

CITY OF OAKWOOD

STATE OF OHIO

AUGUST 7, 2006

The Council of the city of Oakwood, State of Ohio, met in a work session at 6:00 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. Mayor Cook opened the meeting by asking all present to participate in the Pledge of Allegiance. The Mayor, Mrs. Judy Cook, presided, and the Clerk of Council, Ms. Cathy Blum, recorded.

Upon call of the roll, the following members of council responded to their names:

MRS. JUDY COOK.....PRESENT  
MR. CARLO C. McGINNIS.....PRESENT  
MR. WILLIAM D. DUNCAN.....PRESENT  
MR. ROGER C. BLUMENSHEID.....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  
Ms. Carol D. Collins, Leisure Services Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and Mrs. Helen Bebbington, *Dayton Daily News*.

The following visitors registered:

Dan & Shanna Draper, 2750 Fairmont	Gregg Findlay, 301 Oak Knoll
Roger Doolin, 229 Byers Road	Rhonda Wootton, 2736 Fairmont
Bill & Jeanette Rudy, 120 W. Schantz	C. Bauer, 103 Chatham
Charles Whittenberg, 215 Maysfield	Bill Jividen, 223 Oak Knoll
Jane Maney, 300 Southview	Nancy Campbell, 224 Grandon
Mr. & Mrs. John Kennel, 1541 Runnymede	Kristy Zechiel, 52 Harman Terrace
Faye Wenner, 1900 Coolidge	John Haley, 246 W. Thurston
Marlene Maimon, 1101 Ridgeway	Judy Montgomery, 2615 Ridgeway
D. R. Kent, Chateaux L' Aiglon	Michael & Melinda Thesing, 2735 Ridgeway
Gene Burbey, 284 W. Schantz	Mark Risley, 151 Aberdeen
Lynn & Mike Disbrow, 2750 Ridgeway	Andy & Lynn Denka, 2730 Ridgeway
Susan & James Gardstrom, 2754 Fairmont	Kevin Maxwell, 216 Oak Knoll
Todd Pleiman, 914 E. Schantz	Ruth Kohstall, 2534 Fairmont
Harold & Carolyn Angel, 2400 Fairmont	Pokey & Tony Huffman, 1100 Runnymede
Susan & Seth Gunnell, 2744 Fairmont	Sheila Eifert, 208 Oak Knoll
Phil Chick, 256 Beverly	George Kinzeler, 2730 Fairmont
Curt Mardis, 151 Hadley	

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 24, 2006. 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 REPORT

Sugar Camp. Mayor Cook reported last week the planning commission held the first public hearing process step in regard to the Sugar Camp request. At that meeting, part of Mrs. Maimon's objection related to concerns about environmental issues. When questioned by legal counsel, Mrs. Maimon indicated her information was from John Eastman. In response to that, Mayor Cook read the following letter from Dr. Eastman to clarify those remarks as well as an August 4 story on Channel 45 News and in the *Dayton Daily News*.

*Dear Norbert Klopsch:*

*Per your request I am responding to concerns that have been raised regarding possible environmental issues at the Sugar Camp site. In the preparation of this letter I have reviewed information LJB used in its evaluation of the property on behalf of the City of Oakwood and other information obtained more recently. In the discussion below, Lot 1 includes the area of the conference center, related parking lots, etc. Lots 2 & 3 refer to NCR property or former NCR property adjacent to Far Hills Avenue (Main Street) from Schantz Avenue north to the City of Dayton. In its 2004 environmental assessment of Lot 1, the area commonly known as Sugar Camp, LJB found limited evidence of minor fill in logs of two soil borings from the 1970 construction of the current conference*

*buildings. The borings, located along the northwest faces of the northwestern two buildings, contained small amounts of cinders, slag and bricks. The 1970 construction activities also created a substantial fill area to support the northwest corner of the current western parking lot. A 1935 aerial photograph shows a possible difference in the vegetation of the easternmost and westernmost ends of the Sugar Camp complex, in the vicinity of the present-day parking lots, indicating possible fill placement, but no information was identified which could confirm or deny that fill had actually been placed, or the source of such fill if it did exist. The 1949 aerial photograph showed little change in site conditions from the 1935 aerial photograph.*

*To clarify the record, I have never made statement that I know there to be contamination buried on Lot 1 at Sugar Camp and certainly nothing regarding any knowledge of disposal of any materials from the Runnymede Playhouse at Sugar Camp. In past conversations, I have identified areas, as indicated above, where fill has, or might have, occurred based on changes in topography or differences in vegetation.*

*However, the term "fill" means only that the ground surface has been raised; it says nothing about the materials used to do that. Substantial amounts of fill materials originating from NCR have been placed on Lots 2 and 3 in the ravine that roughly parallels Far Hills Avenue. All information we have received indicates that these materials were predominantly foundry sands containing only minor levels of metals or solvents. We have not seen anything in the data supplied us regarding the materials placed on Lots 2 and 3 that rises to the level of a concern for the health of Oakwood residents.*

*Based on all the information I have reviewed to date, I find no environmental impediment to development on the Sugar Camp site subject to the construction activities being carried out consistent with current environmental requirements. However, it would be prudent under the circumstances to institute effective dust control practices during construction activities at the site. If you have any questions, or need additional information, please feel free to call me.*

*Sincerely, LJB Inc. John A. Eastman, Ph.D., P.E. Chief Environmental Engineer*

Mayor Cook also referenced an e-mail from Graham Mitchell, Ohio EPA. She noted the Runnymede Playhouse Report is available.

*...and a statement (below) that I requested from Graham Mitchell to address Marlene's comment about debris from the Playhouse being dumped at Sugar Camp. Norb*

*Attached is a pdf of the US Army Corps of Engineers report on the Dayton Unit 4-Runnymede Playhouse.*

*In addition, in all of our years of work on Dayton sites, we have not seen any reports of waste or debris from the Runnymede Playhouse site being taken anywhere except the Mound site and Oak Ridge, Tennessee.*

*The key resources we base this information on are: Mound Operable Unit 9, Site Scoping Report: Volume 7 - Waste Management, Final (Revision 0), February 1993. Steering Committee Disposal Completion Report No. 3, Dayton Unit 4: Runnymede, 4/17/1950. Polonium by Harvey V. Moyer, USACE Oak Ridge, Tennessee, July 1956*

*Please contact me if you have any questions.*

*Graham Mitchell, Chief, Office of Federal Facilities Oversight, Ohio EPA*

Far Hills Retail. Mr. Castleman reported the site construction is completed and the Pink Daisy moved in last week. He noted this week Chico's plans to move and a new retail business "From Inside Out" will move in September. He indicated this beautiful new building has been constructed by the Guttman's and he is pleased with the new commerce. Mayor Cook asked about the existing Chico's location. Mr. Castleman indicated they plan to make exterior modifications for Whispers. Mr. Klopsch added they are half way through the pedestrian crosswalk project.

Planning Commission Recommendation regarding Sugar Camp. Mayor Cook informed the audience that the recommendation will be forwarded to city council at the September 18 meeting.

Mayor Cook welcomed the visitors and recognized two long-term safety officers who recently retired. Mayor Cook and Mr. Klopsch recognized Captain Walt Conroy and Lt. Tom Gallimore. Mayor Cook presented a plaque to each. Mr. Klopsch explained Walt Conroy worked for 26 years at the city, starting in 1980 upon graduating from University of Dayton with a criminal justice degree. He has served as an evidence technician, ACCO, public informational officer, appointed lieutenant in 1992 and captain in 2002; an outstanding career. Mr. Klopsch explained Tom Gallimore served 30 years, starting right out of the Marines, served as an officer, detective, appointed lieutenant in 1999, in charge of training, bike officer, evidence, etc. Mayor Cook indicated she will miss her evening chats with them when they dropped off her packet at home.

Mayor Cook recognized Mr. J. P. Nauseef, President, Dayton Development Coalition, and looks forward to hearing good news about Dayton. Mr. Nauseef referenced a PowerPoint presentation and reviewed the regional economic development long-term agenda and vision. He explained 12 counties make up the "region" and encompass a 60 minutes drive out from Dayton. Mr. Nauseef believes the region has a hopeful future, particularly with the successful BRAC outcome and all the diversified strengths. He indicated this is a public/private partnership and reviewed a list of the Board of Trustees Executive Committee. Mr. Nauseef explained there are 140 private sector businesses and 10 public sector organizations invested in the coalition. He referenced the four

focus initiatives for job and wealth: 1) start up and grow; 2) recruit; 3) retain and expand; and 4) advocate. Mr. Nauseef indicated they focus on the following areas of growth: 1) aerospace research and development; 2) information technology; 3) advanced materials and manufacturing; and 4) human sciences and healthcare. He added the Coalition is nationally recognized and are pleased with the united approach of industry, academia and local government. Mr. Duncan noted that Mr. Nauseef is an Oakwood resident. Mayor Cook thanked him for the update.

Mayor Cook asked if there were any other comments at this time. There were none.

Mayor Cook indicated the first piece of legislation is a first reading to rezone land. Mr. McGinnis reviewed the following ordinance:

AMENDING THE ZONING MAP OF THE ZONING ORDINANCE OF THE CITY OF OAKWOOD TO REZONE A DESIGNATED PORTION OF THE LOT LOCATED AT 2750 RIDGEWAY ROAD FROM R-1 TO R-4.

Mr. McGinnis explained this zoning change has been recommended by the Planning Commission and council will take no action tonight. He indicated the commission recommended approval by a 5-0 vote and council has reviewed the findings of fact. As council's liaison to the commission, he indicated there were a lot of questions, i.e., lack of plan details, whether "adjoining" also constitutes "across the street", precedent setting, etc.

Mr. Weiskircher referenced a PowerPoint presentation and reviewed the Disbrow's request to rezone a portion of 2750 Ridgeway from R-1 to R-4 to create three buildable lots fronting on Fairmont. He reviewed an aerial photo of the three acres, pointing out the area subject to rezoning. The lot with the manor home would be 1.98 acres and then three lots subject to rezoning fronting on Fairmont. He reviewed a zoning map, pictures of the site, access/curb cut from Fairmont, and some of homes on the east side of Fairmont. Mr. Weiskircher reviewed statistics – there is currently 126,500 square feet which is 2.9 acres and R-1 requires 40,000 square feet. In the R-4 zone, 8,000 is the minimum square footage with a 75' front yard requirement. The three lots range from 11,890 to 16,000 square feet. Mr. Weiskircher indicated to the east of Fairmont, properties range from 6,000 to 9,000 square feet with an average of 7,300. He noted at the commission meeting, the Disbrows stated they plan to keep the middle lot abutting Fairmont for access and sell the other two 12,000 square foot lots.

Mayor Cook asked for input and that comments not be repetitive. Mr. Dan Draper, 2715 Fairmont, resides across the street and referenced a PowerPoint presentation of arguments developed by he and some neighbors against the requested change in zoning. He believes the change would create an increased danger to the community by changing from the lowest to highest zoning classification and that the infrastructure won't be able to accommodate. Mr. Draper indicated the current street is not capable of handling the increased traffic, the current traffic volume is higher than on neighboring streets, there is no sidewalk on the west side of Fairmont, and the street width is only 19' wide. He believes there is also an environmental danger to the proposal due to increased drainage runoff and increased hard surface. He reviewed photos of the road that include a large cistern, standing water, etc.

Mr. Draper indicated this proposal would also cause a reduction in property values - increased supply of new homes corresponds to lower prices for existing homes. He noted there are already 38 homes available in the community in the \$300,000-\$500,000 price range as well as five new lots, but no demand. He believes the new homes would create inconsistency in the neighborhood; don't have that unique 75 year old home charm. He lives on the smallest lot in the block and likes the open space. Mr. Draper indicated a change to R-4 opens Pandora's Box and increases uncertainty. He has read the zoning ordinance and Comprehensive Plan that stress preserving the land. He noted there is a possibility of five homes on the site. Mr. Draper recalled hearing at the last council meeting that Oakwood is doing great financially so there is no need for new homes which would create a reduction in property values. He chose his home for the location and paid a premium because of the zoning regulations. Mr. Draper referenced a comparative market analysis he undertook on his home and believes this proposal would change the value of his home and take away the financial security of he and his neighbors.

Mr. Draper expressed his surprise that the Planning Commission approved the request and doesn't recall hearing anything positive about the proposal. The only reason given was for the individual property owner's financial gain and he feels the change should be for the community. He is not opposed to development but purchased this home which abuts a beautiful R-1 wooded setting and on a quiet street. Mr. Draper wondered what rights he has a homeowner, he has lived there for 24 months, more than the Disbrows who recently moved in and some of his neighbors have lived there for 30 years. He indicated the existing zoning protects his rights; the residents of Fairmont are

against the rezoning due to decreased neighborhood safety, increased population density and decrease in property values. Mr. Draper believes this proposal only benefits one family and is against sections E, I, K, L, M and O of section 200 of the zoning code.

Ms. Sheila Eifert, 208 Oak Knoll, questioned why, when she tore up her narrow drive and tried to purchase an inch or two from the neighbors, was told no by the city because it would be too much hardscape. She asked what changed that she can't get an inch but three new homes can be built. Ms. Eifert indicated she lives in Oakwood because of the regulations and is opposed to this change. Given that the audience applauded after the two previous speakers, Mayor Cook stated that she understood the enthusiasm but asked the audience to refrain from further applause.

Ms. Susan Gardstrom, 2754 Fairmont, indicated in 1998 she moved to Oakwood and concurs with Mr. Draper; she purchased her home due to the unique neighborhood. She has the next smallest lot and pointed out the property in question gives a visual and sound buffer from Dorothy Lane. She purchased her home with the intent to stay and wondered what the Disbrow's plans are. Ms. Gardstrom indicated she is not an attorney but has heard there are legalities which prohibit the planning commission and council to reject these proposals. She indicated if that is the case, then there is a serious conflict since council is to uphold the ordinances and plans of the city as elected officials. She noted council represents all citizens and asked that they act on behalf of the neighbors to maintain their neighborhood.

Mayor Cook asked legal counsel what their options are. Ms. Grandjean explained that council may either rezone the land or reject the proposal.

Mrs. Lynn Disbrow, 2750 Ridgeway, owns the property and agrees with the wonderful qualities of Oakwood, and has heard the resounding theme that citizens want protection and no change. She explained they had an unwanted change a year ago that forced them to find a new home when their property burned. They have lived in Oakwood since 1994 and have no intent to leave but there were very few options in their price range and size. She indicated the community has been wonderful to them and their lot on Shafor quickly sold. When they found this home, not only was it warm and inviting but it sparked their interest as a natural for rezoning. They took on the investment so as to remain in the community and in order to help defray the cost, are looking at the option of opening the property on Fairmont. Mrs. Disbrow explained their goals are to: 1) get the maximum value from the property; 2) create an entry point for new homes in Oakwood since there are very few and expensive lots, these lots would be moderately priced; and 3) minimize the impact on Fairmont and their home with subdividing larger lots. She believes these lots would have a positive impact on the tax base and increase the value of abutting properties. Mrs. Disbrow indicated it is their intent to stay in Oakwood and make the best of these changes.

Mrs. Montgomery, 2715 Ridgeway Road, indicated her neighbors aren't cutting up property but buying the lots and demolishing the homes. She agreed the homes are charming on Fairmont and wouldn't want it devalued with a "home depot" type house just so someone can make money. She recalled several years ago a change in zoning regulations to stop estate property from being divided up. Mrs. Montgomery believes this proposal will destroy the integrity of the west side of Oakwood. She noted they already took away access from the Park which has increased the traffic in her area and is opposed to this request.

Mr. Phil Chick, 256 Beverly, agreed with Mr. Draper that things are slipping downward. He also disagrees with the zoning change since it doesn't benefit the entire community but only an individual property owner. He has nothing against the Disbrows and believes the planning commission needs to do their job and follow the law. Mr. Chick urged council to stop this trend and not let an individual supersede the community.

Mr. Mardis, 151 Hadley Road, just purchased his home, grew up in Middletown and looked at various communities. Prior to moving to Oakwood he looked at the zoning code and knew he wanted a community with those regulations. He doesn't want this community to look like Springboro and is opposed to any change in the regulation.

Dr. Kristy Zechiel, Harman Terrace, indicated Fairmont is her gateway to Oakwood. She returned to the community not only because of the schools but the special feel the R-1 zoning area gives the community. She is concerned about recent development in Oakwood and doesn't believe the economic needs of a land owner should dictate. Dr. Zechiel looks at council as the elected authority for parental guidelines and believes this is more than development but destroys the area. She believes this would ruin the ambiance and minimize the quality of life. She has heard many arguments against this and when reading the Comprehensive Plan believes it outlines guidance for development.

Ms. Rhonda Wootton, 2736 Fairmont, expressed concern about the safety of her four children. She indicated the traffic congestion is more than the street can currently support.

Mrs. Gunnell, 2744 Fairmont, indicated they are new residents and prior to moving to Oakwood lived north of Dayton for 20 years. She did extensive research of the various communities and chose Oakwood due to the size and what was across the street. She is accustomed to the woods and deer and didn't choose W. Schantz given the uncertainty of Sugar Camp, nor a house by the Community Center due to all the activity. She chose Fairmont because it is secluded and wooded. Mrs. Gunnell referenced historical facts on the development of the Oak Knoll plat and a quote from the Far Hills Book in that regard. She purchased her home not to rezone but to make it her home.

Mrs. Carolyn Angel, 2400 Fairmont, indicated she has always heard from her friends who turn onto Fairmont what a beautiful street it is and how lucky they are to live on it. She would hate to see that change.

Mr. Gunnell, 2744 Fairmont, indicated last year an extensive road project was undertaken on Fairmont, including new curb on the west. He indicated the road is only wide enough for one car to pass a parked vehicle. He is concerned with additional traffic and the expense to redo the road after last year's work.

Mr. Tony Huffman, 1100 Runnymede, resides in the R-1 district and loves it. He is an advocate to preserving the status and is proud of everyone on Fairmont, a jewel roadway. He agrees they should keep the street as is and the debate is a symptom of vision and leadership. He asked all five council members and management to look where the city's forefathers took the community. His family has lived here for four generations thanks to that forward thinking. He indicated it isn't just about tax dollars, but about the special community. Mr. Huffman asked council to reject the planning commission's proposal, perhaps they didn't have all the facts and to think about the future.

Mrs. Nancy Campbell, 224 Grandon, believes if this is approved it will open the door to people buying up large estates, rezoning and selling off the property to make money. She suggested this be stopped before it starts.

A member of the audience submitted petitions to Mayor Cook with signatures opposing the rezoning request. Another member of the audience wondered how she will explain to her 13-year old child how the zoning and vision state one thing yet the action of policy makers differs. She urged they think of the children and the message of personal gain.

Mayor Cook thanked everyone for the comments. She indicated at the September 18 meeting, the legislation will be given a second reading and discussion.

#### RESOLUTION

BY MR. DUNCAN

NO 1635

A RESOLUTION BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO, DECLARING THE NECESSITY OF A RENEWAL LEVY IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF OAKWOOD AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan explained the city has two property tax levies. The 2.72 levy, with an effective millage of 1.47, expires the end of the year and currently provides \$474,000 annually. He indicated after reviewing options, they have chosen to renew this levy since income tax receipts are down from last year and abutting cities have increased their tax rate, he gave the example of Kettering's recent 0.5% increase which will mean a loss of \$140,000 to Oakwood. He noted this 2.72 mill levy was established in 1991, has been renewed twice with a significant percentage in favor and added the city has not increased taxes since 1991.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Blumensheid that the resolution be passed.

Mr. McGinnis asked about the effective millage. Mr. Duncan explained if passed in November, there will be no new amount of tax generated. As properties are re-evaluated (every three years) and the value goes up, the effective millage goes down. This will not increase taxes.

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. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....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.

RESOLUTION

BY MR. DUNCAN

NO 1636

A RESOLUTION BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO, PROVIDING FOR AN ELECTION ON THE RENEWAL OF A TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY.

A copy of the resolution, 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 authorizes the levy issue to be placed on the November ballot.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Blumensheid 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. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....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.

REPEALING CHAPTER 177 OF THE CODIFIED ORDINANCES

Mayor Cook indicated the next item is a first reading. Mr. Castleman reviewed the ordinance. Mayor Cook indicated this removes the mechanism whereby Oakwood council could appoint a member to the RTA based on recent legislation from Representative Jacobson. Mr. Duncan pointed out although council believes it unconstitutional, they decided not to spend taxpayer dollars to fight the issue in court.

TO REPEAL CURRENT CHAPTERS 919 PERTAINING TO WATER SERVICE, 921 PERTAINING TO WATER SPRINKLER SYSTEMS, 941 PERTAINING TO PRIVATE WATER WELLS, AND 943 PERTAINING TO FIRE HYDRANTS, AND TO REPLACE THEM WITH NEW CHAPTER 919 ENCOMPASSING ALL FOREGOING TOPICS IN A SINGLE CHAPTER.

Mr. Castleman gave a first reading of an ordinance relating to water regulations and noted at the second reading staff will make a presentation. Mr. McGinnis asked that the presentation include whether a property owner can appeal a water bill and any penalty relating thereto. Mr. Klopsch indicated information relating to the water appeals procedure was not modified.

RESOLUTION

BY MR. McGINNIS

NO 1637

A RESOLUTION TO AUTHORIZE 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. McGinnis explained this is a housekeeping measure and lists addresses and amounts owed. Mayor Cook noted this relates to maintaining community standards. Mr. Duncan added it relates to about half a dozen homes for approximately \$1,000.

Thereupon, it was moved by Mr. McGinnis and seconded by Mr. Blumensheid 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. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....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.

ORDINANCE

BY MR. BLUMENSHEID NO 4610

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 previously been placed on the desks of each member of council prior to introduction, was read by title. Mr. Blumensheid explained this relates to the importance of street lighting in Oakwood.

Thereupon, it was moved by Mr. Blumensheid and seconded by Mr. Castleman 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. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....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. BLUMENSHEID NO 4611

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 previously been placed on the desks of each member of council prior to introduction, was read by title. Mr. Blumensheid explained this relates to levying assessments for street lights.

Thereupon, it was moved by Mr. Blumensheid and seconded by Mr. Castleman 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. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....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.

STAFF REPORT

Leisure Services Department Update. Ms. Collins indicated this is her first attempt at PowerPoint and will update council on activities in the Leisure Services Department and horticulture. In regard to Gardner Pool, to date there are 841 memberships; the Dolphin Swim Team is undefeated for a third year in a row and they had three new excellent coaches. She reviewed statistics of attendance at Orchardly Park and added the four fun field craft days were a success. Activities at the Community Center include tennis and a great variety of day camps. Ms. Collins reported on upcoming events: Ice Cream Social, Hot Dog Supper, Fourth Annual Scarecrow Row, New Fall Festival and Annual Lighting Up of Oakwood. In regard to the Fall Festival, it is scheduled around the Scarecrow Row event and will include games and hayrides down Shafor.

Ms. Collins reported on community ambiance and reviewed slides of all the work that has taken place in the natural areas. She also reviewed slides at Smith Gardens and invited the community to attend the upcoming blanket concert. She indicated there is also a pre-school story hour and a Teddy Bear Picnic scheduled. In regard to celebrating the community, Ms. Collins reviewed a

variety of photos and added the new fall and winter brochure is now available. Council commended Ms. Collins on her report noting the PowerPoint standard has been set higher.

Mr. Huffman extended his thanks to Ms. Collins for all her great work. Mr. Klopsch expressed his disappointment that most of the audience left the meeting before Ms. Collins' presentation. He commended her on how quickly the report was prepared. Mayor Cook noted the OCC has skilled graphic artists. Mr. Klopsch complimented Ms. Collins and her staff on the upcoming fall and winter brochure and all the variety of programs.

#### CITY MANAGER'S REPORTS

Mr. Klopsch extended thanks to the community and in particular those that attended the last Planning Commission meeting at the OCC. He indicated although there were four agenda items, most were there for the Sugar Camp discussion, an important piece of land and he added it will take some time to work through the process. He noted this evening's meeting was another display of community input. Mr. Duncan asked if the first reading relating to the Sugar Camp issue will be reviewed on September 18 along with the second reading on the Disbrow issue. Mr. Klopsch concurred unless they chose to forego the second reading with a four-fifths vote.

#### COUNCIL COMMENTS

Mr. Blumensheid apologized for not being at the meeting in July as he was hosting and working with various groups. He plans to attend the upcoming National Association of Telecommunication Advisor's Meeting with Mr. Husemann.

Mr. McGinnis referenced the questions raised on the zoning issue. He noted council does have final say and as elected officials they need guidance and input from the citizens. He is pleased how evident it is that people care about the community. He referenced the long range Comprehensive Plan which is a guidepost and how implementing some of those goals might cause friction. He noted some think less government is better while others feel regulation is needed. Mr. McGinnis recalled the friction over the historic preservation issue and since council recognized the community was split, adopted an education policy which has worked out well. He noted the Disbrows could tear down their manor home and there isn't anything the city could do about it. Mr. McGinnis urged citizens to continue participating. He referenced the upcoming hole in the canopy across from Hills and Dales due to development on Park Road. Mr. McGinnis echoed Mayor Cook's sentiment that applause be held so that diverse opinions may be expressed and reiterated his thanks for the participation.

Mayor Cook commended the Judges on another successful Giving Strings community concert. She also extended thanks to John Gray for opening "The Farm" for the High School Band.

Mayor Cook invited the community to attend the August 20 Ice Cream Social. She thanked the Wills for operating the cable equipment this evening.

Council adjourned. The public meeting concluded at 9:38 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL