

CITY OF OAKWOOD  
STATE OF OHIO  
OCTOBER 3, 2016

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 6:30 p.m. 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. Norbert S. Klopsch, City Manager  
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:

James Goetsch, 822 Harman Avenue  
Stefanie Campbell, 271 Schenck Avenue  
K. Andrew Miller, 109 Oakwood Avenue  
Brian Barr, *Oakwood Register*

Mrs. Hilton advised Council she had read the meeting minutes of the September 19, 2016 regular session and work session. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Epley 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

Mr. Kristopher Andrew Miller, 109 Oakwood Avenue, shared concerns about UD students living in rental homes in the city of Oakwood. He believes that dozens of houses along the Oakwood side of Irving Avenue have become locations for student housing and these students are damaging the property values of the homes around them. The intrusion of UD students threatens everything that Oakwood stands for. As student housing spreads further into Oakwood, the entire city will become less appealing to the high caliber residents that have been traditionally drawn to Oakwood. As more students take up residence in Oakwood, the city's strong tax base will be eroded since most college students pay little to no income tax and the property tax within the city will begin to decline. This will eventually lead to budget shortfalls for the school systems. Mr. Miller asked the members of Council to help step up enforcement of the laws currently in place under the Oakwood Zoning Code. The code states that no more than two unrelated people may live in a single family residential unit. He feels that enforcement has become lax.

Vice Mayor Byington asked if Mr. Miller has specific examples on where the Zoning Code has not been enforced.

Mr. Miller answered that half of the homes along Oakwood Avenue are now occupied by groups of four or more UD students.

Vice Mayor Byington asked Mr. Miller if he knew that for a fact.

Mr. Miller explained that he lives on Oakwood Avenue next to Irving Avenue and it is in his neighborhood.

Mayor Duncan said that City Council and city staff would look into this further. He explained that a rental property list is provided annually for Irving Avenue, Oakwood Avenue and Volusia

Avenue. Rental properties are challenging to monitor, but it is the City's objective to enforce the laws of the Zoning Code.

Mr. Jim Goetsch, 822 Harman Avenue, addressed the ordinance on the agenda this evening. He opined that the proposed fines for the pet clean-up ordinance need to be increased. He suggested that a \$50 or \$100 fine be imposed if a clean-up bag is not visible when the pet is being walked. He also suggested a \$100-\$200 fine when pet waste is not cleaned up immediately. Mr. Goetsch explained that he has made several complaints over the past few years about residents failing to clean up after their pets. Mr. Goetsch thanked the City for placing an article in the April/May Oakwood Scene Newsletter reminding residents to pick-up after their pets. Pet waste creates a health hazard and the proposed ordinance should not make this a trivial fine. The community does a good job providing pet waste disposal containers throughout the city, so there is no reason for pet owners to not dispose of their pet's waste.

Mayor Duncan explained that the Ohio Revised Code limits the amount of fines that local governments can impose. He asked Mr. Jacques what the maximum fine is for this proposed ordinance.

Mr. Jacques shared that as a minor misdemeanor, the statutory range is from \$0-\$150. The Judge determines the amount of the fine. As drafted, the Ordinance sets a minimum fine, so the range is actually \$25-\$150. In addition to the fine, there are also court costs of \$115. At a minimum, if someone were to be fined under this proposed Ordinance, and the Judge imposed the minimum \$25 fine, the total cost would be \$140.

Mayor Duncan shared that Council is only doing a first reading of the Ordinance this evening.

Mr. Goetsch asked if a person has the option to only pay a \$25 fine if they choose to not go to court.

Mr. Jacques stated that the Judge would determine the fine amount and whether or not a court appearance is required. Court costs are still required.

#### LEGISLATION

##### AN ORDINANCE

BY MR. EPLEY  
 AN ORDINANCE TO AMEND EXISTING SECTION 505.08,  
 NUISANCE CONDITIONS PROHIBITED, OF THE OAKWOOD  
 GENERAL OFFENSES CODE TO EXPAND THE DEFINITION OF  
 PUBLIC NUISANCE AND TO REQUIRE PET OWNERS TO CLEAN  
 UP AFTER THEIR ANIMALS.

NO 4829

A copy of the ordinance, having been placed on the desks of each member of Council prior to introduction, was read by title.

Mr. Epley explained that this is the first reading of an ordinance to update the Oakwood General Offenses Code.

This is a first reading of this ordinance, so Mr. Epley made no motion at this time.

#### STAFF REPORT

Finance Report: Finance Director Cindy Stafford referenced a PowerPoint presentation and updated Council on the following topics: 2015 Financial Audit; 2016 Financials through August 31; and the 2.72 Mill Property Tax Renewal Issue.

The 2015 financial audit was performed by the Auditor of State offices. There were no items noted by the auditors; the City received an unqualified "Clean" opinion. The audit is available on the City's website at [www.oakwoodohio.gov](http://www.oakwoodohio.gov). Mrs. Stafford thanked her staff for all of their hard work.

In regard to the 2016 financials, Mrs. Stafford referenced a chart for Non-Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$12,742,993 versus actual: \$10,253,029); disbursements (budgeted: \$13,594,066 versus actual: \$7,791,614). She then referenced a chart for Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$2,726,500 versus actual: \$1,806,166); disbursements (budgeted: \$3,460,422 versus actual: \$2,009,217). She explained that 75% of sewer costs are driven by the county and their timing of billing for wastewater treatment.

The 2.72 mill renewal levy was first approved in November 1991 and began generating revenue in 1992. The levy has been renewed every five years since 1991. The current effective millage

152 rate of this tax levy is 1.58. The levy raises approximately \$460,000 annually. The money the levy has generated has been used to provide Oakwood public services including police, fire & EMS and roadway maintenance. The annual tax is about \$48 per year for each \$100,000 in property valuation.

Mayor Duncan thanked her for the update and thanked the finance department and admin staff for all of their efforts.

CITY MANAGER'S COMMENTS – Mr. Klopsch provided an update on the following items:

The annual community document shred/prescription drug disposal event was this past Saturday. It was a very well attended.

The Oakwood Public Safety Department will have an Open House on Saturday, October 8 from 9 a.m. to noon. All residents are invited for a tour of the facility, demonstrations of the equipment and Public Safety Officer discussions.

On Monday, October 10 the leaf collection season will begin. Mr. Klopsch asked that leaves be pushed out in the gutter for pick-up and that yard debris be placed behind the curb a day or two before your scheduled pick-up day. Collection schedules are available on the city's website and in the Oakwood Scene newsletter.

COUNCIL COMMENTS

Mrs. Hilton congratulated local author and Oakwood resident Leslie Nagel on the release of her Oakwood mystery series *The Book Club Murders*. The book series cites places throughout Oakwood. Mrs. Hilton shared that she is looking forward to reading the book. The Family Fall Festival is on Sunday, October 9 from 2-5 p.m. at Shafor Park. She invited residents out to enjoy an afternoon of fun games, food and other entertainment for the whole family.

Mayor Duncan shared that he will be judging the Diaper Crawl at the Family Fall Festival and Scarecrow Row. He also shared that he began reading *The Book Club Murders* and is already on chapter three.

The public meeting concluded at 7:56 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL