

CITY OF OAKWOOD

STATE OF OHIO

JANUARY 4, 2010

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 City Manager, Mr. Norbert S. Klopsch, presided, and the Clerk of Council, Mrs. Cathy Gibson, recorded.

Mr. Klopsch explained this is the biennial organizational meeting, held every two years, and will include administering the Oath of Office to the two newly elected council members; and then council will select a Mayor and Vice Mayor to serve for a two-year period. He indicated once the vote is completed, he will turn the gavel over to the new Mayor. Mr. Klopsch 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. STANLEY CASTLEMAN ..... PRESENT  
MR. ROBERT P. STEPHENS ..... PRESENT  
MRS. ANNE S. HILTON ..... 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 Collins, Leisure Services Director  
Mr. Kevin Weaver, P.E., P.S., Public Works Director  
Mrs. Cindy Stafford, CPA, Finance Director

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

The following visitors registered:

R. T. Good, 69 Park Road  
William Wagner, 103 Spirea Drive  
Perry Martin, 44 Ivanhoe  
Heather Kleinhenz, 310 Southview Road  
Jim Worley, 300 Greenmount Boulevard  
Pam and Bill Stephens, 310 Schenck Avenue  
Mr. & Mrs. Edward Shank, 50 Wisteria Drive  
Jawn & Rita Chasteen, 240 Far Hills Avenue  
John & Becky Butler, 204 Monteray Avenue  
Emmy Stephens, 214 Forrer Boulevard  
J. C. Stephens, 214 Forrer Boulevard  
David & Stuart Hilton, 900 Harman Avenue  
Greg & Kim Robinson, 236 Rubicon Road  
Jack & Nancy Campbell, 224 Grandon Road  
Sharon Stephens, 214 Forrer Boulevard

Ms. Grandjean gave the Oath of Office to newly elected Council Member Robert P. Stephens and then to newly elected Council Member Anne S. Hilton.

Mr. Klopsch asked for nominations for Mayor.

It was moved by Mr. Castleman and seconded by Mrs. Hilton that Mr. Duncan be appointed Mayor.

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

MR. WILLIAM D. DUNCAN ..... YEA  
MR. STEVEN BYINGTON ..... YEA  
MR. STANLEY CASTLEMAN ..... YEA  
MR. ROBERT P. STEPHENS ..... YEA  
MRS. ANNE S. HILTON ..... YEA

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

Mr. Klopsch gave the gavel to Mayor Duncan. Mayor Duncan asked for nominations for Vice Mayor.

It was moved by Mr. Stephens and seconded by Mr. Castleman that Mr. Byington be appointed Vice Mayor.

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

MR. WILLIAM D. DUNCAN ..... YEA  
MR. STEVEN BYINGTON ..... YEA  
MR. STANLEY CASTLEMAN ..... YEA  
MR. ROBERT P. STEPHENS ..... YEA  
MRS. ANNE S. HILTON ..... YEA

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

Mayor Duncan gave the following address:

*“Members of City Council, City Staff and Citizens of Oakwood: I would like to thank my fellow council members for electing me to the position of Mayor of the City of Oakwood. I am honored to have received your support and humbled to be considered in the company with outstanding leaders and community servants like Jeff Ireland, Gretchen Bullock and Judy Cook. As I commented last month, the Mayor of Oakwood can be replaced; however, Judy Cook cannot be replaced. I pledge to fulfill the duties of Mayor to the best of my ability.*

*Our family moved to Oakwood 21 years ago. Like many of you, we loved the quality and diversity of the housing choices, the ability to walk to Oakwood schools, Dorothy Lane Market, the City parks, Oakwood Community Center and Wright Library. We also wanted our two children to attend Oakwood City Schools and participate in extracurricular activities. Our daughter, Jennifer, graduated in 1999. She assisted in directing the choir and played piano at the baccalaureate ceremony at Westminster Presbyterian Church. I will never forget first year superintendent Judy Hennessey making a personal comment or reflection about every single student in the class of 1999. Our son, Brian, graduated in 2002. He played varsity soccer and baseball for Oakwood. Had he attended a larger school district, this opportunity would have probably not been available to him. I will also never forget Coach Aaron Azbart who taught my son the life skills of teamwork, discipline, leadership, sportsmanship and fair play. It has been four years since his untimely death at age 33.*

*I also had the opportunity to meet former City Manager Mike Kelly. We played on an over 35 softball team and rarely won a game. As a citizen of Oakwood, I observed how we dealt with an unfounded allegation about our city. He handled the issue with professionalism, class and grace. This episode confirmed my belief that Oakwood is well governed and well managed. When Gretchen Bullock resigned from Council in 2002, I applied for the position. Although I was not selected at that time, I was appointed to succeed John Donnelly after his untimely death in 2003, elected in 2003 and re-elected in 2007.*

*Serving on Oakwood City Council is truly about community service. My experience is Oakwood is a great place to live, play and raise a family. With the help of Council, City staff and our citizens, Oakwood will continue to be well governed, well managed and financially strong. Thank you for the opportunity to serve the citizens of Oakwood.”*

Mayor Duncan reviewed the following council committee assignments.

