

CITY OF OAKWOOD
STATE OF OHIO
MAY 4, 2015

The Council of the city of Oakwood, State of Ohio, met in an executive session at 6:30 p.m. for personnel matters, which concluded at 7:00 p.m. and was immediately followed by a work session in the conference room of the city of Oakwood, 30 Park Avenue, Oakwood, 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. ROBERT P. STEPHENS.....PRESENT
MRS. ANNE S. HILTON.....PRESENT
MR. CHRISTOPHER B. EPLEY.....PRESENT

Officers of the city present were the following:

Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Robert F. Jacques, City Attorney
Mrs. Cindy Stafford, Finance Director
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Oakwood High School Academic Decathlon Team
Sarah Waechter, 231 Northview Road
Stefanie Campbell, 271 Schenck Avenue
Brian Barr, Oakwood Register

Mrs. Hilton advised Council she had read the meeting minutes of the April 6, 2015 regular, executive and work sessions and April 20, 2015 work session and executive session. 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 provided an update on a matter brought to Council's attention during the last council meeting. Two residents had expressed concern that they feel they are being harassed by the Public Safety Department and the Oakwood Schools. Mayor Duncan reported that Mr. Stephens, as the Chair of the Safety & Traffic Committee, will be reviewing the matter, and will report back to Council after the resident's pending criminal case has been resolved.

VISITORS

Oakwood High School Academic Decathlon Team – Mayor Duncan read and then distributed a Proclamation recognizing the Academic Decathlon Team for being the Division III National Champion. The team won this title at the United States Academic Decathlon National Competition in Garden Grove, California, on April 16-18, 2015, competing against the best schools in the nation as well as China and England. This year's victory marks the team's 4th consecutive National title.

The Academic Decathlon Team Coach, Lori Morris, thanked Council for recognizing the team's achievements. She shared that she is very proud of the team's dedication to maintain the standard of excellence. She also thanked the parents, school principal and superintendent.

Mayor Duncan asked the Academic Decathlon team seniors to share their name as well as where they will be attending college. The following seniors addressed Council: Grant Pitarys, George Mason University; Graham Garner, University of Mississippi; William Powers, The Ohio State University; and Tim McCarthy, Miami University. Spencer Aidt, who will be attending The Ohio State University, was not present but was introduced by another member of the team.

Mayor Duncan gave a final congratulation to the Academic Decathlon Team on their many accomplishments, and they departed the meeting.

Sarah Waechter, 231 Northview Road, addressed Council to express her concern regarding the condos that have been approved to be built at the Pointe Oakwood development on the corner of W. Schantz Ave. and Far Hills Ave. She presented Council with photos and letters expressing concern about the height and scale of the condos. One of these was read into the record.

LEGISLATION

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4801
ADOPTING THE 2016 TAX BUDGET FOR THE CITY OF OAKWOOD, OHIO,
FOR THE FISCAL YEAR BEGINNING JANUARY 2016.

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 the ordinance by reading all of its preamble paragraphs in their entirety, as follows: The City Manager has prepared a tax budget for the city of Oakwood, Ohio, for fiscal year beginning January 1, 2016, in conformance with the requirements of law and in accordance with Section 6.01 of Article VI of the Charter of the city of Oakwood, which tax budget sets forth all revenues expected to be received for such fiscal year; including but not limited to all general and special taxes, fees, costs, percentages, penalties, allowances and prerequisites. 2016 operating expenditures are estimated not to exceed the 2015 operating expenditure appropriations by more than 3%. The 2016 capital expenditures are estimated not to exceed \$1,200,000.

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

Before taking a vote, Mayor Duncan explained that this is a housekeeping ordinance only. Montgomery County used to require cities to adopt a tax budget, but stopped requiring it long ago because better budgeting procedures were coming into use. The city continues to adopt a tax budget each year because it is required by Section 6.01 of the City Charter, but it is only an estimated forecast and does not supplant the detailed budget ordinance that is passed in December of each year.

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

MR. WILLIAM D. DUNCAN.....YEA
MR. STEVEN BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA
MRS. ANNE HILTONYEA
MR. CHRISTOPHER EPLEY.....YEA

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

AN ORDINANCE
BY MR. STEPHENS NO 4802
DETERMINING TO PROCEED WITH THE REPAIRING OF SIDEWALKS AND
APPURTENANCES THERETO ON FORRER BOULEVARD AND CERTAIN OTHER
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 an annual ordinance that is the second step of our 2015 Sidewalk, Curb and Apron Project. This year's program will cover all streets within the area bounded by Aberdeen Avenue, Far Hills Avenue, Patterson Road, Acorn Drive, and Shroyer Road.

Council is required by law to pass three (3) pieces of legislation in order to carry out this program and assess the costs. After the conclusion of the project we will adopt the final ordinance to levy assessments for the cost.

This ordinance is presented as an emergency measure so that the contract can proceed on schedule and so that the work can be completed before that start of the 2015/16 school year.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure, with no second reading 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. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

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

AN ORDINANCE

BY MR. STEPHENS NO 4803
TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR
RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES
THERE TO 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 ordinance is the final piece of last year's Sidewalk, Curb and Apron Project, and assesses the costs that have not already been paid directly by affected property owners.

Thereupon, it was moved by Mr. Stephens and seconded by Mr. Epley that the second reading be waived and 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. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

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

AN ORDINANCE

BY MR. STEPHENS NO 4804
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 is an annual ordinance that is the second step of our street lighting program for 2016. The resolution of necessity was adopted at last month's meeting. This ordinance is presented as an emergency measure in order to take effect immediately and maintain continuity in our street lighting program.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure, with no second reading 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. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

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

AN ORDINANCE

BY MR. STEPHENS NO 4805
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. Stephens explained that this is the last annual ordinance for our 2016 street lighting program, and allows the city to levy assessments for the cost. It is also presented as an emergency measure in order to take effect immediately and maintain continuity in our street lighting program.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure, with no second reading 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. ROBERT P. STEPHENS..... YEA
- MRS. ANNE HILTON..... YEA
- MR. CHRISTOPHER EPLEY..... 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

Finance Report: Mrs. Cindy Stafford, Finance Director, thanked the Income Tax Department including Income Tax Administrator Linda Merker, and Account Clerks Helen McCarty and Stacy Vreeland-Mathes for all of their hard work during tax season. She also thanked administrative office staff for all of their help during this busy time.

Mrs. Stafford referenced a PowerPoint presentation and updated Council on the following topics: 2014 Year End Results, 2014 Financial Audit, 2015 Financial Update and the Water Meter Transmitter Replacement.

In regard to the 2014 year end results, she referenced a chart for Non-Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$11,798,548 versus actual: \$12,460,786), which is 106% for the year; disbursements (budgeted: \$12,846,487 versus actual: \$11,630,606) which is 91% of budget. There were three main reasons for receipts reaching 106% in 2014: 1) approximately \$400,000 more than budgeted was received in income tax receipts; 2) new revenue from the real estate levy passed in May, 2013; and, 3) \$95,000 workers compensation rebate was received.

Mayor Duncan noted that this is the sixth consecutive year for spending less, reducing expenditures from the previous year, which Mrs. Stafford confirmed.

She then referenced a chart for Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$2,883,700 versus actual: \$2,709,073) which is 94% of budget; disbursements (budgeted: \$3,445,487 versus actual: \$3,106,337) which is 90% of budget. The Non-Enterprise Funds encompass funds such as Public Safety, Leisure Services and Refuse and are supported by fees and General Fund revenues, which are primarily derived from income tax and property tax. The Enterprise Funds include water, sewer and stormwater, where the fees pay for costs associated with running the various utilities.

The 2014 financial audit is being performed by the Ohio Auditor's office. Five auditors recently completed their field work in the city's administrative offices. There were no items noted by the auditors so the city anticipates an unqualified "clean" opinion, which is the best opinion. There has been no timeline given by the Ohio Auditor's office for completion of the audit.

Vice Mayor Byington asked if it was common to have multiple auditors and asked if there was an additional cost.

Mrs. Stafford explained that last year there was only one auditor and it took nearly nine months for the audit to be completed. This year, she requested additional auditors to reduce the completion time. She added that there was no difference in cost for the additional auditors because the city is charged a flat fee. Mayor Duncan noted that there are hidden costs to the city when the audit is prolonged, which Mrs. Stafford confirmed. She explained that as long as the audit is ongoing, administrative personnel have to be available to answer questions, retrieve records, and nothing can be put away. This can be disruptive and diverts administrative staff from other tasks, so it is advantageous to handle the audit as expeditiously as possible.

In regard to the 2015 budget update, Mrs. Stafford referenced a chart for Non-Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$12,381,708 versus actual: \$5,633,997), which is 46% for the year primarily because April and May are when a large portion of income tax and property tax are received as well as property tax assessments; disbursements (budgeted: \$13,011,390 versus actual: \$3,741,280) which is 29%, of budget and on track. She then referenced a chart for Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$2,747,200 versus actual: \$871,925) which is 32% of budget and largest water revenue is in the July-September timeframe; disbursements (budgeted: \$3,426,390 versus actual: \$837,536) which is 24% of budget and costs will rise as more water is used in the summer months.

The Water Meter Transmitter Replacement is a two-year project taking place in 2015 and 2016 that will transition from the Fixed Net System, which is a radio system that reads antenna to antenna, to the Flex Net System, which also allows employees travelling the city to use a handheld drive-by unit to collect water readings. Approximately 3,200 transmitters will be replaced. The cost of the project is \$210,000, which is split 50/50 between the Water and Sewer Enterprise Funds. For the replacement process, Public Works employees will knock on resident's doors and if there is no response, a door hanger will be left asking the resident to call Public Works. The Public Works or Finance Department will follow-up with a telephone call or a letter if there is no response from the door hanger.

CITY MANAGER'S COMMENTS – Mayor Duncan explained that City Manager Norbert Klopsch is vacationing in Germany with his father so Assistant City Manager Jay Weiskircher will provide the City Manager update.

Mr. Weiskircher began by recognizing Cindy Stafford and her staff for the excellent work they perform on a daily basis.

Taking advantage of the excellent weather last week, the irrigation and electrical contractors are close to completing their work and trees were planted along the east cruise lane in the Far Hills Business District. The remaining trees are scheduled to be planted tomorrow. Later this week, the median from Orchard Drive north to Peach Orchard will be mulched and the two south medians opposite the 2600 Building and Dorothy Lane Market will be re-sodded. Over the next several weeks, the Public Works Department will be making repairs and painting the timber wall. Mr. Weiskircher recognized the work of Leisure Services Director Carol Collins and Horticulturist Brian Caldwell.

There have been a number of maintenance projects completed in advance of the pool opening on Saturday, May 23. New heating units have been installed and the walls at Gardner Pool have been repaired and painted, and the swimming lanes restriped. The gutters and gutter grate were also resealed and the wading pool was repainted. The city will start filling the pool later this week.

City Inspector Dave Bunting retired last week after 28 years of service to the city. Mr. Bunting did an excellent job enforcing Oakwood regulations impartially and tactfully and the city wishes him all the best. The City received 95 applications for the now-open Code Enforcement Officer position. 20 candidates were interviewed and five (5) of those candidates went through a second interview this past week. The list will be narrowed further to three (3) candidates to be interviewed by the City Manager when he returns from Germany. In the meantime, Mr. Weiskircher is handling all pre-sale and other inspection duties.

The annual electronic recycling and drug drop-off event will be held on Saturday, May 9 from 8-10:30 a.m. at the Foell Public Works Center. This is the third year the City has partnered with Goodwill on electronic recycling and the Montgomery County Sheriff's office on the drug drop-off program. Electronic items being accepted include computers, monitors, hard drives, printers, keyboards, etc. Televisions will not be accepted. Members of the Oakwood Public Safety Department and the Montgomery County Sheriff's Department will be on hand at the Public Works Center to collect unused and expired prescription and over-the-counter drugs. All items collected will be taken to an approved facility for proper disposal.

Mrs. Hilton asked what is done with the electronics received from the event.

Mr. Weiskircher shared that they are either being reused or recycled. Nothing goes unused and it all goes to a good cause. Last year, 1,600-1,700 lbs. of electronics were collected here in Oakwood.

Mayor Duncan added that the idea is to keep electronics out of the landfill.

COUNCIL COMMENTS

Mrs. Hilton shared that there will be an open house at the Oakwood Historical Society House with walking tours and the annual "A Taste of Wine and Cheese" event on Saturday, May 16. 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 shared that the annual CARE Walk is at 9 a.m. this Saturday, May 9. It is a great event and is for a good cause.

Vice Mayor Byington reminded everyone of "That Day in May" on Saturday, May 16. He said there is a full slate of activities which include: the pancake breakfast, 5K and 10K runs, annual parade down Shafor Blvd., and afternoon games and rides, which will be in the area between the stadium and the Jr. High School on Schantz Ave. Breakfast tickets are available at the Oakwood Community Center.

Vice Mayor Byington encouraged involvement for Bike to Work day which is on Friday, May 15. It is important to wear bike helmets to set a good example and to be safe.

Vice Mayor Byington reminded everyone that tomorrow, Tuesday, May 5 is Election Day for the city of Dayton.

Mayor Duncan shared that he had a follow up from his January meeting comments, when he discussed his uncle whose WWII division liberated the Dachau concentration camp in April 1945. Many people may not be aware that the liberation of the camp was filmed by Alfred Hitchcock, but the film was never released because of post-WWII political realities. Recently, HBO aired a documentary about the liberation of the camp and included some of the original Hitchcock footage. On his uncle's 89th birthday, Mayor Duncan called to tell him that his daughter taped the show for him to watch as he does not subscribe to HBO. He watched it and was excited to see himself in a 1945 film clip of U.S. soldiers pulling bodies from a canal just outside the camp.

Continuing, Mayor Duncan shared that this week is the 70th anniversary of end of World War II in Europe. He read the press release President Eisenhower wrote: "The mission of this Allied Force was fulfilled at 2:41, local time, May 7th, 1945. Eisenhower." The official surrender by Germany was on May 8, 1945, and Japan surrendered on September 2, 1945; the war lasted six years and one day. There were many sacrifices, including over 60 million people being killed, and Mayor Duncan noted that he sometimes wonders if we would be willing to make the same sacrifices in the modern era. Mayor Duncan urged people to read about World War II to fully understand the sacrifices that were made to ensure that the concentration camps never reoccur.

The public meeting concluded at 8:21 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL