

CITY OF OAKWOOD

STATE OF OHIO

MARCH 5, 2012

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, 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
Mrs. Cindy Stafford, Finance Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and staff writer with the *Dayton Daily News*, Mr. Terry Morris.

The following visitors registered:

Faye Wenner, 1900 Coolidge
Mary Malone, 303 E. Schantz
Beth Horvath, 962 Thorndale
Karen Haverland, 2517 Roanoke
Mark Risley, 151 Aberdeen
Mark Posner
Amber Scalf
Ann Snively, Wright Library
Sally Walters, Pointe Oakwood
Mr. & Mrs. Lee Shear, 1130 Harman
Howard Schottenstein, Bexley
Stefanie Campbell, 271 Schenck
Lloyd Chapman, Senior Living Solutions Group
Earl Reeder, 3717 Blossom Heath
S.H. & R. C. Conard, 416 Irving Avenue
Jane Balquedra, 414 Irving Avenue

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 February 6, 2012 and the work session of February 27, 2012. 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 be approved as written and the reading thereof be dispensed with. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mayor Duncan announced that council decided to strike from the agenda the Resolution relating to MVRPC Going Places.

STATUS REPORT

Proclamation. Mayor Duncan read a Proclamation recognizing Rachel Ramey for service to school and community and noted she will be receiving the Youth Service Award from the Dayton LaSertoma Club. He commended Ms. Ramey on her impressive background and her plans to attend college and then join the Peace Corps.

Income Tax. Mayor Duncan referenced a report from the Tax Foundation, an international CPA firm, on the best and worst states for taxes and was pleased to report that Ohio was recognized as one of the better states, a significant improvement. He noted, however, that unfortunately the Ohio CPA group is sending out information to state legislators to work on centralized tax collection and mandating code uniformity which will lower the tax base and Oakwood could stand to lose

\$500,000 annually. He indicated the city is working with the Ohio Municipal League in support of uniformity so long as it is somewhat revenue neutral.

VISITORS

Ann Snively, Wright Library. Mrs. Snively invited council and the community to participate in the 2012 Big Read and presented a copy of Zeitoun by Dave Eggers to Council. She encouraged participation in discussions on this book. Mrs. Snively reported the Library is undergoing interior renovations, working with Ruetschle Architects, on new carpet, paint, energy lights and rearrangement for better service. She noted, however, the front reading rooms will remain as is. She invited the community to a meeting on March 20 to review these plans. Mayor Duncan thanked her for the update and book.

LEGISLATION

RESOLUTION

BY MAYOR DUNCAN

NO 1753

TO GRANT APPROVAL OF AN AMENDMENT TO THE APPROVED MASTER PLAN FOR THE POINTE OAKWOOD RESIDENTIAL DEVELOPMENT, AFFECTING THE NORTHEAST CORNER OF SAID DEVELOPMENT.

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

Mr. Byington recused himself from this discussion based on advice from the city attorney due to the location of his home across the street from the property.

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

Mr. Weiskircher referenced a PowerPoint presentation of the request from Oakwood Investment Group (OIG) to amend the Pointe Oakwood Master Plan to construct a three story, 86,727 s.f. assisted living facility at the corner of Far Hills and Old River Trail. He reviewed a chart and site maps that compared the 2007 original plan, 2008 amended plan and proposed plan. He referenced the elevation drawings of the facility, the floor plans and individual unit plans. He then referenced site parking and adjacent Old River Field parking availability. Mr. Weiskircher indicated by a vote of 4-0, the Planning Commission recommended approval of the proposed amendment to the Pointe Oakwood Master Plan subject to satisfactory completion and approval of the following details to be reviewed by the Commission and Council: 1) develop landscape plan with staff assistance; 2) complete drainage study; 3) work out details on use of Old River parking lot; 4) develop lighting and exterior signage plan with staff assistance; and 5) confirm exterior building materials and color scheme. Mr. Weiskircher reviewed a few questions posed and answered during the Commission's hearing. Whether the safety department is properly equipped and staffed to service two assisted living facilities, the answer was yes. There were 72 medic runs to Brookdale during 2011 and Scott Peters, Senior Assisted Living, believed there will not be an exponential increase. Whether there is a need for the facility, a marketing study was undertaken and 12 local assisted facilities were surveyed. Whether there is a chance a non-profit could operate the facility and no property tax be collected, Mr. Schear stated there were no plans to have a non-profit group and in response to a final question construction will hopefully begin the fall of 2012 with completion in 2014.

Mr. Castleman asked what the code requires for parking. Mr. Weiskircher explained the code doesn't specify parking for assisted living facilities, however, most of the residents in the building will not have their own vehicle and the facility has a van to shuttle guests and staff. He explained there will be 15 staff members at any given time, only 5 spaces are provided, so they need an additional 15-20 on a regular basis plus for special events. He noted the facility will have 45-50 employees. Mr. Castleman noted with approximately 450 spaces at Old River, the 15-20 additional spaces on a daily basis should not be a problem.

Mayor Duncan opened the public hearing. Mr. Schear explained in 2007, he was one of three owners involved in this project, a developer and two partners. In May, 2011 he took over the project and had market studies undertaken to see what the public wanted and what would work in Oakwood. He indicated they have five houses in stages of readiness and there has been a lot of interest in the housing and business aspect of the site. Mr. Schear explained they have undertaken a new plan, fresh look at the space that has been dormant. After a year of research, they propose the assisted living facility and he has put together a team to work on this asset to Sugar Camp and Oakwood, something he wants to see succeed especially since he lives in the community. He is proud of the money spent on engineering, research, that the Commission recommended approval of this proposal as well as media coverage. Mr. Schear indicated the next step is to select a builder and operator. He explained this is based on research that there is a need, this is financially viable and

Oakwood is the right location for a high profile, high end assisted living facility. Mr. Schear indicated this will bring in new property tax plus payroll tax. He introduced his team of Howard Schottenstein, Bob Posner, Lloyd Chapman and Earl Reeder.

Mr. Lloyd Chapman, Senior Living Solutions Group, explained his associate Mr. Scott Peters was at the commission meeting. They are consultants in the assisted living industry and he reviewed his personal background. He indicated it's very rare to find a market with a need such as Oakwood in both memory care and assisted living needs, a double deep market. He explained assisted living facilities aren't independent living facilities and most residents don't have cars; the average age is 86. These residents need help with three or more activities, i.e., bathing, medication, etc., and memory care residents need greater care. Mr. Chapman explained most in assisted living are there for an average length of 20 months. During this project, he has worked closely with Nancy Prutzer, Vogt Santer Insights, on her marketing research and she also couldn't remember being so excited about a market such as Oakwood.

Mr. Stephens expressed concern with parking for a facility this size and although it's his goal to keep senior citizens in Oakwood, parking in this community has always been an issue. He wondered if they've taken into consideration how busy that area is in the spring/fall during athletic activities and wants to make sure employees park at Old River and not in the residential neighborhood. Mr. Chapman indicated they hire good employees and will use the van to pick up employees at Old River. Mr. Stephens indicated employee parking has been an issue near Dorothy Lane Market but added he also doesn't want a large parking lot. Mr. Chapman explained the van is budgeted; this will not be a hardship. Mayor Duncan wondered how often assisted living/memory care residents have visitors. Mr. Chapman explained unfortunately they don't get many visitors and they typically allocate 15-20 spaces, as is shown. He indicated during special events there are many visitors and they will also use the van shuttle at that time. Mr. Stephens is pleased to note that additional work will be done on the five noted outstanding issues, one of which is parking.

Mayor Duncan asked about cost at this high end facility. Mr. Chapman indicated the base for the assisted living is \$3,200-\$3,500 per month and memory care is approximately \$6,000 per month. He explained they target the rates based on the market area and this facility will be larger, newer, fresher. Mayor Duncan asked if this facility would compete with Lincoln Park. Mr. Chapman explained they review facilities within a six mile radius including independent and home health care. Mayor Duncan asked if the cost in this market is different than other areas. Mr. Chapman indicated it's somewhat higher based on the Oakwood area.

Mr. Earl Reeder, Architect, explained he took all the information from the marketing study and assisted living experts and developed a building with a specific number of units that will create a comfortable and dignified environment. He chose the shingle style architecture to blend in with features in Oakwood. The tower feature also functions as the elevator shaft which is where people often congregate. He explained the dining facility was located on the third floor so residents can enjoy the great view of Old River and Dayton. He reviewed the memory units on the first floor that face into a centralized courtyard. Mr. Reeder explained he tried to blend in outdoor features with this facility. In regard to parking, they also didn't want a large lot and felt 23 spaces in the front were adequate for visitors. Mr. Stephens referenced the west elevation drawing and asked if the service bay is aesthetically covered from the residential homes. Mr. Reeder explained there is a retaining wall and garage door that opens into the lower level so trucks can unload inside.

Mayor Duncan wondered if Mr. Reeder has helped with the home design. Mr. Reeder explained he has been involved in re-visioning the project; to maintain the image/Adirondack style of Sugar Camp and a park environment. He indicated they've changed from a gated community to something that will blend with Oakwood. Mr. Reeder indicated he and a member of the Planning Commission, Harrison Gowdy, are on the architectural review committee to make this area a success. Mayor Duncan wondered if this facility will have a positive impact next to residential homes. Mr. Reeder explained they chose this architectural style, that takes various elements/components of homes in the area, and the residential area is for homes to accommodate older residents, a blending of life and architectural styles.

Mayor Duncan asked for comments from the audience. Mr. Robert Conard, 416 Irving, noted the advantage to this project will be the increase to the income tax base since the city is experiencing a \$3M shortfall. Another good argument is the increase in property tax values. He wondered if estimates on what Pointe Oakwood will produce have been done. Mr. Klopsch explained over the past four years, Sugar Camp has provided \$400,000 in income tax revenue compared to nothing when the area was empty. He doesn't have real estate tax estimates, but each home that is built adds to the tax roll. Mr. Conard asked about the assisted living tax value. Mr. Klopsch indicated the building cost is \$12M, not certain what the appraised value will be, but will add significantly to

the total city value. Mr. Klopsch indicated since the community is primarily residential, any commercial development will be meaningful and he noted the schools obtain 70% of the real estate taxes. Mr. Conard wondered when the tax income would become a reality. Mr. Klopsch indicated probably in 2014 when the building is complete. Mr. Conard noted this project should go a long way in helping the city's shortfall. Mayor Duncan indicated it will assist but doesn't solve the revenue problem. Mr. Klopsch noted estimates of the residential component of Pointe Oakwood will provide a 9% increase in taxable real estate value. He reiterated the city only receives 6% of property tax.

Ms. Faye Wenner, 1900 Coolidge, referenced the information that compares this with Brookdale and asked about the acreage. Mr. Weiskircher indicated Brookdale is located on approximately an acre and this is 1.7 acres. Ms. Wenner pointed out the difference in square footage. Mayor Duncan explained the units at Brookdale are smaller than what is proposed at the new facility.

Mayor Duncan asked for comments. There being none, the hearing was closed. Mayor Duncan extended thanks to Mr. Schear and his group, as well as Mr. Weiskircher, on explaining this proposal.

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

MR. WILLIAM D. DUNCAN	YEA
MR. STEVEN BYINGTON	RECUSED
MR. STANLEY CASTLEMAN	YEA
MR. ROBERT P. STEPHENS	YEA
MRS. ANNE S. HILTON	YEA

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

For the record, Vice Mayor Byington returned to the meeting.

STAFF REPORT

Finance Department Update. Mrs. Stafford referenced a PowerPoint that reviews 2011 financial results and 2012 budget. She reviewed a chart of the 2011 Non-enterprise funds with actual and budgeted revenue versus expenditures; as well as a comparison of the past four years. She explained revenue is \$320,000 less than budgeted. She noted investment revenue is down by \$60,000 with a yield of only one percent. In regard to expenditures, they were \$750,000 less than budgeted due to increasing the life of capital equipment and staff cutting costs. Mrs. Stafford referenced a pie chart with revenue sources on a ten year average. She pointed out the estate tax portion they will lose in 2013 and explained the "other" category relates to refuse fees, OCC fees, the local government fund which will be cut by \$50,000 in 2012 and several other items. She referenced a chart of the water and sewer enterprise funds, actual and budgeted revenue versus expenditures as well as the cash reserves as of December 31. She reviewed current events in Columbus relating to Municipal Income Tax Collection – uniformity and centralized collection as well as budget cuts with the Local Government Fund. Mayor Duncan thanked her for the report.

CITY MANAGER'S REPORTS

Financial Challenge. Mr. Klopsch is pleased citizens are learning more about the \$3M problem Oakwood faces and although he appreciates some of the state's efforts to cut government costs and make Ohio more attractive to businesses, in reality some of the changes are negatively impacting Oakwood and others, particularly in how local government is funded. He reported to date there have been six neighborhood meetings, ranging from 9-17 in number of citizens attending, a comfortable size group of citizens. He hopes to have 40 meetings by the end of June and already had one of three Town Hall meetings with 70 people attending. Mr. Klopsch indicated at these meetings they are reviewing options of cutting services and/or raising fees and the common themes he has heard are that 1) citizens live in Oakwood for the services/ambiance and caution any change; and 2) citizens are feeling stress with the economy and taxation.

COUNCIL COMMENTS

Mr. Castleman reminded everyone tomorrow they have the great privilege to vote. Mayor Duncan announced Precinct F now votes at the Lutheran Church of Our Savior instead of Smith School.

Mr. Byington referenced a meeting sponsored by Montgomery County on MCO Futures, regional efforts as local governments are feeling the pinch. The county is soliciting information from residents on county-wide issues and he encouraged citizens to attend the April 11 meeting.

Mr. Byington noted as part of his regional efforts as Chair of the First Suburbs Consortium, he is visiting 14 municipalities about the group's efforts. During a recent Kettering meeting he was taken aback by a group that spoke on behalf of concerns from a group known as "Better Kettering". They had not spoken with staff or council in advance but at a public meeting. Mr. Byington explained all of council are elected and take the position seriously. He indicated they do listen, e-mail and phone numbers are on the city website, and they encourage citizens to contact anyone. Mr. Byington noted he will be going to Washington DC early next week as a member of the National League of Cities First Suburbs so will compare notes with other municipalities.

Mayor Duncan referenced the State of the City address he gave last month and reiterated Oakwood's strength is its people. He recognized Jeff Shulman who was named Barrister of the Month and reviewed his background. He noted Mr. Shulman's son is an OHS grad who is the IRS Director in DC. Mayor Duncan extended congratulations to Mr. Shulman on the award.

Mayor Duncan explained after every EMS run, the patient is sent a survey about the service provided. He read the following reply recently received: *"We were completely satisfied with the care provided by the EMS personnel. It was apparent they immediately diagnosed the situation and provided the required emergency care. They ensured I received the proper care from their arrival at our home to arrival at the emergency room. The EMS providers were very professional and caring. It was evident they knew what procedures were warranted. I was diagnosed with a heart attack. It was stated that the expeditious transportation and care received in the ambulance was a major factor in my survival. The response time from the EMS personnel was outstanding! The arrival time from our 911 call to the arrival of the first officer was less than five minutes. It was apparent they knew exactly what to do in my situation and performed the necessary procedures flawlessly. The personnel and the training they have received are excellent. My wife and I would like to thank everyone involved for saving my life. This gives me incentive to pay my taxes early."*

Council adjourned. The public meeting concluded at 9:20 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL