

CITY OF OAKWOOD
STATE OF OHIO
OCTOBER 3, 2011

The Council of the city of Oakwood, State of Ohio, met in a work session at 6:00 p.m. in the conference room of the city of Oakwood, 30 Park Avenue, Dayton, 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 Acting Clerk of Council, Mr. Jay Weiskircher, 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. STANLEY CASTLEMAN PRESENT
MR. ROBERT P. STEPHENS PRESENT
MRS. ANNE S. HILTON 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
Chief Alex Bebris, Public Safety Director
Ms. Linda Merker, Income Tax Administrator

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler.

The following visitors registered:

Bill Davis, Trotwood
Tommy Routsong
Jessica McCann, 407 Wiltshire
Mychaelyn Michalec, 100 Monteray
Stefanie Campbell, DP&L
Harrison Gowdy, 452 Irving Avenue
Mackensie Wittmer, 552 Hathaway Road

Mrs. Hilton, Chair of the Council Committee on Minutes, advised council she had read the minutes of the regular and work sessions of council held September 19, 2011. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Castleman 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 REPORT

Mayor Duncan noted there are a number of public safety officers in the audience this evening to receive commendations stemming from their quick response to a recent life threatening emergency. Chief Bebris explained that on September 14, 2011 crews were dispatched to Harman Elementary School on a report of a medical emergency. Upon their arrival, they discovered an individual in full cardiac arrest. At the time the patient had no pulse. On the way to the hospital, the patient's pulse was restored; and he eventually underwent a successful procedure to restore unrestricted blood flow to the heart. The treating physician commented that if it wasn't for the treatment the patient received by the Oakwood medic crew, he would not have survived. The patient, Bill Davis, was discharged from the hospital five days later and is here in attendance this evening. Chief Bebris lauded the efforts of the responding officers and passed out commendations to Officers Mike Tanner, Damien Baggott, Bruce Upchurch and Jack Harrison. Mr. Davis spoke briefly to express his sincere thanks and appreciation for the efforts of the officers who saved his life.

Oakwood Historical Society. Mrs. Hilton reported on the success of the Oakwood Historical Society's September 25 Walking Tour. She noted that over 300 people participated in the self-guided tour. Speaking on behalf of the Historical Society, Harrison Gowdy thanked the city and the Oakwood Rotary Club for making this event possible.

Mayor Duncan introduced and welcomed State Representative and Oakwood resident Jim Butler who is in attendance this evening to provide an update on issues going on at the state level. Representative Butler commented that during the past nine months, the primary focus at the state level has been job creation and retention. There have been a number of bills already passed and several other initiatives already underway including.

- Jobs Ohio: Replaces the Ohio Department of Development.
- Common Sense Initiative: Looks at rule making and other regulations that put a burden on businesses.
- Budget: The Governor inherited an \$8B deficit that required tough choices. Rather than increasing taxes, the Legislature focused on budget cuts in order to achieve a balanced budget. The cuts were very difficult and require sacrifices by all Ohioans.
- Invest Ohio: Provides tax cuts to small businesses.
- SB 4: Provides for performance audits to insure that state agencies are making prudent use of available tax dollars.
- SB 5: Primarily aimed at increasing efficiencies by making teachers and government employees more accountable.
- Construction reform: Encourages cost savings on construction projects by eliminating the requirement for multiple prime contractors.
- Medicaid Reform: Focused on ways in which individuals needing care and assistance can remain in their homes.
- Local Government Fund: \$45M has been set aside to assist and encourage local governmental collaborative efforts.

Representative Butler went on to add that as a result of these actions the State's bond rating has already been upgraded and there has been a marked improvement in the state's competitive business climate ranking.

In regard to Issue 2 on the November ballot, Representative Butler noted the following components:

1. Common sense reforms.
 - a. Requires employees to pay at least 15% of health insurance costs.
 - b. Prohibits employers from making an employee's contributions to the pension program.
 - c. Schools will be able to retain the most qualified talent instead of relying on the current merit system which is seniority based.
2. Places final decision making on employees' wages and benefits in the hands of elected officials rather than third party fact-finders and conciliators.
3. Workers now have the freedom to choose whether they join a union and pay dues or fair share fees.

Councilman Castleman commented that the state has balanced its budget on the backs of local government. He added that while communities are not opposed to more uniform tax filing requirements, the collection of income tax is best accomplished at the local level. Representative Butler stated his opposition to centralized income tax collection and encouraged all elected officials throughout the state to contact their representatives and advise them of their opposition. Councilman Byington remarked that even though many local elected and appointed officials were vocal in their opposition to the repeal of the estate tax, the legislature, in total disregard to those opposed to the elimination of the estate tax, added the estate tax repeal to the budget and got it approved. Councilman Byington went on to add that now that more than 20% of Oakwood's total revenue stream will go away in 2013, does Representative Butler support increasing taxes or simply doing away with the public safety department to make up the projected revenue shortfall? Representative Butler noted that he is working on legislation that would allow communities to take advantage of potential credits from the federal inheritance tax which could make up some of the revenue loss. Representative Butler went on to add that he would not be in favor of raising taxes. City Manager Klopsch added that because of inheritance tax revenue, Oakwood has been able to operate for 20 years without raising taxes. In two years that revenue source will be gone.

Mayor Duncan noted that while he supports discussion on regionalism and feels the city should be involved, he believes that combining services should be voluntary and not mandatory. Representative Butler noted that Oakwood is unique and has its own culture and indicated he is not in favor of unified government. Rather, he is focusing his efforts on regulating poaching where one jurisdiction provides economic incentives for businesses to relocate from another jurisdiction.

Mayor Duncan commented to Representative Butler that local governments could benefit from relief on paying prevailing wages for infrastructure improvement projects. City Manager Klopsch estimates that Oakwood would realize a savings between \$60,000 - \$90,000 on an annual basis. Representative Butler noted that he is working on a bill that has certain minimum training levels to ensure that workers on all construction projects are qualified to perform the work.

Mayor Duncan thanked Representative Butler for his update and ongoing efforts in support of state issues that directly impact Oakwood.

The next speaker was Oakwood resident Tom Routsong. Mr. Routsong encouraged city council and the community to vote yes on Issue 2. As an aside, Mr. Routsong noted that he fought for the repeal of the estate tax and believes that any lost revenue will be made up by individuals having more money to spend. He added that many residents will now choose to remain in Oakwood rather than leaving for Florida, Arizona and other warm weather destinations.

Mr. Routsong commented that Issue 2 should be supported because it requires public employees to pay at least 15% of their health insurance costs and to contribute 10% towards their retirement. He noted that most employees in the private sector pay at least 30% of their health insurance premium and fully fund their retirement program. Mr. Routsong added that Issue 2 will ensure that the most qualified teachers are retained. He also noted that while the public safety department officers are top notch, the city should seriously explore outsourcing these services. Finally, Mr. Routsong noted that on the subject of regional government he believes that what is good for Dayton is good for Oakwood. He noted that if no one is working in the core city, then no one will be living in Oakwood.

RESOLUTION

BY MR. CASTLEMAN

NO 1745

A RESOLUTION OPPOSING ANY ACTION BY THE OHIO GOVERNOR OR GENERAL ASSEMBLY TO TAKE CONTROL OF LOCAL INCOME TAX COLLECTION AND/OR ADMINISTRATION AWAY FROM MUNICIPALITIES AND CENTRALIZE SUCH CONTROL WITHIN A STATE AGENCY OR THIRD-PARTY ENTITY.

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

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the resolution be passed.

After reading the legislation, Mr. Castleman noted that communities understand and support the need for more uniformity in local tax codes. Councilman Stephens noted the excellent work of the Oakwood Income Tax Department in collecting revenue the city is owed. In response to a question posed by Mr. Stephens, Mr. Klopsch noted that Oakwood estimates it will lose up to \$500,000 in revenue if income tax collection is taken over by the state.

Mayor Duncan commented that at one time Dayton collected Oakwood income tax but the city chose to take it over because it could do it more efficiently.

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. STANLEY CASTLEMAN YEA
MR. ROBERT P. STEPHENS YEA
MRS. ANNE S. HILTON YEA

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

RESOLUTION

BY VICE MAYOR BYINGTON

NO 1746

OPPOSING THE POSSIBLE CLOSING OF UNITED STATES POST OFFICE BRANCHES AT 34 BEARDSLEY ROAD, TROTWOOD, OHIO 45426, AND AT 4323 W. THIRD STREET, DAYTON, OHIO 45417.

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

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

Mr. Byington noted that he was asked by a member of the First Tier Suburbs to introduce the legislation which has already been passed by Dayton and is being considered by a number of other municipalities.

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. STANLEY CASTLEMAN YEA
MR. ROBERT P. STEPHENS NAY
MRS. ANNE S. HILTON YEA

There being four (4) yea votes and one (1) nay vote thereon, said resolution was declared duly passed and it was so ordered.

STAFF REPORT

Public Safety Department Update. Chief Bebris made a PowerPoint presentation summarizing current projects underway in the Safety Department. He noted thefts for 2011 are down by 31% compared to the same time period in 2010. He also noted a number of crime prevention tips that property owners should keep in mind.

Staff is currently working on a number of initiatives including job performance requirements, tactic and departmental policies and procedure updates, and installation of security cameras in a number of locations around the city. Chief Bebris also commented that parking around the community remains an issue that he and members of the department deal with on a daily basis. Chief Bebris acknowledged and thanked all safety personnel for the good work they do on a day in and day out basis. He also noted that Major Randy Baldrige was on the scene and participated in the life-saving efforts recognized earlier this evening.

Councilman Stephens inquired about property checks and whether officers make personal contact with property owners when they observe overnight security-related issues. Chief Bebris indicated that in most cases they do not make contact with residents at night but there may be a way in which some form of notice or card could be left when a security-related issue is observed.

CITY MANAGER'S REPORTS

City Manager Klopsch noted that Cathy Gibson is not here this evening due to a death in her family but he did want to make note for the record that on October 5, Cathy will be celebrating 30 years of service with the city. He thanked Cathy for her many years of service and the excellent work she does on a daily basis

The annual community shred was held on September 17. This popular annual event affords residents an opportunity to have important files and documents shredded free of charge.

Mr. Klopsch reminded the audience that there is a 2.72 mill levy renewal on the November ballot. He added that this is a renewal and will not increase taxes.

Mr. Klopsch noted the article in Sunday's edition of the *DDN* on regionalism and echoed previous comments from Mayor Duncan that the city should be involved in the dialogue but that every issue should be evaluated on its own merits. He noted continuing problems and issues associated with the regional dispatch center initiative. The center now has financial problems.

COUNCIL COMMENTS

Mrs. Hilton announced the Fall Family Festival is scheduled for this Sunday from 2-5 at Shafor Park. The events also include the very popular ScareCrow Row.

Councilman Stephens remarked that he and his family purchased a puppy four months ago and they made their first trip recently to the dog park and a good time was had by all. Mr. Stephens also commended Chief Bebris and the four officers recognized this evening for their good work.

Mayor Duncan noted that there is one more council meeting before the November election and made special mention of State Issue 2, Issue 3 – which exempts Ohio residents from the national health care mandates, and Issue 1 - which raises the maximum age for judicial office election from 70 to 75.

Council adjourned. The public meeting concluded at 9:15 p.m.

MAYOR

ATTEST:

ACTING CLERK OF COUNCIL