CITY OF OAKWOOD
STATE OF OHIO
MAY 6, 2013

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, 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. 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. Lori Stacel, Clerk of Council

The following visitors registered:

Stefanie Campbell, 271 Schenck Avenue

Mrs. Hilton advised Council she had read the minutes of the April 8, 2013 regular and work sessions of council. 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 REPORTS

Mayor Duncan shared that tomorrow is Election Day. He explained that there is one issue on the ballot which is a 3.75 mill property tax issue and that it would be the first property tax increase for city services in 22 years. He added that the city has cut spending each of the past four years and will cut spending in 2013. He explained that this levy is needed to maintain the quality public services that Oakwood citizens expect. He said that if we want to keep Oakwood as the premier residential community in the Dayton area, he urges a YES vote tomorrow, May 7.

VISITORS – NONE

LEGISLATION

RESOLUTION

BY MR. STEPHENS NO 1777

DECLARING THE NECESSITY OF IMPROVING CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

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

Mr. Stephens explained that this resolution allows us to light the streets of Oakwood January 1, 2014 through December 31, 2014.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. 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 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 4766

ADOPTING THE 2014 TAX BUDGET FOR THE CITY OF OAKWOOD, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 2014.

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 shared that this is the standard annual ordinance adopting the following year's tax budget.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the second reading be waived and 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 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. STEPHENS NO 4767

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN 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. Stephens explained that this is for work done in 2012 for bills that have yet to be paid. He added that these bills need to be paid by August 23, 2013 and if not will be assessed to the property owner.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the second reading be waived and 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 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. STEPHENS NO 4768

DETERMINING TO PROCEED WITH THE REPAIRING OF SIDEWALKS AND APPURTENANCES THERETO ON CERTAIN STREETS BETWEEN CERTAIN TERMINI, IN THE CITY OF OAKWOOD, OHIO, PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE SAME, AND DECLARING AN EMERGENCY.

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 this is for the work done in 2013 on all the streets on the west side of Far Hills. He added that this is part of our annual Curb, Walk and Apron Project, and should be passed as an emergency measure for the reasons set forth in the ordinance.

Thereupon, it was moved by Mr. Stephens and seconded by Mr. Castleman that the emergency 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 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 VICE MAYOR BYINGTON NO 4769

TO REPEAL EXISTING CHAPTER 551, *WEEDS,* OF THE OAKWOOD GENERAL OFFENSES CODE AND TO ADOPT NEW CHAPTER 551, *WEEDS,* OF THE OAKWOOD GENERAL OFFENSES CODE, AND DECLARING THE SAME TO BE AN EMERGENCY MEASURE.

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 residents are required by ordinance to maintain lawns at a height of 8 inches or shorter. When lawns become overgrown, owners are notified and if not corrected, the city cuts the grass and bills the property owner, and, if necessary, then certifies that cost to the owner's property tax bill. Vice Mayor Byington added that using the current system, unfortunately, is an expensive and time consuming process because of having to notify owners by certified mail and then publishing a legal notice before action can be taken to cut the grass and often this process can take up to three weeks. He confirmed that our law director created a replacement to this ordinance to help streamline the process. He added that under the new ordinance the city will publish a single legal notice in early spring reminding residents of their maintenance obligations and after that notice, any property that has their lawn higher than 8 inches would receive a door tag alerting them that their property is out of compliance. If the property is not brought into compliance within five days of placement of the door tag, the city cuts the lawn and bills the property owner. He shared that there are two main reasons to adopt this which is to save the city money because certified mail is expensive and it will be more efficient. He said it will be beneficial to the city both financially and aesthetically.

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

Mr. Rob Jacques, Law Director, clarified that the ordinance was introduced as an emergency measure and he wanted to ensure that the basis was explained for the record. He stated that it is currently the beginning of the grass growing season and some of the first notices are starting to go out under the old ordinance, so it is important that we immediately implement the new process in order to transition smoothly and avoid practical and legal entanglements.

Mayor Duncan confirmed with City Attorney Rob Jacques that this will go into effect right away because it is an emergency measure and a 4/5 vote of council will be required.

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 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.

STAFF REPORT:

Construction Project Update Presentation: Mr. Jay Weiskircher, Assistant City Manager, referenced a PowerPoint presentation and updated Council on current construction projects. Mr. Weiskircher opened his presentation by sharing that there are quite a few projects in the pipeline, some already underway and some will be underway in the very near future. Mr. Weiskircher started with the Routsong Retail Center. He showed the Oakwood Avenue side of the building and explained that some areas will have brick and others will have stone giving a Tudor appearance. Mr. Weiskircher reported that the project architect predicts the building will be complete around mid to late June. Mr. Weiskircher then moved to Pointe Oakwood. He explained that the four condominium buildings on the corner of Pointe Oakwood have been approved and Mr. Schear is moving forward with the two six unit, three story buildings on the corner and hopes to solicit bids next week. Mr. Weiskircher shared that if all goes as planned, they hope to break ground in July and anticipate a ten month construction schedule on the two corner buildings. Mr. Stephens asked if there were three buildings and Mr. Weiskircher confirmed that there are four total with the ones on the corner being 3-story buildings and the two end buildings being 2-story buildings. Mr. Stephens asked if there was a timeframe for these and Mr. Weiskircher confirmed that there isn't a timeframe for the two on the outside because they want to see how the sales go on the 3-story buildings first. Mr. Weiskircher explained that there have been a few financial issues with the Sugar Camp Assisted Living Facility. He added that the building design was approved by the Planning Commission, but they will need to come back to Planning Commission to go over a few more details. He added that after discussion with Randall Residence it sounds as though they will be breaking ground in the next two to three months. Mr. Weiskircher added that project construction time for this building is 12-14 months and is a $12-$14 million dollar project. Mr. Weiskircher reported that last week they started site work on a building site along Far Hills Avenue which is a home that will be built by Tom Peebles and it is going to be a 2-story colonial located next to the yellow house. They are projecting a 5-6 month construction schedule. Mr. Weiskircher referenced a home that, except for the exterior, is fully completed and built by RA Rhodes and has received a number of inquiries. Mr. Weiskircher then showed two other Rhodes spec homes where construction is well underway. He added that Mr. Rhodes will have built five homes at Point Oakwood. Mr. Weiskircher then reviewed Little Woods Road by displaying a picture of construction on a home that is being built by a local architect. He shared that members of Oakwood Rotary Club received an overview of the home and he understands that the owner is excited about the energy efficiency and they hope to be in this by the end of the year. He shared one other single family home on the corner of Runnymede and Thurston. He added that there was formerly a 1-story ranch that was torn down last fall. He added that construction will begin in the next 2-3 months. Mr. Weiskircher discussed a vacant lot on Ridgeway Road that went through the Planning Commission last December. He added that plan modifications were made and it will be a very grand home. Mr. Weiskircher concluded his presentation by sharing that there are a lot of things going on in town and it will get busier in the next 2-3 months.

CITY MANAGER'S REPORT: Mr. Klopsch said that in his eleven years, this is the most construction activity that the city has had in the pipeline and for a fully developed city, it is amazing and a good sign for Oakwood. Mr. Klopsch shared that there is a new event at the Foell Public Works Center on Saturday, May 11 from 9:00 a.m. to 1:00 p.m. in cooperation with Goodwill/Easter Seals Miami Valley. He explained that it is for a free Electronic Recycling and Prescription Drug Drop-Off event and is open to all citizens. Mr. Klopsch reported that working and non-working items being accepted include computers, monitors, hard drives, printers, toner cartridges, keyboards, scanners, speakers, cords & cables, cellphones, software and routers – but televisions will not be accepted. Mr. Klopsch noted that Goodwill/Easter Seals society will be reusing everything they possibly can so it will all go to a good use. Mr. Klopsch added that members of the Oakwood Safety Department and the Montgomery County Sheriff's Department will also be on hand to collect unused and expired prescription and over-the-counter drugs. Mr. Klopsch shared that we have had two Saturdays where the Public Works Center has been open from

9 a.m. to noon for residents to come drop off household items, garbage, special pick up items and yard debris. He added that this was started after moving to the once a month yard debris pickup. He confirmed that the first two months had been a good turnout and that it will continue through October. Mr. Klopsch shared that the 2013 asphalt program has begun and all property owners should have received a postcard informing them of the work. Mr. Klopsch reported that the work on East Drive will be the most significant because it involves replacing the curb and it will probably take 2-2 ½ months to complete. Mr. Klopsch concluded by thanking the twelve citizen levy committee members for all of their help on the information campaign. He shared that the committee met on four or five occasions and he communicated individually with most of the members in addition to the meetings. Mr. Klopsch added that he felt they got the word out as to the importance of the levy and he urged everyone to get out and vote.

Mrs. Hilton asked what was being done with old computers and if people need to worry about sensitive data. Mayor Duncan answered that Goodwill has a contract with Dell computers and they take the computers to the recycling center on Woodman Drive where individuals with disabilities or special needs take the items apart and hard drives are cleared. Mayor Duncan added that items are broken down by material and recycled through Dell which keeps millions of tons of debris out of the landfill and promotes a "green" concept.

Mayor Duncan shared that he has noticed that more residents are placing yard debris on the roadway as opposed to in between the sidewalk and roadway and wanted to know how this is communicated to citizens. Mr. Klopsch answered that door hangers are left at the home and the Public Works group communicates that debris in the roadway is not permitted.

COUNCIL COMMENTS

Mrs. Hilton shared that the Oakwood Historical Society has "A Taste of Wine and Cheese" event on May 18 from 4 p.m. – 6 p.m. She added that she has attended a few times and it is a wonderful event. More information and how to sign up is available on their website at www.oakwoodhistory.org.

Mr. Stephens wanted to remind everyone of "That Day in May" which is Saturday, May 18. He said there is a full slate of activities which include: the pancake breakfast, 5K and 10K run and added that it's not too late to sign up, the silent auction and of course the afternoon games and food. He said it will be a great day so come early and stay all day!

Mr. Castleman encouraged everyone to turn out for the vote. He explained that one way to look at the efficiency of Oakwood is to note that to run Oakwood it takes approximately $14,750,000, give or take, not including cutting the grass. He added that there are 4,000 housing units in Oakwood which equates to a common area maintenance cost or "association fee" of a little over $300 a month or $3700 a year. This is how condominium projects are evaluated and the numbers show a measure of great efficiency. He added that he is not suggesting we convert to a condo or HOA – type community; he just wanted to point out the efficiency of the city of Oakwood.

Mayor Duncan concluded the meeting with a reminder that this Saturday, May 11, the city is having the 12th Annual Breast Cancer 5K Care Walk. He said that 100% of the proceeds go to fund breast cancer education and prevention programs in Ohio. Mayor Duncan added that the registration begins at 8 a.m., the opening event at 8:30 a.m. and the run will begin at 9 a.m.

The public meeting concluded at 7:59 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL