

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. Jay A. Weiskircher, Assistant City Manager
Mr. Robert F. Jacques, City Attorney
Ms. Carol Collins, Leisure Services Director
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Daniel Gentry, 1809 Coolidge Avenue
Tobias & Maura Schmitt, 922 E. Schantz Avenue
Lynn Behnke, 1158 E. Schantz Avenue
Linda Grandfield, 607 Far Hills Avenue
Ken & Tara Folino, 344 Monterey Avenue
Thomas & Vivianne Intili, 220 Forrer Boulevard
Tom Shulman, 253 Schenck Avenue
Abbie Wald, 401 E. Peach Orchard Avenue
Danielle Groves, 2300 Far Hills Avenue
Tracy Staley, 316 Claranna Avenue
Connie & Ron Guyer, 2727 Hathaway Road
Randy & Amy Honaker, 114 W. Hadley Road
Tim & Sally Lahmon, 111 Greenmount Boulevard
Stefanie Campbell, 271 Schenck Avenue
Julie Beyer, 800 Oakwood Avenue
The Cahoon Family, 356 Hadley Avenue
Brent & Colin Beck, 306 Telford Avenue
Kevin & Joey Nels, 245 Park Road
Ali Davis, 1100 Ridgeway Road,
L. Greger, 1414 Shroyer Road
Emily Pelligra, 675 Far Hills Avenue
Chris Vradelis, 212 Beverly Place
Brian Barr, *Oakwood Register*

Mrs. Hilton advised Council she had read the meeting minutes of the October 3, 2016 regular session and work session, and the October 24, 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 – Mayor Duncan explained that an Oakwood resident addressed City Council at last month’s Council meeting raising concerns about the city properly enforcing the zoning ordinance allowing no more than two unrelated individuals to live in a single family home. His concerns were focused on the houses along the Oakwood side of Irving Avenue becoming locations for UD student housing and the students damaging the property values of the surrounding homes. This resident stated that more than half of the homes on Oakwood Avenue are occupied by groups of four or more UD students. City Council had asked Assistant City Manager Jay Weiskircher to look into this further. As a follow up, Mr. Weiskircher shared that contact was made with the resident who addressed Council last month and that only a single property is in question. It was found that there were three unrelated individuals residing in the home, unbeknownst to the property owner. The property owner, who resides out of town, is in the process of evicting the third person from the home. Mayor Duncan shared that there is a registration and inspection process in place when someone wants to turn their home into a rental

property. The city is aware of every rental property and has a listing of each tenant to ensure there are not more than two unrelated individuals living in the home. Mr. Weiskircher encouraged the public to contact the city if they have concerns or suspect Zoning Code violations.

Mayor Duncan shared that he and City Manager Norbert Klopsch recently met with the new UD President, Dr. Eric Spina, who is an Oakwood resident. They had discussions on the relations between Oakwood and UD. UD is not encouraging people to rent homes in Oakwood and does not have plans to buy Oakwood properties.

VISITORS

Scarecrow Row Award Winners – Mayor Duncan recognized the 2016 Scarecrow Row Award winners. Awards and certificates were presented to the following: Third Place – “Scary Potter” by Smith School PTO; Second Place – “Skeleton Crew” by Oakwood Row Moms; First Place – “A Scrap of Metal” by the Becks; Mayor’s Award – “Fright Library” by Wright Memorial Public Library.

Beautification Award Winners – Mayor Duncan explained that a video will be shown highlighting all the winners and then he will present framed certificates to those who are at the meeting. He was assisted by Kip Bohachek, Property Maintenance Board Chair. The following properties were shown in the video:

Patrick Czeiszperger, 336 W. Schantz Avenue; Jason & Emily Pierce, 533 Volusia Avenue; Kristen Paddon, 1123 Hathaway Road; Marty Beyer & Lacie Sims, 9 Dellwood Avenue; Ryan Brosey, 2020 Hathaway Road; Michael & Abbie Wald, 401 E. Peach Orchard Avenue; Susan Kordalis, 405 Monterey Avenue; Douglas & Patty Stansfield, 46 Monterey Road; Mike & Marianne Raab, 175 Park Road; Tony & Sally Stayman, 601 Woods Road; Dr. Molly Hall and Mr. Emilio Tavernise, 321 E. Schantz Avenue; Timothy & Sally Lahmon, 111 Greenmount Boulevard; Alexander and Sarah Morgan, 118 E. Dixon Avenue; Thomas & Lisa Federle, 312 Lonsdale Avenue; Ken & Tara Folino, 344 Monterey Avenue; Larry & Erin Hill, 306 Orchard Drive; Kevin & Joey Nels, 245 Park Road; Russell & Quintina Kline, 1541 Runnymede Road; Timothy Hawk, 20 Walnut Lane; Jim & Julie Beyer, 800 Oakwood Avenue; Ted & Wendy Frederick, 335 Southview Road; Tobias & Maura Schmitt, 922 E. Schantz Avenue; Havyn Skorupan & Brooke Ann Murphy, 124 Wisteria Drive; Brian & Aileen Hand, 129 Greenmount Blvd.; Pam O'Brien, 5 Corona Avenue; Karen Dunlevey, 53 Corona Avenue; Ronald & Connie Guyer, 2727 Hathaway Road; Sean & Melanie Frisbee, 219 Volusia Avenue; Tim & Sandy Davis, 5 Ivanhoe Avenue; David Reed, 64 Patterson Road; Catherine Hull, 1101 Delaine Avenue; Kyle & Holly McDowell, 359 Lonsdale Avenue; Tom & Alison Davis, 1100 Ridgeway Road; Matt & Elizabeth Kussman, 226 Telford Avenue; Daniel Nolan, 114 Hadley Avenue; Randy & Amy Honaker, 114 Hadley Road; Brad & Jeanne Kallenberg, 322 Wonderly Avenue; Linda Reed, 275 W. Thruston Blvd.; Carol Shaw, 601 E. Schantz Avenue; Russ & Barbara Weller, 356 Harman Blvd.; Leo & Paula Krebs, 75 Wiltshire Blvd.; Dean Ditmer, 322-324 Forrer Blvd.; Intili & Groves, Attorneys at Law, 2300 Far Hills Avenue; David & Jeannie Andrews, 2701-2703 Shafor Blvd.; David & Natlie Folino, 427 East Drive; Linda Grandfield, 607 Far Hills Avenue; Sam & Emily Pelligra, 675 Far Hills Avenue.

Mayor Duncan thanked Assistant City Manager Jay Weiskircher for his work on the Beautification Awards and the Property Maintenance program. He also thanked the citizens for keeping Oakwood beautiful and said that this is one of the reasons Oakwood is the premier residential community in the Miami Valley.

LEGISLATION

A RESOLUTION

BY MR. EPLEY

NO 1827

TO ACCEPT A DONATION OF REAL ESTATE FROM THE VIRGINIA HOLLINGER MEMORIAL TENNIS CLUB OF DAYTON AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE OPERATION AND MAINTENANCE THEREOF.

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

Mrs. Hilton recused herself as she is a long-time member of the Virginia Hollinger Memorial Tennis Club of Dayton.

Mr. Epley explained that over the past year, city staff and representatives of The Board of The Virginia Hollinger Memorial Tennis Club have been in discussions about transferring ownership of the tennis club to the city. Under this arrangement, the property will be converted from a

private club to a membership-based public facility and will be known as the City of Oakwood Hollinger Memorial Tennis Center.

The Hollinger facility has a rich history dating back to the 1940's, and its seven clay tennis courts are recognized as some of the finest in the area. The facility's namesake is Virginia Hollinger, who, in 1933, at the age of 16, was unknown and unseeded when she was the runner-up at the National Indoor Girls' Championships. The very next year, she won this prestigious title. The high point of her career came four years later in 1938, when she defeated a more experienced opponent to win the National Indoor Tennis Championship. Virginia Hollinger died of Hodgkin's disease in 1946 and a year later, the Dayton Tennis Association received permission from the Hollinger family to rename the club in her name.

Under the terms of the transfer agreement between the city and Hollinger, memberships will be marketed and sold by the Oakwood Leisure Services Department starting with the 2017 tennis season. The city will contract with the Hollinger corporation for ongoing maintenance, repairs, and day-to-day operation of the facility. Memberships will be open to the general public and are not limited to Oakwood residents.

This resolution will accept the donation of real estate and authorize the City Manager to enter into an operation and maintenance agreement with Hollinger.

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

Mr. Dan Gentry, Hollinger's current president, expressed his thanks to everyone who has been involved in this transaction to ensure the courts are available to people as long as possible. He shared that he is looking forward to a great partnership with the city of Oakwood.

Mayor Duncan thanked the Hollinger staff for all of their efforts and added that he understands that change is tough. He said that Mr. Gentry has done a good job shepherding this through his organization as well through the city.

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
- MR. CHRISTOPHER EPLEY..... YEA

There being four (4) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

A RESOLUTION
 BY VICE MAYOR BYINGTON NO 1828
 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
 THREE YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO
 PATROLMEN'S BENEVOLENT ASSOCIATION REPRESENTING THE
 PUBLIC SAFETY DISPATCHERS AND DISPATCHER/RECORDS CLERK.

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 current collective bargaining agreement covering the Oakwood Public Safety Dispatchers and Dispatcher/Records Clerk expires in November. The city entered into negotiations with the Ohio Patrolmen's Benevolent Association, which is the union representative for Oakwood Public Safety Dispatchers, and has agreed to terms for a new three (3) year agreement. The new agreement includes responsible wage increases of 2.75%, 2.85%, and 2.95% over the next three years, which is consistent with what is being offered to the other bargaining units and the legislation being presented this evening covering the Oakwood non-bargaining unit employees. These pay increases follow a two year wage freeze and a modest increase in 2016.

Vice Mayor Byington explained that he and Mayor Duncan reviewed this agreement as members of Council's Finance Committee, and this resolution will authorize the City Manager to implement it. City Council commends Assistant City Manager Jay Weiskircher in his role as Personnel Officer for his efforts on the city's behalf, and also Oakwood Public Safety Department dispatchers for their help in coming to a reasonable agreement.

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

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

MR. WILLIAM D. DUNCAN.....YEA
MR. STEVEN BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA
MRS. ANNE HILTONYEA
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.

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4830
TO REPEAL ORDINANCE NUMBER 4817 AND ESTABLISH AN AMENDED
PERSONNEL SCHEDULE DATED DECEMBER 7, 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 first reading of an ordinance to update the city's personnel schedule. This updated schedule authorizes wage increases for the city's non-bargaining unit employees of 2.75% for 2017 and 2.85% for 2018. It also establishes a separate maximum hourly rate of \$16.04 for the part-time clerk in the income tax department. These are responsible wage increases that are consistent with what the city is offering to its bargaining unit employees.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Epley that the second reading be waived and that the ordinance be passed this evening.

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

MR. WILLIAM D. DUNCAN.....YEA
MR. STEVEN BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA
MRS. ANNE HILTONYEA
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.

AN ORDINANCE
BY MR. EPLEY NO 4829
AN ORDINANCE TO AMEND EXISTING SECTION 505.08,
NUISANCE CONDITIONS PROHIBITED, OF THE OAKWOOD
GENERAL OFFENSES CODE TO EXPAND THE DEFINITION OF
PUBLIC NUISANCE AND TO REQUIRE PET OWNERS TO CLEAN
UP AFTER THEIR ANIMALS.

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

Mr. Epley explained that this ordinance was introduced with a first reading at the October City Council meeting, and will update the Oakwood General Offenses Code.

Oakwood has a reputation as the premier residential community in the Greater Dayton area, and is known as an active, walking community. Oakwood residents enjoy walking, jogging, riding bicycles, pushing strollers, and walking their pets, and the city makes every effort to keep Oakwood streets and sidewalks clean and in good repair.

Most of Oakwood pet owners clean up after their animals, but unfortunately some do not, and those messes create a potential health hazard. This ordinance is intended to address that problem. It expands the definition of "public nuisance" to include pet waste, and it requires pet owners to immediately clean-up waste that is dropped anywhere other than on the owner's property. Those who violate the ordinance would receive a minor misdemeanor summons, and would be fined at least \$25 for the first offense and \$50 for subsequent offenses.

Mayor Duncan added that 14 dogipot containers are located throughout the city to dispose of dog waste.

Thereupon, it was moved by Mr. Epley and seconded by Mr. Stephens that the ordinance 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 ordinance was declared duly passed and it was so ordered.

AN ORDINANCE
 BY MR. STEPHENS NO 4831
 TO APPROVE CURRENT REPLACEMENT PAGES TO THE
 OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

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

Mr. Stephens explained that each year, City Council passes an annual house-keeping ordinance to keep Oakwood local traffic and criminal ordinances consistent with changes that have been made at the state level.

This is a first reading of that ordinance, which will adopt Oakwood 2016 replacement pages for the Traffic Code and the General Offenses Code, so Mr. Stephens made no motion at this time.

STAFF REPORT

Leisure Services Report: Ms. Carol Collins, Leisure Services Director, referenced a PowerPoint presentation and reviewed the following information:

This year's Scarecrow Row had 24 participants and photos of the winners were reviewed. Ms. Collins commented on the beautiful weather for the Fall Festival where a large crowd of people wandered Shafor Boulevard looking at the incredible scarecrows and then came back to the park for games, food and music. There was a costume contest for the kids and hayrides for families resulting in a great community event!

The Johnny Appleseed Street Tree Project began in 1976 in an effort to support the City of Oakwood's commitment to urban forestry and the environment. To date, this program has been responsible for planting over 2,800 trees. The highlights of the program include: the cost of the selected species are discounted 50% to Oakwood residents and trees must be planted in the city right-of-way; species of trees will be 1 3/4" in diameter and are excellent for planting; the most needy areas of Oakwood, as determined by the City, will be given first priority; one tree will be allocated at the 50% discount for each approved property site; tree species selected are well-suited for planting and most are resistant to disease; and, the trees will be guaranteed for one growing season by the nursery that plants them. Ms. Collins displayed pictures of the different trees offered in 2016.

To mark the occasion of Smith Garden's 40th anniversary, the entrance to Smith Gardens and the patio around the garden house have been repaved with personalized bricks as part of the Legacy Paver Project. Friends and residents are invited to order a personalized, engraved brick to be permanently displayed in Smith Gardens. By securing one of the beautifully engraved bricks, residents can help to ensure that Smith Gardens will continue to be one of Ohio's finest public gardens, the scene of weddings, community gatherings such as the popular blanket concert series and many other events. This is a great opportunity to leave a lasting legacy and be an integral part of this lovely garden! Individual brick pavers can be purchased in honor of or in recognition of a friend or family member, or to celebrate an anniversary or special occasion. To date, 260 bricks have been sold and more are expected to be sold through the annual Friends of Smith Gardens membership drive.

Approximately 40 volunteers recently braved the weather to clean up Houk Stream by picking up trash and removing brush, honeysuckle, branches and other debris in this beautiful natural area. Ms. Collins displayed pictures of Houk Stream.

There have been additional Leisure Services activities including Pro-Am Art Expo, Holiday Kids Bake-Off and some new fitness classes.

Ms. Collins reviewed the following upcoming events: the Mother/Son Dance on Saturday, November 12 from 7:30-9 p.m.; the Candy Cane Hunt in Shafor Park on Saturday, December 3 from 1:30-2:45 p.m.; Breakfast with Santa at the OCC on Saturday, December 10 from 9-11:30

a.m. at the OCC; and Lighting Up Oakwood/Holiday of Lights on Sunday, December 11 beginning at 6:30 p.m.

Mrs. Hilton asked about the cost of the Johnny Appleseed trees.

Ms. Collins said that if the trees are planted in the city right-of way, they are discounted 50% to Oakwood residents and usually cost around \$125.

Mayor Duncan thanked Ms. Collins for all of her efforts.

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

Construction on the Oakwood Old River Athletic Facility is progressing on schedule and on budget. There has been a lot of activity at the facility. The artificial turf field and asphalt base for the track have been installed. The track installation has begun and the concession/restroom building is under construction. The facility will be a wonderful addition to the Oakwood community. In excavating for the building of the two parking lots, the city removed and stockpiled a large amount of excellent topsoil. Next spring/early summer, the Shroyer Road Project will begin and the topsoil will be used to backfill the 16 islands constructed on Shroyer Road. The city is saving a considerable amount of money by repurposing this topsoil.

Verizon Wireless has withdrawn their application to locate a cell tower at the Oakwood Public Works Center. Immediate neighbors were notified of this cancelled application.

The Vectren gas line work is continuing and is an extensive project. This is a continuation of a multi-year project to replace all of the underground gas distribution lines in Oakwood.

City offices, except for the Public Works Center, are closed on Friday, November 11 in observance of Veterans Day.

COUNCIL COMMENTS

Mr. Stephens asked Oakwood citizens to support local Oakwood businesses when they do their holiday shopping. He congratulated Eric and Stephanie Soller for the recent opening of Old Scratch Pizza in Dayton. He shared that it is a wonderful place and he wishes them all the best.

Vice Mayor Byington asked everyone to remember the meaning of "One Nation, Indivisible" in the Pledge of Allegiance on November 9 because America will be at its greatest when we are united. He urged everyone to get out and vote.

Mayor Duncan thanked Mr. Kip Bohachek for his continued volunteer service on the Property Maintenance Board. He re-emphasized the great work of Leisure Services Director Carol Collins does, and the excellent work of Assistant City Manager Jay Weiskircher. Mayor Duncan concurred with Mr. Stephens about local businesses and shared that there are a lot of shops that need support. Mayor Duncan encouraged everyone to vote.

The public meeting concluded at 8:37 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL