CITY OF OAKWOOD
STATE OF OHIO
AUGUST 5, 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 ..... ABSENT
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. Carol Collins, Leisure Services Director
Mr. Kevin Weaver, Director of Engineering and Public Works
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Do Winkler, *Oakwood Register*

It was moved by Mr. Castleman and seconded by Mrs. Hilton that the absence of Vice Mayor Byington be excused. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mrs. Hilton advised Council she had read the minutes of the July 15, 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 - NONE

VISITORS - NONE

LEGISLATION

RESOLUTION

BY MR. STEPHENS NO 1780

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.

Mr. Stephens explained that each year, the city incurs costs for mowing overgrown yards when owners do not take care of their property. The city bills property owners for those costs and most of them pay. For those who do not pay, this is our annual resolution to certify the costs to the County Auditor so they can be added to the tax bill for each property.

Thereupon, it was moved by Mr. Stephens 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:

MR. WILLIAM D. DUNCAN ..... YEA
MR. STEVEN BYINGTON ..... ABSENT
MR. STANLEY CASTLEMAN ..... YEA
MR. ROBERT P. STEPHENS ..... YEA
MRS. ANNE 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.

ORDINANCE

BY MR. STEPHENS NO 4776

AN ORDINANCE TO AMEND EXISTING SECTION 931.06, *LITTERING WITH GARBAGE AND REFUSE*, OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO PROHIBIT UNAUTHORIZED DUMPING IN DESIGNATED REFUSE RECEPTACLES, 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 shared that the city has lost about $3 million per year with the repeal of the Ohio estate tax and other state funding cuts. One of the changes we made to address the shortfall was to scale back yard debris pick-up from a bi-weekly schedule to once per month. This reduced our program costs by about $100,000 a year. He added that we do know that some residents don't want to store yard debris at their property between pick-ups, and yard debris piles may become unsightly if residents leave them out too long. To help, without increasing our program costs, we will be putting drop-off containers at the Creager Field parking lot. He explained that this only works if we can restrict their use to Oakwood residents only; otherwise, they may become a public dumping area for people who are not paying for Oakwood refuse service. This ordinance allows us to put out the collection containers, and cite non-residents for unauthorized dumping.

Thereupon, in order to get these containers in place and distribute updated pages for our Codified Ordinances as soon as possible, Mr. Stephens moved that Council adopt this as an emergency ordinance for the reasons stated in the ordinance; Mrs. Hilton seconded the motion.

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

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

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

ORDINANCE

BY MRS. HILTON NO 4777

AN ORDINANCE TO REPEAL EXISTING CHAPTER 733, *PEDDLERS AND SOLICITORS*, OF THE OAKWOOD BUSINESS REGULATIONS CODE AND TO ADOPT NEW CHAPTER 733, *PEDDLERS AND SOLICITORS*, OF THE OAKWOOD BUSINESS REGULATIONS 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 was introduced by Vice Mayor Byington at our July 15 meeting, and this is a second reading. Mrs. Hilton explained that for residents who are not on the Do-Not-Solicit list, commercial solicitors will have a 6 p.m. solicitation curfew, and religious or political canvassers will have a 9 p.m. curfew. She shared that anyone in the city can get on the "Do Not Solicit" list which means that they will not be bothered at home. There is an exemption for local kids, under 18, who are doing fundraising activity like selling Girl Scout cookies or band fruit. These kids are known in our community, so they do not present the same risk of crime or invasion of privacy.

Thereupon, since this is a second reading, no additional readings are required and it was moved by Mrs. Hilton 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 BYINGTON ..... ABSENT
MR. STANLEY CASTLEMAN ..... YEA
MR. ROBERT P. STEPHENS ..... YEA
MRS. ANNE HILTON ..... YEA

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

ORDINANCE

BY MRS. HILTON NO 4778

AN ORDINANCE TO REPEAL EXISTING CHAPTER 151, *DISPOSAL OF PROPERTY IN THE POSSESSION OF THE CITY*, OF THE OAKWOOD ADMINISTRATIVE CODE AND TO ADOPT NEW CHAPTER 151, *DISPOSAL OF PROPERTY IN THE POSSESSION OF THE CITY*, OF THE OAKWOOD ADMINISTRATIVE 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.

Mrs. Hilton explained that Chapter 151 of our Administrative Code deals with how the City disposes of property. Sometimes we need to get rid of City-owned property because it is worn out, damaged, or we don't need it any more. She added that the city also has lost and found property that is turned in, stolen property recovered by our Safety Department, and items that may be seized or forfeited through law enforcement means. In many cases, the owner is known and property can be returned. The rest is held in case the owners come to claim them, but after a certain period of time we have to sell or dispose of it. Mrs. Hilton added that our current Chapter 151 dates back to the 1970's, and the procedures are not very cost-effective today. This ordinance is a re-write of Chapter 151 that gives the City Manager more flexibility to sell or dispose of property in the most cost-effective manner.

Mr. Jacques confirmed that this is an emergency ordinance.

Thereupon, to distribute updated pages for our Codified Ordinances as soon as possible, Mrs. Hilton moved that Council adopt this as an emergency ordinance for the reasons stated in the ordinance; Mr. Stephens seconded the motion.

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

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

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

STAFF REPORT

Leisure Services Report: Mrs. Carol Collins, Leisure Services Director, referenced a PowerPoint presentation and reviewed the following information from 2012. The OCC hosted over 150 programs and there were over 170,000 visits to the OCC, Orchardly Park, Gardner Pool and Old Rivers Sports Complex. There were 2,207 OCC members, 334 health center members (with 6,601 visits) and 763 pool memberships with an additional 851 daily passes purchased. Both the father/daughter and mother/son dances were sold out events with over 300 attending. They also held junior high dances as well as sixth grade dances. Mrs. Collins indicated that several Oakwood fencing students went on to competitions in Kettering, Antioch College and in Columbus. In most competitions these Oakwoodians took 1st, 2nd or 3rd place. The OCC hosted its first fencing tournament on February 16, 2012 with over 50 competitors and 120 spectators. Last year there were three blanket concerts which have continued this summer. She reviewed statistics at the pool on swim lessons, members of Swim Team, water aerobics classes and the successful dog splash with 44 dogs. Mrs. Collins referenced last year's Scarecrow Row with 25 participants, reviewed photos of the winners and the approximate 2,500 people who attended the Family Fall Festival. She

reviewed the Holiday of Lights, over 20,000 luminarias that lit up Oakwood on December 2. In regard to community ambiance, she reviewed the Emerald Ash Borer (EAB) treatments and noted the city received designation as a Tree City USA for its 30th year. Mrs. Collins shared that there has been significant reduction of geese at Old River Sports Complex now that the city is using the two dogs for goose chasing. Mrs. Collins shared the cost savings measures taken in 2013 that had a total savings of $31,800. Mrs. Collins reviewed the following upcoming events: Orchard Park Crafts; Family Movie Night at Old River; Annual Ice Cream Social; Smith Gardens Blanket Concert; and Dog Splash.

Mr. Castleman asked if the two trees in front of the barber shop were affected by the Emerald Ash Borer. Mrs. Collins confirmed that the trees were not infected by the Emerald Ash Borer.

Mrs. Collins shared that she's excited about the new OCC brochure that was recently delivered. She said that it contains 11 new programs that haven't been offered before. Mrs. Collins thanked her staff at the OCC and the horticulture staff.

Mayor Duncan also thanked the OCC staff and said they continue to offer top quality services and help maintain community ambiance.

CITY MANAGER'S REPORT: Mr. Klopsch reported that the city is now operating yard debris pickup on a monthly collection schedule and that the August/September Oakwood Scene newsletter has information about the Refuse Program change. He explained that this change will save approximately $100,000 annually and is part of the overall financial fix needed to address the loss of the estate tax. Mr. Klopsch added that the new refuse collection schedule will continue to be monitored and he welcomes any suggestions. Mr. Klopsch explained that there will be a refuse letter sent next week to all residents with details about the changes to refuse collection and disposal services. He added that there will be two additional dumpsters at the Creager Field parking lot...one for residents to dispose of co-mingled recyclables and the other for residents to dispose of yard debris. He added that these dumpsters will be available 24 hours a day, 7 days a week. Mr. Klopsch shared that the second week in September, 480 Oakwood properties that abut public alleys will receive 96-gallon roll waste containers for their regular weekly household trash. Public Works Director Kevin Weaver displayed a 96-gallon roll waste container for council to view. Mr. Klopsch added that the purpose in using the large roll waste containers in alleys is two-fold: 1) it will result in a more efficient and cost effective collection operation; and 2) it will help in reducing the amount of scattered debris commonly found in our alleys. Mr. Klopsch reminded everyone about the trimming around the sidewalks and roadways. He said there is an ordinance that requires all trimming around sidewalks to have a 8' clearance and a 14' clearance above roadways. Mr. Klopsch added that city staff goes around every year and provides supplemental trimming but it helps to save money if property owners takes care of their own trimming. Mr. Klopsch then asked for Kevin Weaver to provide an update on the ongoing Street Project. Mr. Klopsch said that there has been a lot of preliminary work in replacing concrete curbing and driveway aprons and the actual asphalt paving part of the project will begin soon.

Kevin Weaver referenced three different maps of the city and explained segments of where the work will take place. Mr. Weaver explained that three different kinds of work will be completed this year. There will be asphalt rejuvenation on the streets that were paved in 2009 and 2010; it is a surface treatment and is a five day project. He explained that this oil/water treatment provides extra years of life to the pavement and is very cost effective. The streets receiving this treatment are Runnymede Rd., part of W. Schantz Ave. from Kramer Rd. to Maysfield Rd. , E. Schantz Ave., Spirea Dr., Triangle Ave. and also all of Old River Trail and the driveway to the athletic fields. Regarding asphalt resurfacing, Mr. Weaver shared that we are trying something new this year by using a thin one inch overlay with a polymer modified asphalt mix called Smooth Seal. He added that this is extremely cost effective and has shown remarkable results for other cities. The streets receiving this treatment are Northview Rd., Haver Rd. and Rubicon Rd. west of Far Hills Ave., Acorn Dr., Woodburn Ave. and Maysfield Rd. Finally, the last is a standard mill & overlay that is one and three quarters of an inch. He added that in the past, the city has used 2" overlay and has found that the pavement problems are related more to surface deterioration. Mr. Weaver shared that this process allows the city to do more base repair and re-profiling if the cross slope has gotten a little out of hand in some places. The streets receiving this treatment are W. Thruston Blvd., Kramer Rd., Claranna Ave. from Shafor to Shroyer, Monteray (entire length on east side) Telford from Shafor to Shroyer and Sweetwood Ln. Mr. Weaver shared that the curb work on East Drive has been very successful and has received good reception from the neighbors. He added that the curb, catch basins and handicap ramps have been replaced and once the mill & overlay work is done from Far Hills Ave. to Shroyer Rd., East Drive will be a brand new street. Mr. Weaver added that the phases are done by the same contractors and the total process will take about six weeks. He

confirmed that there is no set start date yet but it would have to be sometime in early September to ensure completion by the end of October.

Mayor Duncan asked how residents were going to be notified of the work. Mr. Weaver responded that residents will receive postcards in the mail. Mr. Weaver confirmed that W. Dixon from Far Hills Ave. out to Runnymede Rd. was removed from the project because of funding limits and the start of school. He added that W. Dixon will be added to next year's program and residents will be notified with a postcard.

COUNCIL COMMENTS

Mrs. Hilton congratulated Carol Collins and the OCC Staff for all of their hard work. She said that she received the recent OCC brochure and it seemed like it had more programs than she had ever seen. Mrs. Hilton encouraged everyone to attend the Ice Cream Social on August 18, 2013 from 3:30 p.m. – 7 p.m.

Mr. Stephens reminded everyone that school will be back in session in two weeks. He wished the students and teachers luck on the school year. Mr. Stephens also shared that he feels the Farmers' Market has been a success. He added that it's become a social event and offers a variety of vendors. Mr. Stephens said that they've extended into the other parking lot and are encouraging dog attendance.

Mayor Duncan asked how long the Farmers' Market would be available. Mr. Stephens confirmed that it will be open until the end of September.

The public meeting concluded at 8:06 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL