

CITY OF OAKWOOD

STATE OF OHIO

NOVEMBER 5, 2007

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. The Mayor, Mrs. Judy Cook, presided, and the Clerk of Council, Ms. Cathy Blum, 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. 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
Chief Alex Bebris, Public Safety Director
Ms. Carol Collins, Leisure Services Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and staff writer with the *DDN*, Mr. Emanuel Cavallaro.

The following visitors registered:

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| Patricia Schroeder, 230 Rubicon | Daniel VandeHoet, 91 Patterson |
| Joseph Koussa, Kettering | Zachary Collopy, 305 Orchard |
| John North, 184 Salem Avenue | Jack Huang, 1704 Aberdeen |
| Michael & Lorie Groll, 175 E. Thruston | David Sills, 314 Volusia |
| Myra Herman, 999 Harman Avenue | Dawn Schauer, 232 Forrer |
| Kristin Weiskircher | Peter Powers, 268 Ridgewood |
| William Koch, 734 Harman | Rose Eckerle, 322 Collingwood |
| Marjorie Harrell, 160 Wisteria | Rich Sturrick, 108 Bellaire |
| Gregory Toussaint, 406 Dellwood | Lindsay Fiesbeck, 409 Peach Orchard |
| Katherine Berg, Yellow Springs | Faye Wenner, 1900 Coolidge Drive |
| Kay Berg, 18 Forrer | Tom and Candy Noonan, 328 Collingwood |
| Marc Levy, Kettering | Rabbi Levi Simon, Chabad, 2001 Far Hills |
| Deborah Jay, Dayton | Marjie & Paul Holcomb, 1501 E. Schantz |
| Dr. Mary Jo Scalzo, 336 Patterson Road | Charles Weir, 2115 Far Hills |
| Kevin Philo, Board of Education | June & Larry Crawford, 20 Patterson |
| Paul Vanderburgh, Board of Education | Kip Bohachek, 86 E. Dixon Avenue |
| Beth Merritt, Board of Education | Nick & Beth Andrews, 2410 Shroyer Road |
| Elizabeth Rieger, Board of Education | Shawn Fry, 240 Monteray |
| Carl Traynor, 247 Northview | Lisa Emmel, 2705 Far Hills |
| David Collopy, 305 Orchard | Healy Jackson, 118 Lonsdale |
| Peggy Holton, Kettering | John & Gayle Workman, 100 Peach Orchard |
| Rob Sills, 314 Volusia | Paul, Janna & Jessica Piechota, 542 Acorn |
| William Powers, 268 Ridgewood | Members of Cub Scout Pack 101 |
| Rachael Collopy, 305 Orchard | |
| Eli Eckerle, 322 Collingwood | |

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 October 1, 2007, the executive session of October 9, 2007 and the work session of October 16, 2007. Mr. Duncan reported he found the minutes correct and complete. Therefore, 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

South Suburban Teen Alcohol and other Drug Prevention Task Force. Mayor Cook welcomed and introduced Oakwood Board of Education President Paul Vanderburgh. (Note: Mr. Kevin Philo, Oakwood Board of Education Treasurer and Business Manager, called the roll for President Paul Vanderburgh, Elizabeth Rieger and Beth Merritt; Board Members Debbie Hershey and Jim Uphoff

were excused absent). Mayor Cook explained the groups are meeting together for a report from the Task Force since it's a community-wide issue. She noted it's not unusual for the groups to meet on a regular basis, including the Library, for cooperative efforts and sharing resources.

Mr. Duncan referenced a Call to Action in 2007 from the Surgeon General to prevent underage drinking. He indicated a group from Oakwood met with other south suburban leaders which included himself, Captain Baldrige, Chief Bebris, Ms. Holton and Dr. Scalzo. Mr. Duncan introduced Mr. Marc Levy, United Way President, who will review the report. He also recognized Ms. Catherine Berg, a 1995 graduate of Oakwood, with Unified Health Solutions. Mr. Duncan urged citizens to read this report which will be available on the city's website.

Mr. Levy asked other members of the Task Force to stand and be recognized. He referenced a PowerPoint summary presentation which outlined statistics of the problem – overall 10.8 million youth are involved in underage drinking with most starting when they are 13-14 years of age. In 2005, 65% of the youth in the county court system were a result of alcohol problems; and Ohio is the second highest in the country with underage consumption and fourth with alcohol related fatalities. Mr. Levy indicated locally, 60% of twelfth graders, 30% of ninth graders and 8% of seventh graders have reported getting drunk; 43% of twelfth graders have reported using marijuana and 46% of twelfth graders have been in a vehicle when the driver was under the influence. He reported the long-term impact is negative since it impairs adolescent brain development and in turn decision making, impulse control, sensitivity, etc. which is the gateway for use of other drugs.

Mr. Levy referenced the local response to assemble volunteers from various communities to deal with not just one city but all southern communities. He reviewed the goals to assess the scope of the problem and research for a community-wide solution. Participants included Oakwood, Kettering, Miami Township, Alter High School, Centerville, Montgomery County Satellite Juvenile Courts, Moraine, Miamisburg, Washington Township, United Way along with the Unified Health Solutions. The group met for several months and with a variety of groups, contacted several anti-drug organizations and gathered information from other communities with anti-drug coalitions.

Mr. Levy reviewed recommendations to form a South Suburbs Coalition to target use and accessibility, education and prevention, community involvement and expectations, accountability and enforcement and healthy alternatives. This is similar to the Community Anti-Drug Coalition of America (CADCA) which includes youth, parents, schools, business, media, civic, youth-serving organizations, law enforcement, religious organizations, healthcare, local government and others involved in reducing substance abuse. The second recommendation is to continue collaboration on a targeted list of short-term activities which includes a call to action. That action is requesting each community to adopt a resolution of support, appoint coalition members and provide seed money.

Mayor Cook was pleased to see a report on other communities with good practices and experiences, but noted they cannot expect immediate success. Mr. Levy agreed they need to look at the broader aspects community-wide. Mr. Duncan encouraged citizens to read the report which he can forward via e-mail. He asked that those on the committee in the audience introduce themselves. Council recognized and thanked Andrea White, Kettering Municipal Court; John North, Unified Health Solutions; Deborah Jay, Montgomery County Satellite Juvenile Courts of Centerville, Washington Township and Kettering; Sister Fran Flynn, Alter High School; and Peggy Holton, Prevention/Intervention Counselor, Oakwood Schools.

Public Records. Ms. Grandjean explained that the public records law was recently amended and in order to ensure that elected officials understand obligations, the attorney general is sponsoring training. She has suggested that council designate the clerk of council to attend.

Therefore, it was moved by Mr. Duncan and seconded by Mr. Blumensheid that council designate Cathy Blum as the designee of Mayor Cook and Council Members McGinnis, Duncan, Blumensheid and Castleman to attend the Certified Public Records training presented by the Attorney General's Office on November 28, 2007 in accordance with H.B. 9 and the Public Records Law, this training is to be taken in their current term of office."

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 motion was declared duly passed and it was so ordered.

MVRPC. Mr. McGinnis reported, as Oakwood's representative to the MVRPC which deals with regional planning, transportation, water quality, air quality, land use and GIS; on a walkable community handbook they have put together. That plan incorporates pedestrians and bicycles into a friendly design, a good guide and MVRPC is anxious to help. He also reported that the I-75 modernization plan was approved which includes three phases for a total of \$670 million.

Mayor Cook welcomed the visitors and recognized Ms. Rose Eckerlie and the Lego League. The following members of the group introduced themselves: William Powers, Eli Eckerle, David Sills, Robert Noonan, Ana Schauer, Erin Kennedy, Daniel VanDerhoef, Jack Jiang and Zachary Collopy. They explained they are the "Energy Hogs" and as a team recently undertook an energy audit on Lange School. They were challenged to choose a community building and evaluate its energy use including windows, doors, etc. They reported the windows were recently replaced with double pane which is better than single pane glass that leaks. They also checked on the light bulbs, skylights, doors, etc.

Mr. Blumensheid had thought it was good to have a skylight. One of the members indicated it is unless there is too much sun and then the room gets so warm it takes too much energy to cool off the room. Mayor Cook asked if Lego is the sponsor. One of the members indicated this is part of the robotics challenge. Mr. McGinnis explained to the group that the city is very proud of them, they are addressing an important issue and showing leadership – he is very impressed. The group reviewed pictures of the school areas. Mayor Cook extended thanks to the group and the adults who work and sponsor them.

Mayor Cook announced the winners of the 2007 Scarecrow Row and recognized the winners with a certificate and award. She indicated this is the fifth year and as a Judge, each year the scarecrows are more creative and better planned. She added that this is the second year the event was in conjunction with the Family Fall Festival and she extended thanks to Ms. Collins and the Leisure Services Department. Third place for "Beach Orchard" by the residents of the 400 block of E. Peach Orchard. Second place for "Recycrowbles" by Cub Scout Pack 101. Mayor Cook indicated this troop has assisted the city in cleaning up Houk Stream and removed many recyclable materials from the area. She announced this Saturday, 9-Noon, is a community Houk Stream clean-up in preparation of the upcoming Centennial Celebration. She noted although unable to attend, the first place winner was "On the Spot Reporter" by Maggie and Garrett Spikes and Emry Quinn.

Mayor Cook asked for a brief recess so the Board of Education members may depart. She appreciated their attendance at the meeting. Mr. Philo adjourned those members at 8:10 p.m.

Mr. Weiskircher indicated there is a video of the 2007 beautification award winners. He extended thanks to Carl Suchamel, MVCC, for the filming and editing of the program.

Mayor Cook recognized Ms. Shawn Fry in the audience who is working on the MLK, Jr. Breakfast Contest. Ms. Fry explained they have changed the contest which was previously only two dimensional art or essay/poetry. This year there will be two categories: written expression, essay, poetry, lyrics; and visual arts including needlework, pastel, sculpture, digital media, etc. They are also accepting performing arts such as singing, dancing, etc., as long as it deals with MLK, Jr.'s dreams, ideals and goals as well as community service, multi-media, etc. They are also opening up not only to individuals but groups and varying age categories. Ms. Fry indicated the deadline is December 19 and they will get announcements to schools, churches, Oakwood Giving, youth clubs, etc. She reviewed the prizes which include first place, \$100; second place \$50; and third place \$25 thanks to Town & Country's donation.

Mayor Cook recognized the 2007 beautification award winners. A video depicting the following winning properties was shown: Dave & Doreen Rice, 1930 Far Hills; Adrienne Oliss, 351 Aberdeen; LCNB National Bank, 2705 Far Hills; John & Gayle Workman, 100 W. Peach Orchard; Sheila Finley, 574 Hathaway; Kara & Chris Conard, 936 E. Schantz; Tom & Healy Jackson, 118 Lonsdale; Molly Reed, 405 Hadley; Myra Herman, 999 Harman; Chris Tzouras, 325 Triangle; Paul & Janna Piechota, 542 Acorn; Micah & Leslie Jones, 830 Acorn; Mark & Maureen McLaughlin, 1019 Delaine; Bill & Joyce Stine, 347 Aberdeen; Larry & Sophie Skolnick, 223 Telford; Ryan & Shawn Fry, 240 Monteray; Mr. & Mrs. Joseph Scott, 249 Claranna; John & Vail McGuire, 360 East; Max & Darlene Gutmann, 2500-12 Far Hills; Nancy & Kevin Kravitz, 905 E. Schantz; James Buehler, 410 Irving; Ray & Vicki Braun, Costan Properties, 136 Far Hills; Larry & June Crawford, 20 Patterson; Scott & Barb Rife, 138 Greenmount; Jay Vitali & Kristin Watson, 1900 Shroyer; Marjie & Paul Holcomb, 1501 E. Schantz; Michael Robinette 7 Kelly Fackel, 1502 E. Schantz; Mr. & Mr. Douglas Randolph, 2300 Shafor; Mr. & Mrs. Nicholas and Elizabeth Andrews, 2410 Shroyer; Chabad of Greater Dayton, 2001 Far Hills; Teri & Dan German, 78 Park; Charles Weir,

