

CITY OF OAKWOOD

STATE OF OHIO

AUGUST 3, 2009

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 a regular session at 7:30 p.m., in the council chambers of the city of Oakwood. The Mayor, Mrs. Judy Cook, presided, and the Clerk of Council, Mrs. Cathy Gibson, recorded. Mayor Cook 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:

MRS. JUDY COOK..... PRESENT
MR. CARLO C. McGINNIS..... PRESENT
MR. STEVEN BYINGTON PRESENT
MR. WILLIAM D. DUNCAN..... PRESENT
MR. STANLEY CASTLEMAN PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager
Ms. Dalma C. Grandjean, City Attorney
Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Kevin Weaver, P.E., P.S., Public Works Director

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

The following visitors registered:

Ann Snively, Wright Memorial Public Library
Anne Hilton, 900 Harman Avenue
Dave Crusey, 230 E. Dixon Avenue

Mr. Duncan, Chair of the Council Committee on Minutes, advised council he had read the minutes of the regular and work sessions of council held July 20, 2009. Mr. Duncan reported he found the minutes correct and complete. It was moved by Mr. Duncan and seconded by Mr. Castleman 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

Sugar Camp/Pointe Oakwood. Mr. Byington reported the single family patio home along Far Hills is underway with an expected November completion and rather than starting on the villas as planned, in October they will begin construction of a home for a potential buyer. Mr. Weiskircher indicated that owner has chosen a lot near the wooded area. Mr. Byington explained the storm sewer is nearly completed and concrete is being crushed and used for the roadway base. He noted the two wood cabins on the Sugar Camp property are expected to be removed the end of this month.

South Suburban Coalition. Mr. Duncan reported the mission of this multi-community group is to reduce drug and alcohol use by providing healthier choices for youth. The three components include education/prevention; use accessibility/accountability; and community involvement/healthy alternatives. Mr. Duncan indicated along with Oakwood are representatives from Centerville, Kettering, Miamisburg, Miami Township, Moraine, Washington Township and West Carrollton. He noted council, managers, police and school representatives are involved, including representation from Alter. Mr. Duncan indicated key accomplishments include an incorporation application for tax exempt status; strategic plan on the aforementioned three components with schools, police and families; consistency on school codes; educational series in the *Dayton Daily News*; and media awareness on prom. He was pleased to report there were no citations this spring during prom season. Mr. Duncan indicated the group is looking for interested people willing to serve and anyone interested should look at the website sscdayton.org. He noted Oakwood is one of the original members and continues its financial commitment of \$3,000 annually. Mayor Cook thanked him for representing the city.

Board of Health. Mayor Cook reported Paul Holcomb has been a great member since 2002, however, is leaving Oakwood so has resigned from the Board. She extended thanks to him for his service and announced that Dr. Richard DeWall, MD has agreed to serve.

Therefore, it was moved by Mayor Cook and seconded by Mr. Byington that the aforementioned appointment be confirmed. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Oakwood Rotary Annual Awards. Mayor Cook announced each year the Rotary Club honors individuals by presenting civic and community awards. The civic award went to Ellen Ireland who has a long history of service and leadership with the schools, in particular the School Foundation Board and its fundraising. Mayor Cook indicated Ellen Ireland was also involved in the founding leadership of the Martin Luther King Jr. Oakwood Kettering Breakfast and extended her congratulations. She announced the community award was given to Carol Collins who will celebrate her 35th year of employment with the city. Ms. Collins was employed with Oakwood as its first city horticulturist, responsible for development of the beautiful Smith Gardens, a special gem in the city. Mayor Cook indicated Ms. Collins has been active in the development of the Friends of Smith Gardens, Johnny Appleseed Tree Program; and is now the Director of Leisure Services and is credited with the development of the Fall Festival, Scarecrow Row, Lighting of Oakwood, etc. Mayor Cook extended congratulations to Ms. Collins on this well deserved honor.

VISITORS

Ms. Ann Snively, Director of Wright Memorial Public Library, provided an update on how the state budget has impacted Wright Library, an issue that has been in the news. She noted many supporters came forward to contact state officials about the proposed 20% cut which was later amended to 31% and she appreciated that effort. However, their upcoming budget will be greatly impacted since Wright Library counts on 80% of revenue from the state, approximately \$360,000 annually. Due to this budgetary impact, they have decided to cancel a proposed remodeling project and update to the children's area, eliminated staff training, spend less on Library materials, and are placing staff on unpaid leave from August 16-23 which is after the summer reading program and prior to school starting. They are also contemplating another closure during the Christmas break. Ms. Snively reported the Board of Trustees is holding a special meeting on August 6 at Noon, which is open to the public, to vote on a Resolution for a levy on the November ballot. These funds will be used to help replace the state funding cut while continuing to provide good service to patrons. Mayor Cook asked how volunteers may help. Ms. Snively indicated they can help with shelving or the upcoming book sale, but trained staff are needed to run the Library. Mr. Duncan asked about the range of millage. Ms. Snively responded 0.5 or 0.75. Mayor Cook thanked her for the input on this important community asset.

There being no other visitors with business, the following legislation was presented.

ORDINANCE

BY MR. DUNCAN

NO 4680

ADOPTING THE 2010 TAX BUDGET FOR THE CITY OF OAKWOOD, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 2010.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan explained this is a housekeeping measure and although the county no longer requires the passage of a tax budget, that rule is still in the city charter, and is being heard this month due to advertising issues. He indicated the real budget is adopted year-end.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Castleman that the ordinance be passed and to waive the second reading.

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

MRS. JUDY COOK YEA
MR. CARLO C. MCGINNIS..... YEA
MR. STEVEN BYINGTON YEA
MR. WILLIAM D. DUNCAN YEA
MR. STANLEY CASTLEMAN 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

TO AMEND SECTIONS OF THE MUNICIPAL CODE RELATING TO ADMINISTRATION OF THE MUNICIPAL INCOME TAX.

Mr. Duncan explained this is a first reading to amend sections of Chapter 148 of the municipal income tax code. He reviewed the proposed new language which will make the tax section more comparable to other municipalities and assist with preparing statistical data. Mr. McGinnis asked if staff has reviewed to make certain this complies with the existing law. Ms. Grandjean concurred.

ORDINANCE

BY MR. BYINGTON

NO 4682

LEVYING SPECIAL ASSESSMENTS FOR 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. Byington explained this is a housekeeping ordinance to levy special assessments estimated at \$124,374 for 2010 street lighting.

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

MRS. JUDY COOK..... YEA
MR. CARLO C. McGINNIS..... YEA
MR. STEVEN BYINGTON YEA
MR. WILLIAM D. DUNCAN..... YEA
MR. STANLEY CASTLEMAN..... 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. BYINGTON NO 4681

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. Byington explained this is also a housekeeping ordinance.

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

MRS. JUDY COOK..... YEA
MR. CARLO C. McGINNIS..... YEA
MR. STEVEN BYINGTON YEA
MR. WILLIAM D. DUNCAN..... YEA
MR. STANLEY CASTLEMAN..... 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. BYINGTON NO 1699

A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR CUTTING NOXIOUS WEEDS TO THE COUNTY AUDITOR FOR COLLECTION.

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. Byington and seconded by Mr. Castleman that the resolution be passed.

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

MRS. JUDY COOK..... YEA
MR. CARLO C. McGINNIS..... YEA
MR. STEVEN BYINGTON YEA
MR. WILLIAM D. DUNCAN..... YEA
MR. STANLEY CASTLEMAN..... YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

STAFF REPORT

Public Works Update. Mr. Weaver referenced a PowerPoint presentation on the following department updates. In regard to the Stimulus Funds Project, they are finalizing plans for the \$184,209 grant (with no required matching funds) to make ADA accessible ramps on Far Hills and Patterson, approximately 170 ramps. He noted the DP&L power line relocation at Pointe Oakwood will take approximately six weeks to complete. He referenced several photos of the site including the storm sewer, patio home construction, new traffic signal, location of Pointe Oakwood Way and on existing power pole that will be relocated. Mr. McGinnis asked if they will maintain the wooden poles. Mr. Weaver concurred. Mr. McGinnis asked if they have vacated the existing easement. Mr. Weaver responded not yet. Mr. Weaver referenced other projects - the curb, walk and apron

project will be completed mid-September and is the area west of Far Hills. The asphalt pavement projects are moving along and they are about finished with the Park Avenue parking lot project. He presented photos of the Park Avenue lot, including the island where the light will be installed and the wooden stairs that were replaced. Discussion ensued in regard to signage. Mr. Weaver reviewed photos of the project at Thruston and Runnymede which provided a better cross walk and curbing to assist in slowing the traffic.

In regard to water projects, the 210 Shafor softening media replacement has been deferred, the hydrant flushing/repair is complete, and they found five small leaks during the leak detection survey. Mayor Cook reminded citizens that it's the property owner's responsibility to keep weeds clear of fire hydrants. Mr. Weaver concurred and noted property owners must also maintain the right-of-way including branch clearance. He reviewed water production projects and explained they had to replace a pump controller, high service pump column and dehumidifier at Plant #2. He referenced other projects including the OCC ramp replacement and extended kudos to Andy Van, lead mechanic, who is a resourceful welder and was able to re-use the existing metal rails and shared several photos of the area. Mr. Weaver reviewed the Vectren project near Oakwood and Schantz Avenues where lines are being replaced. Mr. McGinnis referenced the Park Avenue parking lot and suggested the lights be placed on a timer. Mr. Klopsch indicated they will look into that feature. Mayor Cook extended compliments on how beautiful the city looks, everything is in order. Mr. Weaver noted primary credit goes to Ms. Collins and her staff in particular Mr. Caldwell who took over mowing. Mayor Cook thanked him for the update. Mr. Klopsch also extended kudos to Mr. Weaver and Ms. Collins on their fabulous work.

CITY MANAGER'S REPORTS

OCC Step/Ramp Project. Mr. Klopsch indicated the original estimated cost of the project was approximately \$50,000. The city was able to do the project at about half that cost due to the current economic climate and Mr. Van's work on all the rails, a savings of approximately \$8,000 – a successful project.

Athletic Recreation Master Plan. Mr. Klopsch reported the first meeting was held with 19 of the 25 members as well as council, Ms. Collins, Mr. Weiskircher and the MSA consultant – a great opening. He noted they are working on the upcoming meeting schedule and will announce various community meetings to promote involvement and input.

2010 Budget. Mr. Klopsch announced staff has begun work on the budget and will meet with the Budget Review Committee this fall so the budget may be presented to council in December.

Mr. McGinnis referenced the Athletic and Recreation Master Plan and wondered if it encompasses the use of a children and/or adult theater since his daughter recently volunteered in a similar program at the UD Kennedy Center. Mr. Klopsch indicated nothing is being ruled out for any possible facility or venue; the toughest part will be financing to build and operate.

COUNCIL COMMENTS

Mr. Duncan referenced a recent article about police jurisdictions writing more tickets for speeding and noted although statistics show Oakwood has only had a 2% increase, most readers believe Oakwood is a speed trap. He encouraged everyone to continue to believe Oakwood is a speed trap.

Mr. Byington invited everyone to the August 16 Ice Cream Social at Shafor Park.

Mayor Cook announced this Saturday is the annual Giving Strings Concert at Shafor Park.

Mayor Cook invited the community to the final blanket concert on August 30; a special event at Smith Gardens celebrating the 35th anniversary that the city has owned the Gardens. The event begins at 6 p.m. and includes a sound sculpture to be built as part of the event. Mayor Cook extended thanks to the Wills for operating the cable equipment.

Council adjourned. The public meeting concluded at 8:30 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL