

CITY OF OAKWOOD

STATE OF OHIO

JULY 21, 2008

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. STEVEN BYINGTON.....PRESENT
MR. WILLIAM D. DUNCAN.....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

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler.

The following visitors registered:

Joseph Koussa, 1537 Beaver Creek Lane, Kettering
Faye Wenner, 1900 Coolidge Drive
Nancy Bain, 444 Acorn Drive
David Crusey, 230 E. Dixon Avenue

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 June 9, 2008 and of the work session held June 23, 2008. Mr. Duncan reported he found two minor typographical errors on page 49 in the June 9, 2008 regular minutes; first paragraph the word should be “re-designed” and under Chief Bebris’ report about citations, the word “including” added therein; and another typo in the June 23 2008 work session minutes, under the 2007 audit report, it should be “personnel” expenditures. Therefore, it was moved by Mr. Duncan and seconded by Mr. Castleman that the minutes of the sessions of council aforementioned be approved as amended 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/Pointe Oakwood: Mr. Byington reported work on Sugar Camp has moved away from Far Hills to the commercial area for completion of the parking lots, utilities, etc. The contractor recently moved back to the Versant area along Far Hills for more earthwork. He reported DP&L work is also progressing as part of the Far Hills road project. He asked that Dr. Eastman report on environmental issues.

Dr. Eastman indicated this is a complex project and he is the coordinator of all components. In regard to the Far Hills alignment and left turn lane roadway project, DP&L work is nearly completed, easements have been obtained from NCR, and components for Vectren, AT&T and Time Warner are underway. Fortunately the same contractor is working on both sites for good quality control. It’s been critical to complete the parking lot in the commercial area and in the spring earthwork began to prepare the residential portion. He reported everything is going as planned. Dr. Eastman referenced stormwater management and explained since the water flows towards Far Hills, there is the necessary sediment trap area. He reported on one small snafu - administratively the developer did not file the required one-page Notice of Intent to the EPA, which he takes some responsibility for; yet during a conversation today with the Ohio EPA, the plan and documentation was reviewed and is acceptable.

Mr. Duncan asked that he describe his role as the city’s consultant. Dr. Eastman indicated he has been hired by Oakwood as the city’s representative and deals with the developer, contractors, and utility companies to make certain all the various issues are taken care of. He indicated the developer submits plans for review, i.e., roadway grades, sight distances, curves, etc. and he makes sure it is reviewed. Mr. Castleman asked about his background. Dr. Eastman indicated he has 30 years of engineering experience in environment/site management and was Oakwood’s engineer 20 years ago when City Manager Foell developed the Oakwood water treatment plants. He knows

Oakwood and has staff to assist him. Mr. Duncan noted he has been working on this issue since 2002. Mr. Castleman added Dr. Eastman also has a Ph.D in professional engineering.

Mr. Byington referenced environmental testing. Dr. Eastman explained environmental testing was undertaken before NCR sold the land including foundry sand sampling. He has copies of all that data and the developer recently completed a “toxicity procedure” to determine if there is any hazardous waste. He was pleased to report tests have shown there is no hazardous waste and he has been working with the Oakwood Board of Health on air sampling, i.e., construction dust mitigation plan and to date nothing has exceeded limits for workers or others. Mr. Byington wondered, based on sampling, if anything has been out of the norm. Dr. Eastman reported everything has been as expected.

Mr. Klopsch explained the city’s road construction activity along Far Hills will soon begin, the city has contracted with R B Jergens and property owners in that area were contacted by Mr. Weaver to review the work. In response to the site visit council took in May and based on dialogue with citizens, prior to the Master Landscape Plan going to the Planning Commission the city invited five citizens with landscaping expertise to a meeting last week. Those citizens included Jean Woodhull, Cindy Garner, Julie Patel, Nancy Bain and Jay Woodhull. It was a good meeting with Fullmer Landscaping who reviewed the conceptual plan and a follow-up meeting is upcoming. He indicated one of the concerns related to use of the Bradford Pear Tree which is extensively used in the area and the suggestion that they not just use one tree variety. The actual selection of plant material is still open and the developer reviewed the plans along Far Hills, the buffer area between the residential units, reforestation areas and internal roadway planting. It was also suggested that native tree and plant material species be used. Mr. Klopsch thanked those citizens for their input.

Mayor Cook asked why the DP&L poles are being relocated. Mr. Klopsch explained to upgrade DP&L transmission and distribution lines and to eliminate the power line across the property near Springhouse and Far Hills. Dr. Eastman added it will also assist with the Far Hills re-alignment and turn lane. He indicated between the Dayton corporation line and the site, there are seven roadway transitions; however once the roadway is improved for safety and drivability, there will only be two transitions. He indicated they also plan to move the pedestrian walks back away from the street; on the west side there will be a 7’ tree lawn and on the east it will vary in width.

Mr. Duncan referenced the resolution of approval for the project and requirement that the Master Landscape Plan be submitted to the Planning Commission and wondered when that might occur. Mr. Klopsch indicated since the citizens will be meeting again, it might be the October meeting and they will get the word out. Mr. Duncan noted the resolution of approval also asks that the city horticulturist review the plan. Mr. Klopsch extended thanks to DP&L for attending so many meetings and the significant investment/work underway.

Mr. McGinnis asked if there has been satisfactory opportunity to review data from the developer. Dr. Eastman responded yes and noted the reviews, sampling, etc., are not just a one time issue, it is ongoing. Mr. McGinnis asked if everything is in compliance. Dr. Eastman responded at this time yes and noted there are steps to ensure it will continue to be done in the future. Mayor Cook thanked Dr. Eastman for his report.

Mr. McGinnis asked about the city’s financial involvement, bond issues and timing. Mr. Klopsch indicated there are three cost components. The commercial area – approximately \$700,000 was committed and council signed a resolution authorizing the agreement with the developer. The second is the construction work on Far Hills between Schantz/Rubicon and the Dayton corporation line and addresses the seven roadway transitions and inclusion of a signalized intersection at Springhouse. The contract is with Jergens for approximately \$700,000. The third includes the access road to Old River and NCR World Headquarters as well as the entrance to Pointe Oakwood. Mr. Klopsch indicated that \$2.75 M is the limit and the third commitment is the balance with a few incidentals. Mr. Klopsch explained no public money will be used for the internal roadway loop in Pointe Oakwood. Mayor Cook noted the use of the money has been planned out. Mr. Klopsch explained the bond portion will be included in the infrastructure agreement similar to what was done with OIG on the commercial development.

Centennial. Mayor Cook referenced the July 11-13 celebration of history and heritage events and extended thanks to Gretchen Bullock and Kristin Carpenter for hosting 18 tours at Hawthorn Hill. Those tours have also been made possible with the support of Dayton History and she is grateful to them. That same weekend was the premier of “Oakwood: Our Home on the Hill”, a great success and good audiences for the six performances. That event was chaired by Jan Wallace and included Diane Scott, Julie Mays and Anne Davis – a family affair. She extended thanks to Sandy Maresh, Dr. Scalzo’s Administrative Assistant, who created the wonderful history of cookies. Mayor Cook

indicated the film itself has received high praise and they ran out of DVDs to sell but now are in good supply at the city building or community center for a donation of \$10. Mayor Cook extended thanks to the film committee chaired by Harrison Stamm Gowdy, Harry Ebeling and Mackensie Wittmer – a real treasure that serves not only the Centennial celebration but a permanent record of Oakwood’s history. She indicated that weekend of activities is thanks to the generous contribution from NCR and the movie included the link between NCR and Oakwood’s history. Mayor Cook reported there are still banners available for \$15; flags for \$20; a contribution of \$25 for the “Acorn to Oak Tree” book; and \$10 contribution for the film. Mayor Cook invited the community to the final celebration scheduled for Sunday August 17 in conjunction with the Ice Cream Social. The event will be held at the High School Stadium and includes a talent show and the Air Force Band of Flight. Mr. Duncan extended thanks to Mayor Cook who began work on this celebration 18-24 months ago. She has done an outstanding job in lining up co-chairs Dick Good and Madeline Iseli, other volunteers, all the meetings and seeking financial contributions. After a round of applause, Mayor Cook thanked him for the kind words.

Mayor Cook recognized the visitors. Mr. Koussa extended prayers to the U.S. troops and referenced the recent July 4th celebration at Delco Park. While watching the fireworks, he thought about all the military personnel who fight for our safety and freedom. He salutes all military personnel. He also referenced news that GM will be closing the Moraine Plant which will impact the area.

Ms. Nancy Bain referenced the aforementioned meeting and was pleased the landscaper changed the plan as it related to the pear trees but was still disappointed, as an advocate of native plants that they plan to use privet hedge. She encouraged Oakwood to focus on native plants in the natural areas. Another concern related to the use of invasive plants, i.e., honeysuckle. Ms. Bain referenced her volunteer work with stormwater management plans and believes education (by participating and attending meetings) is needed to see how natural areas are impacted. She referenced the Global Species Program that reviews invasive species that muck up the watershed and contribute to the decline of birds and insects. Ms. Bain noted Oakwood is a Tree City, USA and after contacting them she learned that they don’t recommend the use of the pear tree which is something the city sells. Ms. Bain suggested a proposal that the natural areas abutting the Creager Field (where the dog park is planned) be worked on. The area is infested with honeysuckle. In regard to the city’s use of daffodil bulbs, those are not native to the area and do not benefit the wildlife. She would like to see the use of native plants. Ms. Bain indicated they need to have someone who knows about ecology, not necessarily a horticulturist, to assist with the stormwater management and use of native materials that help absorb the runoff and provide a habitat for birds and pollinated insects. Mayor Cook indicated Centennial Park has a lot of volunteers who are working on an inventory of plant materials. Mr. Winkler referenced tomorrow’s *Oakwood Register* and Mrs. Heck’s report in Round Town that a beaver has made its home under the new Centennial bridge. Mayor Cook indicated they have heard about the destruction the beaver has done on surrounding trees. Mr. Castleman extended thanks to Ms. Bain for her input and advice on the Master Landscape Plan.

