**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. Curp, present; Deputy Mayor Denning, present; Mr. Fullenkamp, present; Mr. Schock, absent; Mr. Smith, present; and Mayor Flaute, present.

Staff present was as follows: Bryan Chodkowski, City Manager; Emily Christian, Assistant City Manager; Mitch Miller, Service Department; Mark Reiss, Police Department; Bob Turner, Fire Department; Tom Garrett, Finance Department; and Bob Murray, Planning and Economic Development.

**ITEM 3: EXCUSE ABSENT MEMBERS:** Mayor Flaute said Mr. Schock did call and say that he would be on vacation this week and couldn’t make this meeting. A motion was made by Mr. Fullenkamp to excuse absent member Mr. Schock. Ms. Campbell seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** The agenda was revised prior to the start of the meeting changing the amount of the grant application in Resolution No. 12-R-1694.

**ITEM 5: APPROVAL OF AGENDA:** A motion was made by Deputy Mayor Denning to approve the agenda as revised. Ms. Campbell seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 6: WORK SESSION ITEMS:**

1. Presentation / Discussion: Financial Follow-up

Mr. Chodkowski said pursuant to council’s request at the June 7th work session, council asked that we assemble the information related to the city’s finances; our budgeting process, our budgeting related to actual numbers, and there was some additional discussion about what we actually spent and what we actually bring in, how we spend that on operating and capital, and then what can we do to project into the future based on the information we have. He explained that when we refer to our operating budget it is actually a combination budget; we do not discriminate within our accounting system between operational expenditures and capital expenditures – they are all in the pot together. He said the information I am going to present related to budgeting and actual is this combination information; for example this year we bought police cars which are a capital purchase item but they are right in the budget with paying the electric bill and buying bullets. He said this information reflects the combination information. He said we also limited this exercise to the big four: the General Fund, the Fire Fund, the Street Fund, and the Police Fund; that’s where we do almost all of our business, that’s where we buy almost all of our stuff, and that’s where we pay all of our bills from. He said there are some things we did not include and it has largely to do with accounting but revenues from the Fire Fund, the Street Fund, and the Police Fund – those funds are largely or partially supported by the General Fund, so they receive a transfer in and we did not include that; conversely when we ran expenses for the General fund we did not include transfers out. He said where there are significant differences, we provided some explanation of why those difference were there; supplemental information in the report to help you understand when we were off, why we were off. He said our budget information came from the January Revenue and Expense Statement for the corresponding year, all information being pulled from the estimated revenue and revised appropriation columns; when we did our actual numbers we took the December Year End Revenue and Expense statement and we pulled the year to date revenues and the year to date expenses. He said this is all information that’s used to compile our audits that are used to validate all of the other transactions we do to the State. He gave a Power Point Presentation as attached; graphs showing the budget line in blue and the actual numbers in pink with those slides being followed by slides explaining the anomalies.

Mr. Smith asked if the difference in the Fire Department personnel expenses had something to do with the vacant Fire Chief position. Mr. Chodkowski said no; we accounted for that. He said Chief Alig left in April of 2010, so it was already in the budget; we did not budget for a Fire Chief in 2011 yet we were still off by $300,000.

Ms. Campbell said what about equipment; cars and vehicles. Mr. Chodkowski said no; it’s all related to personnel but we can’t figure out why that number is off. Ms. Campbell asked overtime? Mr. Chodkowski said no; we still spent money just not as much as we thought we would.

Mayor Flaute said so when you get to this year’s budget, that line is going to be going down to about $2.4 Million. Mr. Chodkowski said yes and we will get to that in the next presentation where we’ll talk about actual numbers and projections. He continued with the presentation.

Mayor Flaute asked why we budgeted so little for the Street fund in 2011 and we were right on. Mr. Chodkowski said off the top of my head, this is what you asked us to do; cut everything we can cut as often as we could cut it. He said in 2010, we got a late start on our ARRA projects and since we are including capital with our operating, it got bumped over. He said had everything gone as planned it would have been more of a flat line.

Mr. Chodkowski concluded the presentation on the expense portion of the budget vs. actual and asked if there were any questions.

Mr. Fullenkamp said for the Fire Department, if you don’t know what’s happening, how do you make a correction. Mr. Chodkowski said we’re going to go back and look at these actual numbers in here; some of the numbers are part time. He said basically we are allotted 42,000 hours of part time work so when I prepare the budget, we take 42,000 times the highest rate and that goes in the budget. He said for whatever reason, someone calls in sick, shifts are down, maybe not everyone gets worked. He said what we’ll do since now we have a history is for the 2013 budget we’ll pull the number of hours worked. He said last year, $100,000 of this gap was we budgeted $470,000 for part time wages and we only paid $374,000. Mr. Fullenkamp said so better tracking of the hours. Mr. Chodkowski said we have a little bit of information and I’m going to look and see if there’s some type of mathematical consistency. He said a prime example is when we did 2011, I went through and I pulled the bill from our health insurance provider and I picked which firefighters were on there, I took the monthly premium, multiplied it by 12 and plugged it in for each full-timer but we were still off by $70,000; mathematically I should be right. He said we’ll see what we can do to provide a little more consistency to it but for whatever reason, I think this is just going to be our problem child.

Mr. Smith said on the 42,000 part time hours where did you get that number from; is that from the union. Mr. Chodkowski said no, that’s from you; it’s from the table of organization and it equates to 4 full-time equivalent personnel on every shift. He said currently our department is staffed daily with 5 full timers, a Lieutenant, 3 full time Firefighters, and a Battalion Chief and we also supplement that with the 4 FTEs. He said there is supposed to be 2 part timers here and 2 part timers at Station 6 for 24 hours. Mr. Smith said so we have 5 full timers on duty all the time for the city. Mr. Chodkowski said yes. Mr. Smith said that seems a little low. Mr. Chodkowski said that’s what the table of organization calls for.

Mr. Chodkowski said per council’s request we went through and took the actual expenditures and extrapolated those into the future under certain terms and conditions to see what would happen; how fast are we going to spend money, how much more money are we going to make, and at what percentage more are we going to earn income. He said we took a look at all that and said this is how far we can get before we really need help financially. He said this exercise is similar; we have some of the same rules but we also have some new rules. He said as we talked about earlier, we have a combination budget which is a blend of operating and capital so for the purposes of this exercise we actually had to separate those out. He said we wanted to see how much it really cost for us to operate, how much it really cost for us to buy or build stuff and is there a correlation between the two. He said that’s what this exercise and this presentation is for; to demonstrate actual expenses to actual revenues; actual operating to actual capital. He said again this exercise is limited to the big four: the General Fund, the Fire Fund, the Street Fund, and the Police Fund. He said when we calculated operating revenues, we excluded grants for capital items, and we excluded advances, transfers, assessments, and specifically identified revenues. He said a prime example is in 2010, a person passed away and bequeathed to the Fire Department $20,000. He said we took that item out because it’s not reoccurring revenue and it was actually used to buy a cardiac monitor, so it shows up later on as capital. He said for expenses, again there were certain things we took out; we did not count advances out, transfers out, death payments, and specified capital purchases. He said everything we didn’t count as operational revenue or as an operational expense, went into the capital side. He said just like the budgeted items before, we worked off the revenue and expense statements. He said actual revenues and expenses up until 2011 came from year end expense statements; forecasted revenues for 2012 were extrapolated from the June 2012 month end – half way through the year, and for future forecasting we budgeted 1% growth; we are at the middle to tail end of the great recession so we figured that meant slow goings. He said all expenses from 2012 forward are extrapolated from 2011 times a growth rate established in a memo you all received on October 27th, Budgetary Trends and that was provided to you in your last council packet when we were talking about revenue enhancement. He said references to fund balance; all fund balance computations were based on the updated fund balance sheet dated June 29th that was given to you last month at this time. He said following the presentation I have a memo which is basically a whole set of data sheets with numbers so you can actually see the raw data. He gave a PowerPoint Presentation of bar graphs and said everything on the left side dark red and dark green is all actual numbers and if you compare your line graph to the bar graph you should notice a similar trend. He said projections are lighter green and orange. He reviewed the graphs.

Mr. Chodkowski said the growth rate for the General Fund over the last 5 years has been at 1.94% annually and all the orange figures are based the actual amount times 1.94% annually going forward. He said you’ll see that here’s a healthy discrepancy between the amounts of money brought in to the General Fund than was actually spent; General Fund expenses are Council, City Manager, Economic Development, and Finance. He said I want to point out a trend that I should have highlighted; notice for 2010, 2011, and 2012 on every chart there’s a little drop and what that says to me is that everything that we can cut has been cut in 2011. He said all increases after 2011 isn’t because we want to go on extra trips or extra training, it’s because the price of gas went up, the price of electricity went up, the cost of health insurance went up, things that we can’t control. He pointed out the trough on the charts.

Mr. Chodkowski said for the Fire Fund, 2007 was the last year that the fund survived on it’s own; since 2007 the Fire Fund has slowly but surely been creeping into the General Fund and everything in red above the green is where the General Fund has to give the Fire fund money. He said the revenue lines remain relatively consistent and they have since we brought our full time staff online; our EMS billing has remained relatively consistent and that’s why that number remained the same. He said the Fire Fund grows at roughly 4.99% annually. He said both the General Fund and the Fire Fund grow at a slower rate than they did 5 years ago but the expenses are still growing.

Mayor Flaute said the projected expenses you show going right on up the ladder, where from 2003 to 2011 that isn’t actually what happened. He asked if the manager really felt the projected expenses were going to go up that much. Mr. Chodkowski said yes. Mayor Flaute said that doesn’t follow the trend from before. Mr. Chodkowski said in 2003 is when we robbed Peter to pay Paul and correct me if I’m wrong but wasn’t there some tax stuff right in here; my guess is a revenue issue and you put something on the ballot. He said the tax issue didn’t pass and in January it’s down but maybe later on in the year the tax issue did pass and it begins to rise and now all of a sudden it’s flat. He said when we did the police renewal, the police didn’t need as much of the Police/Fire/EMS income tax and that’s why there’s a spike.

Mr. Chodkowski said for the Street Fund the revenues remain relatively stagnant; the largest payers of revenue directly to the Street Fund are the gas tax and the motor vehicle tax which remain relatively consistent. He said the growth rate is 10.43% which is largely based on petroleum – asphalt, gasoline, and oil; all of that is driving costs up. He said the largest component of this is the addition of the two employees earlier this year. Mayor Flaute said we only hired one additional. Mr. Chodkowski said we hired two.

Mr. Chodkowski said for the Police Fund, believe it or not, this is actually the slowest growing fund at 1.2%; revenues have remained relatively consistent. He said we benefited in the Police Department with the favorable arbitration case on the 12 hour shifts which has helped out quite a bit and is stabilizing expenses. He said also transitioning away from County dispatch to Huber Heights dispatch helped out quite a bit but out of any fund, these growth rates will change and are going to pick up.

Mr. Fullenkamp said I’m really curious why the Fire Fund and the Police Fund are so different in terms of their outlooks. He said I see virtually no projected increase for Police and I see Fire going up; could you explain that difference. Mr. Chodkowski said the rate is based on fund activity; we took this set of 5 years to look at as a whole, and said from high to low, how fast is it growing. Mr. Fullenkamp said do we know why there’s such a big difference between those two departments in terms of projected expense rates; I’m just curious and I certainly don’t expect you to have an answer today. Mr. Chodkowski said there could be a couple different variables but we can follow up. Mr. Fullenkamp said they look radically different. Mr. Chodkowski said understanding they are built off of previous history, the reason they look different is because, like I said you’ve got – these numbers are fairly close. Mr. Fullenkamp said I see what you are saying; you are using projections based on the past performance but is that the best way to look at projections. He asked if there was another way and said I just find it odd that there would be that big of a difference in expense growth rate; that’s my only question. Mr. Chodkowski said it all comes out in the wash and I’ll show you the wash in the next slide.

Mr. Smith said I have a question too; on the Service Department you have us doubled on expenses for 2017 compared to what we are spending in 2010 and you say that growth is because of petroleum costs. He asked if we were expected to do that many roads with that much money out of our budget ourselves. Mr. Chodkowski said well when you look at the fact that other than health care and personnel expenses, the biggest expense we have with the greatest variable is gas, petrol. Mr. Smith said in taking that over to the Police Department, 5 or 6 police cars are on the road at all times but we are showing no dramatic increase in expenses there and part of that would be petroleum costs. Mr. Chodkowski said but I also told you when I showed you the Police Fund slide that it is most subject to change because our growth rates are based on the 5 previous years and those 5 previous years we sent 14 personnel out the door and only brought 8 back. He said we went from variable high rate dispatch with the county to fixed rate dispatch with Huber so all I’m doing is explaining the math.

Mr. Chodkowski said to Mr. Fullenkamp’s question to which he asked, well the one fund charts at a real goofy rate and the police doesn’t hardly increase at all; I said it all comes out in the end – and here’s the end. He said is the Street Fund going to grow as fast – probably not; is the police fund going to grow as slow – probably not; but at the end of the day, personnel is what’s going to drive us and commodity prices in the market are going to drive us and when you put it all together, this is probably the most accurate representation of everyone as a whole. He displayed a slide of the funds combined and said revenues have remained relatively consistent; expenses peaked, dipped, and are now headed back up.

Mr. Fullenkamp asked what rate of increase was used on this slide. Mr. Chodkowski said we combined it in a spreadsheet but he would say probably somewhere between 5% and 6%. He said this is the operating picture, everyone together.

Mr. Curp said this is without capital. Mr. Chodkowski said correct. Mr. Curp said it excludes capital type things such as police cars. Mr. Chodkowski said correct, we went through and hand picked those out to set up the next set of slides. He said these are our capital projects – revenues and expenses; police cars, backhoes, debt payments, and special assessment projects.

Mr. Chodkowski said every year except for one we have always invested more in capital as an expense than dollars we set aside for such expense. He said 2012 includes the police cruisers, the backhoe, the medic, and some debt payment. He said for 2013, it includes Harshman Road, Harshman/Valley intersection, and we did include Burkhardt but only under Issue II funding you are going to vote on later tonight. He said in 2015, the little hiccup is the Fair Park/Fairfax Bridge. He said these are known expenses, known commitments that we have. He said there is some debt, $200,000 that falls off.

Mr. Fullenkamp said the 2013 green line is the expected revenues to do those projects. Mr. Chodkowski said correct; the OPWC grant money, not the loan money. He displayed a slide showing operating and capital expenses combined and said what that tells us is the existing fund balance in the General Fund runs out at the end of fiscal year 2016. He said the remaining dollars left in the General Fund balance as well as the Contingency Fund balance will not be sufficient to pay our bills in 2017.

Mr. Chodkowski said we can take this information and we can begin doing all kinds of things with it: we can begin to look at the funds necessary to cover operating; we can plug in capital and see how that works; we can conversely take a look at building a chart that replaces older equipment and see how much revenue we need to offset that and run projections on that information. He said but ultimately this is more realistic tomorrow than has previously been predicted. He said the issue has always been at what rate are we expending money; we have always brought in money close to our revenues but it’s at what percentage expenses have outpaced annual revenue – we’ve been off with that prediction. He said but the prophecy that the expense rate will at some point in time exceed the revenue rate to the point of ongoing deficit spending is coming true. He said and I should note that these forecast numbers reflect a current trend for 2012 numbers that is better than the budget, so I will tell you now that in 6 more months when we meet and I tell you we made more money than we budgeted and we spent less money than we budgeted, that is true and that was reflected on the line graphs. He said the bar graphs reflect relatively accurate numbers; the expense numbers we validated 3 different ways, the revenue numbers we had only one way to validate. He cited some examples on the charts.

Deputy Mayor Denning said on the 2012 projected expenses, did we subtract out the fact that we are not doing Harshman. Mr. Chodkowski said yes. Deputy Mayor Denning said and we added it to 2013. Mr. Chodkowski said yes.

Mayor Flaute asked if there were any more questions for the manager. Being none, he asked if council wanted to discuss the information or put it on a future agenda.

Mr. Smith said I think it’s something to take a moment and digest before we leap into saying something we can’t support or actually do.

Mr. Curp said we can’t kick this can down the road too far; we first talked about this in March when we were working on objectives and then we talked about it in June when we talked about revenue enhancement options. He said then with tonight’s numbers if we go to the combined funds operating figures with the 6 year projections at the top of page 5 what that shows for this year is around a $150,000 deficit; next year around $300,000 deficit; the following year $600,000; after that $1.1 Million, after that $1.3 Million, and in 2017 $1.7 Million. He said the issue is that is without capital; that’s without police cars, without ambulances, without fire trucks. Deputy Mayor Denning added without road improvements. Mr. Curp said it will whittle down the carry over balances that’s been built up; the problem is when you take a look at it, the revenue enhancement options and how much each one of those brings in, it says you have to start working on addressing that soon or we have to deal with bringing in more jobs and revenue to this community or a combination of both but it says we can’t kick this can down the road any longer. He said that’s part of the issue, we started talking about revenue enhancement options because if you go back and look at the discussion in the minutes of the March meeting, we set objectives; and back in June when we talked about revenue enhancements, we talked about efforts to understand these numbers with the intent of putting something on the ballot this November. He said if it’s the council’s will to still put something on the ballot this November, we only have until Tuesday of next week to do that legislatively because the deadline for filing with the Board of Elections is next Tuesday. Mayor Flaute said in August. Deputy Mayor Denning said this is August. Mr. Curp said its due 75 days before the general election in November, next Tuesday or maybe Wednesday. He said whether we’ve operated in the red in the past or not, we are going to be operating in the red in the future because the manager told us that these forecast numbers are much more accurate and close; the run rate is going to be a deficit continuously starting this year unless something changes on the revenue side or the expense side. He said the manager pointed out the trough and the trends and its staff’s feeling that we already hit the bottom, the baseline for expenses; it can do nothing but go up and there’s really no place to cut expenses. He said so the issue becomes, is this council going to try to put something on the ballot for this November; is it going to have the expense of a special election between now and the primary; go with the primary; or kick this can down the road some more. Mayor Flaute said the primary would be in May, the next opportunity after this.

Mr. Fullenkamp said I think you all know we have another option; that is to address the income tax credit. He said I’m not sure how those numbers worked out; I’m assuming that we would reduce our income tax credit by about 1%. He said I’ve spoken to some of you about the benefits of doing that and we can do that legislatively. He said I don’t know who on council is willing to have that discussion; there are a number of advantages I believe should be considered by council, one being that we have many residents that live in our city and because they work in cities that have higher income tax rates than ours, they are not contributing to the city in terms of income tax; they are paying property tax and that’s it. He said it’s my understanding that we lose over half of our income tax due to the income tax credit; correct me if I’m wrong. He said so we have more than just considering putting an income tax increase on the ballot; we can also legislatively decide that we are going to roll back the income tax credit and raise revenue that way, then continue the discussion for the need for an income tax increase. He said if you made the tax credit smaller then the next time we ask for an income tax increase, everybody will have skin in the game except for people who don’t live or vote in our city. He said I think that’s the other option we need to consider for the city going forward; I think it has benefits, long term, for us in terms of stability, other revenue streams, income taxes, and will insulate ourselves from other cities from raising their taxes and impacting us negatively on the revenue side. He said and I think it’s a fairness issue; if we go to people and just ask them to raise their rate by 1/2%, these same people won’t bear any of the impact. He said I think we should at least consider very closely in how we go forward.

Mayor Flaute said I’ve always been opposed to that and we really haven’t talked about it that much. Deputy Mayor Denning asked what his reason was. Mayor Flaute said I’m opposed to legislatively doing that because then it doesn’t become the people’s choice; it’s our choice and I still believe it should be the people’s choice. He said plus if we raise the income tax the burden of paying is on the people who work in our city, not the people who live. He said if we legislatively do it as Mr. Fullenkamp said, everybody has to pay something. Mr. Chodkowski said related to income.

Mr. Curp said we have about 500 residents who work at Wright-Patterson who will pay the income tax increase so it won’t just be non-resident employees that come to the city and the residents who work in non-incorporated areas such as the township will be liable for income tax also. He said it won’t just be the commuters.

Mr. Fullenkamp said actually the commuters who come here during the day pay the full tax; it’s the people who live here that work in Dayton who aren’t paying. Mayor Flaute said so if we do it legislatively the only ones that are going to be affected are our residents. Mr. Fullenkamp said that’s right; they live here and they should contribute to our community. Mayor Flaute said first of all, it’s always been that way and there are only 2 or 3 cities who don’t give credit. Mr. Chodkowski said understand that all of us are talking about it; I’m not the only city manager that is talking to his council about the credit and if you read the paper, everyone is looking.

Mayor Flaute asked why we wouldn’t try to get it from the people that are coming into our city to work, sooner than we try to get it from our citizens. Deputy Mayor Denning said isn’t that taxation without representation. Mayor Flaute said would you rather take it from our own citizens then. Deputy Mayor Denning said I agree with Mr. Fullenkamp; our citizens have voted for a 1 ½% income tax; they’ve already said yes to 1 ½%. He said all we are saying is we are not going to give you credit for that 2 ¼% you are paying to Dayton; so now we are going to give them partial credit for working in the City of Dayton but we are not going to give them full credit. He said that’s all we are saying and if we say oh, well we’re just going to go ask the folks for ½%; that’s not going to impact those folks who work in Dayton, they will go ahead and vote for it and those folks that work here that live other places are going to be taxed without representation to vote for that tax. Mayor Flaute said first of all the people that come into our city during the day; we have to take care of them if there is an emergency. Deputy Mayor Denning said first of all I live and work here. Mayor Flaute said I’m not talking about you; you said isn’t that taxation without representation, when those folks come into our city to work we have to take care of them if they pass out, have a car accident, or whatever; we are still taking care of them so it’s not really tax without representation. Mr. Chodkowski said if I may, I would be careful about how I lob that argument because there are different segments of our own population that demand certain services that are well above and beyond what they pay in tax and there are other elements of taxpayers who do not demand service to the extent at which they pay for it. He said to simply say so and so pays all of the way and has none of the say and they don’t live here isn’t necessarily true. He said we can pull statistics that demonstrate in other service areas that we have citizens that demand a service above and beyond what they pay.

Mayor Flaute said taxation without representation – if we legislatively say we are going to do this….Deputy Mayor Denning said we are their representatives; they voted for us to help make these decisions. Mayor Flaute said I don’t think so; I would rather they make the decision.

Mr. Fullenkamp said the point is we have residents who live in our city, work outside our city, and who are not contributing any income tax to our city. He said we can make the argument about providing more jobs for our people but that hasn’t happened and I don’t have any idea what the expected job growth is in our city. He said to assume anything about generating taxes from job growth – that’s pretty pie in the sky. He said it is a fairness issue; if we’re going to fund this city – fund roads and police and fire for residents and for workers who come here from other cities, everybody has to be in the game and that’s not happening right now. He said folks who work in Dayton and live here are not paying income tax. Mayor Flaute said you would rather have your own residents pay rather than the people that come in and work. Mr. Fullenkamp said I work in Fairborn and I am willing to pay another ½% because that’s fair.

Mr. Chodkowski said the issue is you have to keep in mind there is a fine line; while they may work here and live somewhere else if their work is not perfect they can simply say our lease is up, we have a good offer on our building, and for what I can make, I’ll move my business to this township or this other community. He said you have to be careful about the tax rate you are willing to apply on those non-residents because at some point in time they may be non-business residents.

Mayor Flaute said but we’re still the lowest in the county anyway so unless they go to a township, they are not going to get a better rate. Mr. Chodkowski said I would argue that our business market niche is not limited all over the Miami valley; it’s limited to Riverside, Fairborn, Beavercreek Township, and the City of Beavercreek, maybe Kettering.

Mayor Flaute said okay, any other discussion; I am certainly not ready to make any kind of recommendation just yet but as indicated if we do want to go to the ballot now, we have to make a decision by next meeting.

Deputy Mayor Denning said let’s say we go to the ballot, we ask for another ½%, and we tell them exactly how we are going to spend it and it comes back no. He said we still have this issue and then we have to act legislatively; that puts us in an even worse spot. He said I would prefer to give them less credit, increase our revenue, and if that isn’t enough, then we go back to the taxpayers and say this is what we’ve done, this is what we’re going to do with your money, and this is what we need; we’ve already increased this way, now we need to go back to everybody and ask for more.

Mr. Fullenkamp said and the point is if we reduce that tax credit, if we have to go back to them, a ½ % or a ¼ % will raise more money because now these people are locked at 1% credit so they are going to be in on this next vote too. He said you may not like that politically but now you have to really sell it to everybody; you can’t pick and choose your voters.

Deputy Mayor Denning said I honestly believe that once this change is made in this area of the state a lot of other people are going to jump on the band wagon and I would much rather be a leader in this Miami Valley community than a follower of what everybody else is doing and lead folks in the direction it needs to go. He said we had our state representatives here and I asked them point blank if they could change the rules so that where you live has priority on your income tax vs. where you work and they looked at us and basically said gook luck with that one. He said in northern Ohio they don’t have an issue because nobody gives any credit to anybody – if you live in Cleveland and you work in Euclid, you have to pay taxes to both places. He said at least we are giving them partial credit for working some place else.

Mr. Fullenkamp said and you made a good point; say we put this tax on the ballot and it fails; then we look reactive if we do this, rather than doing something we can do. He said I’ve had discussion with people who don’t understand it and when I tell people and they realize that people work in Dayton don’t pay one penny of income tax here, their jaws drop; they think its shared. He said we learned that from our survey, people don’t understand how this works. He said I would like council to really seriously consider this as a first step.

Mayor Flaute said if a person makes $50,000, if we give them a ½% credit….Mr. Fullenkamp said we’ll give then 1% credit. Mayor Flaute said then that would be the whole thing. Mr. Fullenkamp said no, 1 ½% is what we have right now. Mr. Chodkowski said think of it this way, you are going to ask a person who works somewhere else but lives here to pay the ½% Fire/EMS. Mayor Flaute said so a person making $50,000 a year who lives in our city, how much income tax is he going to pay. Mr. Smith said $250. Mayor Flaute said for a $50,000 job regardless of where he works $250 a year. Mr. Smith said that’s ½% of $50,000. Deputy Mayor Denning added for services 16 hours a day vs. the 2 1/4 % he pays to Dayton for services for 8 hours a day; now that’s a bargain.

Mayor Flaute said let’s say the citizens vote to go up ½%, now how much will you have to pay. Deputy Mayor Denning said an additional $250 but the man who works in Dayton won’t be paying that so why should I vote for a tax. Mayor Flaute said because you won’t have to pay the $250 more. Deputy Mayor Denning said if you increase it by ½%, yes I will. Mayor Flaute said if you live and work here. Deputy Mayor Denning said if I live in Riverside, I work on the base, and I make $50,000 per year and my neighbor lives in Riverside and works in the City of Dayton and you want to increase the income tax by ½%; I will pay an extra $250 per year and my neighbor is still not going to pay anything for services that happen inside the city. Mayor Flaute said but the person who is living in Dayton and working in Riverside will have to pay. Deputy Mayor Denning said but he’s already paying his share and Dayton is giving him credit unless Dayton decides they aren’t going to give him credit anymore for what he paid for working in Riverside.

Mayor Flaute said obviously there is some thought that has to go into this so we are probably not going to be able to make a decision before we go to the ballot. He asked if that was a correct assumption. He said if we wait until the next meeting it would be too late so we would have to stay tonight. Mr. Chodkowski said only if you want a ballot issue; there is still plenty of time to act legislatively. Mayor Flaute said yes, but I’m not ready to act legislatively. Mr. Chodkowski said I don’t think anyone is saying decide tonight; all we are simply saying is legislatively you have the ability to act any time. He said there are other options to act legislatively; you have the credit, you have the inside millage which is not at it’s maximum, and you also have the assessment options. Mayor Flaute said but the only one we can do legislatively is the tax credit. Mr. Chodkowski said no; all 3 of those you can do legislatively. Mayor Flaute said they wouldn’t have to vote. Mr. Chodkowski said not on the inside millage; by state statute, city council can set its tax rate up to 10 mills. Mayor Flaute said okay.

Mr. Smith said we didn’t continue our discussion about taking away one fire levy, Mayor Flaute said I still think that is part of what we need to be doing. Mr. Smith said but that would affect all property owners, not those who are tenants.

Deputy Mayor Denning asked if we had a dollar value on what the credit you want to do would bring us. Mr. Chodkowski said closer to $700,000 to $800,000; when we ran our numbers for purposes of discussion we just simply converted, if I bring in $1.15 Million on a ½% increase, logically, mathematically if I give credit for ½%, it would be the same. He said when you look at who pays where and who works where and who files what the truer number is actually right around $700,000 for the credit.

Mr. Smith said I think that would be the least painful way. Mayor Flaute said to do what. Mr. Smith said to do away with some of that credit; I think that would impact our residents the least vs. raising their property taxes, then everybody pays. Mayor Flaute said I don’t know. Mr. Smith said the question always comes up on how this is going to affect our seniors because they have limited budgets; this wouldn’t impact them at all, it would be neutral for them. He said if we raise their property taxes with a levy or whatever we do that would impact their monthly budget. He said the least way to hurt anybody would be to withdraw some of that income tax credit. He said the ones that are going to pay it are the ones who are working and will continue to work and prosper; our seniors have already stopped working and they don’t have the income coming in. Mayor Flaute said they haven’t had a raise in the last 3 years either so we’re taking more money out of their pocket than what they’ve had.

Deputy Mayor Denning said I think we should cut the credit first and see what that’s going to do for us; to me it sounds like all that’s going to do for us is get our revenue somewhat evened out. He said if we want to increase what we are doing for our citizens, i.e. capital improvements like streets or additional stuff, then we go to the ballot and say for an extra ½% this is what you are going to get, this is what we will do. He said that’s when we cut the old fire or street levies that aren’t bringing in much. He said I think we need to consider cutting the credit first.

Mayor Flaute said so for the next discussion we are going to have on this we need to have some numbers. Deputy Mayor Denning said realistic numbers. Mayor Flaute said right, on all 3 options we talked about as far as doing something legislatively. Mr. Smith said and spell out what group of people might be affected.

Mr. Chodkowski said an assessment has to be tied to something. Mr. Smith said assessments are for projects so you aren’t really increasing our revenue. Mr. Chodkowski said not necessarily true; there are certain costs that can be allocated and one of the items referenced was creating a storm water assessment. He said if you look at some of the capital work that is going to be done on Harshman and Harshman/Valley there is a few hundred thousand that is related to catch basins and curbs; those are dollars currently being paid for out of the General Fund which could be paid for out of the assessment. He said then the dollars in the General Fund could go to cover other expenses. He said there is work currently being done paid for out of the General Fund that logically, rationally, and reasonably could be paid for out of an assessment fund. He said there are storm water projects such as Lily Creek, Marianne/Ingleside, Mayapple, etc. and funds could be used for those capital projects in those areas, so that’s an option. He said just setting up an assessment fund doesn’t automatically commit you to capital projects; it does provide very strict conditions for operating expenses to be booked for that assessment but it is allowed.

Mr. Chodkowski said what we can do is if you want the credit established for operating – is that my understanding based on the discussion; how would the credit affect our operating projections. Mr. Fullenkamp said I don’t have a preference. Mr. Smith said I think you should send it to the General Fund but looking at the expenses you showed is on the bar graph, we are pacing ourselves at $2.0 Million in expenses by the year 2017 vs. what we paid in years past. He said if you are going to withdraw ½% credit on the income tax and that’s going to generate $700,000, you’re still playing catch up because your expenses are going to outpace your revenue. He said $700,000 isn’t really going to get us there; we’ll need something bigger picture to go with it. He said once you start reaching into your savings it just starts going fast.

Mr. Fullenkamp said 2 questions: if we pass legislation this year for the tax credit will that go in effect for next year, 2013. Mr. Chodkowski said yes. Mr. Fullenkamp said second question: I would like to see some numbers if we were to roll back the tax credit to 1%, I would like to know with that situation what does a ½% income tax do for us. He said those are 2 things I think would be good to know.

Mayor Flaute asked who would collect this, RITA? Deputy Mayor Denning said right now when I fill out my income tax it says what credit do I get and then they send me a bill. Mayor Flaute said I just wanted to make sure; He said put this on the next work session we have available and we’ll try to make a decision.

Deputy Mayor Denning said what I would be interested in is what a ½% credit would bring and 1% down to none at all; I would be curious on what the dollar value would be for us based on that. He said we need that information to make a decision on how much credit we are going to give or not give.

Mayor Flaute said I would also like to know how much taking off the 1976 Fire Levy would be; I would maybe be more in favor of doing this 1% tax credit especially if we take off something else. Deputy Mayor Denning said I think the voters have to take that off; I don’t think we can. Mayor Flaute said it might soften the blow. Mr. Curp said to do that just hastens the day when you have to do something else down the road because regardless of what action council takes whether it’s this year or next year, 2 years out, council is going to have to do something again.

Mr. Chodkowski said just to give you an idea on those levies: the 1992 levy is $171,000 and if renewed at today’s rates it would generate $256,000; the 1985 levy is $215,000 and if replaced at today’s rates it would generate $384,000; the 1979 levy is $101,000 and if replaced at today’s rates it would generate $256,000; the 1976 Fire #1 is $80,000 and if replaced at today’s rates it would generate $228,000; and the 1976 Fire #2 is $45,000 and if replaced at today’s rates it would generate $128,000. He said if you replaced all of those levies as they currently sit it would generate roughly $639,407 which is close to ½%. Mr. Smith asked if the manager could give council a copy of that. Mr. Chodkowski said yes.

**ITEM 7: RECESS:** The Council took a recess at 7:30 p.m.

**ITEM 8: RECONVENE:** The meeting was reconvened at 7:43 p.m.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:** Council Member Beverly Campbell led all those in attendance in the pledge of allegiance.

Mayor Flaute said at this time I would like to have a moment of silence for our friend Dr. Lowell Draffen; I’m not sure how many of you remember Lowell – he was the Superintendent here for many years, he was very instrumental in getting the city started and he helped us with a lot of good ideas. He said he was just a real good friend to Mad River Township and to Riverside. He said if we could have a moment of silence in memory of Dr. Lowell Draffen.

**ITEM 10: MINUTES: Consider approval of the minutes of the July 19, 2012 council meeting.** A motion was made by Deputy Mayor Denning to approve the minutes as written. Ms. Campbell seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 11: 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 12: CITY MANAGER’S REPORT:**

1. FYI Items
2. Council Request Sheets.
3. Code Rewrite Request Sheet.
4. Council Agenda Calendar.
5. Weekly City Manager’s Report.
6. Minutes of the June 18, 2012 Planning Commission meeting.
7. Minutes of the April 26, 2012 and the June 28, 2012 Health & Safety Commission meetings.

Mr. Chodkowski said you have my report included in your packet which I will be more than happy to answer any questions and I will also be sending out my weekly manager’s report via email tomorrow so look for that. He said I would like to announce that we do have a Fire Chief; I have selected Mark Carpenter who is currently the Fire Chief at Dayton International Airport. He said as my appointment for that position, he will be before council on Thursday, August 16th for council’s confirmation of the appointment and his first day will be Monday, August 20th.

Mayor Flaute said congratulations and good job. He asked if council members had any questions for the manager.

Mr. Curp said I didn’t see the copy of the income tax scorecard; in the documents from the last agenda we didn’t have the information. Mr. Chodkowski asked Mr. Garrett if we had any information to generate the report at this time. Mr. Garrett said we do have the information for June collections received. Mr. Chodkowski said we can provide you an updated one. Mayor Flaute said that’s very important; I do like that report also.

Deputy Mayor Denning said when do we think we will see dirt moving at Brantwood. Mr. Chodkowski said we closed on the property July 26th, so the property is now in the ownership of DDC; I did have a call in to Lance Oakes who is the Project Manager and he actually returned that call earlier while we were in the work session. He said I will have that information for you tomorrow in my manager’s report. Deputy Mayor Denning said my concern is that there is a lot of coyotes over there; is there an organization, ODNR or anybody that can live trap them and get them out of there so they’re not eating the neighbor’s cats and dogs and stuff like that or is that whole area going to be left to the demise of wherever they go. Mr. Chodkowski said I was not aware that was an issue but we will be more than happy to follow up and contact ODNR. Deputy Mayor Denning said if they can do it humanely, that would be great; if not the neighbors will take care of whatever they have to take care of. Mr. Smith said coyotes are on the nuisance list of animals. Deputy Mayor Denning said I know but we are inside city limits and I would prefer they haul them off rather than us having to take care of it.

Mr. Smith said I would like to thank the city manager for finally getting the Circle K building down; it’s been a long time coming. Mr. Chodkowski said the demolition of the structure itself should have been completed today and there is probably about a week of restoration work that needs to happen there.

Deputy Mayor Denning said I have been watching it go down daily because I have been working on the Haunted House. He said I met my wife there so this has a double meaning – good and bad; it was good that I met her there and my Mother-in-Law spent many years as the manager of that store. He said seeing it go down is good for the city but it’s sad for the memories of good things that happened there.

Mayor Flaute asked how many properties we have there yet that need to come down. Mr. Chodkowski said on the NSP Phase III, part 1 list, that was the last one; we had several thousands of dollars left over. He said we got $100,000 and we thought the properties on the list would use up the money but it didn’t, it used about half; we filed an amendment which council approved and we filed a second grouping which is now in bid and they should be able to start demoing those in late September, early October. He said there is another 5 properties on the next phase.

Mr. Chodkowski said Mr. Murray submitted a grant application for what we call the DeWine Money which is the settlement from the major mortgage companies; the penalty for writing bad mortgages. He said there is another 10 properties on that list which will be a 2013/2014 project. Mayor Flaute said not right in that strip, they are all over the city. Mr. Chodkowski said correct. Mayor Flaute said so right in that strip we are done. Mr. Chodkowski said that’s correct; everything we had marked as a property of interest for us. He said the property located at 1035, the white house, is still of interest to us but at this point there aren’t any structural issues visible from the street that warrant it’s claim as a nuisance either from our engineer or the county health department. He said so while it is unfortunately unsightly; it’s a property that will remain there at least for the short term. Mr. Smith said that DeWine money, I believe that’s from the banks foreclosing on homeowners without proper due process. Mr. Chodkowski said I’m not sure what the penalty provision was that they settled on but yes, that’s the one. Mayor Flaute said hopefully we can start the project there that we’ve been planning for many years, Yorktown Village. Mr. Chodkowski said at this point we will gladly cut the grass based on the impact to the community over there.

**ITEM 13: PUBLIC COMMENT ON AGENDA ITEMS:**  There were no public comments on agenda items.

**ITEM 14: NEW BUSINESS:**

 **I. RESOLUTIONS**

* + 1. **Resolution No. 12-R-1693 certifying for collection to the Auditor of Montgomery County, Ohio charges for garbage, refuse and recycling services within the City of Riverside, Ohio.**

Mr. Chodkowski said this resolution is to certify to the Auditor for the collection of assessments related to waste collection for the year 2013.

A motion was made by Deputy Mayor Denning to approve Resolution No. 12-R-1693. Mr. Fullenkamp seconded the motion.

Mr. Curp said this seems like a number that is larger than maybe it should be; it’s larger than what I’m comfortable with going from $144.90 to $182.70. He said that’s a big number to hit the property owners with and we haven’t even let the bids out.

Mr. Fullenkamp asked when this is due; what is the urgency. Mr. Chodkowski said in a couple weeks. Mr. Garrett said it has to be at the Auditor’s the first week of September. Mr. Chodkowski said so there is the one additional meeting but it wouldn’t be enough time to let bids.

Mayor Flaute said so are you just guessing at the cost. Mr. Chodkowski said the value that was placed in the resolution is based on the cost for like or similar services that were recently received by other municipalities. Mr. Smith asked if this was an average or a pretty good idea of what we can expect. Mr. Chodkowski said Ms. Christian could answer the question better than I but it is a culmination of what several other cities are being billed per month for residential collection for the service we have now. Mr. Fullenkamp said so it is for the high end service. Mr. Chodkowski said that is correct.

Mayor Flaute said but if it doesn’t go that high, the county won’t collect it. Mr. Chodkowski said no, this is what they will collect; in the event that the city received a rate that was more favorable than the assessment this year, the surplus would be held and credited next year. Deputy Mayor Denning said so if we collect $180 this year, we could end up collecting $150 next year to make up the difference, and then the following year it would go to $165 or $170 or whatever it ended up being. Mr. Chodkowski said correct.

Mr. Smith asked if we surveyed other municipalities with a similar number of households. Mr. Chodkowski said I don’t believe estimates were based on households; estimates were based on service.

Mayor Flaute said right now we are paying $12.75. Mr. Chodkowski said I don’t believe it’s that much. Mayor Flaute asked what the new assessment was. Mr. Chodkowski said $14.50. Mayor Flaute said we have to do it now though; if we don’t, what would happen. Mr. Chodkowski said then the city would be responsible to cover the difference if we under assess.

Mr. Fullenkamp said I know you realize we have about a $140,000 balance in our assessment account; is there any issue with using that to offset some of the cost increase then make the adjustment after we know what it will cost. Mr. Chodkowski said it’s possible. Mr. Fullenkamp said a 25% to 30% increase is going to be a big shock but that may be our reality depending on what type of service; that the only feasible approach that I see we could use to help soften this blow. He said I don’t know what the rest of council thinks or if, fiscally, you think that’s a good idea or not. Mr. Chodkowski said I would be comfortable in saying that if council wanted to reduce the assessment amount, we could reasonably provide for the difference in the event we under assess. He said keep in mind that reserve is used to provide payment for those properties which fail to pay the assessment. Mr. Fullenkamp said and we’ve had this discussion to what that amount is per year. Mr. Chodkowski said it’s not very significant; I don’t believe its hit 5 figures in the last 4 years.

Mr. Smith said why don’t we keep it at $12.50 or whatever it was for now and adjust it next year based on the bid. Mr. Chodkowski said you can; all we were doing was trying to limit…Mr. Smith said coming back. Mr. Chodkowski said correct. Mr. Smith said so if we continue where we were this year and the years past, it would be neutral as far as additional money for the citizens which would be smart, that way we are not out of money when it comes time to pay the bill.

Mr. Fullenkamp said it depends on what level of service and since we don’t have the bid, we don’t know. Mr. Smith said the service I want and the service you want is 2 different types of service. Mr. Fullenkamp said again, depending on cost and it may be that we want to choose a lower service if we are concerned about the tax load on the taxpayer on the assessments; maybe that’s something we change a little bit. Mr. Smith said we have to be a little flexible; I understand that. Mr. Fullenkamp said I’m sensitive to the sticker shock like Mr. Curp is and that’s why I thought we could discuss the balances in our assessment fund to maybe offset some of this, realizing that collection costs are going to rise. Mr. Smith said until we know what that cost is going to be, I can see going forward and continuing to charge the monthly rate we’ve been charging in the past until we have a definitive answer. Mr. Fullenkamp said or raise it slightly.

Deputy Mayor Denning said we should be able to raise it; there’s been an increase of 5% to 7% per year and if we know what that is then we increase it by that amount.

Ms. Campbell said we haven’t even got any bids or anything to have any idea what it will cost. Mr. Chodkowski said right, and that’s the unfortunate timing of this particular matter. He said I recommend that council table the legislation and we’ll bring back a resolution that more accurately reflects a less dramatic increase and accounts for the use of the majority of the existing assessment balance. Mr. Fullenkamp said that would almost cut the increase in half. Mr. Chodkowski said the difference between what we were projecting to pay next year and the current contract was $247,000. He said understand we need approximately $8,000 per year to cover non-payments. Mr. Garrett said I don’t recall that number; I remember about 5% delinquencies.

Mr. Smith our trash bill annually is a little over a $1.0 Million. Mr. Chodkowski said correct. Mr. Smith said I can’t see depleting the $140,000; I think you have to save some. Mr. Chodkowski said right; we’ll have to recalculate the number.

Mayor Flaute asked when we will do bids. Mr. Chodkowski said the bids won’t be until October.

Deputy Mayor Denning withdrew his motion to approve Resolution No. 12-R-1693. Mr. Fullenkamp withdrew his second.

A motion was made by Deputy Mayor Denning to table Resolution No. 12-R-1693. Mr. Fullenkamp seconded the motion. All were in favor; none were opposed. **Motion passed.**

Mayor Flaute asked if we had to go with paying 5% to the county or can we find someone else that can collect it for less than that. Mr. Chodkowski said he’s the Auditor, that’s his job. Mayor Flaute said there’s nobody else who can collect it, except the Auditor, for maybe 3%. Mr. Garrett said they wouldn’t give it to the Auditor, it would just come straight to us; the Auditor’s collection mechanism is by assessment. Deputy Mayor Denning said we could direct bill every household. Mayor Flaute said I know that and that’s not how we want to do it, but 5% is pretty hefty.

 **b. Resolution No. 12-R-1694 authorizing the City Manager to submit an application to the Ohio Public Works Commission in the amount of $490,000 and a loan in the amount of $490,000 for the Burkhardt Road Reconstruction Project.**

Mr. Chodkowski said this resolution is to authorize the submittal of an application to the Ohio Public Works Commission for an Issue II grant/loan combination for the Burkhardt Reconstruction Project. He said this is amended to increase the amount of the grant from $330,000 to $490,000.

A motion was made by Deputy Mayor Denning to approve Resolution No. 12-R-1694. Mr. Smith seconded the motion.

Mr. Smith asked what the additional increase of $160,000 was for. Mr. Chodkowski said we are asking them for more money. Mr. Smith asked so we don’t have to pay out so much.

Ms. Campbell said what reason was given for the amount. Mayor Flaute said I guess my concern with her question is if that is going to hurt us when we bid. Mr. Chodkowski said no, the reason for the change is the grants are determined on a scoring process, an accumulated score and there are so many categories in which you can score so many points. He said last year the engineer, based on prior records, estimated the minimum score required to be funded was 44 points; he recommended the submission of an application that garnered us 45 points and we were the last funded project at 45 points. He said the engineer recommended this year that we would need 45 points to get funded, so he went through utilizing their scoring criteria and moved the numbers around until we were able to test score 45 points and for whatever reason, he sent over on Monday a scoring sheet that basically put the 45 point score under the combination of funding that’s in the resolution. He said the resolution that was in your packet would have only scored 44 points and this one is estimated to score 45 points. He said it may score more; we have had conversations with county environmental and they are interested in updating the water main connection at Granville and Burkhardt; so if they can time that to coincide with our project, there may be another point or 2 on the table. He said that was the reason for the change; what the formula is, I don’t know. Mayor Flaute said so it’s not going to hurt us for being at 45 points vs. 44 points. Mr. Chodkowski said no; it will help us.

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

 **c. Resolution No. 12-R-1695 authorizing the City Manager to enter into a collective bargaining agreement between the City of Riverside and the International Association of Firefighters, AFL-CIO-CLC Local 2938 for the period June 29, 2012 through June 28, 2015.**

Mr. Chodkowski said this resolution is to authorize the execution of a collective bargaining agreement between the City of Riverside and the AFL-CIO-CLC Local 2938 on which council was briefed in an executive session at its last meeting.

A motion was made by Deputy Mayor Denning to approve Resolution No. 12-R-1695. Mr. Smith seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 15: PUBLIC COMMENT ON NON-AGENDA ITEMS:**  Mayor Flaute said our first speaker is Darrell Norrod; welcome, we are always glad to see you out in the community. Mr. Darrell Norrod of Union School House Road said thank you; I would like to address the Mayor, the Council, the Police Department, and the City Manager. He said I would like to address a complaint; I’ve had several occasions to call the Riverside Dispatching Center for the Police Department and I don’t know if the people that are answering the phones are actually qualified for the job. He said on 2 occasions I called and the first time I called they answered “hello”. He said I think they need to identify who they are; I don’t know if this was an untrained person answering the phone that particular evening but I asked if I had the correct number and if this was dispatching for the Riverside Police/Fire Department and she said “oh yea, that’s right”. He said I had serious doubts that she could handle my problem at that point.

Mr. Norrod said on that particular occasion, the reason I called was me and my wife were walking through Forest Ridge and we were attacked by a vicious dog, this being a day after the Riverside Police had to shoot a dog in Riverside. He said this was on a Friday and some of the trashcans were still on the street so we were able to fight the dog off with a lid from one of the trash containers. He said when we arrived home, we called the Police Department; I told her my name, my phone number, where I lived, and asked if she could send a Police Officer out. He said she asked me what the problem was and I addressed the problem with the vicious dog and what occurred; she said why don’t you just go to that person’s house, knock on the door, and tell them to put their dog up. He said I asked if she thought I was stupid and I told her I don’t want to get bit by a dog or have a confrontation with the owner of that dog. He said she asked if I knew the person’s name and I said no but I have the address which I gave to her; she asked if I needed a Police Officer to talk to afterwards and I said yes. He said a Police Officer did show up prior to going down there and that’s when I learned it was the same officer that had to shoot the dog the prior day; he was a very nice officer and he also said he hoped he never got involved with the shooting of a dog ever again – it was a big ordeal for him and the community.

Mr. Norrod said that was one occasion of using the services and I don’t know if that female dispatcher knew what her job criteria or her job description is; it is not to give advice, it is just to dispatch. He asked isn’t that the current procedure a dispatcher should use; personal opinions and advice, unless you are trained in art of vicious dogs, I don’t think I need to be in harms way. Mayor Flaute said I definitely agree; if you didn’t get the person’s name, do you have the time that you called. Mr. Norrod said I don’t have it right now; I very seldom have the need to call the police but I know it’s there and they are usually ready and able to come to my aid. He said I’m not complaining about anything the Police Department or the Officer did; I’m talking about the dispatcher. Mayor Flaute said I know; we need to know who that person is. Mr. Norrod said I fought the dog off with a trash can lid while it was snarling and the dispatcher asked me to go back down there; I told her it was a quarter mile from my home and I wasn’t about to do that, I just discussed it with the Police Officer.

Mr. Norrod said my second occasion to call, again I had a problem with the dispatcher; I told her my name, address and where I lived and she told me I didn’t live in Riverside and insisted I lived in Huber Heights. He said she fumbled around for a while but I convinced her I knew where I lived. He said my grievance at that time was the area at Curry Lane and Union Schoolhouse Road which was widened for development; we’ve been having a large semi tractor/trailer car hauler parking and using that space to take cars to and from the hauler. He said that particular night the semi arrived about 9:30 and at 12:30 they were still there, so I called the dispatcher and told her what was going on. He said again, she asked me to walk down and get the license plate number; it was night time and I wasn’t going to confront someone. He said it was late, the semi was running, the lights were off and it was parked in the wrong direction on the wrong side of the street. He said when the police arrived the officer slowly drove by but did not come to a complete stop then proceeded to put his spotlights on my home and several homes down. He said he continued to Highland Avenue, turned around, came back, and never even stopped; the car hauler continued to do this for several more hours. He said a large semi running is very load and the hydraulics taking the cars in and out was more; I don’t think that situation was handled correctly.

Mr. Norrod said I would address the zoning and the road department on this; first I live near the Greene County line and just a few months ago on Kitridge a man was killed by running into a semi parked illegally on the road. He said the neighbors do use that as a convenient parking spot for parties and whatever before Union Schoolhouse gets very narrow there. He said I think a sign should be placed by the road department that says “no commercial vehicles; parallel parking only” and that would maybe take care of the problem at that location. He said coming from Valley Street as you continue up Union Schoolhouse Road past the boulevard there’s not any white striping on the right hand side of the road coming down the hill; the residents park there which is fine but every time they open a door they are in danger. He said we also have a bicycle trail and there are lots of bicycles coming down the streets; the bicycles try to get over but we have a lot of cars passing on both sides. He said on Union Schoolhouse Road if anyone blocks the sidewalk with 2 cars, you have to walk out in that area to walk down the sidewalks and as you know when you get down to the boulevard there are no sidewalks so you have to cross the street. He said I think it would be a very good idea in the interest of public safety if a white stripe would be painted down that side; I think the expense would be very minimal for the safety of our community.

Mr. Norrod said to address another problem on Union Schoolhouse Road, this is a waste of the Police Department’s time and it could save lots of money; there have been a lot of cars for sale on Union Schoolhouse Road, they are parking in the wrong direction at a 45 degree angle, and the officers have been ticketing these cars. He said they spend 30 minutes or longer putting stickers on the windows telling people they are going to get their cars moved. He said again, a sign placed stating “parallel parking only; no commercial vehicles”; I think that would take care of the Police Department’s time and effort and free your officers up for more urgent needed services. He said at the corner the service department could stripe off 20 to 30 feet or yards there so people could see how to get out of the boulevard; they have a problem seeing out because the intersection sits so far back and they have to pull almost to the road to make a left hand turn. He said the striping would keep people from parking at the intersection on the right hand side at the new development.

Mr. Norrod said those are my grievances and I would like to know if something will be done about them. Mayor Flaute said you will have to talk to the city manager about these issues and he will be able to talk about what we can do about them. He said if you will please see the city manager after the meeting and he will address your concerns. He thanked Mr. Norrod.

Mr. Mark Tragesser of Bayside Drive said my complaint is I live next to Shellabarger Park and for some reason the city has decided to let a group of people, who don’t live in the City of Riverside, take over our park every Sunday from 9:00 in the morning until 7:00 at night 5 months out of the year; the best 5 months of the year from spring until late fall to play soccer. He said there are 76 parking spaces in Shellabarger Park and if there are 4 teams there playing 2 games and 4 more teams show up for the next 2 games and everyone has a fan, you get 144 cars. He said the park is not situated and was never meant to be an adult soccer park and the groups of people who play here don’t give the city one penny

Mr. Tragesser said I am so tired of watching them drink, throw trash in my yard, and urinate; I have pictures but I couldn’t bring them today because Kroger wouldn’t develop my pictures. He said please do away with adult soccer at Shellabarger Park, it is not suitable for 140 cars; they park next to my house and when I come home they are sitting in my front yard – a group of them, because they want to sit in the shade of my tree. He said they park in front of the sidewalk on both entrances on my street so you couldn’t walk into the park if you wanted to; they own that park every Sunday for 5 months. He said it’s not fair for people who live next to the park to have to endure this and the people who pay property taxes and city taxes can’t go to that park and walk the park or take their dogs to the park or take a child to the park because you couldn’t park anywhere if you had to. He said nobody could rent a shelter on Sunday because if they did, they wouldn’t have anywhere to park. He said it makes no sense at all to let a group, who don’t live in Riverside, run our park for 5 months out of the year every Sunday.

Mayor Flaute asked the city manager what the procedure is; why are they allowed to do that. He said I was there on Sunday and what he is describing as far as the parking goes is very realistic; I couldn’t find a place to park. He said I saw a couple people in a shelter but if they were having something at the shelter they certainly couldn’t find a place to park. He said they have referees and I was surprised that the fields weren’t torn up. He asked why they are there and how can we control this situation because there is no place to park. Mr. Chodkowski said they are there because it’s a public park and they have asked to use it and nobody else has asked to use it when they have asked to use it. He said because no one else has asked to use the park prior to their request to use the park and the fact that it is public, we allow them to use the park. He said I understand his concerns and the police continue to patrol; we continue to try to have a presence there and we have been unable to identify the illicit activity that he alleges occurs. He said the fact that you have pictures, if you would bring those in we will see if we can address that particular issue; as far as the parking goes, we can take the necessary steps to limit the parking to the paved areas only but understand they will respond accordingly which means those folks will park on Torledge and Bayside and Barrett and Travis. He said there are other events that occur in that park and if we are going to restrict parking for these individuals because they are not parking on paved surfaces, other folks are going to have to abide by the same terms and conditions. He said while I understand your frustrations, we are allowing the park to be utilized in the way it is intended to be utilized and the fact that it is a public property. Mayor Flaute said you don’t have to be a resident or anything. Mr. Chodkowski said I don’t have to be a resident to drive on a Dayton Road; that’s public and I don’t pay taxes there. He said I don’t pay taxes to Huber Heights but my daughter plays soccer there.

Ms. Campbell asked if it was legal to drink there. Mr. Chodkowski said it is legal to drink there if we allow you to drink there; they don’t have permission to drink there and when our police officers have been there, they haven’t been able to observe anyone breaking the law just drinking alcohol.

Mr. Tragesser said I watched them put trash bags in the cans 2 weeks ago and there were 100 beer cans in that trash, minimum; you can’t tell me they brought their beer cans there to dispose of in our park. He said it makes no sense to me that because no one reserved the park that this one group can literally own our park for 5 months; what about the citizens who want to walk their dog, do we have to reserve the park to walk our dog or take our kids to the park. He said nobody gets to use the park on Sunday except this one group and it’s not fair to the citizens of Riverside; that’s a monopoly and it makes no sense. He said I watch this group constantly; they are forever honking their horns, screaming and yelling and I’ve not seen one police cruiser go through that park. He said there’s no way he could drive in and turn around. He said I haven’t seen a single police cruiser in the last 4 or 5 weeks in that park and I don’t want to call the police because I waste all their time every time I see somebody urinating or drinking; I saw someone drink 12 beers the other day and the only good thing is he let someone else drive him away.

Mr. Smith said didn’t we enact legislation a couple years ago about commercial leagues in our parks. Mr. Chodkowski said what you asked us to do is create a policy and a procedure that would provide precedent to youth sports over adult sports in our parks which is what we have done. He said in this instance as I indicated earlier, there is no other requests that the city has received, period, for youth sports to use that park on those days during those times so because no other youth organization wants to use those facilities and they signed all the appropriate forms and they provide all the appropriate information we request from any other group, they are allowed to use the park.

Mr. Tragesser asked the city manager if he thought it was appropriate when the St. Helen’s Youth Soccer Association brings their children’s goal posts out and lines the field for the children that they turn around, show up on Sunday, tear the goal posts out of the ground and go over all their lines with new lines. He said they just throw St. Helen’s goal posts to the side and put their own up.

Ms. Campbell asked if there was anyway we could have the officers go through there and check it out to see what’s going on. Mr. Chodkowski said what I would encourage is if you see illicit activity, call the police. Mr. Tragesser said I don’t want to be a nuisance to the police. Mr. Chodkowski said the only way we can solve the problem is if we have documentation that the nuisance exists and the only way that occurs is if you call the police and we can witness it. Ms. Campbell said you won’t be a nuisance you will be a concerned citizen; don’t worry about it and make the call.

Mr. Fullenkamp said we talked about this last year; who is allowed to go and reserve parks for a long period. He said am I allowed to say I would like to reserve Shellabarger Park for 5 months during the summer. Mr. Chodkowski said just to use the park whenever you want to. Mr. Fullenkamp said me, my friends, and the neighborhood. Mr. Chodkowski said they provide all the information we ask any youth organization to provide; they fill out the form, they follow the rules, they provide a schedule, they have insurance where we are named as an additional insured. Mr. Fullenkamp said I think we need to revisit this a little bit in terms of how we specify things; I think the parks should benefit our community and the residents of our community as much as possible. He said I understand what Mark is saying and there does seem to be an intensity of this activity that’s inappropriate for Shellabarger; we may have better parks for this sort of activity that would work out better and not impact the neighborhood so much. He said I think we need to talk about it but we aren’t going to change anything this year.

Mr. Tragesser said the park is just inadequate; it’s much too small for 170 cars to show up, then these people loiter and one group wants to hang around for the next group and there are three other groups of people there all of a sudden. He said the park was never intended to be that crowded and the same groups of people own that park every Sunday. He said my wife works 6 days a week and that’s her one day off.

Ms. Campbell said let the Police Department patrol a little bit more and see what’s going on. She said maybe they can catch them doing some of this stuff and see what happens; give the police a chance to see the situation.

Mr. Tragesser said I’m looking towards next year; hoping someone says they can play at a different park because this one is not adequate for 300 people gathering every Sunday for 5 months.

Mayor Flaute thanked Mr. Tragesser for his comments and said we’ll see what we can do.

**ITEM 16: COUNCILMEMBER COMMENTS:** Deputy Mayor Denning said I would like to thank Mr. Bob Turner for doing his year and a half to two years as Fire Chief; he’s done a fine job and I’m sure he’s happy we got somebody to fill the position.

Mayor Flaute said Tops in Blue are going to be at Nutter Center on Thursday, August 16th which is a council meeting night but they are really good. He said I was there 2 or 3 years ago and it is a fantastic concert. He said also Riverside is due for the Operation 1,000 Cherry Tree Project; as many of you know Alex came to us about a year ago wanting to do this project and we finally had a kick off on Monday, July 30th at the County Administration Building where they planted 2 cherry trees. He said we’ve got 998 trees to go and hopefully we will find places in our city to plant some of these trees so we can get the official 1,000 cherry trees planted. Deputy Mayor Denning said they could be planted along Springfield Street / Cherry Street. Mayor Flaute said a lot of them are going out to Carillon Park and we were one of the 6 communities that agreed to participate. Mr. Chodkowski asked if the trees were provided at their cost. Mayor Flaute said I believe so.

Ms. Campbell said I know they had planned to put them over by the base; cherry trees do attract birds. Mayor Flaute said I would have liked to see them in Eastwood Park but there must have been some issues. Ms. Campbell said well they want them out where you can see them.

Mayor Flaute said URS which is in our city, United Rehabilitation Services, are having their Adopt-A-Duck so if you want any more information on adopting a duck and supporting one of our great businesses, please do so.

Mayor Flaute said Lt. General Thomas Owens, many of you may have known him – he’s been around for quite a while, has retired and I went to his retirement ceremony. He said the new guy is Lt. General C. D. Moore II, so if any of you get a chance to meet him, please welcome him and congratulate him in his new post; he has a very important job to do and Lt. General Owens has just been a delight.

Mayor Flaute said I found an article in a magazine I got and it says “a no-brainer for municipalities – Re-HEAT hot in place recycling” and it’s all about the Re-HEAT process. He said the article is in The Municipal and if anyone wants to read about it, it is a short article. He said I want to congratulate you guys on being out in front of this; it’s pretty new and it’s been used in Chicago, Milwaukee, and Marietta but not many have used it in Ohio, so we are out front and we are doing what’s good.

**ITEM 17: ADJOURNMENT:**  A motion was made by Ms. Campbell to adjourn. Deputy Mayor Denning seconded the motion. All were in favor; none were opposed. The meeting was adjourned at 8:37 p.m.

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William R. Flaute, Mayor Clerk of Council