

CITY OF OAKWOOD
STATE OF OHIO
DECEMBER 12, 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 Clerk of Council, Mrs. Cathy Gibson, 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. Robert F. Jacques, City Attorney
Mr. Jay A. Weiskircher, Assistant City Manager
Ms. Carol D. Collins, Leisure Services Director
Chief Alex P. Bebris, Public Works Director
Mrs. Cindy Stafford, Finance Director
Mr. Kevin Weaver, P.E., P.S., Public Works & Engineering Director

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

The following visitors registered:

Stefanie Campbell, DP&L
Mary Beth Neal, 243 Ridgewood
Nancy Rambasek, 833 Barth Lane
Kathie Peoples, 344 Schenck
Susan Asebrook, 3924 Overland
Marlene Carlile, 145 Wisteria

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 November 7, 2011, and the special and work sessions of November 21, 2011. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Stephens 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

Proclamation. Mayor Duncan read a Proclamation recognizing The Little Exchange on its 60th Anniversary and welcomed Little Exchange President Nancy Rambasek. Mrs. Rambasek extended thanks to Mayor Duncan and council for the proclamation, she was thrilled to accept same on behalf of the 120 volunteers and three paid staff.

First Suburbs. Mayor Duncan congratulated Vice Mayor Byington on recently being elected as president of the First Suburbs Consortium of Dayton. Mr. Byington explained this is a group of about 15 area municipalities and townships that work together on first ring suburb issues and strategic plans. Mayor Duncan noted that Vice Mayor Byington also serves on the National League of Cities First Suburbs committee. Mr. Byington stated he has served for three years on the national level and they have a strong local regional presence.

There were no visitors with business.

The following legislation was introduced.

ORDINANCE

BY MR. CASTLEMAN NO 4741
TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER
EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE
FISCAL YEAR ENDING DECEMBER 31, 2012.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this outlines the 2012 Budget.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the ordinance be passed and the second reading waived.

Mr. Klopsch referenced a PowerPoint presentation on the 2012 Budget. He explained this past June when Governor Kasich signed the state budget, it included the repeal of the Ohio estate tax which the city (and many other communities) has relied on for years and will take effective January 1, 2013. In this year's budget, 20% of the revenue is estate tax so they need to look toward the future and see what citizens want to do with the annual loss of \$2.6M. Mr. Klopsch explained in late January, the 35 members of the Budget Review Committee will begin hosting neighborhood meetings to obtain citizen input on services and potential adjustments. At those neighborhood meetings, they'll touch on: the issue, local government funding in Ohio, history of city expenses and revenues, options on addressing the funding shortfall, cost cutting measures, how to proceed and the possible process/timeline. He referenced a chart of the last four year's Non-Enterprise Fund expenditures which shows how costs have been controlled. The next chart shows the division of expenditures between departments, with the largest amount going to the public safety department which is one of the most unique and finest in the state. Mr. Klopsch referenced a chart on the ten-year revenue average and reiterated the estate tax portion will be eliminated in 2013. In regard to options on addressing the funding shortfall, that would include cutting expenses, cutting services, raising taxes, raising fees or a combination.

Mrs. Stafford reviewed year-to-date financial updates on the Water Utility, Sewer Utility and Non-Enterprise Funds pointing out they are presently in good shape. In regard to the annual water rate survey, Oakwood is the 5th lowest of 66 and the 49th lowest of 63 in the annual sewer rate survey. She referenced receipts of 90% in the Non-Enterprise Funds which is a result of income tax collections being up. She indicated there are no surprises in the 2012 Water Fund and Sanitary Sewer Fund budget summaries. Mrs. Stafford referenced the Non-Enterprise Fund budget summary and explained they expect a large estate tax issue to be settled and staff will continue to cut costs while maintaining services. She reviewed a summary of operating expenses and the \$570,821 deficit. She referenced borrowed funds and noted this year they made minimum payments which they plan to do again next year. Mrs. Stafford reviewed the following expenses: 2012 expenses down \$265,000 from last year; personnel down eight employees since 2004; no change in equipment; and capital improvements at \$977,000. In regard to revenues: in 2012 they should be up \$1,456,000 from last year based on income tax and Sugar Camp activity, the last estate tax, property tax and fees for service.

Mrs. Stafford referenced the income tax revenue which is currently \$5.86M with \$6M budgeted in 2012 and the last tax increase was in 1984. In regard to estate tax revenue, they are currently at \$271K and she has budgeted \$2.6M in 2012. She referenced a chart of estate tax revenue and noted the ten-year average is \$2.63M. In regard to property tax revenue, they are currently at \$1.6M and she has budgeted \$1.46 in 2012 which has decreased because of the change in the property re-valuations. Mrs. Stafford referenced a chart of property tax revenue that is generated by levies and noted the recent 2.72 renewal passed by a 74% margin. She also referenced a pie-chart of the residential real estate breakdown, noting the city only receives 6%. Mrs. Stafford reviewed the goals and objectives for 2012: Sugar Camp/Pointe Oakwood; ways to improve efficiency and lower costs in the refuse program; safety department procedures; law department procedures; and continue software testing and procedures in the finance department. Mayor Duncan noted they have cut expenses in Oakwood, haven't raised taxes in 20 years and although the Budget is 2% higher they will probably spend less in 2012 than 2011.

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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. CASTLEMAN

NO 4742

TO AMEND SECTION I, 2011 ORIGINAL APPROPRIATION ORDINANCE NO. 4715 AND SUPPLEMENTAL APPROPRIATION ORDINANCE NOS. 4722 AND 4730 TO PROVIDE FOR THE APPROPRIATION OF: 1) AN ADDITIONAL AMOUNT OF

\$824,493.30 TO BE EXPENDED FROM THE CAPITAL PROJECTS FUND FOR THE FAR HILLS AVENUE PAVEMENT PLANING AND RESURFACING IMPROVEMENTS PROJECT UTILIZING FUNDS ALLOCATED BY THE FEDERAL HIGHWAY ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this relates to the Far Hills Avenue paving project. Mayor Duncan noted this has no impact on the fund balance. It is a pass-through appropriation meaning that the funds were paid directly from ODOT to the contractor.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the ordinance be passed and the second reading waived.

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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MRS. HILTON

NO 4743

TO APPROVE CURRENT REPLACEMENT PAGES TO THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODE.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mrs. Hilton explained this brings regulations into conformance with State Law and noted there are 14 traffic and 25 general offense sections that were amended. She noted this is an emergency measure and takes effect immediately.

Thereupon, it was moved by Mrs. Hilton 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. 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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. CASTLEMAN

NO 4744

TO REPEAL ORDINANCE NUMBER 4713 AND ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER 12, 2011 AUTHORIZING THE CITY MANAGER TO INCREASE THE TOP RATES OF COMPENSATION FOR OFFICE, MANAGEMENT, PART-TIME, SEASONAL AND SUPPORT EMPLOYEES; THE CLASSIFICATION OF MAJOR TO THOSE NON-BARGAINING UNIT SAFETY DEPARTMENT EMPLOYEES WHO RECEIVE AN ANNUAL LUMP SUM PAYMENT FOR A CLOTHING ALLOWANCE AND FOR MAINTAINING A PARAMEDIC CERTIFICATION; TO PROVIDE AN ENHANCED LIFE INSURANCE BENEFIT FOR THOSE EMPLOYEES IN THE LEISURE SERVICES PROGRAM SUPERVISOR AND HORTICULTURIST JOB CLASSIFICATIONS, AND TO DECLARE AN EMERGENCY.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this grants a 2% pay increase. Mayor Duncan indicated the city has worked with the collective bargaining employees on pay increases for the next three years so that labor costs will be known.

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure.

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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. CASTLEMAN

NO 4745

TO SET THE MAXIMUM COMPENSATION OF THE CITY OF OAKWOOD MUNICIPAL COURT CLERK, BOOKKEEPER/DEPUTY CLERK AND BAILIFF, AND TO DECLARE AN EMERGENCY.

A copy of the ordinance, 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. Stephens that the ordinance be passed as an emergency measure.

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 ordinance was declared duly passed and it was so ordered.

RESOLUTION

BY MR. CASTLEMAN

NO 1750

AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE VIA INFORMAL COMPETITIVE PROCEDURES FOR THE PURCHASE OF A USED GRAPPLE TRUCK.

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 Mrs. Hilton that the resolution be passed.

Mr. Klopsch explained this one piece of equipment will take the place of two (front-end loader and dump truck). Since the grapple truck has a debris lifting arm, the city can eliminate one piece of equipment and a staff member making things more efficient.

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 MR. CASTLEMAN

NO 1751

AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE VIA INFORMAL COMPETITIVE PROCEDURES FOR THE PURCHASE OF TIPPING REFUSE CONTAINERS.

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

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

Mr. Castleman explained the city is not actively purchasing these but reviewing potential purchases for efficiency. Mr. Klopsch explained these would be used in the alleys. The city plans to communicate with homeowners abutting alleys to discuss how this would be efficient for the packer to collect refuse with these totes. He indicated they had money in the budget and will return to council with more details.

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.

Mr. Castleman explained the following three note ordinances will be given a first reading this evening. Mayor Duncan explained this relates to short-term debt and the second reading will be at the next meeting.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$693,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING A NEW MUNICIPAL SERVICE CENTER BUILDING.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$250,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF RENOVATING AND PROVIDING ADDITIONAL FACILITIES FOR THE CONDUCT OF GOVERNMENTAL OPERATIONS, INCLUDING LEGISLATIVE, ADMINISTRATION AND PUBLIC SAFETY, BY CONSTRUCTING ADDITIONS TO, REMODELING, RENOVATING AND EQUIPPING THE EXISTING CITY ADMINISTRATION BUILDING AND PROVIDING FOR ALL NECESSARY APPURTENANCES.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,459,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING REAL PROPERTY FOR PARKS AND RECREATIONAL PURPOSES.

There was no staff report.

CITY MANAGER’S REPORTS

Budget Review Committee. Mr. Klopsch extended thanks to the committee members for attending the four meetings throughout the year. He explained these members represent the seven voting precincts in the city and passionately care about the community. He indicated they have a big challenge ahead and is pleased they’ve agreed to host meetings and to invite their neighbors.

Projects. Mr. Klopsch thanked citizens who travel on Patterson Road and in particular those who live there for enduring the late season roadway repair. He commended Mr. Weaver on the quick project completion. He referenced work on Deep Hollow that has widened the roadway and work on the walking path near Park Road.

Thanks. On behalf of staff, Mr. Klopsch thanked council for the 2% salary adjustment. He noted they have an outstanding group of city employees, people who care and serve the city very well.

Mayor Duncan asked about work on Far Hills near Schantz. Mr. Klopsch explained Vectren dug up the new street. Mr. Weaver explained when the street was rebuilt, Vectren worked on the gas line to Sugar Camp. Due to a water issue, they dug up that area and added 15’ of pipe.

COUNCIL COMMENTS

Mrs. Hilton recently attended the Historical Society Holiday Open House and learned something new during the tour and activities. She commended Ms. Collins and her staff on the recent Mother/Son Dance, Senior Luncheon and Tree Lighting.

Mr. Castleman wished everyone the best of health and happiness this holiday season. He encouraged folks to come to the Shops of Oakwood during the remaining 12 days before the holiday.

Mr. Byington referenced an e-mail he received from a citizen about how Governor Kasich is suggesting Ohio change the license plate “Birthplace of Aviation”. He reviewed some of the potential list of choices which are available for review on the Bureau of Motor Vehicle website and questioned the action.

Mayor Duncan noted this is the first meeting since the recent election and extended thanks to citizens for the property tax renewal. He also extended congratulations to fellow council members Byington and Castleman, as well as himself, on being re-elected and looks forward to continuing work with this council. Mayor Duncan thought this year's weather was great for the luminaria night and was pleased to see Santa on the fire truck. He extended thanks to staff for being at the meeting this evening and for their ongoing work at maintaining services during these tough economic times. Mayor Duncan wished everyone a Merry Christmas and Happy New Year. He announced the next regular session has been changed to Tuesday, January 3, 2012 at noon rather than 7:30 p.m.

Council adjourned. The public meeting concluded at 8:40 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL