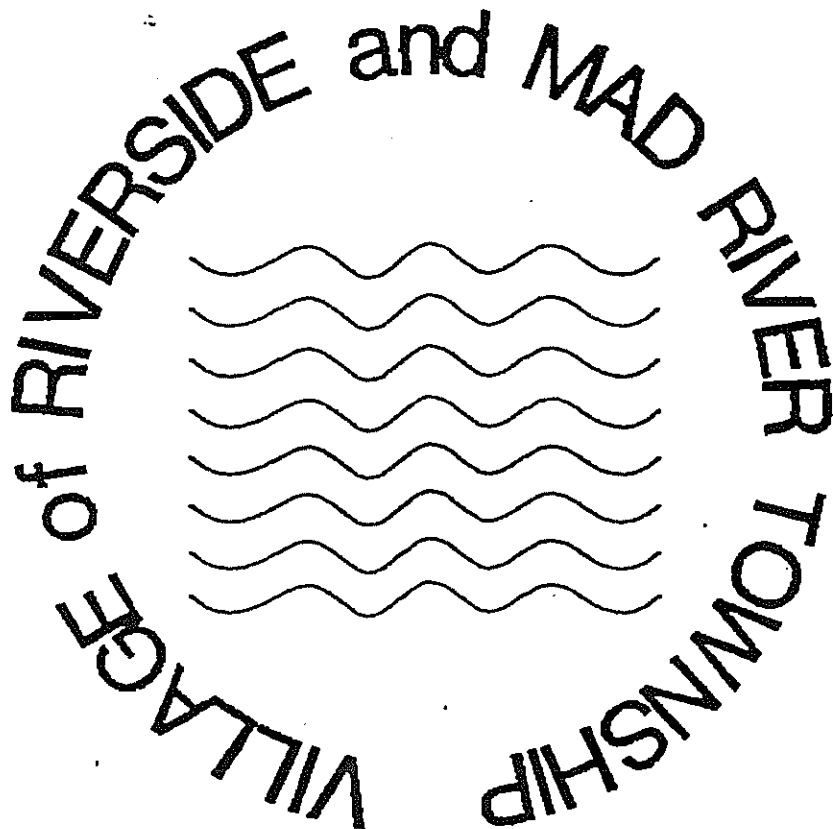


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# MERGER

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## Conditions & Information

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Vote November 8, 1990

Dear Resident:

On November 7, 1989, the residents of Mad River Township and the Village of Riverside voted to establish a Merger Commission. The Merger Commission was comprised of ten members--five from each community. Our assigned task was to investigate and report on Conditions of Merger to the citizens of both communities. Open community meetings were held on a regular basis with discussion from members of the community, news media, and public and elected officials.

The Merger Commission has approved and adopted the enclosed Conditions of Merger and submits them for your consideration. We believe each voter should review and decide this important community issue. To pass and merge the two communities, the merger must be approved by a majority of voters of each community. If approved, the merger will take place on January 1, 1994, and Mad River Township will then become a part of the Village of Riverside. The combined population of the two will be large enough to make Riverside a city.

School districts will not be affected if the merger passes. Your children will continue attending the same school districts as they are attending now.

Present services, including police and fire protection, water, sewer, street/road maintenance, cemeteries, and parks will not be diminished.

Enclosed are the following documents:

- 1) Highlights of the Conditions of Merger;
- 2) The Conditions of Merger with Commission comments;
- 3) Map of the two communities;
- 4) Present year's budgets, plus a proposed combined 1990 budget; and
- 5) Sample ballot

Our Commission wishes to publicly thank The Riverside Mayor and Council and The Mad River Township Trustees for their aid and support of this Merger Commission. Also, we thank those many individuals who gave their time, talent, and skills to make this a successful effort.

The question of whether to merge Mad River Township with the Village of Riverside is up to you, the voter, to decide. PLEASE VOTE.

Respectfully submitted

Patricia A. Bidwell 8/8/90  
Patricia A. Bidwell

C. Bruce Harris 8-8-90  
C. Bruce Harris

Merrill L. Cole 8/8/90  
Merrill L. Cole

Eugene G. Miller 8-8-90  
Eugene G. Miller

William H. Wise 8-8-90  
William H. Wise

David E. Wetzel 8-8-90  
David E. Wetzel

Micheal R. Denning 8-8-90  
Micheal R. Denning

Robert Sessions  
Robert Sessions  
(non-participating member)

Verna J. Bidgood 8/8/90  
Verna J. Bidgood

William Woody 8-8-90  
William Woody  
(non-participating member)

PROPOSED BALLOT LANGUAGE

Shall the "CONDITIONS OF MERGER", proposed by the Mad River Township/Village of Riverside Merger Commission be adopted, and pursuant to those conditions, the Township of Mad River, and the Village of Riverside merge into one community?

\_\_\_\_\_ For the Merger

\_\_\_\_\_ Against the Merger

HIGHLIGHTS OF CONDITIONS OF MERGER  
Amended August 21, 1990

(This outline is merely to highlight the Conditions of Merger. The actual text of the Conditions of Merger follows this outline. Please refer to it and the Commission comments, (in boxed sections,) for further explanation.)

I. GENERAL PROVISIONS

- A) The merger shall be effective on January 1, 1994.
- B) The name of the joint community shall be the City of Riverside unless changed by the voters.
- C) School districts will not be changed by this merger.

II. POLITICAL REPRESENTATION

- A) The newly combined interim government of the Village of Riverside, elected in November 1993, shall form a statutory city government which will begin to function January 1, 1995. Officers of that government will be elected in November 1994. [Amendment Aug. 21, 1990: State law does not allow for city elections in even numbered years, except for one year terms if allowed by the Secretary of the State of Ohio. If disallowed the Village Government will serve for two years.]

III. CODIFIED ORDINANCES

- A) Codified ordinances of The Village of Riverside and any laws governing Mad River Township will remain in effect until reviewed by the new city government.

IV. PLANNING AND ZONING

- A) All zoning codes in Mad River Township and the Village of Riverside will remain in effect until acted upon by the new city government.

V. PUBLIC SAFETY AND PERSONNEL

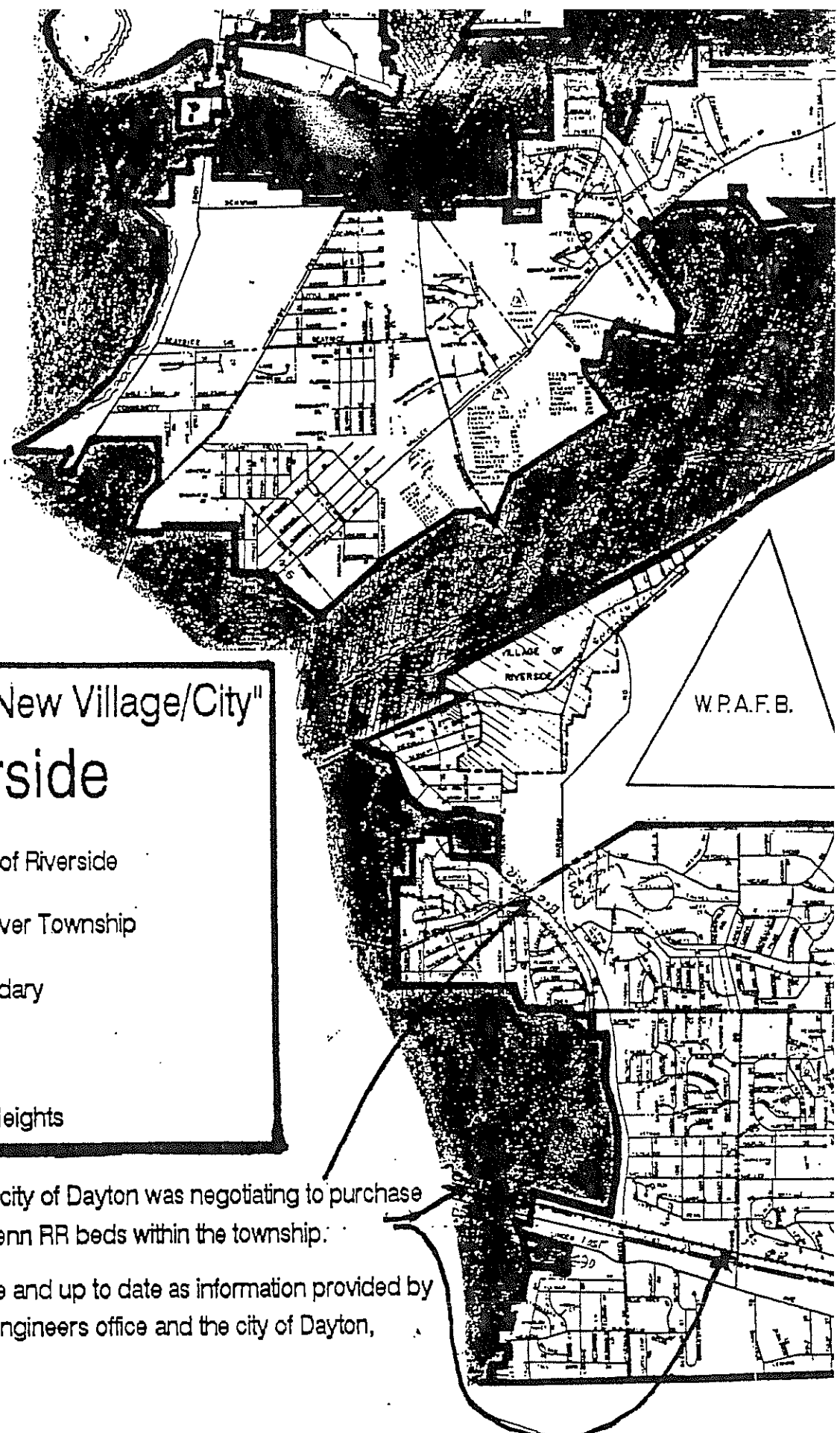
- A) All full-time Mad River Township employees shall receive full-time employment with the Village of Riverside, without any loss in pay.
- B) Police and fire protection will not be diminished.

VI. MUNICIPAL SERVICES






- A) Existing municipal services will not be diminished. Residential trash collection will be extended to the entire new city.
- B) The new city will continue to use the Montgomery County Court System.

VII. TAXATION AND FINANCE

- A) It has been concluded that there will be increase enough in revenues to off-set any added city costs. [Cities receive a larger share of locally shared taxes, motor vehicle license taxes, gas taxes, etc. than do townships and villages.]
- B) On the effective day of merger, any Mad River Township General Fund, Fire and Ambulance levies that are in effect shall be continued.
- C) There will be no change in either the property tax or income tax in the present Village of Riverside resulting from merger.



# The Proposed "New Village/City" of Riverside

-  Present Village of Riverside
-  Present Mad River Township
-  New City Boundary
-  City of Dayton
-  City of Huber Heights

As of August 1990 the city of Dayton was negotiating to purchase the B&O RR and the Penn RR beds within the township.

This map is as accurate and up to date as information provided by the Montgomery Do. Engineers office and the city of Dayton, August 20, 1990.



ARTICLE I  
GENERAL PROVISIONS

COMMUNITY NAME

The proposed name of the joint community is "Riverside". Throughout the course of this Conditions of Merger document, the joint community will be referred to as the, "newly merged village", or the, "newly merged Village of Riverside", except where the reference is to events or conditions occurring after the effective date of being proclaimed a city. In those cases the joint community is referred to as the, "new city".

SCHOOLS

All existing school boundaries shall remain the same.

State law dictates that school system boundaries are in no way affected by this merger.

II  
POLITICAL REPRESENTATION

The effective date of the merger shall be January 1, 1994. The newly merged community will be known as a village until application for city status is made through the Board of Elections to the Secretary of State. The village will be proclaimed a city by the Secretary of State approximately one month after receipt and consideration of the application. The effective date to become a city is approximately thirty days after the proclamation.

The new city will have a population of about 32,000

In the November 1993 General Election, an interim government will be elected for the "newly merged village" to serve for one year. The interim government shall consist of a Mayor, a Council (six members) and a Clerk-treasurer, elected at large. The interim government shall take office on the merger date except the Clerk-treasurer who will assume office on the prescribed date in April, 1994, (according to state statutes.). The Riverside Village Clerk-treasurer serving before the November 1993 General Election shall serve until said date in April 1994. The Mad River Township Clerk-treasurer shall serve as assistant Clerk-treasurer until that date.

The interim government shall establish wards in accordance with the State Statutes (Ohio Revised Code 731.06). At the November 1994 General Election, representatives for the new city's Statutory city government will be elected to take office in January 1995. This shall be based on the "general statutory plan" of city government. Amendment August 21, 1990: State law does not allow for city elections in even numbered years, except

for one year terms if allowed by the Secretary of State of Ohio. If disallowed the village government elected in November 1993 will serve for two years.]

A general statutory plan of city government calls for a minimum of 7 members; 4 to be elected by ward and 3 to be elected at large.

If the new city government deems it appropriate, they may establish a Charter Committee. Any changes to the form of the new city government would be voted by the new city electorate.

### III

#### CODIFIED ORDINANCES

Ordinances in effect in the existing Village of Riverside and any laws affecting the original Township prior to the time of merger shall remain in effect for those areas. The ordinances and laws shall remain in effect until such time as the newly elected village ("newly merged village") government reviews and establishes a common set of ordinances for the entire area.

#### ARTICLE IV

##### PLANNING AND ZONING

a. All county zoning codes as they apply in Mad River Township and all zoning codes applicable to the Village of Riverside shall remain in effect until such time as there is a need for change.

#### ARTICLE V

##### PUBLIC SAFETY AND PERSONNEL

###### GENERAL POLICY

Upon merger of the village of Riverside and Mad River Township, all individuals lawfully appointed and employed in a full-time capacity by Mad River Township on May 1, 1993, shall be offered full-time employment with the newly merged village. Employment shall be offered with no loss in pay at positions to be determined by the needs of the department to which such employees

would be normally assigned, under the following terms and conditions:

1. That no civil service, psychological or physical examinations shall be required of Mad River Township employees to qualify for initial appointment to positions with the newly merged village.
2. That Mad River township employees shall retain all seniority acquired as full-time employees of Mad River Township; from their most recent date of hire.
3. That upon appointment all Mad River Township employees shall enjoy the same rights, privileges, duties and responsibilities as the current employees of the Village of Riverside in their respective departments, holding the same rank with the same number of years of service. They shall be hired at the pay scale which shall give them the least additional compensation in excess of that which they received as an employee of Mad River Township. For the purpose of this term and condition of the merger, the pay of each full-time employee of Mad River Township shall be the employees's base pay effective May 1, 1993, plus any regularly scheduled anniversary pay increases granted during the period from May 1, 1993 to December 31, 1993.
4. That full-time employment with Mad River township shall be included in fulfilling probationary time requirements with the newly merged village.
5. Subject to qualifications to be established by the head of the appropriate department within the newly merged Village of Riverside, individuals lawfully appointed by Mad River Township after May 1, 1993, to replace any full-time employee employed by Mad River Township on May 1, 1993, shall be offered full-time employment with the newly merged village with no loss in pay or seniority, but subject to any applicable probationary period required.
6. That the newly merged Village of Riverside will recognize all collective bargaining units and binding agreements.

#### FIRE DEPARTMENT

1. Service  
Upon the effective date of the merger, the Mad River Township Fire Department's fire fighting/fire suppression, fire prevention, emergency medical and dispatch services shall remain the same throughout the newly merged Village of Riverside.
2. Personnel and Equipment
  - a. Upon the effective date of merger, the Mad River Township Fire Department shall, as structured at the time of merger, be incorporated into the existing village organizational structure and shall become known as the "Riverside Fire Department".
  - b. The newly merged village shall acquire all related Mad River Township supplies and equipment.

## POLICE DEPARTMENT

1. Service  
Upon the effective date of merger, the existing Village of Riverside and Mad River Township Police Departments shall be combined.
2. Personnel and equipment
  - a. Upon the effective date of merger, all officers shall retain rank and seniority with the exception of the Chiefs of Police.
  - b. All full-time Mad River Township Police personnel, including the police secretary, shall receive full-time employment with the Village of Riverside with no loss of pay.
  - c. The Mad River Township Chief of Police shall become Police Chief of the combined departments. The present Riverside Chief of Police shall become the Assistant Chief.
  - d. No personnel from either department shall lose either their jobs or pay.
  - e. Upon the effective date of the merger, the newly merged Village of Riverside shall acquire all related Mad River Township supplies and equipment.

## ROAD AND STREET DEPARTMENT

1. Service
  - a. Upon the effective date of the merger, the Road and Street Departments of the existing Village of Riverside and Mad River Township shall be combined.
2. Personnel and Equipment
  - a. All Road and Street Department employees from both Riverside and Mad River Township shall merge by position and seniority with the exception of the superintendents of the departments. The Mad River Township Superintendent of Roads and Streets shall be in charge of the newly merged Village of Riverside's Road and Street Department.
  - b. No personnel from either department will lose either their jobs or pay.
  - c. Upon the effective date of the merger, the newly merged Village of Riverside shall acquire all related Mad River Township's supplies and equipment.

## ARTICLE VI

### MUNICIPAL SERVICES

#### GENERAL POLICY

1. Upon the effective date of merger all existing municipal services provided to the existing Village of Riverside shall extend into the entire merged area with the exception of street lighting. Financing of street lighting shall remain as

prior to merger.

Any additional services to be provided by the new city must be uniformly provided or paid by the petitioners of that service.

B. The newly merged village, then new city, shall continue to use the Montgomery County Court System until such time that the "new city" decides to provide its own municipal court.

In such a case, all fines, court costs and other court related revenues would stay within this jurisdiction.

ARTICLE VII

TAXATION AND FINANCE

GENERAL STATEMENT [as stated in the Ohio Revised Code 709.47] Upon the effective date of the merger of the Village of Riverside with Mad River Township, Riverside shall succeed to the interests of Mad River Township in:

- 1. All moneys, taxes and special assessments, whether such moneys or special assessments are in the treasury or in the process of collection.
2 All property and interests in property, whether real or personal.
3. All rights and interests in contracts or in securities, bonds, notes or other instruments.
4. All accounts receivable and rights of action.
5. All other matters not included above.

Upon the effective date of the merger the Village of Riverside shall become liable for all outstanding contracts, debts and other legal claims, actions and obligations of Mad River Township.

Any Mad River Township General Fund, Fire and Ambulance levies that are in effect on the effective date of merger shall be continued as will the Riverside Corporation Real Estate property taxes and income tax.

END OF CONDITIONS OF MERGER

\*\*\*\*\*

BUDGET ANALYSIS AND ESTIMATES

The following charts display current budget Revenues and Expenditures, adjusted to 1990 figures, in each of the present jurisdictions plus the same if merged. Also shown are text and charts showing Estimated Budget Changes if merged, and the projected surplus if merger took place in 1990:

CURRENT BUDGET ANALYSIS

CHART 1			
REVENUES	MAD RIVER*	RIVERSIDE***	COMBINED
GENERAL FUND	\$ 812,292.00	\$168,056.00	\$ 980,348.00
MOTOR VEH. LIC. TAX	\$ 110,921.00		\$ 110,921.00
GAS TAX	\$ 57,349.00		\$ 57,349.00
ROAD & BRIDGE	\$ 507,320.00	\$172,440.00	\$ 679,760.00
PARKS AND RECREATION		\$ 15,460.00	\$ 15,460.00
CEMETERY	\$ 22,665.00		\$ 22,665.00
LIGHTING	\$ 134,211.00	\$ 11,100.00	\$ 145,311.00
POLICE	\$ 900,461.00	\$243,486.00	\$1,143,947.00
FIRE & AMBULANCE	\$ 661,441.00		\$ 661,441.00
PUBLIC HEALTH		\$ 2,663.00	\$ 2,663.00
DRUG ENFORCEMENT	\$ 1,816.00		\$ 1,816.00
TRASH & INCINERATOR		\$ 12,500.00	\$ 12,500.00
Fed.Rev.Sharing	\$ 0.00		\$ 0.00
TOTALS	\$3,208,476.00	\$625,705.00	\$3,834,181.00
Adjusted to 1990	\$3,208,476.00	\$653,861.73	\$3,862,337.73

CHART 2			
ACTUAL 89 EXPEND.	MAD RIVER**	RIVERSIDE***	COMBINED
GENERAL FUND	\$ 435,602.00	\$123,117.00	\$ 558,719.00
MVLT CONTRACTS	\$ 40,000.00		\$ 40,000.00
GAS TAX CONTRACTS	\$ 20,000.00		\$ 20,000.00
ROAD & BRIDGE	\$ 413,722.00	\$ 87,677.00	\$ 501,399.00
PARKS AND RECREATION	\$ 1,419.00	\$ 8,488.00	\$ 9,907.00
CEMETERY	\$ 1,816.00		\$ 1,816.00
LIGHTING	\$ 123,717.00	\$ 11,014.00	\$ 134,731.00
POLICE	\$ 702,885.00	\$226,089.00	\$ 928,974.00
FIRE & AMBULANCE	\$ 476,805.00		\$ 476,805.00
PUBLIC HEALTH		\$ 860.00	\$ 860.00
DRUG ENFORCEMENT	\$ 2,000.00		\$ 2,000.00
TRASH & INCINERATOR		\$ 10,572.00	\$ 10,572.00
FED REV SHARING	\$ 2,750.00		\$ 2,750.00
TOTALS	\$2,220,716.00	\$467,817.00	\$ 2,688,533.00
Adjusted to 1990	\$2,320,648.22	\$488,868.77	\$ 2,809,516.99

\* Mad River proposed 1990 Budget  
 \*\* Mad River Budget Revenue and Expense Report: 12-31-89  
 \*\*\* Riverside Expenditures: 12-31-89

ESTIMATED CHANGES IN REVENUES AND EXPENDITURES:

1. REAL ESTATE AND INCOME TAX: Upon the effective date of merger Mad River Township General Fund, Fire and Ambulance levies, (presently totalling 4.13 mills,) which also provide service to The Village of Riverside shall be continued; as will be the Riverside Corporation Real Estate Property Tax Levy, (totalling 1.26 mills. now;) plus any tax renewals or additions passed in the interim. Mad River Township residents and businesses shall also be subject to a 1.0% income tax. (See income tax insert.)

Present Mad River Township Police levies, (totalling 6.40 mills), and the Road and Bridge levy, (totaling 1.00 mill) shall cease upon merger. All of the aforementioned Real Estate taxes will be collected for the 1993 year in 1994 as prescribed by tax law.

There shall be no change in either the property tax or income tax in Riverside resulting from merger.

The following charts and text will demonstrate those Revenue changes and additional costs to be incurred by the "new city" government. The latter includes such items as added personnel required by Ohio Statutory Cities and not now required by the village or the township. Presently these are part-time positions or these services are provided by the county.

The following reports and sources were used in developing the proposed combined budget:

Merger Facts Q&A: North Hampton/Cuyahoga Falls.  
 Washington Township and Dublin's Conditions of Merger.  
 Local Governments locally shared taxes' chart.  
 "Rates of Taxation for Year 1990" from Montgomery and Greene Counties.  
 The Fairborn 1990 and the Huber Heights 1989 budgets.  
 Those Mad River/Riverside budget, revenue, and expenditure reports listed on the preceding page.  
 Many reports and much information provided by Fairborn's Income Tax and Finance Departments, (many of these were statewide reports,) the Montgomery County Auditor's and engineer's offices provided much information; as did various Dayton, Beavercreek, Huber Heights, Dublin, Washington Township and other jurisdictions officials who were consulted.

PROPOSED BUDGET CHANGES

CHART 3:		ADDITIONS	REDUCTIONS
REVENUE CHANGES			
Mad River Police Levies:			-\$630,742.00
Mad River Road & Bridge Levy:			-\$345,763.00
"New City" Corporation Levy:	+\$ 156,783.00		
Local Shared Govt. Revenue:	+\$ 162,000.00		
Motor Veh. License Tax:	+\$ 500,000.00		
Income Tax:	+\$2,000,000.00		
<b>TOTALS:</b>	<b>+\$2,818,783.00</b>		<b>-\$985,505.00</b>
Estimated Added Revenue Total:			+\$2,818,783.00
Estimated Revenue Reduction Total:			-\$ 985,505.00
<b>TOTAL CHANGE IN REVENUE:</b>			<b>+\$1,833,278.00</b>

Amended August 21, 1990

CONDITIONS OF MERGER

PREAMBLE

The Village of Riverside/Mad River Township Merger Study Commission under the authority of Chapter 709.46 of the Ohio Revised Code, hereby submits the following Conditions of Merger to the electors of the two communities. The vote on the question of whether to approve and adopt the Conditions of Merger is as follows:

Patricia A. Bidwell 8/21/90  
yes  
Patricia A. Bidwell

C. Bruce Harris YES-8/21  
C. Bruce Harris

Merrill L. Cole 8/21/90  
yes  
Merrill L. Cole

Eugene G. Miller 8-21-90  
Eugene G. Miller

William H. Wise 8-21-90  
yes  
William H. Wise

David E. Wetzel 8-21-90  
David E. Wetzel

Michael R. Denning 8-21-90  
yes  
Michael R. Denning

Robert Sessions 8-21-90  
yes  
Robert Sessions  
(non-participating member)

Verna J. Bidgood 8/21/90  
yes  
Verna J. Bidgood

Bill J. Woody 8-21  
yes  
Bill J. Woody  
(non-participating member)