RESOLUTION

BY MR. CASTLEMAN

NO 1675

A RESOLUTION AUTHORIZING THE CITY’S PARTICIPATION IN A JOINT APPLICATION FOR AN OHIO LOCAL GOVERNMENT SERVICES AND REGIONAL COLLABORATION GRANT THROUGH THE OHIO DEPARTMENT OF DEVELOPMENT.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read in its entirety.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington 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. STEVEN BYINGTON.....YEA
MR. WILLIAM D. DUNCAN.....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.

CITY MANAGER’S REPORTS

Orchardly Park: Mr. Klopsch reported with the hot summer weather, the improvements at Orchardly Park are even a bigger hit and they are pleased with the final product. He indicated there

have been a few suggestions that the park be re-named Wonderly Park. He indicated Ms. Collins, Leisure Services Director, has been with the city for over 33 years and reported it was Orchardly Park when she arrived and she doesn't know when it was changed. She has been challenged to research the issue with Harry Ebeling and other local historians; however, two beautiful "Orchardly Park" signs are already in place. Mr. Klopsch publicly thanked Mr. Weiskircher and Ms. Collins for all their hard work on the project, particularly the tight timeline. Mayor Cook also referenced the work of Sheila Eifert who almost won the Boundless Playground based on the love for her child's friend with physical challenges, this park update included her input. Mayor Cook indicated Orchardly Park is a neighborhood park and perhaps the name identifies the area. Mr. Klopsch indicated they won't remove the old park equipment until after school starts given all the activity. He noted they also will plant grass in that area once that equipment has been removed.

Hills & Dales Park: Mr. Klopsch referenced all the activity along Deep Hollow in Hills & Dales Park. He hopes to schedule Five Rivers Metro Parks staff for a formal presentation at an upcoming council meeting about the implementation of their Master Plan.

August Planning Commission Meeting: Mr. Klopsch announced the August meeting was changed from the normal first Wednesday of the month to August 13 based on quorum needs.

Staff Picnic: Mr. Klopsch extended thanks on behalf of all of staff for the recent annual picnic at Shafor Park. He indicated it was well attended, a wonderful lunch and great time in a relaxed environment. He extended thanks to Wellness Committee members Lin Rich, Nickie Myers, Vere Mason and Lori Stanley who work with Ms. Collins on the event.

COUNCIL COMMENTS

Mr. Duncan referenced the Sugar Camp/Pointe Oakwood development and various comments made that council has let the developers "run over them". He explained council makes certain ordinances are enforced and have done a good job in that regard. Another argument relates to green space and he referenced the pocket park and scenic overlook within the development for the public use, thanks to Mr. McGinnis' input. Mr. Duncan also pointed out two years ago the city made the largest land purchase of the 28-acre Old River site which wouldn't have occurred without the assistance of Alan Rinzler in cooperation with NCR and the city manager.

Mr. Duncan indicated he is an avid sports fan and has enjoyed watching golf and the Reds in HD. He challenged Time Warner to provide HD service with NBC for the upcoming Olympics.

Mr. Byington extended congratulations on the Relay for Life event held July 11-12, an 18-hour walk-a-thon at the High School co-chaired by Michael Vanderburgh and Ted O'Connor. Prior to the event, \$65,000 had been raised and they hope to meet their \$75,000 goal – fantastic organization helping raise money for cancer research.

Mr. Byington was extremely proud and happy to see citizens with expertise involved in the Sugar Camp landscape plan meetings. He encouraged all citizens interested in participating to get involved and serve their community.

Mayor Cook attended a party on July 3 in Dayton for the July 4th celebration. A fine event with fireworks and live music and extended thanks to the city of Dayton for being included.

Mayor Cook indicated she and the city manager attended the change of command ceremony at WPAFB. She is pleased that Col (R) Colleen Ryan will be staying in the area and welcomed Col. Bradley Stacy, key person at the base.

Mayor Cook extended thanks to the Wills for operating the cable equipment and announced the next meeting is scheduled for August 4.

Council adjourned to work session. The public meeting concluded at 9 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL