

The Council of the city of Oakwood, State of Ohio, met in a work session at 6:30 p.m. in the conference room of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio, 45419. Council then met in a regular session at 7:30 p.m., in the council chambers of the city of Oakwood.

The Mayor, Mr. William Duncan, presided, and the Clerk of Council, Ms. Lori Stacel, recorded. Mayor Duncan opened the meeting by asking all present to participate in the Pledge of Allegiance.

Upon call of the roll, the following members of Council responded to their names:

MR. WILLIAM D. DUNCAN.....PRESENT  
MR. STEVEN BYINGTON.....PRESENT  
MR. ROBERT P. STEPHENS.....PRESENT  
MRS. ANNE S. HILTON.....PRESENT  
MR. CHRISTOPHER B. EPLEY.....PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager  
Mr. Robert F. Jacques, City Attorney  
Mrs. Cindy Stafford, Finance Director  
Captain Alan Hill, Public Safety Captain  
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

The Cunningham Family  
Charles Goodwin, 1164 Walnut Valley Lane  
Amy Gantt, 23 Park Avenue – Lula Bell  
Nina Anglin, 2313 Far Hills Avenue – Oakwood Florist  
Theresa Hammons, 21 Park Avenue – Ashley’s Pastry Shop  
Thomas Lane, 925 E. Schantz Avenue  
Moniqua Suits, 23 Wonderly Avenue  
Brian Barr, *Oakwood Register*

Mrs. Hilton advised Council she had read the meeting minutes of the July 5, 2016 regular and work sessions, and July 14, 2016 executive session. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Epley that the minutes of the sessions of Council aforementioned be approved as written and the reading thereof at this session be dispensed with. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

STATUS REPORTS

Proclamation – Mayor Duncan read a proclamation designating September as “Prostate Cancer Awareness Month”.

VISITORS

Matthew Cunningham shared that he constructed 24 wooden benches for use at the Old River Sports Complex as his Eagle Scout Project. He remembers playing soccer at the Old River Sports Complex and not having anywhere to sit, so he would like to place two benches at each field. He views this project as a way to give back to the community.

Mayor Duncan asked if all 24 benches were finished and displayed at the Old River Sports Complex.

Matthew answered yes.

Mayor Duncan said that it is an outstanding project deserving of an Eagle Scout project. He shared that Law Director Rob Jacques is involved with the Boy Scouts and he would like to say a few words.

Mr. Jacques shared that he volunteers with the Boys Scouts of America, Wright Brothers District, and is currently District Chair. He explained that the Wright Brothers District encompasses the southern half of Montgomery County, and there were approximately 80 Eagle Scouts in the Wright Brothers District last year. Mr. Jacques thanked Mr. Cunningham for his efforts on behalf of the city of Oakwood.

Mayor Duncan asked Mr. Cunningham how old he is.

142 Mr. Cunningham answered that he is 15 years old and that he will be a sophomore at Oakwood High School.

Mayor Duncan thanked Mr. Cunningham for his contribution to the city of Oakwood.

Mr. Stephens asked how long it took to complete the project.

Mr. Cunningham said that it took him two work days, totaling 10 hours, with assistance from others.

Thomas Lane, 925 E. Schantz Avenue, is a recent Oakwood High School graduate and shared that he is interested in vexillology, which is the study of flags. He is a member of the North American Vexillological Association. Mr. Lane referenced a pamphlet called "Good Flag, Bad Flag" that outlines the five basic principles that are recommended in the design of a flag. He recognized that Oakwood may have what is considered a bad flag. After researching the Oakwood flag, he found that a committee was created in 1969 and the flag design, which is the city's crest on a navy blue background, was designed by Robert Gallatin. He shared that this design breaks several rules that are laid out in the pamphlet, such as no lettering or seals. He feels that Oakwood should consider a new flag design so people will know exactly what Oakwood stands for.

Mayor Duncan shared that he and Vice Mayor Byington are on a Council committee that will take this under advisement.

Theresa Hammons – Ashley's Pastry Shop, Amy Gantt – Lula Bell, and Nina Anglin – Oakwood Florist, shared that on Tuesday, August 2, in conjunction with National Night Out, select businesses in Oakwood will do a thank you tribute to the public safety officers and their families. They would like to have the public safety officers come into the participating shops so the businesses and people of Oakwood can say thank you for everything they do to help keep the Oakwood community safe. The tribute has been extended to the public safety officers (and their families) in Dayton, Kettering, Centerville and West Carrollton.

Mayor Duncan said that this is a great idea. He said that he appreciated the efforts in putting this together.

#### LEGISLATION

##### AN ORDINANCE

BY VICE MAYOR BYINGTON NO 4826  
TO AMEND SECTION I, 2016 ORIGINAL APPROPRIATION  
ORDINANCE NO. 4816, AND SUPPLEMENTAL APPROPRIATION  
ORDINANCE NO. 4823 TO PROVIDE FOR THE APPROPRIATION OF

1. AN ADDITIONAL AMOUNT OF \$475,000 TO BE EXPENDED FROM THE SPECIAL PROJECTS FUND FOR THE CONSTRUCTION OF A PARKING LOT AT OLD RIVER SPORTS COMPLEX
2. AN AMOUNT OF \$350,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE SPECIAL PROJECTS FUND

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016.

A copy of the ordinance, having been placed on the desks of each member of Council prior to introduction, was read by title.

Vice Mayor Byington explained that this is a supplemental appropriation ordinance that is necessary to address a capital expenditure that was not included in the original 2016 budget and appropriation ordinance. It was introduced with a first reading at the July 5 Council meeting.

The city maintains a Special Projects Fund to hold money for special improvement projects that are proposed from time to time. The fund currently holds approximately \$335,000. It was anticipated that money from the Special Project Fund would be used at some point to provide improved parking at the Old River Sports Complex. The existing parking area consists of an unimproved gravel lot.

The Old River Sports Complex, including the proposed new stadium and the adjacent grass fields, requires a minimum of 346 parking spaces per city of Dayton zoning approval. The stadium project, as already bid, includes the construction of a 100-space parking lot north of the

facility, the cost of which is being paid with private funds raised by the Oakwood Athletic Boosters. A second parking lot consists of 247 parking spaces and is to be built along the north end of the grass playing fields. Understanding that the two parking lots together serve the entire complex, the city is paying the cost of the additional 247 parking spaces out of the Special Projects Fund.

This ordinance will appropriate \$475,000 from the Special Projects Fund, allowing for the construction of the additional 247 parking spaces. The ordinance also authorizes the transfer of \$350,000 from the General Fund to the Special Projects Fund. There will be \$210,000 left in the Special Projects Fund once the additional 247 parking spaces are paid for.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the ordinance be passed.

Mayor Duncan explained that the city had originally planned to improve the existing gravel lot had this stadium project not gone forward, so the money would have been spent either way.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. WILLIAM D. DUNCAN.....	YEA
MR. STEVEN BYINGTON.....	YEA
MR. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

There being five (5) yea votes and no (0) nay votes thereon, said ordinance was declared duly passed and it was so ordered.

A RESOLUTION  
 BY VICE MAYOR BYINGTON NO 1824  
 A RESOLUTION PROVIDING FOR AN ELECTION ON THE  
 QUESTION OF A RENEWAL TAX LEVY IN EXCESS OF THE TEN-  
 MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL  
 OPERATION OF THE CITY.

A copy of the resolution, having been placed on the desks of each member of Council prior to introduction, was read by title.

Vice Mayor Byington explained that the city has an existing 2.72 mill property tax levy that is due to expire at the end of 2016. The 2.72 mill levy was first approved by Oakwood voters in 1991 and has been renewed every five years since then. The current effective mills of this tax levy is 1.58. At the July meeting, Council took the first legislative step to put this matter on the ballot for renewal, and this resolution is the second and final step. It is important to note that since this is a *renewal* instead of a new levy, it will maintain the current level of property taxation and will NOT increase property taxes.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the resolution be passed.

Mayor Duncan pointed out that since this is a levy renewal there will not be any property tax increases for city services. He added that of every dollar paid in Oakwood property taxes, only \$0.09 goes toward city services.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. WILLIAM D. DUNCAN.....	YEA
MR. STEVEN BYINGTON.....	YEA
MR. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

A RESOLUTION  
 BY MR. STEPHENS NO 1825  
 A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF  
 FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR  
 CUTTING NOXIOUS WEEDS TO THE COUNTY AUDITOR FOR  
 COLLECTION.

144 A copy of the resolution, having been placed on the desks of each member of Council prior to introduction, was read by title.

Mr. Stephens explained that each year, the city incurs costs for mowing overgrown yards when owners do not take care of their property. The city bills property owners for those costs and most of them pay. For those who do not pay, this is our annual resolution to certify the costs to the County Auditor so they can be added to the tax bill for each property.

Thereupon, it was moved by Mr. Stephens and seconded by Mr. Epley that the resolution be passed.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. WILLIAM D. DUNCAN.....YEA  
MR. STEVEN BYINGTON.....YEA  
MR. ROBERT P. STEPHENS.....YEA  
MRS. ANNE HILTON.....YEA  
MR. CHRISTOPHER EPLEY.....YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

Mayor Duncan shared that this only affects a few properties.

#### STAFF REPORT

Safety Department Update: Captain Alan Hill referenced a PowerPoint presentation and updated Council on the following topics: SCBA (Self Contained Breathing Apparatus) Replacement; Ohio Collaborative; Radio Project; Major Case/Arrest; and New Officers Field Training.

Captain Hill reported that the SCBA replacement project is complete. The project was budgeted for 2016. The replacement included fifteen SCBA harnesses with associated equipment. These are primary life support items in fire response. The new equipment has three significant upgrades and is compliant with the latest standards. All of the purchased units were placed into service in March 2016.

In December 2014, Governor John Kasich signed an Executive Order announcing the Ohio Task Force on Community Police Relations, after a series of incidents in Ohio and around the nation highlighted the challenging situations that exist between some communities and the police. On April 29, 2015, the Task Force delivered its final report to the Governor, who in turn signed Executive Order 2015-04K, establishing the Ohio Collaborative Community-Police Advisory Board to oversee implementation of recommendations from the Task Force. The Ohio Collaborative established state standards on August 28, 2015, for use of force, including use of deadly force, and agency employee recruitment and hiring that can help guide law enforcement agencies in Ohio. These new standards will hold public safety officers accountable and instill a greater confidence with the public. All law enforcement agencies are expected to meet or exceed these new standards as they develop policies and procedures. A report will be published by March 31, 2017 listing which agencies have adopted and fully implemented the new state minimum standards, which is just the first milestone for the Ohio Collaborative. On July 22, the Oakwood Public Safety Department (OPSD) received notification that the department is in compliance with all established standards, and was granted a provisional certification pending an on-site evaluation. OPSD is one of only three agencies in Montgomery County to receive a provision certification, to date. The OPSD will undergo the on-site visit the week of August 22 and if no discrepancies are noted, the Safety Department will be awarded a full certification. No discrepancies are anticipated. This certification was achieved through a review of department policies and procedures already in practice. The OPSD has been operating under 'best-practice' standards prior to the formation of the collaborative.

The Montgomery County radio upgrade project is nearing completion. In 2015-16 the Safety Department completed the transition to new digital portable radios and a new dispatch console. All hardware and physical components have been installed. The radios will be reprogrammed with the new county frequencies and talkgroups when the county is ready to make the final changeover. The testing and evaluation phase will begin soon. The new system should be implemented by the end of August.

In November of 2015, the Oakwood Public Safety Department received an anonymous tip regarding possible drug activity on Acorn Drive. Enlisting the assistance of the TCSU (Tactical Crime Suppression Unit) it was determined that the main suspect, Christopher Masden, lived at 806 Acorn Drive. Surveillance was conducted and investigative techniques determined that Mr. Masden was involved in buying and selling large quantities of marijuana. On May 13, 2016, the Kettering Regional SWAT team served a search warrant at 806 Acorn in conjunction with this

investigation. The search warrant led to the discovery and seizure of approximately \$310,000 in cash, three motorcycles, one truck, two bank accounts, over twenty (20) firearms (high grade rifles and handguns), and several pounds of marijuana, as well as suspected LSD. The investigation also led to the discovery of a "stash house" in Beavercreek, Ohio, where approximately 150 pounds of marijuana and 25 pounds of highly concentrated THC was located. The investigation remains on-going, and once complete, it is anticipated that numerous criminal charges will be brought against Mr. Masden.

Public Safety Officers Jeffrey Payne, Bryan Shaw and Jeffery Watkins have completed their field training program. All crews are currently operating at full strength.

Mayor Duncan shared that he received an e-mail regarding an incident that involved a public safety officer that he read aloud:

*"Sir, while I was pulling weeds from my yard this morning, I had the opportunity to observe our police force in action. They performed superbly.*

*There was a very irate, disrespectful, verbally abusive, and combative lady in her car at the intersection of Shafor and Patterson. Even though the lady was verbally abusive, hurling insults and profanities, and verbally challenging the officers to arrest her, they handled the lady with the utmost professionalism and masterfully deescalated the situation. If not for our officers' outstanding competence, great skill in handling a combative person, professionalism, and patience this easily could have gotten out of hand.*

*I just wanted to bring to your attention what a great job our officers are doing and that we, the citizens of Oakwood, appreciate their efforts to keep us safe."*

Mayor Duncan shared that after he looked into this further, he found that this was actually a Dayton Police Officer backed up by Oakwood officers, so professionalism certainly does not end in Oakwood. Mayor Duncan asked Captain Hill to pass this along to the Dayton Police Department to make sure they receive this positive feedback. Mayor Duncan thanked the efforts of both the Dayton Police Department and the Oakwood Public Safety Department.

CITY MANAGER'S COMMENTS – Mr. Klopsch provided an update on the following items:

Mr. Klopsch complimented the Public Safety Department. He appreciates Captain Hill working hand-in-hand daily with Captain Jones and Chief Bebris. The three of them do an outstanding job with the day-to-day work and also with the major capital projects that require managing resources in the most cost efficient way possible. The city is in very good shape with the overall infrastructure of our Public Safety Department.

The Asphalt Resurfacing Program is complete. Barrett Paving did an outstanding job. The streets that were repaved will last approximately 15-20 years.

There will be an Old River Athletic Facility groundbreaking ceremony scheduled sometime next week. Additional information will be provided to the media once the date is confirmed. The project zoning approvals and permits have been received from the city of Dayton.

The fall soccer programs and Oakwood United will continue around the construction. The University of Dayton authorized temporary use of their parking lot north of the stadium facility during construction this fall.

The Vectren gas line work is continuing on Far Hills Avenue. The work will then move to Shroyer Road from the north end at Dellwood Avenue to the south end at East Drive. The Shroyer Road work will continue until October/November. The residents should have already received a notice regarding the work and they will continue to receive updates.

As a Tree City USA, it takes a lot of maintenance to keep the trees in order. City regulations state that tree limbs should hang no lower than 14 feet above a roadway or eight feet above a sidewalk. While the city asks residents to perform the maintenance, the city will assist with this maintenance, primarily over roadways and sidewalks, for safety reasons. The Public Works Department is currently engaged in trimming trees in the city. Notices will be distributed throughout the areas prior to the work being done.

COUNCIL COMMENTS

Mrs. Hilton gave kudos to Leisure Service Director Carol Collins and her staff, and the Sister City Association for all of their hard work in planning the celebration of the 40<sup>th</sup> anniversary of Oakwood's twinning with Outremont, Canada. There were a number of successful events

146 including a welcoming ceremony, a luncheon, an evening reception at Smith Gardens and several activities and outings over the weekend.

Mr. Stephens shared that tonight's meeting has been very enjoyable and positive. There are many visitors in the audience that are working hard to make the city of Oakwood a better place.

Vice Mayor Byington agreed with Mr. Stephens. He said that he was very impressed by all the folks in the audience and commended them for all of their hard work. Vice Mayor Byington encouraged everyone to attend the Ice Cream Social on Sunday, August 14 from 3:30 – 7 p.m. at Shafor Park.

Mayor Duncan reminded everyone of the importance of safety now that school will be back in session on August 16.

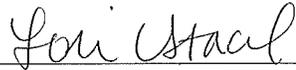
The public meeting concluded at 8:22 p.m.



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MAYOR

ATTEST:



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CLERK OF COUNCIL