

CITY OF OAKWOOD  
STATE OF OHIO  
JUNE 10, 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. Jay A. Weiskircher, Assistant City Manager  
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Robyn Schrimsher, 321 Volusia Avenue  
Mychaelyn Michalec, 100 Monteray Avenue  
Amanda Robb, 352 Wonderly Avenue  
Lee McClory, 340 Corona Avenue

Mayor Duncan welcomed Amy Blankenship, an attorney with Altick & Corwin, who is sitting in for Law Director Rob Jacques during his absence.

Mrs. Hilton advised Council she had read the minutes of the May 6, 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 explained that HB 5 is legislation currently in the Ways and Means Committee in Columbus and is a municipal tax uniformity/reform bill that will result in significant revenue losses for cities and villages in Ohio. He added that cities and villages all across the state through First Suburbs Consortiums and local Mayors, Managers and Council Members have united in opposition of this bill. He shared that he attended a meeting today where individuals who oppose the bill but are in favor of uniformity came to a consensus on alternative provisions. There is concern that the proponents of the bill are trying to fast track this when it still needs additional discussion. He added that they are optimistic that the Speaker of the House will continue to support the Ways and Means Committee chair on his process. His process is more open as opposed to trying to fast track the bill before the legislature adjourns at the end of June. Mayor Duncan added that he is currently working on a brief article for the *Oakwood Register* to keep everyone informed.

#### VISITORS

Mychaelyn Michalec and Amanda Robb provided an overview of the Oakwood Farmers Market which is scheduled to begin on Jun 29 and end on Sept 28. It will operate on Saturdays from 9 a.m. to 1 p.m. Mrs. Michalec shared that it was Dorothy Kupka's idea for the Farmers Market and they hope the success is an enduring part of the community. Mrs. Robb said they are in the process of incorporating as a LLC and applying for 501(c)(3) status to become a non-profit organization. She shared that the five board members are currently acquiring sponsors to cover costs such as advertising, etc. They currently have a special events committee working on each market to make sure they each have a special event. They also have a publicity committee that is working to get information to the *Oakwood Register*, Facebook, etc. They have verbal commitment from about 15-20 vendors from produce to bakers to local artisans as well as gourmet food trucks. They thanked the city for their support of the market and for the use of the municipal lot.

Mayor Duncan said that the business community seems excited because it will increase traffic. He added that things like the Farmers Market are what make Oakwood unique. He said that all it takes is 2 or 3 people with a great idea and the city will stand behind them to make it a success.

LEGISLATION

ORDINANCE

BY MR. CASTLEMAN NO 4770

TO ENSURE THE PROPER TAX RECOGNITION OF THE CITY OF OAKWOOD'S PRE-TAX CONTRIBUTIONS FOR SUPERVISORY AND NON-SUPERVISORY PUBLIC SAFETY PERSONNEL TO THE OHIO POLICE AND FIRE PENSION FUND 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 by title.

Mr. Castleman explained that the state of Ohio has made changes to the mandatory employee contribution for Public Safety Officers who participate in the Ohio Police and Fire Pension Fund. Currently each employee contributes 10% of his or her salary, but the state is increasing the mandatory percentage. It will go up from 10% to 10.75% in July of 2013, then to 11.5% in July of 2014, and then to 12.25% in July of 2015. These amounts are paid by salary reduction and do not increase any costs to the city. This ordinance allows the city to increase the amount of salary reduction in order to meet the new contribution rates as they take effect. Mr. Castleman added that no second reading is required for this emergency measure.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton 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 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 4771

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT WITH THE OWNERS OF REAL PROPERTY LOCATED AT 542 ACORN DRIVE.

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 Paul and Janna Piechota own property at 542 Acorn Drive, which is adjacent to city-owned property in the area of the bike path currently being renovated. Their garage, which was built in the 1920's, overhangs their lot line by approximately one foot, encroaching into the city property. The encroachment was in existence for decades before the city purchased its property in 1979, but is now causing a title issue for the Piechotas as they are selling the property. This ordinance will grant an easement for the existing garage, on the condition that if it is ever rebuilt, the owners will have to build entirely on their own lot.

Thereupon, it was moved by Vice Mayor Byington 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 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.



Mr. Stephens explained that at the May 6, 2013 Council meeting, Resolution No. 1777 was adopted, which was our annual "Resolution of Necessity" for street lighting on all streets in the city. This Ordinance is the next formal step in the process and allows us to proceed with street lighting in 2014. Mr. Stephens added that no second reading is required for this emergency measure.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton 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 BYNGTON .....	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 4774

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY, 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 Ordinance is the last formal step in the street lighting process for 2014, and allows us to levy next year's annual street lighting assessment. Mr. Stephens added that no second reading is required for this emergency measure.

Thereupon, it was moved by Mr. Stephens and seconded by Mr. Castleman 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 BYNGTON .....	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 - NONE

CITY MANAGER'S REPORT - NONE

COUNCIL COMMENTS

Mrs. Hilton shared that she attended the Goodwill/Easter Seals free electronic recycling event on Saturday, May 11 and she donated a few electronic items. She said it was a positive event that gives work to disabled individuals and keeps debris out of the landfill. Mrs. Hilton also added that on May 22, she attended a kickoff party for Relay for Life on the 100<sup>th</sup> birthday of the American Cancer Society. She added that they already have 148 participants from Oakwood. She shared that you can get more information by going to [www.relayforlife.org](http://www.relayforlife.org) and typing in Oakwood to pull up program information. She also congratulated the three citizens that started the Farmers Market.

Mr. Stephens thanked the three citizens that are working on the Farmers Market. He said that everyone has been working very hard and he encourages everyone to attend. Mr. Stephens also thanked the city staff and Oakwood citizens for working on their yards to continue to make the city a beautiful place.

Mayor Duncan shared that he and City Manager Norbert Klopsch attended an event at Brookdale Place to celebrate Vivian Smith's 100<sup>th</sup> birthday. He added that Voss Cadillac took her on a tour of both Oakwood and Downtown Dayton. Mayor Duncan concluded the meeting by sharing that last weekend there were seven car break-ins on the west side of Oakwood. He added that all seven vehicles that were broken into were left open and had valuables left in the vehicles. He asked that everyone routinely lock their vehicles and remove valuable items.

The public meeting concluded at 7:50 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL