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

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

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

**ITEM 3: EXCUSE ABSENT MEMBERS:** Mayor Flaute said Mr. Fullenkamp called yesterday to say he wanted to attend the Lilly Creek meeting but he emailed me today to let me know his Mother is in the hospital. He said Mr. Fullenkamp won’t be able to make either of the meetings. A motion was made by Mrs. Reynolds to excuse absent member Mr. Fullenkamp. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 4: ADDITIONS OR CORRECTIONS TO AGENDA:** There were no additions or corrections to the agenda.

**ITEM 5: APPROVAL OF AGENDA:** A motion was made by Mrs. Reynolds to approve the agenda as submitted. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 6: WORK SESSION ITEMS:**

1. Discussion: Fair Park Bridge

Mr. Chodkowski said pursuant to council’s request, council wanted an opportunity to discuss what the best option was as far as the future of the Fair Park Bridge as it relates to the city’s involvement with it’s current condition. He said council has received several pieces of information from his office about the bridge and the possible options that are available. He said in addition to that, we also sent out a survey to the residents of the Floral Park community and a color coded map has been provided in the packet as to where the responses came from.

Mayor Flaute said Mr. Sam Clark of Clarewood has asked to speak about this item.

Mr. Clark gave a lot of history about the bridge and said they wished they could get the bridge put back in and big enough to clear the water. He suggested putting in two tiles and laying the bridge over the tiles. He said the children have to walk about ½ mile to get on the school bus. He said he knows money is tight but the bridge was put in too low to start with. He said when he moved here in 1946, this was a farm ditch but when they built Page Manor, Beverly Gardens, K-mart, and all the other plats it became a storm drain.

Mr. Clark said he has been ill, which is the reason he had not been coming to the council meetings but if council could help him on this bridge he sure would appreciate it.

Mayor Flaute asked if we put a tile in instead of the bridge would that help us in the flood plain at all. Mr. Chodkowski said the proposal Mr. Clark is talking about is basically putting in a 72 inch hexagon tile similar to the one that is the bridge on Smithville where improvements were just made to the bike path. He said they would dredge out the creek to drop the tile in flat and the road would go right over the top. Mayor Flaute said so there would still be a bridge. Mr. Chodkowski said correct.

Mayor Flaute asked if the tile would cost less to put in than to put in a bridge. Mr. Chodkowski said the hexagonal tile would be a more expensive repair because we would have to remove the existing structure; an estimate was provided by the engineer and it would be close to $500,000. He said to use the existing bridge abutments and supports would be a repair around $300,000. He said those costs are based purely on engineering estimates and finding a solution to the transportation problem. He said all of that could become convoluted once we start talking to OEPA, ODNR, and all of the folks that go with that.

Ms. Campbell asked if the bridge was being used now. Mr. Chodkowski said only for pedestrian crossing. Ms. Campbell asked how long that had been going on. Mr. Chodkowski said since July. Ms. Campbell asked if there had been many complaints about it. Mr. Chodkowski said he has had two reoccurring phone calls from Mr. Clark and Ms. Fairchild. He said Ms. Fairchild commented that it was nice to have the bridge closed since people were using the bridge to cut through the neighborhood, but now they are cutting through on Byesville and she is getting even more traffic in front of her house.

Mayor Flaute said when he walked the neighborhood, responses were half and half; and the survey was 62% replacement and 45% remove or make a pedestrian bridge. He said those numbers are close. Mr. Denning said it also means you have about 200 residents that don’t care either way. Mr. Chodkowski said there were 362 addresses that we mailed to and 51 came back vacant or abandoned. Mr. Denning said so there were 311 people that saw the letter and we got 106 letters back.

Ms. Campbell asked what happened to the bridge. Mr. Denning said it just got old. Ms. Campbell asked if anyone talked about fixing it before it got so bad that it was unfixable. Mr. Chodkowski said we have done maintenance; it is simple but sturdy construction and every couple of years it is sandblasted and repainted to protect the steel. He said now there is heavier wash and more debris in the creek and that’s what happened in this instance. He said it was due for the maintenance cycle but before we could get to it we had a heavy rain in the spring which caused more debris that knocked out chunks of the steel. Ms. Campbell asked who was supposed to pay for that, the city. Mr. Chodkowski said yes.

Mayor Flaute said there are some options; his thought is, there is an emergency bridge fund that we could put in for and we could put 10% or $30,000 down on it. Deputy Mayor Smith suggested 20%. Mayor Flaute said we can do any percent we want and the city manager has indicated that the more we put down the better chance we have; but being that it could go either way, he suggests 10% or 15% and if it gets turned down at least we would have something in the pipe. He said maybe they will come back and say we need 5% more or something like that. He said it’s not like Issue II where you only get one shot at it; they are an emergency bridge group and he would hope they would come back and tell us what we need to put down. He said in the meantime we would be able to tell the residents that we are at least trying and it would delay our decision a little bit.

Ms. Campbell asked if that was on the well field. Deputy Mayor Smith said no. Ms. Campbell asked if it was part of the Ingleside/Marianne we’ve been trying to get fixed. Mayor Flaute said no. Ms. Campbell asked why we couldn’t do something like that over there; they are on a well field and that would pay half of it. Mr. Denning said that is not a bridge. Ms. Campbell said same difference, it needs done.

Mr. Chodkowski said the OPWC fund the Mayor is referring to is not just for bridges; it is for all emergency transportation projects statewide.

Mrs. Reynolds said if we are looking at the cheaper fix for $300,000, what would be the life span of that repair. Mr. Chodkowski said provided that the maintenance was regular; it wouldn’t be dissimilar to this bridge – 50 years. Mrs. Reynolds said in reading your memo that was sent to Mr. DeCerbo on the school traffic; she knows Mr. Clark is concerned about the children but as best as she can see they are not walking ½ mile to get to the bus and with the closure of the bridge, it has actually made it more safe for the children. Mr. Chodkowski said correct, according to Mr. DeCerbo; as it was explained, the buses come in either off Glendean or off Fair Park and at the bridge, they turn right to head out to Smithville. He said at the bridge intersection is where the bus stop is and folks that are cutting through the neighborhood to avoid going to the intersection at Springfield/Smithville are driving around that blind curve when kids are loading into the bus. He said people have to stop short because they can’t see the bus around the curve. Deputy Mayor Smith said they should move the bus stop. Mr. Chodkowski said he isn’t arguing that is a plausible solution to that particular issue but the school has had that stop for a number of years and it was Mr. DeCerbo’s opinion that as long as the folks that are south/southwest side of the bridge had the ability to walk across the bridge, it was a better safety issue than if the bridge were to remain open for vehicular traffic. He said Mr. DeCerbo’s statement was that they never take buses up to those streets to begin with; the roads are smaller and the radiuses aren’t as well defined as they are in newer neighborhoods.

Ms. Campbell said maybe we aren’t thinking on the right track; over where the flooding is, it was going to cost $300,000 which the well field was going to pay half and she thought the rest was going to be assessed to the taxes over a 20 year period. She said there was a grant for that; what about Lilly Creek.

Mayor Flaute said that was his next question; the Lilly Creek project you have been talking about with soil conservation would have no affect on this whatsoever, correct. Mr. Chodkowski said no; these folks were already part of a Lilly Creek improvement project and were assessed for improvements back in the 1980s. Mr. Schock said that’s when they did that bridge on Smithville. Mr. Chodkowski said right, when they put in the sloped headwalls and concrete embankments – that was all part of that project. Ms. Campbell asked if they were still paying for that. Mr. Chodkowski said he believed that project was all done by the county engineers. Ms. Campbell said is Lilly Creek the same thing. Mr. Chodkowski said the current proposed Lilly Creek Project would be under Soil & Water; it is all part of the same creek but this is a different section. Ms. Campbell asked if they are still assessing that out of the people’s taxes. Mr. Chodkowski said he didn’t know how that project was financed, whether the county paid cash or bonded and didn’t bother to assess residents; he didn’t know how it was handled. Mr. Schock said there was no assessment; the county took care of it totally and the flood in 1979 pretty much prompted it.

Ms. Campbell said when they assessed the residents in her plat to put in sewers it was supposed to be for 20 years but it’s been about 40 years – don’t they owe us some money; we’re still paying for it. Mrs. Reynolds said there isn’t an assessment on her taxes. Mr. Chodkowski said every assessment has a code and we can look at what you are being assessed for, but no one in the City of Riverside to the best of his knowledge is being assessed for storm water. Ms. Campbell said it is for the sewer and before her house was built; she has been there since 1980.

Deputy Mayor Smith asked what the life expectancy of the $300,000 repair is. Mr. Chodkowski said about 50 years. Deputy Mayor Smith said that’s a pretty good bang for the buck.

Mr. Denning asked if that would handle a 100 year flood; what he heard earlier is that part of the problem was caused by so much debris getting in there and beating on the bridge. Mr. Chodkowski said correct. Mr. Denning said so will we have the same issue in 10 years where the bridge is getting beat up again; if we do the same thing as before, we will probably get the same result. He said the question is do we want to spend a little extra now so we don’t end up with the same problems.

Deputy Mayor Smith said he grew up in that plat and as kids we played in the creek; there were cars in the creek and everything imaginable. He said the heavy rains have washed that stuff out and he didn’t think there was debris other than trees in the creek anymore. He said he thought if there was a continual dredging program where the bank was cleaned out every so often, the problem would be eliminated. Ms. Campbell suggested each homeowner do their section. Deputy Mayor Smith said they can’t get to it through all the trees.

Mr. Denning said his thought is if we are going to fix it, he would like to see it fixed right; he doesn’t want to see just a patch over it. Mayor Flaute said if we fix it right upstream around Shellabarger Park that could help too. Mr. Denning said its all additive and he agreed but if we are going to fix the bridge, let’s fix it right – find out what the correct answer is before we just decide what dollar value we are going to throw at it. He said we know what the least expensive version is and then we have another cost but what’s the best answer. Mayor Flaute said if we put a tile in the stems and leaves are still going to come down and hit the tile. Mr. Denning said he’s not disagreeing with any of that; he just is asking what’s the best answer from an engineer’s view – if an engineer says what was there is the best answer, then he is fine with that. He said if the answer is the same whether its tile or the less expensive way, he is fine with that too. He said he needs more information to make a final decision.

Deputy Mayor Smith said he thought we should go back to what we have and put it on a maintenance plan. Mr. Denning said we have it on a maintenance plan. Deputy Mayor Smith said did we. Mr. Chodkowski said we didn’t have a maintenance plan; you have to understand there just aren’t sufficient resources to do regular, preventative, proactive maintenance; basically maintenance is done when it rains and debris clogs it up. He said we go and clean it out. He said the county inspects all bridges once per year as well and when you see the rating number start to drop, that’s when it gets on our radar. Mr. Denning said so we are reactive and not proactive.

Ms. Campbell said can’t we get a group together like Health & Safety and when it starts to look like its backing up, go out and clean it up. Mr. Chodkowski said he believed that section suffers from the same situation as other sections – it’s all privately owned.

Mrs. Reynolds asked if council had determined if they want a bridge there or if they want to make it a pedestrian bridge; what’s more beneficial to the community. She said she hasn’t heard that yet and her concern has always been for the children, understanding from Mr. Clark that the children were walking around, making it a farther walk and unsafe. She said according to what the city manager stated from information he got from the school transportation director; she’s looking at if we open that back up, we go back to the blind spot again and that’s confusing. She said it sounds like we would be going back to making something more unsafe. Ms. Campbell said if you are going to spend the money to make it better, can’t it be moved a bit to avoid the sharp turn.

Deputy Mayor Smith said he thinks they should move the bus stop; just because it’s been there 50 years doesn’t mean it has to stay there. He said when you look at the map the majority of the people southwest of the bridge want it replaced. He said on the northeast side it is kind of sporadic; some want it removed or want a pedestrian bridge. He said the majority on the other side of the bridge who want to get to Springfield Street want the bridge reopened.

Mrs. Reynolds said in looking at that and talking about moving the bus stop, which is something we can’t decide, but logistically speaking Glendean is the only way they can come into that plat. She said it’s a school board issue but if this bridge has created a blind spot; is it a blind spot just for the school buses or is it a blind spot for everybody. Mr. Chodkowski said it’s a blind spot for everyone, especially if you are trying to cut through because there is no traffic control until you get to Fair Park/Byesville which is where the first stop sign is. He said you can come right into that corner coming off of Smithville and our traffic counts indicate significant traffic over that bridge relative to its location; traffic counts are in the 900s daily which would mean every resident of the subdivision who makes a trip to or from their home drives over that bridge. He said he finds it hard to believe the folks on Planters or Somerset drive all the way around and go over that bridge, so the traffic count indicates it’s being used as a cut through. He said he is not surprised by the responses on Bluebell and Opperman because they are the residents that are the most inconvenienced and he doesn’t discount the fact that those folks would like to have the bridge replaced. He said he asked for the map to be plotted because he thought we would see a clear delineation that everyone on Fair Park and north of the bridge would want it closed but it’s not that way at all.

Mrs. Reynolds said Mr. Denning makes a good point; maybe we need to have someone look at this and see what exactly we need. She said we have everything the city manager has given us. Mr. Chodkowski said we can tell you the low and the high end but whatever bridge goes in will have to be cleared by several other agencies. Mrs. Reynolds said it could be from $300,000 to $500,000. Mr. Chodkowski said right.

Mayor Flaute said so that’s $30,000 vs. $40,000 or $50,000; but we need to make a decision on whether we want to open the bridge or not. Deputy Mayor Smith said he thought the bridge should be opened. Mr. Denning said the first thing is what do we want to do and the next thing is we will probably be told at what level we will have to participate. Mayor Flaute said this is an emergency fund so we can’t be waiting around much longer. Deputy Mayor Smith said he couldn’t see spending $50,000 for a study for a $300,000 fix. Mr. Denning said he wasn’t talking about a study. Mayor Flaute said that would be part of the fix. Mr. Chodkowski said basically if we get authorization on the bridge’s construction under the 100 year flood limit then the $300,000 fix is probably more realistic. He said in the event that there is a requirement from county and state agencies that we increase the flow beneath the bridge, there are a couple ways volume could be accommodated without addressing the buttresses of the bridge. He said he assumes the county engineer has considered that.

Ms. Campbell asked what the bridge on Smithville cost. Mr. Chodkowski said that bridge is in Dayton. Ms. Campbell asked if the people coming out of the plat could see the traffic on Smithville; you could make more of an angle in the road there so people could see up the hill. Mr. Chodkowski said southbound traffic is a little different only because there is a stop sign at Fair Park/Fairfax right in front of the bridge; so that condition is a little different than the northbound condition where there is no stop sign. He said you can see up the hill on Smithville from Fair Park. Ms. Campbell asked if there were grant funds available to tear this all down and redo it. Mr. Chodkowski said there are always grant funds available but the problem is the pot is shrinking and more and more people are asking. Ms. Campbell said if we could hold off on this a little at least there would be grant money. Mayor Flaute said not if we want to go for emergency bridge funds; if we want to go for those funds, we really need to move now.

Mr. Denning said if we are thinking about redoing the bridge at all then he thinks we need to put in our application and see where it goes and if it doesn’t go then we can sit back and have another discussion to see how much we are willing to put into this pot. He said there are 300 residents and at $300,000, that’s $1,000 per resident we are putting into repairing that bridge, just looking at dollars and cents.

Ms. Campbell said if we can get emergency funds for that; we should be able to get emergency funds for Ingleside/Marianne because they flood and their basements have sump pumps on all the time.

Mr. Denning said this is just to replace the bridge; he thinks they need to make a decision and move forward. Mayor Flaute agreed.

Deputy Mayor Smith said the longer we delay, the more it looks like to the state that it’s not that important. He said we should have got on this a long time ago and if we are going to apply, we need to do it now. Mr. Chodkowski said there were serious and significant reasons we waited.

Mayor Flaute said correct and number one is, do we even want to replace the bridge. He said one of the things he has heard is that the traffic from Radio Road has decreased which is good for the neighborhood. Mrs. Reynolds said that has been very good for the neighborhood.

Ms. Campbell asked if we could wait until the next meeting to decide on it. Mayor Flaute said he didn’t think they should. Deputy Mayor Smith asked what would happen between now and the next meeting that would change her mind. Ms. Campbell said she is curious about other places we could get fixed like that. Deputy Mayor Smith said the issue at hand right now is this bridge; that’s what we need to stay focused on. Ms. Campbell said what about Ingleside. Deputy Mayor Smith said that’s not the issue today; we are trying to resolve the bridge issue.

Mr. Schock said he has been around this area as long as he can remember and he thinks we should go ahead and move forward to seek emergency funds to replace the bridge.

A motion was made by Mr. Schock to seek emergency funds to replace the Fair Park Bridge. Deputy Mayor Smith seconded the motion.

Mayor Flaute asked the city manager if council needed to determine how much the local match would be. Mr. Chodkowski said most of the information to apply can be assembled in house but he wants council to understand what they will take into consideration: first is the nature of the emergency – it must be due to an unforeseen natural or catastrophic event, we must provide a description of the project and the reason for the emergency which would include loss of vital or emergency services requiring an unreasonable delay or detour and is the problem a result of neglect or inadequate maintenance or poor planning, if so it is not eligible for emergency funding; aging or normal deterioration is not eligible for emergency funding. He said right off the bat he thought we would hit 50% of that requirement. Mr. Schock said he disagreed; he thought we could pump that up a little more because of the water that is coming into that area from Greene County into that creek to prevent street flooding. Mr. Chodkowski said where we are going to lose traction with this is emergency services can access the southwest portion of Floral Park without a significant or serious delay – an extra 30 seconds to 1 minute is not necessarily significant. He said the fact that it was caused by a natural disaster could clearly be defined; this was caused by debris washout.

Mr. Chodkowski said second is alternate infrastructure: is other infrastructure available to compensate for the failed system – an alternate route around the unsafe bridge or road. He said yes, there is. He said the application asks if there are other funding sources available and if we have contacted those potential sources. He said the Municipal Bridge Fund is available and there are significant cash resources available to the city to address this issue without the need of funds from OPWC. He said the application asks how long we have been aware of the problem which refers to the overall aging structure of the bridge. He said we’ve known that the structure has been deteriorating but it hasn’t been at an advanced rate from any other structure that we know is similar. He said it asks about fiscal capacity – does the applicant have a capital budget; we do not. He said it asks what the applicant’s capacity is to borrow; ours is quite high. He reviewed further requirements such as maps and photos and conditions in and around the bridge.

Mayor Flaute said we still have a shot at it. Mr. Chodkowski said he just wanted council to understand the criteria we have to meet.

Mr. Denning said we are probably not going to get the emergency funding from what he sees; unless we are just going to go through the process to say we are doing something which he detests. He said if we are going to do it, let’s move forward and if we are not going to do it, lets just be done with it because we are wasting staff’s time filling out paperwork and going through the motions. He said if it doesn’t meet the criteria for the emergency fund, the next ones available are Issue II or ODOT funds. Mr. Chodkowski said the Municipal Bridge Fund. Mr. Denning said it would take us five years to work through that process. Mr. Chodkowski said right; if the grant was awarded today, the cash would not be available until 2016.

Mayor Flaute asked if we could do a 10% match on that. Mr. Chodkowski said minimum match is 20% and the bridge qualifies but is not currently eligible. He said we can simply call them and say we want to make this bridge eligible. He said this would be due the first of the year and funds would be made available 1/1/2016.

Mr. Denning said if we put in the application and as time progresses, we do another survey before construction and find that people have changed their mind and don’t necessarily want the bridge; can we pull out or are we stuck with doing the work. Mr. Chodkowski said you can decline to accept the funds; they have a priority project list and someone else would slide in to take our spot and then you could reapply. Mr. Denning said he thought once people got used to it and you are able to explain that its safer for the kids, people are going to be happy with the way things are.

Ms. Campbell asked if Ingleside would be considered a safety issue when they flood, have mosquitoes, the kids are ankle deep in water, and they have to drink muddy water every time it rains. Mr. Chodkowski said while it may be a safety issue; it’s not in the nature of an emergency condition. Ms. Campbell said it’s been an emergency for the last six years and we’ve been trying to get something done.

Mayor Flaute asked if the paperwork would be about the same for both grant applications and could we apply for both. Mr. Chodkowski said you could but there will be consultant fees involved in preparing the applications – anywhere from $2,500 to $5,000. Mr. Schock said he didn’t know there would be consultant fees; he thought this was something our street department was doing. Mr. Chodkowski said with the exception of one Nature Works Grant application he prepared several years back, all other grant applications are done by LJB or Alt or a firm that we hire as a consultant for technical purposes on these projects.

Mrs. Reynolds asked if there was any chance of some gratis work. Mr. Chodkowski said very minimal. He said we can always make the application without utilizing a consultant but he would say an application prepared by a professional firm stands a significant greater chance of being funded than one that is prepared in house.

Mr. Schock said then going back to the emergency fund which he thought would be a little easier to get, evidently it’s not. Mayor Flaute said he wasn’t sure we knew that. Mr. Schock said according to the criteria the manager just read, we are going to be wasting a consultant’s time and our money to apply for the emergency fund. Mr. Chodkowski said as far as the emergency fund, we would have to submit a packet that basically explains our situation. He said perhaps he and Mr. Miller could do that. Mr. Schock said he likes that idea because it’s free; start knocking the opportunities away and if we don’t get that one then we can go to the next one. He said the next one is going to cost us money.

Mrs. Reynolds said the thing that concerns her and concerned her before about the emergency fund approach is the Director of OPWC has the sole authority to approve or not approve this application. Mayor Flaute said the county has something to say about this don’t they. Mr. Chodkowski said no; it’s submitted directly to the state, it is processed by their staff, and it is given to the Director. He said it is an administrative grant; not by committee. Mrs. Reynolds said she didn’t know what we would say in this application that would generate an emergency. She said we looked at the criteria the city manager just gave us – what they deem an emergency and we clearly do not meet all the criteria. She said there is only $2.5 Million set aside statewide for projects and if there is a project submitted that clearly meets all the criteria, we are not going to be funded this way. She said if we determine we need to fix that bridge, we need to take the route that we think we can be the most successful at and she just doesn’t see the emergency fund as success for us. She said she didn’t want the OPWC Director and his staff to think we just threw something together, that’s not what we are about. She said OPWC has seen a lot of applications from us and they know the quality of our work; she thinks we need to think about the Municipal Bridge Funds if that’s what we determine. She said it will be a while out but as Mr. Denning commented, if we determine that’s not what the community needs at the time, we don’t have to take the funds.

Deputy Mayor Smith asked if the project could be funded through municipal bonds. Mr. Schock said that would be the easy way. Deputy Mayor Smith asked what the pay back of return would be on that. Mr. Chodkowski said he would have to run the numbers but nobody is going touch anything for less than a million dollars so it would be a cash project or you would have to wrap it in with the sale of bonds if we decided to bond the Harshman Road project, for instance. He said the current rates over a 10 year period - $400,000, so if you added this in our total annual payment would be $410,000 or $420,000; a half million on $4.5 Million isn’t going to be a whole hill of beans.

Mr. Schock withdrew his motion to apply for emergency funds. Deputy Mayor Smith withdrew his second to the motion.

A motion was made by Mr. Schock to research further grant funds available for the Fair Park Bridge. Ms. Campbell seconded the motion.

Deputy Mayor Smith said he thought all the research was in front of us - the grants are available, it’s just which one do we want to apply for.

Mr. Chodkowski said his suggestion is that maybe the best alternative is to apply for the Municipal Bridge Fund and make the application in January 2013. He said we have the Harshman rehabilitation and Valley intersection project hopefully coming next year; we’ve been recommended but the state has not blessed it, so we are waiting on that. He said there is the issue of Burkhardt Road; the need to begin heavy maintenance which we are trying to accomplish based on the current budget; and in 2012, we are going to need to start having the revenue discussion and how to address revenue needs for the city long term. He said between now and January 2013, council will make a definitive decision on how revenues need to be addressed and what capital priorities are. He said when the bridge funds would become available, assuming that we would pledge a greater percentage, we would be in the right position to provide funds at that point in time.

Mayor Flaute said the manager is suggesting we apply for the Municipal Bridge Funds. Mr. Denning said in January of 2012 or 2013. Mr. Chodkowski said January 2013; unfortunately most folks are getting ready to phone it in to the new year. Mr. Denning said then it would be 2017 or 2018 before we would get the bridge started and/or finished. Mr. Chodkowski said correct. Deputy Mayor Smith said if the residents got used to not having the bridge, they may not want the bridge.

Mayor Flaute said let’s go back on history a little bit; the Dora Street Bridge we thought was a piece of cake and everybody would love the closing. He said they did at first but it became very obvious they didn’t like it and that could happen with this project. He said if we do as the manager is suggesting, will it cost us to have the application done or would we do it in house. Mr. Chodkowski said we wouldn’t do that in house; it would be a technical application.

Mrs. Reynolds said that would be a small amount when you consider the magnitude of this program. She asked if we had applied for bridge funds before. Mr. Chodkowski said not to his knowledge. Mrs. Reynolds said this will be a good piece to see how the application actually goes through and what’s required. Mr. Denning said he was sure we would have other bridges in the city that are getting to that point and we won’t have to reinvent the wheel to apply for them.

Deputy Mayor Smith said what he doesn’t understand is we make a decision to buy an ambulance at $147,000 and pay cash or buy a new fire truck and pay cash; here we are looking at repairing a bridge and we don’t want to pay cash for it. Mr. Chodkowski said there are different things to consider and it basically boils down to we have to have an ambulance. He said the two reserve medics we keep in service that are operated by the part time division are self sustaining. He said the $147,000 we budgeted this year, while we budgeted for the full amount we actually have a SAFER Grant pending for 50% of the medic. He said everybody has benefit of the medic; not everybody has benefit of the bridge. He said council has to understand that his job is to plan long term so based on commitments we have already made for capital items, equipment or infrastructure, after December 31, 2012 there is only enough cash reserves left to operate the city for one more year. He said everything you take cash wise from the reserve, limits our operational ability in 2013. He said he understands they want to address the bridge today but he’s encouraging them to do so in a planned and structured way so in the event things do not go as we hope in the next year and a half, we are in a better position to react and plan than if we just simply look at the account today and just say there is plenty of money so just spend it. Deputy Mayor Smith said he saw the point.

Ms. Campbell asked if Valley Street was still in the plans. Mr. Chodkowski said there are tentative plans on how to address Valley but it has not been put forward as a priority project by council. Mayor Flaute said the intersection will be done. Mr. Chodkowski said as much as people want Burkhardt to be done, as much as people want the Fair Park Bridge to be done or Spaulding Road – there is currently not enough money. Ms. Campbell said if there’s not enough money then why are we discussing this. Mayor Flaute said that is why the manager is suggesting we do it in an organized way.

Mr. Schock withdrew his motion to do further research and Ms. Campbell withdrew her second.

With no further discussion, a motion was made by Mr. Denning to apply for the Municipal Bridge Fund due January 1, 2013 as recommended by the City Manager. Mr. Schock seconded the motion. All were in favor; none were opposed. **Motion passed.**

**ITEM 7: RECESS:** The Council took a recess at 7:08 p.m.

**ITEM 8: RECONVENE:** The meeting was reconvened at 7:30 p.m. Mayor Flaute said before we have the pledge he wanted to point out that we have an historical day today – the day we are leaving Iraq. He said we defended our flag, we defended our country, and there were a lot of lives lost but it happened today, we are out of Iraq. He said after the pledge we will have a moment of silence for all our Military Troops.

**ITEM 9: PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:** Clerk of Council Mary Ann Brane led all those in attendance in the pledge of allegiance.

**ITEM 10: MINUTES: Consider approval of the minutes of the December 1, 2011 Council meeting.** A motion was made by Mr. Denning to approve the minutes as written. Mr. Schock seconded the motion. Five were in favor; one abstained – Mrs. Reynolds. **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.

(2) Monthly Reports

* 1. Fire Department
	2. Police Department
	3. Service Department
	4. Planning and Economic Development
	5. Finance Department

Mr. Chodkowski said you have my report as well as supplements from staff and we would be happy to answer any questions.

Deputy Mayor Smith said going over the police report, for the month of November we had nine OVI arrests and in October we had 15; he commended the officers for a job well done. He said it’s good we are making progress on this and he thanked the officers. Mayor Flaute agreed and said he’s always amazed when he reads the reports; all these numbers represent people who are really making some interesting choices.

Mrs. Reynolds said item 7 on the weekly report about the Valley View Subdivision; have the issues been resolved on accepting the infrastructure. Mr. Chodkowski said they are in the process of rectifying those and in the event they are unable to rectify before the snow flies, they have requested to provide for a $5,000 performance bond to cover the items which at this point in time seems acceptable. He said he would anticipate legislation in February to accept the remaining private infrastructure. Mrs. Reynolds asked if it was anything serious. Mr. Chodkowski said no; cracked catch basin lids, final restoration of curb lawns, and those types of things.

Mayor Flaute said he just wanted to mention that the Multi Modal Transportation Commission is doing good work and he heard a comment from one of the members that they are so glad they are doing a lot of work. He said they want to be busy so please keep them going.

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

**ITEM 14: NEW BUSINESS**

# ORDINANCES

* 1. **Ordinance No. 11-O-482 authorizing an amendment to the master lease-purchase and sublease-purchase agreement by and among Fifth Third Bank (as lessor), The City of Riverside, Ohio (as lessee), and the Widows Home of Dayton (as sublessee), under which proceeds in an amount not exceeding $2,500,000 were used for the purpose of acquiring, constructing, equipping and improving an assisted living facility including a building addition to accommodate an additional 25 skilled nursing beds; and declaring an emergency. (FIRST AND SECOND READINGS AND CONSIDERATION OF ADOPTION)**

Mr. Chodkowski said this ordinance is to authorize an amendment to a master lease for Widows Home. He said the city acted as a pass through agency back in 2006 and the Widows Home and their financer, Fifth Third Bank, are requesting an amendment so that they can continue other projects at the Widows Home.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-482 for the first time in its entirety and approve its first reading. Mr. Denning seconded the motion.

Mr. Gillian introduced Mr. Steve Sparks from Peck/Schaffer who is representing the Widows Home and he will be happy to answer any questions council may have about the change in the agreement. He said he will emphasize though that this does not obligate the city to do anything or change the relationship of the city in this agreement; it is between the bank and the Widows Home and he suspects they are trying to free up a little more money.

Mr. Sparks said just to clarify; we are counsel for Fifth Third Bank. He said in 2006, the city entered into that agreement which allowed the Widows Home to issue debt at a reduced interest rate. He said the city is not responsible to pay the debt. He said there were some covenants in that agreement that hurt cash flow of the home and the bank has agreed to amend those covenants which will free up more cash for the home. He said this will not impact the city; it is format only between the bank and the home.

Mayor Flaute asked why they needed the city. Mr. Sparks said because the city is in the lease which states if we want to amend the lease then the city has the right to consent to the amendment, so we are asking you to consent.

Deputy Mayor Smith said basically we are a sponsor. Mr. Sparks said correct.

Ms. Campbell asked the manager to explain further. Mr. Chodkowski said as the city was the sponsoring agency for the Widows Home, it allowed the Widows Home to acquire more favorable terms to its loan than it would have been able to acquire on its own. He said since we agreed to be the sponsor, anytime they want to change the agreement, we have to sign off on it. Ms. Campbell asked if he agreed with this. Mr. Chodkowski said yes; he thought it was an appropriate thing to do. He said the city is not impacted in any way and we are not obligated, it is merely our consent to the bank and the home adjusting the terms of their deal.

The clerk read Ordinance No. 11-O-482 for the first time in its entirety and Mayor Flaute asked if there were any questions or discussion from members of council.

Mrs. Reynolds asked that the following amendments be made to the contract: Section 2 – strike the words *“or either one of them acting alone”*; and Section 4 – strike the words *“or any one of them”*. She said she thought it should be both the City Manager and the Finance Director to execute any changes; currently it says one or the other and she didn’t think that was how the city did business. She said Mr. Schock has also pointed out that *“Presiding Officer”* should be changed to *“Mayor”* on the signature line.

With no further discussion, Mrs. Reynolds amended the original motion to include changes to the contract, Mr. Denning seconded; all were in favor; none were opposed. **Motion passed.**

A motion was made by Mr. Schock to suspend the rule that dictates the number of days between consecutive readings of an ordinance. Mr. Denning seconded the motion. All were in favor; none were opposed. **Motion passed.**

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-482 for the second time by title only and approve its final adoption. Deputy Mayor Smith seconded the motion.

The clerk read Ordinance No. 11-O-482 for the second time by title only and Mayor Flaute asked if there were any questions or discussion from members of council.

Being none, all were in favor; none were opposed. **Motion passed.**

**b. Ordinance No. 11-O-483 to approve employee position titles, number of positions and pay ranges and to repeal Ordinance No. 09-O-439 adopted December 17, 2009. (FIRST READING)**

Mr. Chodkowski said pursuant to council’s approval of the fiscal appropriations for 2012, this resolves changes in the minimum wage for employees in the State of Ohio and presents the Table of Organization for updates.

A motion was made by Mrs. Reynolds to read Ordinance No. 11-O-483 for the first time in its entirety and approve its first reading. Mr. Schock seconded the motion.

The clerk read Ordinance No. 11-O-483 for the first time in its entirety and Mayor Flaute asked if there were any questions or discussion from members of council.

Deputy Mayor Smith asked if the Exhibit “A” they had at their desks this evening was the updated one. Mr. Chodkowski said yes. Deputy Mayor Smith asked if they could remove the other one from their book and Mr. Chodkowski said yes.

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

# RESOLUTIONS

* + 1. **Resolution No. 11-R-1609 authorizing the City Manager to enter into a collective bargaining agreement between the City of Riverside and the Communications Workers of America, AFL-CIO/CLC Local 4322 for the period October 1, 2011 through September 30, 2014.**

Mr. Chodkowski said pursuant to his briefing to council in executive session at the last meeting, this resolution is to authorize and agreement between the Communication Workers of America and the City of Riverside for a collective bargaining agreement covering October 1, 2011 through September 30, 2014.

A motion was made by Mrs. Reynolds to approve Resolution No. 11-R-1609. Mr. Schock seconded the motion. All were in favor; none were opposed. **Motion passed.**

 **b. Resolution No. 11-R-1610 authorizing the City Manager to enter into a collective bargaining agreement between the City of Riverside and the Fraternal Order of Police, Ohio Labor Council, Inc., Police Officers, Local # 161 for the period January 1, 2012 through December 31, 2014.**

Mr. Chodkowski said this resolution is to authorize the city to enter into a collective bargaining agreement with the Fraternal Order of Police, Police Officers Division, for the term January 1, 2012 through December 31, 2014 pursuant to his briefing to council in executive session at its last meeting.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1610. Deputy Mayor Smith seconded the motion. All were in favor; none were opposed. **Motion passed.**

**c. Resolution No. 11-R-1611 authorizing the Riverside Amateur Baseball Association to place temporary promotional signs in the public right of way under certain terms and conditions.**

Mr. Chodkowski said this resolution is to authorize the placement of temporary signage in the public right of way on behalf of the Riverside Amateur Baseball Association. He said this resolution is annual, recurring legislation.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1611. Mrs. Reynolds seconded the motion.

Mr. Denning asked if there was something we could do to write something into our existing sign ordinances to allow some of these recurring organizations to get a non-cost permit without having to bring legislation forward every year. Mr. Chodkowski said there is existing language in the code to cover this type of signage provided they were placed on private property outside of the right of way. He said the only reason the resolution is required is because they are asking to put the signs in the right of way. Mr. Denning said all he is asking for is for non-profit organizations that are approved that we accommodate that in our new sign code. He said he has seen it in Huber Heights code – its automatic, they just have to come in and get the approval and move on. Mr. Chodkowski said we can add that language if council so directed but he would encourage them that specifically for items in the right of way to maintain approval by legislative action.

Mayor Flaute said he thinks what Mr. Denning is asking is if there is a resolution we can do without putting it in the code. Mr. Denning said that’s not what he was asking; he was asking to allow the signs without a resolution. He said he saw it in Huber Heights’ code and it would make it easier for St. Helen’s and the Jaycees and the Lions; they would still have to come to the city building and fill out a permit so we know its happening, it just wouldn’t have to go through the legislative process every time – that’s what he was looking for. Mayor Flaute said we can talk about that when we work on the code. Mr. Denning said right – it doesn’t have anything to do with this one. Mrs. Lommatzsch said it will be every non-profit in the city which is why it was changed. Mr. Denning said he has seen it written in other municipalities, which is the reason he brought it up.

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

**d. Resolution No. 11-R-1612 to approve changes to the Ohio Association of Professional Firefighter’s 457 Deferred Compensation Plan.**

Mr. Chodkowski said this legislation is brought forward to approve changes to the Ohio Association of Professional Firefighter’s 457 Deferred Compensation Plan and is required by state law.

A motion was made by Mr. Schock to approve Resolution No. 11-R-1612. Mrs. Reynolds seconded the motion.

Mrs. Reynolds said under Article 10.4, Deemed Severance; could the manager explain where it states: *“..on active duty for a period of more than 30 days, the Participant will be deemed to have a severance from employment solely for the purposes of eligibility for distribution…”*. She said she thought she was missing something there. Mr. Chodkowski said he didn’t have an appropriate explanation and asked Mr. Gillian. Mr. Gillian said he couldn’t address this either but this is either an up or down thing if we want to continue to let our firefighters participate in this program. Mrs. Reynolds said she realized that. Mr. Chodkowski said we do have a meeting on December 29th; we could table this until then and have an appropriate explanation. Mrs. Reynolds said not on her account if they are satisfied with this; it just seemed 30 days severability and they are not eligible for distribution – she doesn’t know what that means; she must be reading it wrong. She read the sentence again and Mr. Gillian said he believes what it is saying is that if you are in the Military and you are on duty for more than 30 days, you can pull out your money and that is why it is deemed severance.

Mayor Flaute asked what the changes were. Mr. Gillian said this is new and in order to maintain the deferred compensation plan, we have to pass this. He said if we do not pass it, we cannot maintain the plan. Mayor Flaute asked what the affect of that would be. Mr. Gillian said our 10 firefighters that are in this plan would have to pull out. He said we’ve already passed this once for the other deferred compensation plan.

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

**ITEM 15: PUBLIC COMMENT ON NON-AGENDA ITEMS:** Mr. David Cole of Sanford Drive said he wanted to know what the procedure is that they can modify an agenda at the last minute which more or less prevents the citizens from getting acquainted with the issues that come before council; he cited specifically the purchase of property at the last council meeting. He said it was not in the online agenda and was not on the paper agenda; it was an addition at the last minute. He said council had clearly discussed this in private session and had clearly come to some kind of agreement, yet it was not on the agenda as if nobody knew anything about it. He asked what the official procedure is either through the city manager or city council to modify the agenda at the last minute. He said something that involves money might be something the citizens are interested in. He said it doesn’t happen every meeting but it happens with enough frequency that it has been brought to his attention on several occasions.

Deputy Mayor Smith said in this particular instance, we purchased this property at an auction and we had to make the funds available to pay for the property within a specified time. He said to do that, we had to pass legislation to authorize those funds. Mr. Cole said his point was that council knew about it in advance. Deputy Mayor Smith said no, we didn’t; the auction took place in between meetings. Mr. Cole said he would contend that the issue didn’t come up the day of the council meeting and it should have been in the public package as well as it should have been in the agenda provided.

Mayor Flaute said we have to approve the agenda. Mr. Schock said that’s right; we have to approve the agenda every meeting and we can change it at any given time. He said the agenda is such a variable and if new business shows up right before we come to the table, the agenda has to be amended. He said the agenda is never set in stone.

Mr. Cole said we just talked about it rarely happening but it happens enough to make it noticeable to me and you kind of agreed. He said things happen at the last minute and he understands that you do need to be able to modify it; but if the paperwork can be provided to you guys, there’s no reason it can’t be on the paperwork provided to the public or on the website. He said he doesn’t see a huge timeframe to accommodate that simple request. Mr. Schock said we weren’t aware that stuff done two days in advance wasn’t added to the website. Mr. Cole said a modification to your packet should take more effort than a packet that is available to the public; if paperwork is provided to you right before a meeting it should be here for us to read too.

Mayor Flaute said it might just be something the clerk has to do. Mrs. Brane said she does put out the revised agenda but she hasn’t been putting out a copy of the additional legislation. Mr. Cole said he thought that was very important; he can’t make intelligent comment if he doesn’t see it. Mrs. Brane said she can put out the copies. Mr. Cole said we need as much advance notice as you guys get so we can read up on the issues. Mayor Flaute said we will do what we can.

Mr. John Bragg of Pardee Pl. said he wanted to speak on the Lilly Creek project. He said he lives in the water shed and several of the council members live in the water shed area as well. He asked if Mr. Fullenkamp was supposed to attend the Lilly Creek meeting this evening. Mayor Flaute said yes but his Mother got very ill and had to go to the emergency room so he had to be with her.

Mr. Bragg asked why the meeting was intentionally scheduled the same night as the council meetings. Ms. Campbell said our meetings are always the first and third Thursdays, so we couldn’t change that. Mr. Bragg said we were told tonight that you guys chose the date. Mr. Chodkowski said that is a false statement; the leading agency is Soil & Water who contacted us to help them find a venue, they said they preferred a school within the water shed. He said we agreed to contact the school and asked what dates Soil & Water had available; we sent the list to the school, it came back with what nights the school was available, and we sent that to Soil & Water. He said they chose the dates. Mr. Bragg said they threw you guys under the bus. Mayor Flaute said we were very upset about the dates.

Mr. Bragg said the proposal was turned down tonight at that meeting; there was a large turnout that was highly irate. He said he lives in the water shed area and understands the necessity for the project; his question is what does the city plan to do further and is there another idea on how to proceed with this project. Mayor Flaute said between him and Mr. Fullenkamp as well as other council members, we are not going to let this die. He said we have some ideas of what we want to do but we had to wait until tonight happened before we can start floating those other ideas.

Mr. Bragg said a lot of the people read the Ohio Revised Code 1515; that the issue is put before that hearing and it’s voted on, basically, it’s not put directly before the public except for in this hearing. He said he felt if it was put before the public on the ballot there would be a lot more people supportive of it. He said it was more like it was shoved down our throat the way it was done.

Mayor Flaute said to keep in touch; we are staying on this issue.

Mrs. Lommatzsch said they tried to introduce the city and there was no one; the public didn’t like that. Mayor Flaute said we were thrown under the truck. Ms. Campbell said she had all the intentions of going but the Mayor said Mr. Fullenkamp was going. Deputy Mayor Smith said to bear in mind that an invitation was not extended to us.

**ITEM 16: COUNCILMEMBER COMMENTS:** Mr. Schock said he was glad this group was able to shut down the Lilly Creek project; if they didn’t, he would have tried. He said just from the feedback from the people, they did not like the way it was presented to them and they kept adding things. He said things were changed from the initial project we heard about. Mr. Bragg said here is a copy of what was mailed out. Mr. Schock asked if any of us got copies. Mr. Bragg said you are welcome to make a copy and go through it. Mr. Chodkowski said we have copies; we are actually a property owner in the watershed. Mr. Schock said he was very disappointed with the way Soil & Water handled everything. Mayor Flaute said what we heard initially at St. Helen’s to what you folks heard tonight were not the same at all and we wouldn’t have moved forward.

Mrs. Reynolds said she wanted to thank staff; it is her last meeting and it’s been an honor and a privilege to work with all of you. She said staff has all been very good to her and she appreciates that very much – thank you. She said the citizens are probably the neatest group of people that anyone could ever work with; we are such a diverse community and there’s never a moment that there’s not something good going on. She said even in all the chaos tonight there was something good going on. She thanked everyone for the opportunity to allow her to serve for four years. She said it has been her pleasure.

Mr. Schock said he didn’t run for reelection and didn’t realize this was his last meeting.

Mayor Flaute said we are going to miss you two very, very much; we appreciate your service. He said he was looking for a good quote: “Don’t cry because it’s over; smile because it happened”. He said that’s what we hope you guys will walk away with; we know there will be some memories and some hard times but this is the best darn council we’ve ever had. He presented Mrs. Reynolds and Mr. Schock with crystal plaques honoring their time in office. Mrs. Reynolds read the plaque: “In appreciation for your commitment to the citizens of The City of Riverside”. She thanked everyone.

Mr. Denning wished everyone a Merry Christmas. He said he hoped everyone has a good Christmas and we have an even better year next year than we’ve had so far this year; Merry Christmas to all; Merry Christmas to staff; and hopefully Mr. Miller, we won’t have a lot of snow before Christmas, it will wait until next year when the budget looks better and we can work on other things. He said the Jaycees did adopt 51 children Sunday and we did shopping with them. He said it was the best year we’ve ever had as well as the worst year because we had that many children that needed help. He said we were able to get them all adopted and sponsored by businesses and individuals; it cost $35 to adopt a child and we had folks on council adopt children, their families adopted children, the Dayton Towing Association, Hollis Towing, Englewood Towing – all adopted children. He said it was a very community oriented situation and really a lot of fun to watch it happen and help these children out.

Deputy Mayor Smith said he too wanted to wish staff and the public a Merry Christmas. He said it has been a great year. He said he was also involved with the Jaycees Adopt-a-Child last Sunday; he and his sister both adopted a child to go shopping and it was really nice. He said he had a young man to shop with and his sister had a young lady and they wanted clothes, not toys; it was an enjoyable time and time well spent. He wished everyone a Merry Christmas and a Happy New Year.

Ms. Campbell said she too wanted to wish everyone a Merry Christmas, a Happy New Year, and God bless you all.

Mayor Flaute said there is a meeting on December 29, 2011; he will be visiting a new grandchild in Athens, Georgia who was born last week, so Grandpa and Grandma are very excited to see him. He said he will not be here for that meeting; this is something they planned quite a while ago. He said Deputy Mayor Smith will take over and we really need all over you folks here if possible.

Mayor Flaute said he just wanted to talk about a few things that happened in Columbus last week; there is a thing call ED5 Investment and he went to a seminar on it. He said they are trying to change the way Economic Development is happening in our state and the DDC says it’s a good thing. He said the way he understands it right now is if you want economic development dollars and you are a company, you have to promise you will bring 10 new jobs. He said the ED5 changes it to a community will get 10 new jobs rather than one specific company. He said they say it is happening in all the other states and Ohio has to jump on board too. Ms. Campbell asked what it is going to cost. Mayor Flaute said if you put in $500,000 or whatever it is; you have to promise there is going to be 10 jobs in the community. He said he’s not convinced it’s a good thing but the DDC convinced him that if we don’t do it, since it’s happening in all the other states, we will be left behind.

Mayor Flaute said they also talked about aggregation; up to a year or so ago, DP&L and Vectren were not prime candidates for aggregation which means we would have cheaper electric and gas rates if we aggregated as a city. He said he did leave the council with some information on gas aggregation and there is a savings to our residents if we do this. He said he wanted to have someone come in and talk to us about it unless council really doesn’t want to do that. He said all of us are getting stuff in the mail but if we do this as a city, all you would have to do is opt out if you chose not to take part. He said it’s a discussion he believes we need to have. Ms. Campbell said it’s a fixed rate. Mayor Flaute said on this if the rate goes lower, it will go lower; a lot of time on the fixed rates, you get burned if the rates go lower than your fixed amount.

Mayor Flaute said National League of Cities has a sewer and water lines guarantee, so if you would like to pay a certain amount between $4 and $6 per month, they have a company they signed up with that will fix your sewer and water lines for free. Mr. Denning asked if that would include septic systems. Council members said no.

Mrs. Reynolds said Clarksburg, West Virginia has taken advantage of that and it has been very successful for them.

Mayor Flaute said it’s a pretty good program and unless he hears differently, we will have someone come in and talk to us about that.

Mayor Flaute wished everyone a Merry Christmas and Happy New Year; he also thanked Mr. Chodkowski and Staff for their leadership.

**ITEM 17: EXECUTIVE SESSION:** A motion was made by Ms. Campbell to enter into executive session for the purpose of discussing litigation. Mr. Schock seconded the motion. A roll call vote was as follows: Ms. Campbell yes; Mr. Schock, yes; Mr. Denning, yes; Mrs. Reynolds, yes; Deputy Mayor Smith, yes; and Mayor Flaute, yes. The council entered into executive session at 8:28 p.m.

**ITEM 18: ADJOURNMENT:**  The council came out of executive session at 8:42 p.m. and a motion was made by Ms. Campbell to adjourn. Mr. Schock seconded the motion. All were in favor; none were opposed. The meeting was adjourned at 8:42 p.m.

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William R. Flaute, Mayor Clerk of Council