2115 Far Hills; Dave & Sue Oertel, 532 Shafor; Dr. Glenn & Mrs. Lisa Taylor, 537 Hathaway; Steve & Linda Charlton, 335 Aberdeen; Mr. & Mrs. Fred McGhee, 433 Hadley; D. Drummer, 321 Monterey; Philip & Mackensie Wittmer, 101 E. Peach Orchard; and Lisa & Stephen Schreck, 249 Park. Mayor Cook indicated the greatest asset of Oakwood is the citizens and the beautification awards show the creativity and demonstration of high standards.

Mayor Cook asked if there were other visitors. Mr. Koussa extended prayers to the troops and referenced the number of businesses that have left the country. He urged everyone to help keep jobs in the United States since the President and Congress are so busy. He also reminded everyone that tomorrow is Election Day and to vote.

ORDINANCE

BY MR. MCGINNIS

NO 4637

TO APPROVE A CHANGE TO THE BOUNDARY LINE BETWEEN THE CITY OF OAKWOOD, OHIO, AND THE CITY OF DAYTON, OHIO, BY AGREEMENT OF BOTH MUNICIPALITIES, PURSUANT TO OHIO REVISED CODE §709.37 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. McGinnis referenced the approved special use at Sugar Camp for the 36+ acres adjacent to Dayton. This legislation relates to a three-acre strip that separates the edge of the playing field area and the city. The overall project requires an access road from Far Hills to the fields as well as an extension into the residential portion of Sugar Camp. He explained the ordinance authorizes the city manager to enter into an inter-governmental agreement with Dayton and pay \$10,000 which will cover the change, mapping and engineering fees. Mr. McGinnis noted without this area, Sugar Camp cannot proceed with the property platting.

Thereupon, it was moved by Mr. McGinnis and seconded by Mr. Castleman that the ordinance be passed as an emergency.

Mr. Castleman explained the city purchased the 28-acre fields and are required to have an access road from Far Hills. He noted this manner is more expedient than going through the zoning process in Dayton. Mr. Klopsch agreed, the city was obligated under the terms of the purchase from NCR to connect to Far Hills. Mr. Duncan explained this is an emergency measure which requires a super majority, four out of five votes.

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.

Mr. McGinnis noted this action is a good example of neighborly cooperation and the drawings depict that the current boundary was established in 1908, one of many historic events. He indicated the change in ownership of Sugar Camp is historic and although a lot of questions have been raised, he believes the city has been forthright in its action based on the long range Comprehensive Plan (which has evolved for approximately 20 years). Input was invited and received from many citizens on the direction of the Plan. Mr. McGinnis referenced concern about the playing fields the city recently purchased, another historic event, and one of the noted goals in the Plan to acquire additional recreation space. The city has also partnered in the pro-active development of Sugar Camp which will assist with the tax base. Mr. McGinnis recognized staff and the leadership of council in looking out for the best interests of the city and an exciting future.

ORDINANCE

BY MR. DUNCAN

NO 4638

TO AMEND SECTION I, 2007 ORIGINAL APPROPRIATION ORDINANCE NO. 4619 AND SUPPLEMENTAL APPROPRIATION ORDINANCE NO. 4626, 4631, 4632 & 4633, TO PROVIDE FOR THE APPROPRIATION OF:

1. AN ADDITIONAL \$200,000 TO BE EXPENDED FROM THE GENERAL EQUIPMENT FUND FOR PURPOSES OF REPLACING OUTDATED DISPATCH CONSOLE EQUIPMENT; AND
2. AN ADDITIONAL AMOUNT OF \$10,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR PURPOSES OF COMPENSATING THE CITY OF DAYTON

- FOR WORK EFFORTS REQUIRED TO CHANGE THE CORPORATION LINE ADJACENT TO THE SUGAR CAMP PROJECT AND NCR ATHLETIC FIELDS; AND
3. AN ADDITIONAL AMOUNT OF \$580,000 TO BE EXPENDED FORM THE CAPITAL IMPROVEMENT FUND FOR PURPOSES OF CONSTRUCTING A ROADWAY FROM THE NEW OLD RIVER FIELD ACCESS ROAD TO THE NCR SERVICE ROAD NEAR THE WEST END CUL-DE-SAC OF THE SUGAR CAMP PROJECT; AND
 4. AN ADDITIONAL \$590,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND TO PROVIDE APPROPRIATE FUNDING FOR THE ANTICIPATED CAPITAL IMPROVEMENT PROJECT DESCRIBED IN 3 ABOVE.

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 appropriation ordinance includes an additional \$200,000 for dispatch equipment; \$10,000 for the Dayton corporation line; and \$580,000 for the roadway to the fields. He referenced the appropriation ordinance adopted a couple months ago for the roadway project, however, at that time they didn't have the boundary information so this completes that project. The \$200,000 relates to an upgrade in the dispatch center since council decided not to proceed with the regional dispatch.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Blumensheid that the ordinance be passed now and without readings on two separate dates and in accordance with Charter Provision 3.02 and Section 111.19 of the Oakwood Administrative Code.

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.

CITY MANAGER'S REPORTS

Sugar Camp. Mr. Klopsch reported the project is moving along and a few weeks ago, the OIG contractor began work on the access roadway at Kramer and Schantz since the existing drive by Maysfield will be converted to green space.

Oakwood Avenue Project. The project is moving along and should be completed by Thanksgiving. Mr. Klopsch indicated the designated parking areas, clay pavers and curbing work are underway.

Smith Gardens Annual Fundraiser. Mr. Klopsch announced the annual fundraiser is underway thanks to Ms. Collins and her staff. He also extended thanks to Skip and Martha Ordeman in helping chair this year's fundraiser. Mr. Klopsch noted Smith Gardens received a \$10,000 gift from Dr. Pryor's estate to help maintain the Gardens.

2008 Budget. Final details are being worked out on the budget. Mr. Klopsch extended thanks to the Budget Review Committee for input. The plan is to have the budget printed for the committee's review in early December and then to council in December. Mr. Klopsch explained there are no significant projects planned for next year given all the activities at Sugar Camp.

COUNCIL COMMENTS

Mr. Castleman reminded everyone tomorrow is Election Day and urged citizens to exercise the great privilege of voting for their candidate and issues. He also extended thanks to Mr. Weiskircher for the music in the video.

Mr. Duncan encouraged citizens to read the report they reviewed earlier in the meeting as this is an important issue to Oakwood and the country, and reiterated the report will be on the city's website and he can forward via e-mail. He encouraged citizens to vote and indicated during his recent community walks, he saw great Halloween decorations. Mr. Duncan also urged support of the school levy and Issue 20.

Mayor Cook acknowledged *DDN* reporter Helen Bebbington who covered meetings and articles for Oakwood. She extended thanks for her supportive, honest and well balanced reporting and wished her well.

Mayor Cook announced a new business will be opening on November 8, The Avenue on Far Hills.

Mayor Cook encouraged everyone to go to the polls and exercise their right to vote. She urged support of the school levy and Issue 20, Human Services Levy. She extended blessings for the upcoming Thanksgiving Holiday.

Council adjourned. The public meeting concluded at 9:14 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL