hours, we are trying to cut down. Mrs. Reynolds said she understood trying to cut down on the use of salt but she felt we kept the ice on the roads far too long this winter and it made the road treacherous. She said she thought this plan was unsafe and she didn't like it; it could have led to some serious issues with our children and our elderly who had to get out. She said she didn't believe this was a good approach.

Ms. Campbell asked if they salted when the temperatures got real cold; doesn't it just refreeze. Mr. Miller said at a certain temperature salt is pretty ineffective. He said if we know there is going to be a snow event we will put brine on the streets but we have to have advance notice to get every street in the city. He said it's very helpful unless you have multiple, repeating events. He said under 21 degrees, you have to have your salt pretreated and then it's not real effective.

Mayor Flaute asked if neighboring communities did their side streets; he saw the roads were scraped and thought ours were superior to other communities he saw. Mr. Miller said other cities are also cutting back because of the expense.

Mr. Fullenkamp asked if this was an unusual year in terms of ice vs. snow. Mr. Miller said it does make it more difficult but again if you have enough resources you can remediate ice. Mr. Chodkowski said in 2007 and 2008 what you had was an event that happened over a day or day and a half's time so our ability to deploy the fleet and apply salt and make the surface black from curb to curb was significantly better than the instances we've had in the last two years where you get rain that freezes and two days later you get rain that again freezes and then a week later you get snow that melts

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then freezes. He said the timing of the events has been significantly different; previously it was big snow dumps only 4 or 5 times a year, and now it seems there is an event every other week for 3 months straight and that's where we have to make a determination because of limited resources. He said the hedge is plat or residential streets have lower speeds so if you maintain a slick condition for 3 or 4 hours in the morning you are not posing an increased risk for an accident.

Mrs. Reynolds asked what costs might be for additives to the salt so we can be better prepared and make our city safer. Mr. Miller reviewed alternatives and said the costs are expensive and our trucks are not set up to make the applications; there would be a capital investment as well. Mrs. Reynolds suggested regional cooperation.

Cost of salt increasing for next year was discussed. Mr. Fullenkamp suggested stockpiling and Mr. Miller said they intend to do that. Mrs. Reynolds asked when bids came out. Mr. Miller said bids become effective in October but they usually try to do bidding in August and it changes year to year.

Deputy Mayor Smith said when the bid sheet comes out you can see different cities bidding; some are lower and some are higher. He asked if we can into the lower category. Mr. Miller said he didn't know what that was a function of; it could be related to payment. He said there are only a couple suppliers of salt but there are a lot of variables involved.

Mr. Miller reviewed city buildings and grounds, storm water structures, and park maintenance and improvements. He said they processed 133 shelter reservations and people begin reserving those in January. He said the park shelters are very popular. Mayor Flaute said we talked about the cooking grilles in the parks at the last meeting and he was told they need is a nice bottom piece of steel to repair them and they won't need replaced. Mr. Miller said he knows fabricators that could make that dream come true but it depends on the type of metal and whether or not it can be welded. Mayor Flaute said that would make some people happy.

Mr. Miller reviewed road improvements. Mayor Flaute asked if Mr. Miller had any idea of why we had so many water main breaks. Mr. Miller said in his opinion they are not being repaired correctly. Mr. Chodkowski explained another problem with the mega-lug joints weakening then breaking with a good freeze and thaw. Mr. Miller said we have areas where there are 4 to 5 breaks in the same areas which tells him they are not really repairing these things. Mr. Chodkowski said he thought it could also be economics; it's cheaper to do spot repairs than to dig up and replace an expensive water main. Mr. Schock said we also had "freezequakes" this year. Mayor Flaute asked if that was something the political people could address. Mr. Chodkowski said you could but what it boils down to is the money; in order to pay for those repairs, they would have to raise water rates.

Mr. Miller reviewed water pollution control projects; many funded by ARRA, the Well Field Protection Board, and the Water Pollution Control Loan Fund.

Chief Reiss reviewed the 2010 Annual Report for the Police Department starting with his staff followed by the number of calls for service which was approximately 23,500. He reviewed felony reports and felony arrests which were down; misdemeanor reports which were down and misdemeanor arrests which were stable; and drug arrests were down. He said they worked on drugs quite heavily in 2010 so the fact that arrests were down shows we are having an impact. He said DUI arrests are down and he attributes a lot of that to a reduction in staff and the typical DUI arrest takes about 3 to 4 hours to process. He said the officers don't focus as much on those things as they do on call volume; DUI arrests are typically self-initiated type activities and they are not

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engaging in those because they are busy answering calls. He said citations are also down.

Mayor Flaute asked if those were traffic citations. Chief Reiss said yes; those don't have anything to do with zoning. Ms. Campbell said you're not doing zoning anymore are you. Chief Reiss said we are charged with anything on wheels that's inoperable including vehicles with flat tires or unregistered vehicles or vehicles up on blocks in the yard with junk accumulation. He said the officer issues a citation then turns those in to zoning; it's part of their duties.

Mrs. Reynolds asked Chief Reiss to review the DUI process. Chief Reiss said when you stop someone for drunken driving several things occur; the officer observes someone who may be under the influence so they follow them for a period of time then once you stop them the investigation could take up to a half hour; time to make observations, take and check licenses, and then once you ask someone to step out of the car a sobriety test is done. He said once there is a physical arrest they have to inform them of their testing rights and bring them back to the station for testing which requires observation periods of 20 minutes before and 20 minutes after a test to make sure they don't ingest anything or do something to try to beat the breathalyzer. He said if that happens then we have to try to get blood tests authorized. He said after all that then the officer has to write a detailed report. He said the process is quite lengthy and the officer is off the road for approximately 3 to 3 ½ hours.

Ms. Campbell asked if Chief Reiss thought the number would be down if the officers weren't doing zoning. She said it seems like the zoning is interfering. Mr. Chodkowski said he would disagree with that statement, reason being, there isn't a single officer's log sheet where there is not ample time to do that. He said when we did statistical analysis; we found that 32% of domestic violence response that we went on occurred on properties with prior zoning history, 28% of assaults occurred on properties where we had previous code issues, and 24% of breaking/entering calls came from properties where we had pre-existing zoning conditions. He said what we are trying to instill by spending 5 minutes talking with a resident about inoperable vehicles or grass related items, all easily identifiable from a police cruiser, is that we are presenting a presence and creating a relationship – whether or not it is good or bad; we are creating a presence. He said our resources to improve the appearance of the city are limited so we are using the resources we have. Ms. Campbell asked how much time the regular zoning people did out there. Mr. Chodkowski said Ms. DuBose has 35 hours per week and the full scope of that time is spent outside doing code enforcement and Mr. Williams, the Planning and Zoning Administrator spends 50% of his time dealing with those issues as well. He said he and Mr. Murray are brought in on some of the more technical and complicated instances.

Mrs. Reynolds said it's important for our residents to know that as she understands it, taking those 5 or 7 minutes are actually driving some of these people out of the city because they know someone is going to be on them at all times. She said she appreciated the fact that you all have a very heavy workload but she also knows that any undesirable that could be persuaded to leave this city because they know they are being watched, she appreciates that. Mr. Chodkowski said we don't hold calls; that's the priority; but another thing is when we identify junk and inoperable or unregistered vehicles, when those are licensed, a fee comes directly to the city. He said part of the reason the Service Department finished up in the black was because of increased license fees.

Chief Reiss said he didn't think the code enforcement took away from the time it takes to do law enforcement. He said in his past work history elsewhere they also did aggressive code enforcement and they were able to reduce transient housing by 38% which improved the neighborhoods. He said although it doesn't appear to be typical

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police work, it's important to know he is completely on board with the idea simply due to past experience.

Ms. Campbell asked how many officers were doing this. Chief Reiss said there are 28 full time and he tries to keep 2 part time. Ms. Campbell said she thought there were 35 or 36. He said it went down to 28 in 2009 and those were decisions made at a time when multiple positions went; the City Manager asked if the positions should be replaced and voluntarily I decided we shouldn't do that; if you promise someone a job, you would like that job to be there for them for their entire career. Ms. Campbell said she thought the city had to maintain a certain amount. Chief Reiss said we have to maintain minimum staffing and one of the things we are doing to improve that is we are going back to 12 hour shifts this month; it will put more eyes on the street consistently throughout the day and dedicate an officer to just traffic control.

Mrs. Reynolds asked if there was any way to streamline the DUI process. Chief Reiss said he wished he could say yes but he can't. Deputy Mayor Smith said looking at the call volume of 23,500 calls per year and if you break that down per day it's about 70 calls – 23 per shift. He said the officers are out doing these calls and we are doing about 3 ½ DUI arrests per month, so it's not like they have turned a blind eye to it.

Chief Reiss reviewed traffic warnings which is was up and said when you combine that with the citations it's about 5,000 traffic stops for the year. He reviewed what was new in 2010 and what to expect in 2011 which includes civil ticketing, a switch from DIBRS (Dayton Information Based Reporting System) to OHLEG (Ohio Law Enforcement Gateway) for future reporting, end of dictation for police reports, car generated police reports, and continued search for grant funds for capital equipment. He said we will have to maintain a relationship with DIBRS through approximately October until OHLEG can extract information from their system but we still anticipate savings of \$95,000.

Chief Turner reviewed the Fire Department 2010 Annual Report starting with emergency service calls which numbered 3,691 and represented a 4.6% increase. He said that averages 10 calls per day; 85.86% EMS related, 12.22% fire related; and 1.92% cancelled en-route. He reviewed a comparison for the last 6 years which showed call volume up in 2008 due to the wind storm "Ike".

Chief Turner reviewed statistics on Fire and EMS incidents by type. Mrs. Reynolds asked if we knew the age breakdown for the incidents. Chief Turner said he doesn't have that information tonight; there are some HIPPA issues but he's sure there is a way to break that down with a little help from his data guy. He reviewed the top 4 busiest areas and the mutual aid responses. He said we are giving a lot more mutual aid to our neighboring cities; it in no way affects service to our city and we monitor that very closely. He reviewed personnel with 17 full time positions, 28 part time positions, and 8 volunteers who stood by for a total of 3,380 hours.

Chief Turner reviewed the training and education hours which totaled over 1,200 man hours provided to our personnel to keep them certified and he reviewed the outreach programs which included fire safety presentation and blood pressure checks at Rivercross Way senior apartments, WPAFB Marathon, fire station tours for various groups, fire safety programs in local schools, replaced batteries and installed detectors for several residents, K-Mart fire safety event, and other events as requested such as Jaycees events and the Hometown Holiday Christmas event.

Chief Turner reviewed maintenance and service years on 4 fire engines that accrued a total of 12,751 miles in 2010 and on 4 medics that accrued a total of 43,565 miles for the same time period. He also reviewed the annual testing requirements for the ladders, fire pumps, hoses, and the 744 fire hydrants throughout the city.

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Chief Turner finished his presentation reviewing the budget and grants.

Mrs. Reynolds said she previously asked a question regarding the bikeway and felt she asked the question all wrong; the concern of the citizens was with having to service the bike path now, would that take away from the emergency response calls to our residents if they need us. She asked if they would assess that and let her know.

Mr. Chodkowski reviewed the 2010 Operating Budget starting with revenues: General Fund estimate January 1, 2010 at \$4,571,800, actual on December 31, 2010 was \$4,938,146 – a difference of \$366,346 due to more carry over than anticipated and more estate tax than anticipated; Fire Fund estimate January 1, 2010 at \$1,797,815, actual on December 31, 2010 was \$1,959,854 – difference of \$162,039 due to an increase in EMS billing and additional property tax income; Service Fund estimate January 1, 2010 at \$1,068,200, actual on December 31, 2010 was \$1,115,833 – difference of \$47,633 due to an increase in gasoline and motor vehicle taxes; Police Fund estimate January 1, 2010 at \$2,192,457, actual on December 31, 2010 was \$2,533,288 – difference of \$340,831 due to an increase in property taxes and a fairly large insurance reimbursement.

Mr. Chodkowski reviewed the expenses: General Fund estimate January 1, 2010 at \$1,634,980, actual on December 31, 2010 was \$1,615,541 – a difference of \$19,439 which is operational only and does not include fund transfers; Fire Fund estimate January 1, 2010 at \$2,729,540, actual on December 31, 2010 was \$2,271,944 – a difference of \$457,596 due to personnel costs were not as high as anticipated and operating expenses were below estimates; Service Fund estimate January 1, 2010 at \$1,781,069, actual on December 31, 2010 was \$1,757,254 – a difference of \$23,815 due to personnel costs and operating expenses being below estimates; Police Fund estimate January 1, 2010 at \$4,078,837, actual on December 31, 2010 was \$3,671,762 – a difference of \$407,075 due to personnel costs and operating expenses being below estimates.

Mr. Chodkowski said in November 2009, we estimated that if we spent every dime we put in the budget which included some capital improvement projects, we would pull \$1.8 Million out of the bank; we actually ended up putting \$370,000 in the bank for fiscal year 2010.

**ITEM 7: RECESS:** The Council took a recess 7:53 p.m.

**ITEM 8: RECONVENE:** The meeting was reconvened at 8:05 p.m.

**ITEM 9: PLEDGE OF ALLEGIANCE:** Mr. Denning led all those in attendance in the pledge of allegiance.

**ITEM 10: MINUTES: Consider approval of the minutes of the February 10, 2011 Special Council meeting and the minutes of the February 17, 2011 Council meeting.**

A motion was made by Mrs. Reynolds to approve the minutes as written. 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 11: COMMUNICATIONS:** There were no communications.

**ITEM 12: PRESENTATIONS:**

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a. Proclamation: American Red Cross

Mayor Flaute introduced Mr. Tom Fodor from the American Red Cross.

Mr. Fodor said Mayor Flaute back in the days when he was with United Way was a great partner and we still are a great partner with United Way. He said it's often a misconception that the Red Cross is funded by the government but we rely on the generosity of our local donors and our local supporters like the United Way to do what we do. He said we also rely on our partnership with the safety forces and the City of Riverside has partnered with the Red Cross on many occasions, most notably on the scene of a house fire. He said on average we are at the scene of a house fire somewhere in the Miami Valley area 3 to 4 times a week. He said it isn't people like him who are paid that go out, it's often volunteers; we have a volunteer contingent of about 1,000 people which is why we have the reach that we do and are able to provide those services.

Mr. Fodor said on an average year we educate about 25,000 people on health and safety, first aid, aquatics, using a defibrillator, and new this year are a safe boating course, babysitting courses, and emergency responder courses that can prepare someone to take the EMT exam. He said to please visit their website at [dac.redcross.org](http://dac.redcross.org) to find out all about our reach and what we do; it would not be possible without all the help from our volunteers, our donors, our partners in government, the safety forces, and most of all, just the people in the community who do so much for the Red Cross.

Mr. Fodor distributed a flyer with a three step program for emergencies – get a kit, make a plan, and be informed. He said as we get into unpredictable weather this is a good reminder to go home and take one of these action steps. He said brush up on the basics like first aid and he believed our community would be a little bit safer.

Mayor Flaute said Mr. Fodor is out networking; getting the word out about the Red Cross and he is here tonight because he believes it is important to be out in the community; he applauds Tom for that. He said we appreciate his presence. Mr. Fodor said he has to thank the people who help us do what we do.

Mayor Flaute presented a proclamation declaring March 2011 as American Red Cross Month in the City of Riverside.

b. Proclamation: WPAFB Airmen Against Drunk Drivers Program

Mayor Flaute said he had not heard about this program before until he got a letter in the mail; it's an amazing program and he asked our military folks to come forward.

Airman Holley thanked the Mayor, Council, and citizens of Riverside for the acknowledgement of the program they are working on and said they are proud to be part of this community. He said the program is called Airmen Against Drunk Driving and the main purpose is to help Airmen in distress. He said if we have someone who goes out to a bar and gets drunk; we want to make sure they don't drive. He said we have supplied a phone number to everyone on base; it's anonymous and we don't report what happens; we just want to help out. He said I work as the dispatcher in this program answering the phones on Friday and Saturday nights, I take down your name, your number, and the number of people, then we pick you up and drop you home.

Tech Sergeant Schretrom said he is one of the Airmen that oversees the program and one of the main things he does is make sure the volunteers are available every Friday and Saturday night along with the holidays. He said he is also getting information out to the community to make sure they know we are here; the letter was generated from

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him and he appreciates the support Riverside has given them. He said he drives the people home, serves as dispatcher, and is also a wingman which means when there are large calls he goes along.

Master Sergeant Hill said he is basically responsible for disseminating requests for the volunteers. He said he can't say enough about what this organization does; the basic theme this evening is volunteerism, as was with the Red Cross; these folks work 10 to 12 hours a day then stay up all night to provide this service, so he is beholden for them, the Red Cross, and Council as well.

Chief Frey greeted the Mayor and Council and said on behalf of our Commander, Colonel Gladney, the program is ours – Airmen Against Drunk Driving. She said sometimes we make a plan and we think we should have a plan but sometimes we just fail to plan; the goal is community as a whole. She said we don't just serve the Military members; we are serving the community as well. She said nobody gets up in the morning and decides they are going to get drunk and then drive; folks go out and they have a good time and maybe they indulge just a little too much; it does happen. She said we're talking about good American people and what we want to do is keep the traffic safe for everybody. She said we are used to putting our lives on the line and our job is to go out and keep our community safe. She said one of our Commander's objectives is community, so we go out and not just take care of WPAFB but our surrounding communities as well. She said those communities have those Airmen we hope to enlist in the future so we want them ready to join our service. She said as much as you are thanking us, we really want to thank you for recognizing what we do and being a part of that community of unity.

Mayor Flaute said the program is run by individuals who volunteer their off-duty time every weekend. He said we love you guys as our neighbors and the base along with all its Airmen are very important to the City of Riverside. He said we want to support this as much as we can and again if anyone is interested in helping out the cause, we hope you would consider the WPAFB Airmen Against Drunk Driving.

Mayor Flaute read a proclamation and presented it to the Airmen.

**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:** There were no public hearings.

**ITEM 15: CITY MANAGER'S REPORT:**

- (1) FYI Items
  - a. Council Request Sheets.
  - b. Council Agenda Calendar.
  - c. Weekly City Manager's Report.
  - d. Minutes of the January 25, 2011 Board of Zoning Appeals meeting.

Mr. Chodkowski said you have my report and he would be happy to answer any questions. He said he wanted to advise council that at the next meeting there would be a cornucopia of legislation included in the packet.

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

**ITEM 17: UNFINISHED BUSINESS:**

- 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 District to A, Agricultural District Zoning. (SECOND READING AND CONSIDERATION OF ADOPTION)**

Mr. Chodkowski said this ordinance is to authorize a change in the district boundaries on the city's official zoning map for the parcel identified from I-1, Light Industrial to A, Agricultural.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-463 for the second time by title only and approve its final adoption. Mr. Denning seconded the motion.

The Clerk of Council read Ordinance No. 11-O-463 for the second time by title only 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.**

- b. **Ordinance No. 11-O-466 to make supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2011. (SECOND READING AND CONSIDERATION OF ADOPTION)**

A motion was made by Mr. Denning to read Ordinance No. 11-O-466 for the second time by title only and to approve its final adoption. Mr. Fullenkamp seconded the motion.

The Clerk of Council read Ordinance No. 11-O-466 for the second time by title only and Mayor Flaute asked if there was any discussion.

Being none, a roll call vote was as follows: Mr. Denning, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mrs. Reynolds, 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-467 enacting a new Chapter 1331 Exterior Property Maintenance Code Sections 1331.01 through 1331.99, repealing existing Chapter 1331 Sections 1331.01 through 1331.99, and declaring an emergency. (FIRST AND SECOND READINGS AND CONSIDERATION OF ADOPTION)**

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Mr. Chodkowski said this ordinance is to enact changes to Chapter 1331, Exterior Property Maintenance Code and declares an emergency.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-467 for the first time in its entirety and approve its first reading. Deputy Mayor Smith seconded the motion.

Mayor Flaute asked why this was an emergency. Mr. Chodkowski said the city provides for two-phased code enforcement, active and passive. He said active enforcement is where we dedicate resources and actively identify violations; that date is set for the first of April. He said the reason we are declaring this an emergency with an effective date of April 1<sup>st</sup> is so that some of the modifications this legislation provides are in effect at the start of our code enforcement season so we don't have a preliminary group of violations under the old law and then further violations under the new law. He said that's the reason it is being declared an emergency.

Mayor Flaute said we usually see the changes and he didn't see the changes; he asked if they were simple. Mr. Chodkowski said in brief, the current code references the Exterior Property Maintenance Board of Appeals as being the Property Maintenance Board of Appeals in Chapter 1343; same board – two different names, two different rules. He said what he and the Law Director discussed is simply for this piece of legislation, there is a Property Maintenance Appeals Board and they handle appeals under 1343 and 1331. He said there were a couple changes related to the notifications in an effort to provide more effective and efficient notification and it allows us to send those as first class mail with certified receipt as opposed to certified which is costly. He said there were also a couple minor changes in how we defined inoperable vehicles, specifically how collectable and historical vehicles are stored.

Mayor Flaute said in the past they usually struck out what was in the old code and then showed what was new; in the future he would still like to see that.

Ms. Campbell asked if this was just cleaning it up. Mr. Chodkowski said yes. Ms. Campbell said then why are we voting on it. Mr. Chodkowski said you have to vote on amendments made to the laws. He said a prime example is next time you will have emergency legislation to amend Chapter 1343 for one subsection reference point; changes in this legislation that previously referenced letter "b" will now reference letter "c". He said it is a minor item but by law it has to be amended; it's not anything out of the ordinary to amend legislation. Ms. Campbell asked for a copy of the changes for this ordinance.

Mrs. Reynolds asked about the newsletter reference of 12 inch grass as being in violation of the code but the legislation says 8 inches. Mr. Chodkowski said in one version of the legislation approved by the Law Director it provided for certain weeds being 8 inches and grass being 12 inches so we ordered new tags to clearly indicate 12 inches covering our ability to post and abate in all instances. He said since that time, the Law Director has suggested there is a flat height of 8 inches. He said while 8 inches is where we can enforce, because of the information that is on the tag, we are going to enforce at the 12 inch mark until such time as we can process through those tags. Mrs. Reynolds asked how many tags we had. Mr. Chodkowski said he thought about 400, which will go fairly quickly.

Ms. Campbell said she has gotten complaints that when the tags are stuck on windows, you can't get them off. Mr. Chodkowski said the code requires they be stuck in a conspicuous place; we stick them on the windows because it ultimately is the best place to remove them from. He said the contractors remove the stickers when they mow.

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Mr. Schock said the only reason he's heard that this needs to be an emergency is clerical reasons so you don't have overlapping paperwork. Mr. Chodkowski said correct; so we have one uniform enforcement standard for the entire active process. Mr. Schock said he would rather see this go through the normal procedure so people can come forward and speak for or against the ordinance; by running this through as an emergency that will never happen.

There was a discussion regarding declaring this ordinance as an emergency and future emergency legislation.

The Clerk of Council read Ordinance No. 11-O-467 for the first time in its entirety and Mayor Flaute asked if there was any discussion.

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

A motion was made by Mrs. Reynolds to suspend the rule that dictates the number of days between consecutive readings of ordinances. Mr. Denning seconded the motion. A roll call vote was as follows: Mrs. Reynolds, yes; Mr. Denning, yes; Ms. Campbell, no; Mr. Fullenkamp, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-467 for the second time by title only and approve its final adoption. Mr. Denning seconded the motion.

The Clerk of Council read Ordinance No. 11-O-467 for the second time by title only 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, no; Mr. Fullenkamp, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

**b. Ordinance No. 11-O-468 amending Riverside Codified Ordinance Section 1153.01 "A" Agricultural District to make cemeteries a permitted use therein. (FIRST READING)**

Mr. Chodkowski said pursuant to the recommendation of the Planning Commission and previous discussion by Council, this ordinance is to amend the Codified Ordinances to allow cemeteries as a permitted use in an agricultural zoning district.

A motion was made by Mr. Denning to read Ordinance No. 11-O-468 for the first time in its entirety and approve its first reading. Mr. Schock seconded the motion.

Mr. Denning said he did some homework and also checked with the Ohio EPA in reference to putting a cemetery so close to water sources and he was told that out of all the places in the county, it is probably one of the best places to put one. Mrs. Denning added they also found that traditional Muslim burials normally don't use chemicals that deteriorate into the water table and natural decaying of the body can be healthy for the ground.

The Clerk of Council read Ordinance No. 11-O-468 for the first time in its entirety and Mayor Flaute asked if there were any questions or comments from members of Council.

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

## II. RESOLUTIONS

- a. **Resolution No. 11-R-1532 setting forth appointment of Ellen Fletcher to the Multimodal Transportation Commission for a three year term beginning February 19, 2011 through February 18, 2014.**

Mr. Chodkowski said pursuant to Council's request, this is legislation is brought forward to appoint Mrs. Ellen Fletcher to the Multimodal Transportation Commission.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1532. Mr. Fullenkamp seconded the motion. A roll call vote was as follows: Mr. Schock, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mr. Denning, no; Mrs. Reynolds, no; Deputy Mayor Smith, no; and Mayor Flaute, yes. **The motion passed.**

- b. **Resolution No. 11-R-1535 setting forth appointment of Ellen Fletcher to the Personnel Appeals Board for a three year term beginning April 7, 2011 through April 6, 2014.**

Mr. Chodkowski said this resolution is to appoint Mrs. Ellen Fletcher to the Personnel Appeals Board.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1535. Mr. Fullenkamp seconded the motion. A roll call vote was as follows: Mr. Schock, yes; Mr. Fullenkamp, yes; Ms. Campbell, yes; Mr. Denning, no; Mrs. Reynolds, no; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

- c. **Resolution No. 11-R-1536 setting forth appointment of James A. Zaidain to the Board of Tax Appeals for a two year term beginning April 19, 2011 through April 18, 2013.**

Mr. Chodkowski said pursuant to Council's request, this resolution is brought forward to appoint Mr. James Zaidain to the Board of Tax Appeals.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1536. Ms. Campbell seconded the motion. A roll call vote was as follows: Mr. Schock, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

- d. **Resolution No. 11-R-1537 authorizing the City Manager to disburse funds to the Stebbins High School Air Force Junior Reserve Officer Training Corps on behalf of the City of Riverside.**

Mr. Chodkowski said pursuant to Council's request, this resolution is brought forward to authorize a disbursement of funds to the Stebbins High School Junior ROTC program.

Mrs. Reynolds said she was approached by the ROTC and some of the young men in the ROTC would like to present colors at one of our meetings. She asked the City Manager if he would make those arrangements.

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A motion was made by Mr. Schock to approve Resolution No. 11-R-1537. Mrs. Reynolds seconded the motion. A roll call vote was as follows: Mr. Schock, yes; Mrs. Reynolds, yes; Ms. Campbell, yes; Mr. Denning, yes; Mr. Fullenkamp, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. **The motion passed.**

- e. **Resolution No. 11-R-1538 accepting the lowest and best bid for the Riverside Mobile Home Park Improvement Project.**

Mr. Chodkowski said resolution is to accept the lowest and best bid for the Riverside Mobile Home Park Improvement Project.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1538. Mr. Denning seconded the motion. A roll call vote was as follows: Mr. Schock, yes; Mr. Denning, yes; Ms. Campbell, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, 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:** Mrs. Julie Denning of Schwinn said she was here this evening for the American Cancer Society Relay 4 Life. She asked how many of you have known someone that has been affected by cancer or lost a loved one due to cancer or who is battling cancer; the majority of people in this room. She said the reason she got involved was her Mom, Millie Jefferies, who managed the Circle K in the Old Village for 12 years as part of this community – she was “Mama Smurf” to everybody. She said she buried her Mom at the very young age of 54 due to lung cancer; a disease that we can work together to find a cure and help find ways to help cancer patients celebrate more birthdays. She said she was here tonight to ask for that help.

Mrs. Denning said we have a great opportunity coming up in May; it’s the Riverside/Wright-Patt Area Relay 4 Life. She said this is one of the largest and primary fundraisers of the American Cancer Society to raise dollars for research, materials for cancer patients, and programs to help get cancer patients to their treatments and to their doctors. She said they also have programs to help women who do not have insurance get mammograms to try to prevent being told some day that they have cancer.

Mrs. Denning said her Mom battled for 10 long years and believe or not, due to technology, not that long ago, they weren’t able to detect it until she was in the fourth stage and had two weeks to live but she battled lung disease for 10 long years. She said she got involved with the American Cancer Society because of her Mom and many other men and women like her and she’s sure everyone can relate to that.

Mrs. Denning said we need to be together to raise dollars; the Relay 4 Life used to be at Stebbins and we had to move it which we find to be an opportunity because not it is not perceived as a school activity now – it’s a community activity, a chance for all of you, all our departments, all our businesses, and all our residents to come together and get involved at one of our nicest parks. She said she needs help; she is Chairman this year and she wants to put this on the map. She said we need to bring our totals back up; last year we raised a little over \$35,000, a bit lower than what we’ve done in the past, so she needs everyone’s help in building teams. Mrs. Lommatzsch distributed literature.

Mrs. Denning said she knew years ago, Council had a team and they challenged the departments and staff. She said she has had one department that has requested information and shown some interest. She thanked the Fire Department and Acting

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Chief Turner for showing that interest. She said she was here tonight to also challenge the Service Department, the Police Department, the Administrative Staff, and Council to form a team, raise some money, come out to our beautiful park, join the festivities and fun, and socialize with some of the residents; it's a great networking opportunity. She said it is a great teambuilding opportunity as well; we are promoting businesses putting teams together and using it as a teambuilding idea. She said we are also challenging the businesses in a "battle of the businesses".

Mrs. Denning said it's a win-win for everyone but she needed helping in getting the word out there in talking about what a great opportunity we have in our city to have Relay 4 Life and what an opportunity we have to make a difference. She reviewed the literature on the relay, survivor lap and dinner, luminaria purchases to light the track, and information on how to register your team online and begin raising dollars; we had a team from the base last year that raised over \$7,000.

Mayor Flaute thanked Mrs. Denning and said great presentation.

Mrs. Reynolds said she wanted add something; on March 31<sup>st</sup>, a senior at Stebbins High School will be doing her Senior Project and it's a "Pink Out Day" to make everyone more aware of breast cancer in men and women. She said it's a very important day for this young lady and she's asking that we all wear pink on that day; she will be at our next Council meeting to talk to us. She said we need to make this community aware; it was in the paper today that Montgomery County has a higher incidence of cancer and we need to get information out to our community.

**ITEM 21: COUNCILMEMBER COMMENTS:** Mr. Denning thanked staff for the Annual Reports earlier this evening and said they were very informative. He said he always looked forward to hearing about what we've been doing all year.

Mr. Denning said the Jaycees have decided they want to clean up more of Glendean Park this year and the dates are March 26, 27 and April 2, 3. He said the idea is to get in early so we are not chipping and digging through leaves. He said this is weather permitting, we'll start at 8:00, and lunch will be provided. Mr. Chodkowski said the same resources will not be available this year. Mr. Denning said he understood; if we need to get our own resources we will. He said Sandy's Towing has graciously offered to send a Bobcat that has a gripper on it to help us. He said over the years we have slowly gotten the park cleaned up and hopefully this will be the last year.

Deputy Mayor Smith said he attended the Miami Valley Regional Planning Commission meeting earlier today and they passed a resolution to send forward a transportation program to ODOT to fund transportation for seniors. He said he forwarded a copy of the resolution to Mr. Tim Schneider of our Health and Safety Commission for him to review along with contact information. He said hopefully some good will come out of that.

Deputy Mayor Smith thanked staff for all they do.

Mr. Fullenkamp thanked staff and said they did a good job on their reports tonight; he appreciated that. He said he met with Mr. Murray and a representative from Schottensteins and he was encouraged by what he heard from them regarding plans for Page Manor. He said that's a scar in his neighborhood right now but he sees they are making progress. He thanked the audience for coming tonight and said we always appreciate it.

Mrs. Reynolds said she also appreciated the audience being here. She said staff as usual she appreciated all the information tonight. She said she didn't mean to be hard on Mr. Miller but she didn't like ice.

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Mr. Schock said to staff, great job on the presentations; it reflects well on the City Manager. He wished everyone a good night.

Mayor Flaute said he went to the Reach Program down at Sinclair for the Appalachian Board and at the end of the program he did a little hoedown dancing, so if you see that any where just know that it was the end of the day. He said they had a great kid down there – 13 years old and he plays the best banjo he’s ever heard.

Mayor Flaute said Saturday he went to the Community Breakfast for the school and it was a very good turn out as well as a good time. He said he also went to an open house for the Dayton Autism Center located on Old Harshman near Community Park. He said we welcome them to our community and we’re glad they are doing the great work they are. He said he attended a priority meeting with the United Way and he left literature for anyone interested.

Mayor Flaute said he went to a Taps in Blues concert and they were phenomenal. He said they are all Airmen and they have regular jobs but for one year they go on this concert tour to try to lift the moral of the Air Force. He said it was free at the Nutter Center and it was fantastic.

Mayor Flaute said last thing they have is they were talking about meeting Monday March 7<sup>th</sup> to finish up the City Manager’s review. Council discussed meeting places and decided to meet at the InfoCision Board Room at 6:30 p.m.; they asked the clerk to set things up.

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

**ITEM 23: ADJOURNMENT:** A motion was made by Mr. Denning to adjourn. Ms. Campbell seconded the motion. A roll call vote was as follows: Mr. Denning, yes; Ms. Campbell, yes; Mr. Fullenkamp, yes; Mrs. Reynolds, yes; Mr. Schock, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. The meeting was adjourned at 9:43 p.m.

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William R. Flaute, Mayor

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Clerk of Council