

CITY OF OAKWOOD
STATE OF OHIO
DECEMBER 10, 2012

The Council of the city of Oakwood, State of Ohio, met in a work session at 7:00 p.m. in the conference room of the city of Oakwood, 30 Park Avenue, Dayton, Ohio, 45419. Council then met in 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. Robert F. Jacques, City Attorney
Mr. Jay A. Weiskircher, Assistant City Manager
Ms. Carol Collins, Leisure Services Director
Ms. Cindy Stafford, Finance Director
Mr. Kevin Weaver, Director of Engineering and Public Works

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

Mrs. Hilton, Chair of the Council Committee on Minutes, advised council she had read the minutes of the regular and work sessions held on November 5, 2012; the executive session on November 15, 2012; the work session on November 19, 2012 and the work session on December 3, 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 aforementioned be approved as written and the reading thereof at this session be dispensed with. Upon a vive voce vote on the question of the motion, same passed and it was so ordered.

STATUS REPORT - None

VISITORS - None

LEGISLATION

RESOLUTION

BY MAYOR DUNCAN

NO 1768

OPPOSING THE PASSAGE OF A BILL INTRODUCED AS H.B. 601 BY THE OHIO GENERAL ASSEMBLY, WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE.

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

Mayor Duncan explained that this resolution opposes H.B. 601 introduced in the Ohio General Assembly as a means to establish income tax collection uniformity but instead results in a substantial loss of revenue for most communities. Mayor Duncan continued that in addition to reductions in the Local Government Fund, elimination of the Estate Tax, and the elimination of promised reimbursement for the loss of revenue due to the repeal of the Tangible Property Tax and Public Utility Taxes, it is estimated by Oakwood staff that the proposed legislation will result in the loss of an additional \$400,000 in annual income tax revenue by the city of Oakwood. Mayor Duncan went on to add that cities are not opposed to uniformity, but getting there must be revenue neutral. Mayor Duncan noted that he and Vice Mayor Byington met recently in Columbus with the First Suburbs group. Although this particular bill will not be acted upon before the legislature adjourns for the year, the bill is expected to be reintroduced after the first of the year in nearly the same format. Mayor Duncan added that there were a number of recommendations made by cities to achieve uniformity while making the bill revenue neutral but none of those suggestions were included in the bill that was introduced. The OML is currently working on drafting a substitute bill but one of the concerns many elected officials have is that like the Estate Tax elimination bill which

was attached to the budget bill, a similar strategy might be taken with this bill thus denying legislators the opportunity to vote separately on the issue.

Thereupon, it was moved by Mayor Duncan and seconded by Mr. Byington 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. 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.

ORDINANCE

BY STANLEY CASTLEMAN NO 4761
TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2013.

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

Mr. Castleman explained that this ordinance provides for expenses and other expenditures by the city for the 2013 calendar year.

Finance Directory Cindy Stafford referenced a brief PowerPoint presentation on the 2013 Budget. She noted that in 2013, expenditures will decrease again as they have over the past four (4) years. Mrs. Stafford added that overall staffing levels have declined from 95 in 2004 to 86 in 2012 and will continue to decline through attrition to approximately 81 employees in 2015. She noted several cost-saving measures that will be undertaken in 2013 including, but not limited to, modifications in the refuse program and operational changes at the OCC. On the revenue side, the city recently instituted a Stormwater Utility Fee, and will be increasing the refuse fee charged to single residential property owners and multi-family rental properties with up to four (4) units. These changes will make the refuse fund self-supporting. In addition, program and user fees will be increased at the OCC and court fees will also be increased. Mrs. Stafford noted that council continues to discuss taxing options to generate the additional \$1.5 M revenue shortfall. She mentioned there are no anticipated fee increases for either the Water or Sewer Enterprise Funds.

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

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 1769
AUTHORIZING THE FINANCE DIRECTOR TO REQUEST APPROVAL FROM THE STATE AUDITOR FOR THE ESTABLISHMENT OF A SPECIAL CAPITAL IMPROVEMENT ENTERPRISE FUND FOR USE IN CONNECTION WITH THE CITY'S STORMWATER MANAGEMENT UTILITY.

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

Mr. Castleman explained that this resolution authorizes the Finance Director to seek approval from the State Auditor to create a new fund in order to segregate revenue generated from the Stormwater Management fees for the purpose of financing capital improvement and other expenditures for the Stormwater Management System.

Thereupon, it was moved by Mr. Castleman and seconded by Ms. Hilton 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. 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.

ORDINANCE

BY MR. CASTLEMAN NO 4762
TO AMMEND THE REFUSE COLLECTION RATES SET FORTH ON ADDENDUM A OF
THE STREETS AND PUBLIC SERVICES CODE OF THE CITY OF OAKWOOD, OHIO.

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

Mr. Castleman explained that this ordinance will increase refuse rates from \$12.50 per month to \$25.00 per month effective January 1, 2013 for single-family residential properties as well as multi-family properties with up to four (4) units. This increase is necessary because of state revenue cuts to local governments and the elimination of the Estate Tax.

Mr. Stephens added that the fee increases simply bring the city's rates in line with what other jurisdictions are already charging for refuse services, but added that there is no community in the area that offers the myriad of services such as special pick-up, dumpster and brush and branch pick-up provided by Oakwood.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Stephens that the ordinance be passed and the second reading to be 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 4763
TO ESTABLISH A SCHEDULE OF FEES TO BE TAXED AS COSTS IN ANY CIVIL,
CRIMINAL, OR TRAFFIC ACTION OR PROCEEDING IN A MUNICIPAL COURT FOR THE
PERFORMANCE BY PUBLIC SAFETY OFFICERS OR THE BAILIFF OF SERVICES
SPECIFIED IN SECTIONS 311.7 AND 509.15 OF THE OHIO REVISED 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 that this ordinance establishes fees for services performed by Public Safety Officers or the Bailiff in connection with civil, criminal, traffic action and proceedings in the Oakwood Municipal Court.

Thereupon, it was moved by Mrs. Hilton and seconded by Mr. Stephens that the ordinance be passed and the second reading be 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 resolution was declared duly passed and it was so ordered.

RESOLUTION

BY MR. CASTLEMAN

NO 1770

TO GRANT APPROVAL OF AMENDED MASTER PLAN SUBMITTED BY BETH ABRAHAM SYNAGOGUE FOR THE SUGAR CAMP COMMERCIAL 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. Castleman explained that this resolution comes as a unanimous recommendation from the Planning Commission for approval of a replacement canopy at Beth Abraham Synagogue. Mr. Castleman noted that the new canopy will be of a similar size and scale as the former canopy.

Mayor Duncan opened the public hearing for comments. There were no comments and the public hearing was closed.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Stephens 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 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.

STAFF REPORT – None

CITY MANAGER’S REPORT

Mr. Klopsch thanked department heads and city staff for their efforts in addressing the budgetary challenges posed by the loss of nearly 20% of the city’s revenue stream as a result of actions taken by the state legislature.

COUNCIL COMMENTS

Mrs. Hilton noted that she recently attended the Historical Society’s Annual Holiday Open House. She thanked Carol Collins and her staff on their work with Light Up Oakwood and the Tree Lighting ceremony at Shafor Park.

Mr. Stephens thanked the City Manager and his staff for their good work this past year and wished everyone a happy holiday season.

Mr. Castleman wished everyone health and prosperity during the coming year.

Mr. Byington encouraged the public to shop and buy locally and wished everyone Happy Holidays.

Mayor Duncan thanked the City Manager and department heads for their efforts in cutting expenses while continuing to provide excellent city services. He added that in 2013, the city will continue to spend down reserves generated over the years through estate tax proceeds. Mayor Duncan went on to explain that the city has not increased tax rates in over 20 years, and added that the city actually let an existing property tax levy expire in 2008. He noted that as a result of legislative action at the state level, most cities in the area are looking at ways to enhance their revenue stream either through property tax or income tax increases. While Oakwood has sufficient operating funds for 2013, we will likely need to raise taxes in 2014. Mayor Duncan thanked members of council for the time they devoted this year to attending neighborhood meetings and open house events. Mayor Duncan concluded his comments by extending his best wishes to the City Manager on his impending marriage and wished everyone Happy Holidays and a Happy New Year. He announced that the next regular council meeting is scheduled for Monday, January 7, 2013 at 7:30 p.m.

The public meeting concluded at 8:07 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL