

CALL TO ORDER: Councilman Maxfield called the Riverside, Ohio, City Council Work Session to order at 6:00 p.m. at the Riverside Administrative Offices, 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

PLEDGE OF ALLEGIANCE: Councilman Maxfield led the pledge of allegiance.

ROLL CALL: Council attendance was as follows: Mr. Brown, present; Mr. Denning, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, absent.

Staff present were as follows: Josh Rauch, City Manager; Kim Baker, Finance Director; Nia Holt, Community Development Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Joseph moved, seconded by Ms. Lommatzsch, to excuse Mayor Williams. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO THE AGENDA: There were no changes to the agenda.

APPROVAL OF AGENDA: Mr. Joseph moved, seconded by Mr. Brown, to approve the agenda. All were in favor. **Motion carried.**

MONTHLY UPDATE

I) Finance – Ms. Baker stated they had to update payroll with the new FOP contract. They have started reconciliations for 2023; she has been in contact with their IPA, who compiles the city's financials, and they are asking for items already. Tax assistance schedules have been established with CCA, and those dates will be posted on the website soon. She added that they have taken over the Wright Point accounting and have started billing leases and paying invoices. Colliers used to do this function, but the city is now doing it. She stated that they have closed out last year's purchase orders and are setting up new ones with the departments. Mr. Rauch added that they used to use a lot of blanket purchase orders, but are now being more deliberate to set up po's with specific vendors so that it is easier to tell what money is encumbered for as they go through the year. It is more work for the departments as they have to enter the information about what they are going to buy and from who, but the end result will be better control and accountability. They appreciate the work the departments have done as it has been a bit of learning; they have tools and the system in place to do it. A brief discussion was held on substantive versus non-substantive purchases and how those were handled.

II) Administration – Mr. Rauch stated he has been working in ClearGov on narratives for the readable budget book that includes more charts and graphs. He is through the fund summaries, and halfway through the departments along with a short summary section that will read similarly to what was produced last year. He will have the staff go through and

review it, then have a draft for council in a couple more weeks. A resolution for adoption will come before them. The numbers for the budget remain the same as adopted in December; this is just the exhibit they will use to talk about it.

III) Community Development – Ms. Holt presented a 2023 Community Development Annual Report PowerPoint presentation. She listed the highlights and accomplishments including the adoption of the Comprehensive Land Use Plan – ONE Riverside; establishment of the CRA Housing Council; presentations at the local, state, and national conferences; five zoning code updates, the citizen portal launched, and two undergraduate interns. She reviewed the planning and zoning applications from 2018-2023; the work of the boards and commissions; and code enforcement cases. She reviewed the top 10 violations for code enforcement with the top one being tall grass and weeds. She presented the economic development accomplishments for 2023 indicating the number appears small, but that is because they only counted the completely open and permitted. The projects and grants awarded include the State of Ohio Department of Development Demolition and Revitalization Program Grant, which was \$586,740, and helped to take down 4032 Linden Avenue. She stated more properties will be coming down this year with that grant. Other grants include the JobsOhio Inclusive Project Planning Program Grant, \$25,000; Federal EPA Brownfield Grant, \$8,000; and Source Water Protection Program Grant, \$1,611. Looking ahead, she stated they want to kick-off a zoning code rewrite, expand the community development staff, launch rental registration, and participate in the Children’s Water Festival. Discussion was held on upcoming development projects. Ms. Holt added that earlier today her and Ms. Lommatzsch were at the MVRPC/All Aboard Ohio workshop about the rail system that is being considered in this corridor. The meeting discussed the steps it would take to make it a reality and how the communities in that corridor can be involved.

WORK SESSION ITEMS

I) Council Handbook – Mr. Rauch stated the council handbook was first adopted in early 2022. The handbook recaps what is already in the charter and ordinances. He began by reviewing the proclamation policy that was discussed last year and is now being incorporated into the council policy handbook. Mr. Joseph stated that under special meetings that historically items were left at a member’s residence, but that no longer happens. Additionally, it states that council will be notified in 72 hours and the public will be notified in 48 hours; he asked if it was 72 hours across the board. Ms. Lommatzsch stated that is the law. Mr. Rauch added that is from what is in the administrative code for notification provisions to the public. The idea is to notify council first about the special meeting and then let the public know. Regarding the notification at the member’s residence, he interpreted that as being used when no other contact whether seeing in person or by phone that he could drop a letter off at this door as contact hasn’t been made any other way. Discussion was held on notifications to council.

Mr. Rauch stated he made minor provisions in the public participation section. The main idea is that people can speak for three minutes, time cannot be delegated to someone else,

the three minutes can be extended by the presiding officer, but that privilege should be used sparingly as the point is to keep the meeting moving. It also addresses disorderly conduct. Mr. Joseph brought up a situation about a person coming forward, hearing them and zero questions get asked because there is no back and forth, and then they vote one way or the other without really much of an explanation or giving them a chance to have discourse with the council. He stated this is one thing that has sat with wrong with him. Mr. Maxfield stated that isn't the purpose of the council business meeting. If a person wants to have a conversation, they can set an appointment or schedule a time to meet with the person they need to discuss things with and not hash it out in a business meeting. He does understand what he is saying. Ms. Fry added she thinks the reason for having a citizen comment time is for them to have an opportunity to inform council votes. It is their own discretion whether to provide any clarity on where they land on their vote. It is useful sometimes to provide that clarity, but she does not think they should obligate themselves to do that every time. Mr. Maxfield stated it is their discretion if they want to elaborate further or ask for more information. Discussion was held on tabling a vote and the opportunities that are available for discussion of an item. Mr. Rauch stated that the way they drafted this tries to set the baseline at the public comment period whether at a public hearing or an item not on the agenda. Council has different opportunities to respond to that even if not directly. He cautioned them on setting a precedent or practice on going back and forth with everyone that comes to the podium, as meeting will get really long, and it will be difficult to track how much time has passed of that three minute allotment. Discussion was held on efficiency and on things that need to be further discussed. Mr. Joseph stated he would like the ability for a person to be able to contact the city and asked to be put on the agenda. Ms. Fry stated that there are strategies they can deploy to direct citizen's participation with them. They can have one-on-one or schedule an appointment. They could have a sentence on the agenda that helps with that or on the agenda form have an area marked for those wishing to have an extended conversation. It doesn't have to be in their council handbook, but it can help. Discussion was held on the ability for citizens to comment on the council agenda.

Mr. Rauch reviewed the appointment process for boards and commissions and the changes that have taken place over the past few years. He presented a timeline on how the appointment is handled and the processes involved beginning at 100 days prior to appointment expiration. Applications are reviewed by staff to determine if there is a good fit; then staff will interview an applicant or applicants. Thirty days prior to appointment expiration, staff will recommend a candidate and the city manager will schedule an executive session to discuss applicants. Following the executive session, in the public forum council will move to issue letters of appointments to finalists. They are trying to funnel the applications and put everyone through the same process regardless of the board or commission they seek. Discussion was held about what would happen at the 45 day mark where there aren't enough applications. Mr. Rauch stated that is not addressed specifically in their handbook, but if they don't have a suitable candidate, they hold the

vacancy open and start the process again by reposting. He added that in the instance of where there are three vacancies and they receive one application, should it be a good fit, then they will try to get them seated sooner rather than wait for two more applicants to seat them all at the same time. He stated he can add some clarification to the document.

Mr. Rauch stated the last item of discussion is donations. The council has made modest donations to third party organizations in the past. This section will provide a little bit of guidance about how those donations happen and if somebody requests a donation what process should be followed pursuant to that request. All donations need to have legislative support. He reviewed the donation requests that council has typically supported. Ms. Lommatzsch stated if they are going to put this process in place, they need to take the time to send the president of an organization a letter indicating what they need to do by a certain date. Mr. Rauch stated there is not a process an outside party needs to do to come ask, part of that is deliberate because they don't have a program where the city is providing subsidy en masse to applicants. It is not a first come, first served idea. The decision on whether or not to give a donation to an organization is within council's purview. It is a policy privilege they have to give an organization a specific amount of money for a specific purpose. He added that if a new donation is going to occur; then it should come up in the context of a work session. If a member of an organization approaches a council member or a staff member, then the organization doesn't need to come to the meeting, but it should be presented by staff or council at a work session to discuss if they are willing to entertain the request, and what council thinks. This way they aren't creating an application process for third parties to apply for money from the city. Ms. Lommatzsch stated this is how it currently operates. Mr. Joseph stated this is why it is good at the end of the year to have a work session about the budget. Ms. Lommatzsch stated she is hoping there are some things that come back and that she doesn't want to close the door at the beginning of the year. Discussion was held on their current donations and how specific they get may limit them to what they do in the future. Mr. Rauch stated they created a line item called 'Public Function Support', but that line item is deliberately titled in that way as it could be a donation, but it could also mean attendance at a public function meeting or event that requires public engagement. This is to say an amount of \$1,500 has been set aside for all the public function support tasks. After they account for historical donations, council has made, there is about \$600 left. Deputy Mayor Maxfield asked if council was good with the city manager making the indicated changes and having it come before them. All agreed. Mr. Rauch stated he would get them an updated copy prior to next week and have it on the agenda.

Charter Review Commission Process – Mr. Rauch stated that there is a provision of the charter that says the city is to hold a charter review every five years and should consist of a commission of nine electors of the municipality. The city has advertised this for a few months. Mr. Dan Teaford has expressed interest and is trying to find others who may be interested. Additionally, the city attorney's office has been contacted in the event they are

unable to get nine electors for this commission if they could still do this. There is not a penalty for being unable to get nine electors for this commission. It is up to them to determine how to proceed if not enough people are found for this commission. He does not believe they will get to nine electors to meet the July 1 provision. His recommendation would be to hold at least one or two meetings with those expressing interest and presenting them with the charter changes that staff has found and combine it with what the citizens has found and run it like a charter review commission with whomever comes to the meeting. By July 1, staff will then pull together a report of the recommendations in terms of charter changes. He stated they may wish to update the charter to have a review every 10 years rather than five. He added that every five years is a lot, and reminded them that a charter change can come before them at any time, so they don't have to wait every charter review period to make a change. Ms. Lommatzsch stated the last review resulted in four issues going on the ballot, so people are paying attention. Mr. Rauch stated they want to look at the document and make recommendations as the world changes and try to live in their role as a city more effectively. They are trying to balance that against the ability to find people and run the process outlined in the charter.

Tax Incentive Request – Ms. Holt stated that the CRA Housing Council made a recommendation to grant the tax exemption for the Redwood project. They are asking for a 50 percent tax exemption for 15 years. She added that this is in the Fairborn School District. She stated it is a 90-unit development at 7455 Union School House Road. Discussion was held on the ordinance coming for a first reading on January 18, 2024. Mr. Rauch stated it is a typical request and staff along with the housing council is comfortable with the request. Ms. Baker stated she is on that council and one of the benefits of this incentive is that the development will be maintaining their own roads. Ms. Holt added they will also be investing nearly \$1.3 million in infrastructure in that area. Ms. Fry questioned why they need incentive. Her philosophy on incentives is where they want to invest in growth and that particular part of the city is on the edge and not where she would want to put their incentive dollars as opposed to an area they plan to concentrate on growth. Mr. Rauch stated that a CRA functions somewhat like a TIF where the extra property tax value that's accumulated a percentage of that is what is actually the incentive so they are not out of pocket for any dollars we will lose a portion of the tax. Ms. Fry stated that is the money she is referring to. Mr. Rauch stated that the developer is committed to making significant infrastructure investments in that area that include widening the road, moving a storm water pipe, and mitigating some wetlands to make sure that is protected. Ms. Holt added the total investment into this site is over \$20 million. Mr. Rauch stated the developer is not only investing money in their development, but also in the public infrastructure. This is part of the rationale for the incentive requests. He stated he will not bring them a tax incentive request where the city does not get a benefit. Staff feels that the value of the public goods being installed is commensurate with the incentive that was asked for. Ms. Fry asked if these public goods would be something they wanted anyway. Ms. Holt stated it would have taken a lot longer for Union School House Road to be widened. Ms. Fry asked if that

was a goal to have that roadway widened. Ms. Holt replied that it was. Mr. Rauch replied it is in the land use plan adding this is an area that calls for development in the plan. Discussion was held on housing being needed in the area. Mr. Joseph asked if they could get a summary of the value of the incentive and what that would look like over 15 years. Mr. Rauch stated they can work on that; it ultimately depends on what it is valued at. Mr. Brown asked what would happen if the city did not agree to do the tax incentive. Ms. Holt stated that part of the application for them to apply for the CRA was for them to submit where the money was going to. This will support most of the work they are doing with moving the sewer pipe and the wetlands. That would be a financial difficulty to do that if they did not get an incentive and would probably put a big hold-up on their project. This is one of their smaller projects as they typically work with more acreage, so they are taking a chance on Riverside. Mr. Rauch explained some of the incentive math and financing.

Investment Review Council – Mr. Rauch stated Section 125.01 of the Riverside Administrative Code is about having an investment policy. There are two challenges. First, when reading the text in the codified ordinances, it is not the language of the ordinance that should have been past. The exhibit behind an ordinance goes into the city code, and that did not happen here. All that language isn't available. Second, when they look the investment policy from 2006, Section III, which calls for the Investment Review Committee, a lot of what is discussed are the investment objectives of the city and making prudent investments and where the city's portfolio should be invested. He stated that the city has not been investing aside from its usual checking account. The State of Ohio has an excellent program and Ms. Baker has the city put into the Star Ohio Treasury Program. It is liquid, so they can pull their money in and out at any time, and it pays a competitive interest. There is significant overlap between laws that are on the books and this investment policy. Even if this policy did not exist, there are guidelines from the ORC that must be followed. He would like to bring an ordinance to repeal this, so they can start fresh. Discussion was held on the interest that the city had in December 2023. Mr. Rauch stated he would like to repeal this legislatively and incorporate it into a more robust process during the budget.

SS4A Task Force – Mr. Rauch stated that when they applied for the Safe Streets For All (SS4A) Grant that will allow them to look at the entire Woodman Corridor from Springfield Street to US-35. They stated they would put together a task force in the grant application that would be involved with the entire review process. He listed the members along with third party organizations. One of the members is a member of the public who has disabilities or several members with disabilities to lend their perspective. In addition, they stated in the grant they would pass a resolution for this task force. He stated they had the second highest SS4A grant last year, and the highest grant for action planning, so it is important. This will help them transform the corridor for decades to come.

CITY MANAGER UPDATES - Mr. Rauch stated that Ms. Bartlett put in grant applications for CDBG and Montgomery County Solid Waste District grants that they will use to upgrade

the parks, so two resolutions will be forthcoming to council to accept those grants. He will have more resolutions on the playground equipment as that will be above \$25,000 when they order it. He added that city offices are closed on Monday to observe Martin Luther King, Jr. Day.

COUNCILMEMBER COMMENTS: Mr. Denning stated that if they earned \$40,000 in interest in December 2023, that equals nearly \$500,000 a year. Even if it is lowered due to the rate, and they earn \$20,000 a month, they can earn \$240,000 a year. He stated that can cover two employees. He thanked Ms. Baker for what she does. He thanked Ms. Holt for her work as well. Ms. Lommatzsch thanked law enforcement that do their job everyday as Tuesday was law enforcement day. Their job is difficult. She respects them and added that the fire department does a great job as well. Mr. Brown agreed with everything Ms. Lommatzsch said. Deputy Mayor Maxfield thanked law enforcement and all the departments as everyone does an amazing job. He added there were great presentations this evening.

ADJOURNMENT: Being no further business Mr. Maxfield adjourned the meeting at 7:18 p.m.



Pete Williams, Mayor



Katie Lewallen, Clerk of Council