

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10143

Held

Thursday, May 19, 2011

20

**ITEM 1: CALL TO ORDER:** Mayor Flaute called the Riverside, Ohio City Council Meeting to order at 6:02 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, absent; and Mayor Flaute, present.

Staff present was as follows: Bryan Chodkowski, City Manager; Mark Reiss, Mike Brown, and Cindi Watson, 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 Mr. Denning to excuse absent member Deputy Mayor Smith. Mr. Fullenkamp seconded the motion.

Mr. Denning said Deputy Mayor Smith called; he is ill and won't be able to attend tonight's meeting.

With no further discussion; all were in favor; none were opposed. **The motion passed.**

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** The agenda was revised prior to the meeting to add Item 15 (I) c, Resolution No. 11-R-1562. Ms. Campbell asked that Work Session Item 6 c be added to discuss a letter she received from The Valley Worship Center.

**ITEM 5: APPROVAL OF AGENDA:** A motion was made by Mr. Denning to approve the agenda as revised and amended. Mr. Fullenkamp seconded the motion. All were in favor; none were opposed. **The motion passed.**

**ITEM 6: WORK SESSION ITEMS:**

- a. Greater Dayton RTA Update

Mr. Chodkowski introduced Ms. Michele Conley, Manager of Planning Services and Development for RTA. She introduced Mr. Gary Robinson, Chief Maintenance Officer for RTA; and Mr. Rob Wilson, Engineer for RTA.

Ms. Conley gave a Power Point Presentation called "Community Conversation" which is attached. She said they were meeting with all the jurisdictions they serve to give a state of RTA and to review a new strategic process they are starting. She reviewed their vision, mission, and motto. She said RTA has a website with a short questionnaire and a place where you can list what you would like to see RTA do in the future. She reviewed operational statistics, statistics on the passengers, and destinations of the passengers.

Ms. Conley said the Greater Dayton RTA is a Five-Star Ohio Green Fleet, the greenest fleet in Ohio. She said they have also won a lot of awards in marketing and they are very proud of last year's "Achievement of Excellence". She said the recognition is from the Federal Transit Administration; it's very hard to get one of these and the Greater Dayton RTA was one of the few in the country to receive the achievement after a very in depth review of their operation.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK REG. FORM NO. 10143

Held

Thursday, May 19, 2011

20

Ms. Conley reviewed the routes that served the City of Riverside; 56,728 trips annually and \$209,750 in transit investments. Mayor Flaute asked what the transit investments were. Ms. Conley said shelters and bus stops.

Ms. Campbell asked what the service area was. Ms. Conley said Montgomery County, Wright State, and Wright-Patterson.

Ms. Conley talked about the Community Grant Program and said Riverside has been very good about submitting their applications for transit related projects annually. She said RTA has contributed \$1.8 Million federal dollars which translates to \$2.3 Million in improvements to 21 different jurisdictions in the community.

Ms. Conley reviewed economics for RTA showing 1% coming from state assistance, 30% from federal assistance, 15% from passenger revenue, 52% from local tax revenue, and 2% from other revenues such as advertising, commissions, etc. She said state funding has been declining since 2001. She reviewed a comparison of states, populations, and per capita funding. She also reviewed cuts made to their budget.

Ms. Conley reviewed programs they implemented to improve safety, service quality, future issues of concern, opportunities, and future needs. She said the website to visit and answer our questionnaire is i-riderta.org.

Mayor Flaute asked how Greyhound provided revenue for RTA. Ms. Conley said they use our hub and as an agent, we get a percentage of ticket sales.

Mr. David Cole, an audience member, asked if RTA had any competition as far as public transportation. Ms. Conley said no, not in Montgomery County. Mr. Cole said he noticed in the pie chart that RTA was receiving extra federal funding and he was curious how they were able to get that. Ms. Conley said last year it was a little higher because they did receive funding for some electric trolleys.

Mayor Flaute asked if the electric trolleys were cheaper to run than the hybrid buses. Mr. Robinson said the hybrid buses cost more than the standard 40 foot coach but you do get better fuel economy vs. the standard bus. He said the hybrids are projected to last longer than a standard coach because of less wear and tear. Mayor Flaute asked if the hybrids would be replacing the electric trolleys. Mr. Robinson said he hoped not; he favored the standard coach and this city is outstanding in the fact that they have maintained the trolleys. Ms. Conley said there was a review of the trolleys this year and the board has decided to keep them.

Mr. Wilson said we have limitations on what new buses we can bring in because of the trolleys; there are certain fuels we can't store in the same building with the electric trolleys.

Mr. Denning said bio-diesel would be nice. Mr. Robinson said RTA has experimented with bio-diesel in the past and there are some aspects that are outstanding but in the colder climates the fuel begins to gel. Mr. Denning said the mixture could be changed in the winter but the question would be if that would be cost effective. Mr. Robinson said once you start with the additives, the cost is passed down to the public. He said Dayton is a strong electric-proven city and they do consistently look for alternative modes of cleaner, safer transportation. He said he was proud of the city for staying with it.

Mayor Flaute thanked them for the presentation as well as for working with the city's Multimodal Transportation Commission.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 12149

Held

Thursday, May 19, 2011

20

Ms. Campbell asked if they had ever heard of salt water fuel. Mr. Robinson said no. Ms. Campbell said she read about it on the internet and it's very interesting. Mr. Robinson said he has read about a new battery coming out; air/zinc technology for electric power. Ms. Campbell said the guy on the internet was actually looking for a cure for cancer when he discovered the salt water fuel. She said he was making nanonites to go into the body that would eat the cancer but not the non-nodule finds; it was real interesting.

Mayor Flaute thanked them again for coming and said keep up the good work.

b. Discussion: Service Delivery Expectations - Police

Mr. Chodkowski said we had begun a discussion on long term fiscal planning for the city, in particular, operations and how we deliver service. He said it was staff's recommendation we break down the city into departments – Police, Fire, Service, and Administration; and talk about what services we are delivering, whether or not we are delivering them well, and the staff we need to do that. He said several council members did reply to a questionnaire that was sent from his office regarding some of your opinions and opinions you garnered from the community about police service. He said one of the things that was fairly universal in the replies was response to calls for service we are receiving. He said from the vast majority of responses, it appears we are doing so in a timely manner. He said there were additional drill downs from council regarding community outreach in a variety of ways such as a DARE resource officer which has been covered briefly in the memo.

Mr. Chodkowski said to summarize the memo; based on our current shift scheduling we feel we can sustain the needs of the community as far as police response with a total field staff of 24 – 4 Sergeants and 20 Officers divided into 4 12-hour shifts. He said that would also involve the 3 members of the detective section we have currently and we will analyze the need to add another member to the department, specifically to the detective section.

Mr. Chodkowski said there were some brief discussions regarding the Victim Advocate; currently, he and Chief Reiss believe the Victim Advocate and the capacity she serves is a good investment for our community and for the victims of crime. He said the Department of Justice provides the majority of funding for that position and as long as that grant continues to be received by our community, we would advocate that the position continue.

Mr. Chodkowski said the remaining concerns we tried to address with council through the memorandum in relation to community outreach. He said there are some programs we do maintain that we think are effective but part of good community outreach is that the community responds positively and that isn't necessarily always the case. He said he would recommend that we continue to focus on basic service delivery, making sure our response is timely with appropriate personal interaction. He said there were thoughts and opinions not included in the memorandum only because those were not validated by similar comments from other council members.

Mr. Denning said since this is a cost thing; is there a long term plan. He said we saw the car buying situation and he asked if we looked at the carbon car at all. He said Mr. Schock sent him to the website and he did a lot of homework on it; it's a really neat idea. Mr. Chodkowski said to the extent of this discussion taking place, we limited our focus to personnel matters. He said once we address that for all four departments, we will come back and address capital needs later in the year.

Mayor Flaute asked if the recommendation for the 2012 budget on police personnel is to leave it as is. Mr. Chodkowski said it would require the addition of another

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK R/C FORM NO. 10143

Held

Thursday, May 19, 2011

20

Sergeant; the Table of Organization provides for 5 Sergeants in the department. He said when we did the 2011 budget, Sergeant Griffin had resigned from the department and we took the initiative to not fill that slot for 2011 to give us time to better understand what our financial condition is due to state level changes. He said that is the only position we would recommend be filled but it currently does not have dollars allocated to it. Mayor Flaute asked if by not filling the position now, does it cause people to work overtime or does service delivery suffer. Mr. Chodkowski said at this point it is not impacting service delivery; there isn't a minimum manning issue with that shift and it is not causing more or less overtime than we would normally see in the department. He said typically a shift consists of one sergeant and five officers; this particular shift would consist of four officers and an officer in charge. He said contractual minimum manning for which we must accrue overtime is three officers on a shift. He said the shift is a little busier than others but not to the point it requires assigned overtime.

Chief Reiss said when we looked at the department in overall terms we came to the conclusion that the best way to police is with 12-hour shifts and have five officers and a sergeant on 24 hours per day, seven days per week. He said what that schedule provides us is two north districts, two south districts, and a relief officer. He said it assumes there will be time off for vacations or sick time or other time off and when that relief person isn't filling the capacity of somebody being off, they are assigned to targeted enforcement work such as traffic, business checks, etc. He said it gives the officers productive patrol time in their district which is proactive vs. reactive. He said given the geographical area of the city and the population; we would want five officers and a supervisor all the time. He said given our crime rate and per capita income, those are the figures we arrived at to continue good service delivery. He said with just three officers on duty all the time, we largely just have a reactive police force.

Ms. Campbell asked if the police union agreed to the 12-hour shifts. Chief Reiss said no; we had an arbitration hearing and have not heard back yet. He said he would like to believe it will be favorable; we did try to get consensus for that. He said given the economy and our desire to have six people on duty all the time; there isn't any way to accomplish that in 8-hour shifts without adding more people - upwards of 33, which he doesn't think is a practical thing that will happen. He said the best way to get the most bang for our buck is 12-hour shifts. He said it allows for a supervisor on duty all the time to make critical decisions when needed.

Mrs. Reynolds asked for an example. Chief Reiss said for example, a bad traffic crash; we need someone to go to the scene and establish command. He said their job is to orchestrate everything that needs to happen - that the proper personnel are called in to reconstruct the crash, that they maintain proper service coverage for other areas of the city because police officers by nature want to come if something bad is going on, that the proper work is done, make sure the policies and procedures of the city are followed, and make sure the officers are behaving in a manner consistent with how we've asked they conduct themselves. He said pursuits are another good example; our pursuit policy is restrictive and we count on the supervisors to be the voice of calm and reason to terminate the pursuits when the time is right. He said to not have a supervisor on duty is not a good practice and can be a liability issue as well.

Ms. Campbell said when the levy passed they had 28 sworn officers and she thought the limit was 36; we had 33 at one point. Mr. Chodkowski said there was a brief time in 2008 when there were 33 sworn personnel. Ms. Campbell said we have 22 now. Chief Reiss said we have 27 full time sworn police officers which include himself and Deputy Chief Brown. He said we are in the process of promoting a sergeant to replace the slot that was vacated by Sergeant Brodnick. He said his hope is that we can promote two sergeants so we can keep Sergeant Trego in the detective section to supervise the investigators; we will have a compliment of five sergeants then hire

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10149

Held

Thursday, May 19, 2011

20

enough personnel so we have five full time officers and a sergeant scheduled on each shift. He said we've done some experimenting with part time officers but we don't keep them very long. He said we spend money preparing them to be officers for the city then we turn over a well trained officer to another department that has a full time opening.

Ms. Campbell asked if there was suppose to be one officer for every 500 people. Chief Reiss said there is a benchmark that has been used by the federal government for decades which is "x" number of officers per 1,000 people and if you look at the departments in our area, the number ranges from 5 to 1. He said some of the municipalities that have the 5/1,000 ratio don't need it. He said the trends are more to not look so much at number per thousand but to look at what is needed in the community to accomplish their law enforcement needs. He said the national average is about 1.8 per 1,000; we are currently at 1 per 1,000; and the average for the area is 1.3 per 1,000.

Mrs. Reynolds asked for clarification on productivity and what a productivity chart might look like. Chief Reiss said we get weekly productivity charts from the officers which covers a number of things; how many calls for service were taken, how many reports did they write, how many traffic tickets did they write, how many traffic warnings did they issue, how many pieces of zoning enforcement did they do, how many misdemeanor arrests did they make, how many felony arrests did they make, and there is a designation of other which is self initiated - such as an open door at a business. He said there are 10 categories and we post those statistics every week. He said there are no quotas by any means but it does tell the department what is being done in any given week or month. He said through the sergeants we try to encourage the officers to raise their level of self-initiated activity. He said if the officers are deficient in their productivity, the sergeants are charged with bringing that deficiency to their attention; if they don't increase the activity, it becomes part of the evaluation process.

Ms. Campbell said she didn't think the zoning should be done by the police officers; it should be handled by the zoning department. Chief Reiss said he has heard that and it has been discussed with the City Manager at length. He said the question is: do the officers have time to do zoning and respectfully in his opinion, they do have time to do it. He said the philosophical question is: does Council want us doing it - it's entirely up to council. Ms. Campbell said if they are driving by and see something, she doesn't have a problem with them making a note of it and giving it to zoning; but they shouldn't be going door to door in her opinion. She said it takes time to write the notices and stick them on the doors. Chief Reiss said he had a lot of experience in zoning where he came from and it's not that he is an advocate for or against it but he has seen a certain amount of success in doing it to the extent that it does clean up blight; it compels property owners to clean up their parcels.

Mayor Flaute said he doesn't know how other council members feel but he thinks the way the Chief and the City Manager are doing zoning seems to be working fairly well. He said he would say they should continue to do what they are doing. He said philosophically, he believed if an officer walked up to his door and told him he had a zoning problem, he would pay attention to that. Ms. Campbell said while the officer is standing there talking and he gets a call then he can't leave. Mayor Flaute said yes he can leave; if he has to leave, he leaves. Chief Reiss said calls for service take priority over everything; if the radio goes off they leave regardless of what they are doing. He said calls for service go back to the staffing levels; we have to have enough people out there to effectively answer the calls in a timely manner and do a good job. He said if we are understaffed the calls don't get answered in a timely manner and they don't get the attention they ultimately deserve. He said they take the calls and push them off to the detective section.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK B/C FORM 170 10143

Held

Thursday, May 19, 2011

20

Ms. Campbell asked if the police officers minded doing zoning. Chief Reiss said it is not a traditional police function but we work for the city; he has done a lot of things over the years that he didn't really like doing but that wasn't the point, the city was his employer. Ms. Campbell said she understood - it's just following the rules.

Mr. Fullenkamp asked if the Chief had his druthers, were there other activities that would be better spent by the police officer rather than the zoning. Chief Reiss said his personal opinion is it has value; it's not a traditional police function but he did this for a number of years in his former position. He said when he went to his first neighborhood meeting with his idea of what their problems were; he found his idea was completely far afield from their ideas of their problems. He said he was thinking about burglaries, robberies, drunk drivers but their problems were speeders and junk everywhere and they wanted us to clean it up.

Ms. Campbell said she understands what they are doing but if the officers are doing that then what is the zoning department doing.

Chief Reiss said when he started this at his former position by accident he looked at the transient housing levels which was approaching 70%. He said after five years of aggressive enforcement on cars, grass, and junk the transient housing level dropped to just under 30%. He said he couldn't say whether there was a correlation between those two things but he later found it to be true and his belief is that zoning enforcement has value. He said it's not traditional and the cops don't love to do it but it's not for us to always decide everything that we do. Mr. Fullenkamp said you feel it is an effective use of the officer's time and Chief Reiss said yes.

Ms. Campbell asked if the union was for that. Chief Reiss said it's a job function and what we ask them to do is not a condition of their employment. Ms. Campbell said but code enforcement is not a police job. Mr. Chodkowski said he would disagree; the sworn officers took an oath to defend the laws of the Constitution of the United States, the State of Ohio, and the laws and ordinances of the City of Riverside. He said the problem he has been tasked with is making sure we do all that council wants within the budget available; there aren't enough resources to hire enough police officers and enough code enforcement officers to do the job, so we have to make do with what we have. Ms. Campbell said we have a code enforcement officer. Mr. Chodkowski said she is a part time employee and can't look after the over 9,000 parcels on a regular, ongoing basis without the help of the officers.

Chief Reiss said if he had his way with zoning, he would abandon the way it is done right now, take over the entire operation in the Police Department, and run it from there; it would be more effective and more efficient at a lower cost. Mr. Chodkowski said he doesn't disagree with Chief Reiss' assessment but the city has been structured and we do our best to work within that structure with the resources available. He said that's part of what this exercise is about and you can tell us what you dislike. He said we can hire more code enforcement but there has to be a way to cover the additional costs. He said we aren't trying to compel work to be done because we want it done that way; we are compelling the work be done because it is our only resource available to do the work.

Mayor Flaute said if we tell our citizens that, they will like that too. He said if we need a levy passed or something, they will like the fact that we are using our zoning and police force together. Ms. Campbell asked if he had heard from the citizens. Mayor Flaute said no; when it was first started he heard from some of the police officers but the citizens seem to be very happy our employees are doing the zoning. He asked if anyone else on council had heard from anyone. Mr. Schock said Mayor Flaute didn't use to like using the police force doing zoning; he's changed his mind in a month and a half's time. Mayor Flaute said when we went to National League of Cities a lot of

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 12143

Held

Thursday, May 19, 2011

20

people were surprised to hear we did it this way but a lot of them thought it was a good idea. Mr. Schock said he remembers people thinking it was terrible which is why you brought the piece home about the tattle-tale method of zoning; neighbors telling on neighbors. Mayor Flaute said well it seems to be working.

Mrs. Reynolds said she supported the police officers being involved in code enforcement. She reviewed the productivity charts provided by Ms. Watson and read statistics for the busiest officer. She said it looked like there was time available to do the code enforcement and didn't see that it was creating a situation. She said code violations are a breaking of the law.

Chief Reiss said he has a request of council; he has received a number of complaints, they largely are anonymous through council through the city manager's office about the conduct of an officer or their behavior. He said we have a mechanism in place to investigate inappropriate conduct of an officer such as when they hand out a citation telling the person they don't want to do this but they are being made to do it. He said it would be very helpful to receive those kinds of complaints from the constituents so we can identify who is engaging in that type of behavior. He said if that's occurring, it shouldn't be; he doesn't want rude behavior or personnel trying to get out of performing a certain function by using the citizens to reach out to the elected officials to get to the city manager. He said he would rather deal with those officers on a case by case basis rather than talking to all the officers in a staff meeting. He said he needs to take on those officers one at a time and he would ask, as a favor, if they get those kinds of complaints to forward those people to him or Deputy Chief Brown so it can be addressed individually. He said it doesn't do service to the officers that are out there everyday doing a good job; it would be helpful to them so they don't put out a blanket scolding to the officers.

Mr. Fullenkamp asked if the two officers would be added in 2012. Mr. Chodkowski said one sergeant is funded for this year and provided we don't hear any negative comments from council, we will bring forward a 2012 budget that funds another sergeant for a total of five.

Mrs. Reynolds asked what the estimated cost was for a sergeant. Mr. Chodkowski said about \$100,000 based on full benefits including family plan insurance. Mrs. Reynolds said future staff will be 5 sergeants and 22 officers. Mr. Chodkowski said yes.

Mrs. Reynolds said looking at the graphs and the number of calls per neighborhood, its clear there is a community that has a serious problem. She asked if there was anything they can do to help that community. Chief Reiss said yes; getting back to the zoning issues is part of it - the broken window theory is take care of the smaller things and the bigger things take care of themselves. He said we are also trying to increase our visibility with the 12-hour shifts which puts more cars out. He said we are mandating the officers stay in their beats and we are trying to do as much saturation control in that area as we can; as many directed patrols as we can such as speed enforcement, traffic enforcement, etc. He said we are aggressively trying to keep permanent officers in a beat so they get to know the people who live there. He said we are also compelling people to clean up their properties, which is a proven crime reduction strategy. He said as far as neighborhood watch programs; he doesn't have the personnel to do that right now and his experience with those is that the program starts out well and as time drags on, we end up being the only people at the meetings. He said his goal is to have the officers assigned to districts so they begin to know the people and have better crime information available. He said when he started his job here, there was community policing on paper but it was not being practiced. He said we are actually trying to do that but it requires enough people to stay in the areas to make it work. He said those are things he considered when presenting information to the city manager.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK F.C. FORM NO. 10143

Held

Thursday, May 19, 2011

20

Mrs. Reynolds said as a councilperson, she is asking Chief Reiss to set a goal to see some reduction in crime for that neighborhood by this time next year. She said if something isn't done that community is going to continue to deteriorate. Ms. Campbell asked what community Mrs. Reynolds was talking about and she said our community. Chief Reiss said it isn't lost on us; Deputy Chief Brown reviews the stats weekly; we know where the crime is and we are working those issues. Mrs. Reynolds said she would be glad to ride with an officer anytime. Chief Reiss said he would encourage that. Ms. Campbell said she also would like to ride sometime in the evening.

Mr. Fullenkamp said the graphs show number of crimes in the neighborhoods and not crime rates based on density, correct? Chief Reiss said yes. Mr. Fullenkamp said these are raw numbers based on crimes reported. Chief Reiss said yes; but there are a lot of the things you don't see there that are initiated by the officer or complaints an officer takes that aren't reported to the State.

Mayor Flaute said the former Mayor from when we first became a city was always saying the police travel every street in our city and can report potholes and things like that. He said he always thought that made sense and asked if the officers report things that they see other than the code enforcement. Ms. Watson said they do.

Mayor Flaute recognized Mr. Maxwell in the audience. Mr. Maxwell said he owns the Zodiac Lounge and one of the problems he has seen is drug dealers in his back parking lot. He said he has reported it several times. Mayor Flaute said he has heard it is pretty busy in that neighborhood after dark.

Mayor Flaute asked if everyone was okay with the plan for staffing in the police department when the budget comes up.

Ms. Campbell asked if that was what was on the levy when it passed; we promised to keep the number of officers we had. Mr. Denning said he thought the promise was to keep the level of service the same. Mr. Chodkowski said we mandated our department would have 27 sworn personnel; we are at that minimum but we have kept the promise. Chief Reiss said the maximum number of people the city ever had on duty at a time was 6 and with the 12-hour shifts we will have 6 on duty 24/7. Mr. Chodkowski said on an 8-hour schedule, in order to accomplish what we can do on a 12-hour schedule with the current staff, we would have to hire 10 additional officers at an added cost of \$1.0 Million. He said for the 12-hour shift schedule the officer works two days then is off two days.

Ms. Campbell asked if they volunteered for the 12-hour shifts or did we tell them they had to. Mr. Chodkowski said we told them they had to. Chief Reiss added that the officers get 60 more days off per year doing 12-hour shifts. Ms. Campbell said she understood that but some people have a routine with their family. Chief Reiss said he is sensitive to that; if council wants to have 36 officers to do 8-hour shifts and has the resources to do that, he is fine with that but we can't continue the service delivery council wants with the staffing we have doing 8-hour shifts. Ms. Campbell said 33 officers are what they had back then but we could hire up to 36; she was just curious about what the levy said. Mr. Chodkowski said the promotional material for the levy said we would maintain a minimum force of 27. Ms. Campbell referred to a newspaper article that stated the count for the number of officers would be brought to a total of 36. She said it was written by Val Warren on February 16, 2006. Mr. Chodkowski said that was prior to his arrival. Mr. Denning said the article was following the 2005 levy. Mr. Schock said that's also when we had federal funding for police officers. Ms. Campbell referred to an article from October 15, 2009 which stated there were 28 sworn personnel which is below the national average for a community the size of Riverside. Mr. Chodkowski said we still remain below the

RECORD OF PROCEEDINGS

Minutes of

Meeting

CAYTON LEGAL BLANK INC. FORM NO. 10143

Held

Thursday, May 19, 2011

20

national average but the people of the nation are not paying to employ officers in the City of Riverside; so we will employ as many officers as we can continue to employ. He said regionally speaking; we are not outside the realm of accepted police practice.

Mayor Flaute said we have a good police department; keep up the good work – we appreciate our officers out on the street doing the good things that they do.

c. Discussion: The Valley Worship Center

Ms. Campbell read a letter she received from The Valley Worship Center regarding their annual Thanksgiving dinner; in 2010 they served a record number of people at 265. The letter stated they expect an increase in the number of guests for 2011 and asked if Council would consider a donation.

Mayor Flaute asked if council wanted to consider this request. Ms. Campbell said she did. Mr. Fullenkamp said he did too. Mayor Flaute asked if anyone wanted to put a dollar value on it. Ms. Campbell said \$500; we've all been there and we've seen that they do a tremendous job.

Mr. Denning asked if we had the funds available in the budget. Ms. Campbell said she was told we did. Mr. Chodkowski said there is a line item for these types of requests and he has no idea how much is in there because this was just brought to his attention. He said since this is not until Thanksgiving; he would like a meeting to pull the information and see what's available. He said there are other organizations that request dollars from council that will be coming later on in the year.

Mrs. Reynolds asked the clerk to email a list of the normal donations council does and how much they normally spend in a year. Mayor Flaute asked for this to be added to the next work session for further discussion.

ITEM 7: RECESS: The Council took a recess at 7:35 p.m.

ITEM 8: RECONVENE: The meeting was reconvened at 7:51 p.m.

ITEM 9: PLEDGE OF ALLEGIANCE: Council Member Shirley Reynolds led all those in attendance in the pledge of allegiance.

ITEM 10: MINUTES: Consider approval of the minutes of the May 5, 2011 Council meeting. A motion was made by Mrs. Reynolds to approve the minutes as written. Mr. Denning seconded the motion. All were in favor; none were opposed. The motion passed.

ITEM 11: PRESENTATIONS: National Kids to Parks Day Proclamation

Mayor Flaute said the National League of Cities and Michele Obama are asking us to help with "National Kids to Parks Day" and we've been asked to have a proclamation for that. He read the proclamation which encouraged children to lead a more active lifestyle and encouraged neighborhood, state, and national park attendance to appreciate nature.

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

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGISLATIVE BOD. FORM NO. 10143

Held

Thursday, May 19, 2011

20

## ITEM 13: 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 we would be happy to answer any questions.

Mr. Denning asked Mr. Chodkowski if he had re-evaluated his request about the bucket truck and if he had talked to Huber Heights about getting the truck. Mr. Chodkowski said no; he was under the impression it was just Mr. Denning's opinion rather than a directive of council. Mr. Denning said he thought \$5,000 for a used bucket truck vs. \$42,000 for a new one was something the city would use. He said he realized we rented one from time to time but he thought if we had one, we would use it even more. He said he didn't think we could go wrong with that price.

Mayor Flaute asked if we were considering doing that. Mr. Chodkowski said he was not; the directive from council was to be conscientious about the budget. He said he agreed it was a good price; there will always be a product available at a good price but the issue is whether or not in acquiring it we are holding true to the directive that was provided. He said while he would like to buy it, there are a lot of other things that in his opinion \$5,000 would be better served in a general sense. He said we are going to sacrifice on one end but we should be willing to sacrifice on the other.

Mayor Flaute asked what a bucket truck was used for. Mr. Chodkowski said tree trimming mostly. Mr. Miller said it can also be used for signs. Mayor Flaute asked how much we spent last year renting a bucket truck. Mr. Chodkowski said off the top of his head, he had no idea; typically we have utilized intergovernmental relations in most instances. He said that doesn't mean we don't from time to time rent a bucket truck but it's not been an item that is necessary for us to continue to operate the way we operate.

Mrs. Reynolds suggested Mr. Chodkowski call and see if it's still available so council will know if they should even think about it.

Mr. Denning said he just feels the more tools we have in our toolbox, the better we can serve our community. He said he understood the budget but it's about \$250/day to rent one and it would pay for itself after 20 rentals.

Mrs. Reynolds said she was going to bring this up in their next homework assignment; she would like to know how much intergovernmental sharing we do and where we are at with those things. Mr. Denning said this would give us something else to share. Mrs. Reynolds said sometimes just those hand-shake agreements between those city managers of this world is an important piece we buy into and she'd like to know how

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK P.C. FORM NO. 10113

Held

Thursday, May 19, 2011

20

much of that takes place. She said she doesn't care if we buy the bucket truck but we'd have to find \$5,000 to do away with somewhere else.

Mayor Flaute said he knows this is expensive but if we could find 3 or 4 other cities to go together and buy a patching machine, we wouldn't have to cold patch anymore. He said we can go out in the middle of the winter, patch the holes, and it's fixed. He said it's about \$50,000 but if you get 4 cities to do that it will cost a lot less money than cold patching in the winter and then fixing it properly when blacktop becomes available in the spring.

Mr. Chodkowski said that is a discussion taking place; Monday there was a meeting of about 27 of us at the Centerville Police Department through the Miami Valley Communications Council. He said the whole purpose of the discussion was to talk about ways to regionalize and ways to reduce operational costs. He said one of the things we talked about, which was fairly well accepted throughout the group, was to coordinate and regionally store specialized equipment and to provide regionalized maintenance for equipment. He said a way to reduce costs is to limit our specialized capital needs and a way to do that is to share our resources. He said we also discussed bidding a uniform trash contract for several communities at a time, large scale gas futures purchases, and a whole realm of other ideas.

Mr. Denning suggested salt purchase. Mr. Chodkowski said we currently purchase salt under SWOP4G which is a governmental cooperation and it wouldn't necessarily be the purchasing, it would be mass storage with one person to fill multiple trucks.

Mr. Chodkowski said those discussions are happening and it is being driven quite hastily down the path of exploration because some cities are set to see some extreme cuts in the very near future. He said that's not a direct answer about the bucket truck but chances are it would be right back up there and we would be sharing it with everyone else.

Mr. Denning said if we get the use of it for 3 or 4 years, he still thinks it's worth looking in to. He asked Mr. Chodkowski to see if it's still available.

Mayor Flaute asked if there was any further information on Lilly Creek; he saw a notation in the report that the petition was going forth to the board. He asked if there was anything further the city needed to do. Mr. Chodkowski said the Conservancy District will accept the petition on June 1 which will trigger the public hearing within 90 days, hopefully before September 1. He said the date and time of the meeting has yet to be determined but the most logical place to have the hearing would be Saville Elementary. He said the city would not be involved and it won't be our project. He said his last involvement would be to give the presentation similar to the one given at St. Helen's.

Mr. Denning said if everything progresses the way it should, what's the timeframe to get bulldozers in and start cleaning everything out. Mr. Chodkowski said if everything were to happen sequentially, he would say you could see dirt being pushed this time next year. He said a lot of that will hinge at the county level because they have to authorize the funding. He said it is a citizen project and if they deem it important enough to move forward without grant subsidy, they need to make that decision.

Mr. Fullenkamp asked that council be notified of the time of the meeting on June 1<sup>st</sup>. Mr. Chodkowski said he would do that and one of the things he is expecting from that meeting is an actual timetable.

Mrs. Reynolds said on code enforcement she saw two cases were sent to court for arraignment and she asked to be notified of the status of those. She said she also

RECORD OF PROCEEDINGS

Minutes of

Meeting

CITY OF LEGAL BLANK P.C. FORM NO. 10113

Held

Thursday, May 19, 2011

20

noticed the Judge issued another fine then suspended most of it. Mr. Denning said he saw that too and asked if there was a good reason for that. Mr. Chodkowski said not that he was aware of; we've discussed this and he even made the comment before council that if we had jail time to hold over them but jail time is available, so, for whatever reason, it has been determined that this is not a priority for his court.

Mayor Flaute said we had the Judge here and he said he would work with us, so we, the political folks, have to hold his feet to the fire.

Mrs. Reynolds said we had a BZA case regarding outside sales that was approved; she asked for some history. Mr. Murray said that was for Kroger on Spinning for flower sales. Mrs. Reynolds asked about the LED sign. Mr. Murray said that was for Carroll High School.

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

**ITEM 15: NEW BUSINESS:**

**I. RESOLUTIONS**

- a. Resolution No. 11-R-1560 authorizing the Mad River Indians Pee Wee Football Association to place temporary promotional signs in the public right of way under certain terms and conditions.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1560. Mr. Denning seconded the motion.

Mr. Denning asked if this was for their Family Fun Night. Mr. Chodkowski said yes.

With no further discussion, all were in favor; none were opposed. **The motion passed.**

- b. Resolution No. 11-R-1561 requesting the Ohio General Assembly to continue its history of partnership with Ohio's Local Governments and retain funding for the Local Government Funds at the permanent law formula.

Mr. Chodkowski said pursuant to the Mayor's request, this is legislation in encouragement for State Legislators to minimize reductions to the Local Government Fund.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1561. Mr. Denning seconded the motion. All were in favor; none were opposed. **The motion passed.**

- c. Resolution No. 11-R-1562 authorizing the City Manager to submit an application to Montgomery County for a Community Development Block Grant for the City of Riverside's Neighborhood Stabilization Program.

Mr. Chodkowski said is to authorize application to Montgomery County for \$75,000 in CDBG funds for the purpose of exterior property maintenance and nuisance abatement.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK FIC. FORM NO. 10143

Held

Thursday, May 19, 2011

20

A motion was made by Mr. Schock to approve Resolution No. 11-R-1562. Mrs. Reynolds seconded the motion. All were in favor; none were opposed. **The motion passed.**

**ITEM 16: PUBLIC COMMENT ON NON-AGENDA ITEMS:** Mr. Robert Maxwell of Union Road, Trotwood, Ohio said at the last meeting he was told the recommendation from city council to the Liquor Control Board could be reversed if he was willing to work with the Chief of Police. He said he has left a couple voice messages and he still hasn't heard from the Chief. He said he is willing to work with the community on any problems; he's been working with a sergeant and has watched drug deals take place in his parking lot but he doesn't think it is his part to take a chance on getting shot to run them out. He said at the same time he doesn't want the police sitting there all the time because it runs his customers off as well as his employees.

Mayor Flaute said he didn't think council stated they were going to reverse the recommendation; we said we would work with you and try to make sure that things happen. He asked Mr. Chodkowski if he wanted to comment. Mr. Chodkowski said not within the confines of this meeting; we will examine the situation and upon the hearing before the Liquor Control Board, we will be more than happy to make the appropriate recommendation. Mayor Flaute suggested Mr. Maxwell see the manager after the meeting.

**ITEM 17: COUNCILMEMBER COMMENTS:** Mrs. Reynolds thanked staff for all they did. She reminded everyone Memorial Day is coming up; she wished everyone a good holiday and said it is a good reflection day.

Mrs. Reynolds said this week the Mayor had his proclamation on "National Kids to Parks Day" but this is also "National Small Business Week". She said since 1963 every President has established a week to recognize small businesses. She said small businesses contribute to the economy in ways that we don't think about on a regular day to day basis – they support competitiveness, innovation, and they strengthen the economy. She said she thought it would be remiss of the council not to thank all the small business owners in our community and wish them much success, this week and in all the years to come. She said there are 27 million small businesses in the country and of all new jobs created, 60% to 80% are created by small businesses. She said we have an obligation as a city to help and promote those small businesses when we can.

Mayor Flaute said as an owner of a small business, our business is doubling next week and he appreciates those comments.

Mr. Denning said he wanted to thank the Service Department and the Fire Department for being at the Relay For Life and participating with their teams. He said the event was well received by the community. He said we were afraid of rain all weekend and he was up a total of 37 ½ hours straight. He thanked everyone who participated and said so far we were able to raise \$10,000 in less than 18 hours and the total for the relay is somewhere in the \$27,000 range. He said we can still keep raising money and the goal is \$37,000 by August 30<sup>th</sup>.

Mayor Flaute said to please thank Julie Denning and the Jaycees for all their work on the event.

Mr. Schock said we attended the Miami Valley Military Affairs Association golf outing on May 6<sup>th</sup>; we had a great time and it looked like there was a great turn out. He asked Mrs. Sara Lommatzsch if she knew how many were there. Mrs. Lommatzsch said there were 126 golfers but we don't have a final tally on what they raised. She said she will report back with the final number. She said she appreciated the City's

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK F.O. FORM NO. 10143

Held

Thursday, May 19, 2011

20

and the Chamber's support of the event and believed it was very smart for the city to be visible. Mr. Schock said we had a lot of fun supporting the Fisher Nightingale House and our community.

Mayor Flaute said he, Deputy Mayor Smith, and Mr. Schock were at the MVRPC Spring Dinner that evening and Riverside was well represented there; it was a good meeting.

Mayor Flaute said he also attended the National Conference and Community Justice of the Greater Dayton Area. He also presented an annual report for the National Museum of the United States Air Force for anyone who wanted to review that.

Mayor Flaute said he represented Riverside at the Appalachian Unsung Hero Awards. He said there are a couple people in the room that received the award in the past but we did not have anyone from Riverside this year. He said we will have to correct that situation next year.

Mayor Flaute presented a copy of Forest Murmurs for anyone interested. He said Montgomery County had their 5<sup>th</sup> Annual Law Enforcement Ceremony which he attended and represented Riverside there.

Mayor Flaute said he attended an ROTC Dinner; Mrs. Reynolds, Mr. Fullenkamp, and Deputy Mayor Smith also attended and we were presented a Certificate of Appreciation for having the involvement we've had with the ROTC. He said we need to further this; these young folks are great people and they put on a great dinner for everyone there. He said if there is any opportunity for us to have the ROTC visit with their Color Guard please think in that direction; they appreciate the opportunity to come to events like our Volunteer Dinner and our meetings.

Mayor Flaute said he went to see Mr. Robert Schafner who is civil service for the Enterprise Sourcing Group out at the Air Force. He said Mr. Schafner went from a Colonel to a Civilian. He said it was a very interesting and amazing ceremony. He said he also attended the Governor's Awards for the Arts and there were two people from the Dayton area that were honored.

Mayor Flaute said on May 21st we are having the Miami Valley Crime Prevention Association's 1<sup>st</sup> Annual Community Problem Oriented Policing Conference at Stebbins High School. He said it's free and anyone can attend; registration begins at 8:00 a.m.

Mayor Flaute said he did have a proclamation made for Ms. Connie Moore; many of you know her and she celebrated her 70<sup>th</sup> birthday. He said she was very surprised.

Mrs. Reynolds reminded everyone of the Seniors' Garage Sale on May 28<sup>th</sup> at Overlook starting at 9:00 a.m. and the Bike Rodeo this Saturday at Beverly Gardens. She said May 28<sup>th</sup> is the Bike Rodeo at Rohrer.

**ITEM 18: EXECUTIVE SESSION:** A motion was made by Mr. Denning to enter into executive session for the purpose of discussing real estate. 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; and Mayor Flaute, yes. The Council entered into executive session at 8:28 p.m.

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10143

Held

Thursday, May 19, 2011

20

**ITEM 19: ADJOURNMENT:** The Council came out of executive session at 9:30 p.m. and a motion was made by Mr. Denning to adjourn. Ms. Campbell seconded the motion. All were in favor; none were opposed. The meeting was adjourned at 9:30 p.m.

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William R. Flaute, Mayor

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Clerk of Council