**CITY OF OAKWOOD  
2010 COUNCIL COMMITTEE ASSIGNMENTS**

William Duncan, Mayor	Steven Byington, Vice Mayor
Court Liaison	Anne Hilton, Chair Steven Byington
Finance	Stanley Castleman, Chair William Duncan
Law and Minutes	Anne Hilton, Chair Steven Byington
Planning and Zoning	Steven Byington, Chair Stanley Castleman
Public Properties	Stanley Castleman, Chair Rob Stephens
Public Utilities/Waterworks/Sewer	Stanley Castleman, Chair Rob Stephens
Safety and Traffic	Rob Stephens, Chair Anne Hilton
Streets and Alleys	Rob Stephens, Chair

Community Relations/Promotion & Appointments

Anne Hilton  
William Duncan, Chair  
Steven Byington

**Regional Agencies - Council Representation**

Miami Valley Communications Council

Stanley Castleman  
Rob Stephens, Alternate  
Steven Byington  
William Duncan, Alternate  
William Duncan  
Norbert Klopsch, Alternate  
Steven Byington  
Norbert Klopsch  
William Duncan, Alternate  
Anne Hilton, Alternate  
Alex Bebris  
William Duncan, Alternate

Miami Valley Regional Planning Commission and  
Transportation Committee  
EMA Regional Advisory Council

First Suburbs Consortium

South Suburban Coalition

**Boards, Commissions and Citizen Ad Hoc Committees**

Planning Commission  
Environmental Committee  
MLK Breakfast Committee  
Sister City  
Historical Society

Steven Byington  
Rob Stephens  
William Duncan  
Anne Hilton  
Anne Hilton

Note: The Mayor also serves as ex-officio member of each council committee.

It was moved by Mayor Duncan and seconded by Mr. Castleman that the aforementioned appointments be confirmed. Upon a viva voce vote on the question of the motion, same passed unanimously.

Mrs. Hilton, Chair of the Council Committee on Minutes, advised council she had read the minutes of the regular and work sessions of council held December 14, 2009. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton 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.

There were no status reports.

VISITORS

2010 Show House. Mrs. Carla Hollencamp explained she is a former Oakwood resident and a member of the Dayton Philharmonic Volunteer Association working on fundraising to support the orchestra and music education in the Miami Valley. She referenced a Power Point presentation and reviewed the successful history of Show Houses in Oakwood – 2003, The Evelyn Huffman Patterson Estate; 2005, The Mead Schuster Estate; and 2009, The Talbott-Greene Estate. Since economic times have changed, they have been asked to raise \$100,000 and have set about doing more with less to appeal to a broader scope of people and make the Show House event more accessible. To that end, they only plan a 10-day event from 10 a.m. to 8 p.m. so to cut down on overhead, and reduce stress on the neighborhood. Mrs. Hollencamp reviewed the ad which will be included in the Philharmonic program explaining the 10-day event from June 18-27, 2010.

Mrs. Hollencamp indicated this year the Show House will be at 201 E. Schantz which is part of the Schantz Park Historic District, has Colonial Revival/Georgian details, is located on a double lot on a corner with good visibility and the homeowners are invested in the project. She indicated owners Katie and Kevin Weaver are a younger couple with young children. Mrs. Hollencamp explained they have business and community support with 24 designers, six landscapers, Sherwin Williams Paint Company, University of Dayton is providing parking lots, Dorothy Lane Market, restaurants and corporate sponsors. Mrs. Hollencamp reviewed the event which will include a neighbor sneak preview in May, opening night June 18, theme days, etc. She referenced a photo of the proposed tent/sculpture which will be installed on the vacant lot for the event and reviewed parking, shuttle service, security, permits, trash removal, etc. She extended thanks to council for their cooperation, support and enthusiasm. Mr. Castleman wondered what was raised last time. Mrs. Hollencamp responded \$125,000. Mayor Duncan wished them success.

Holiday Decorating Contest Winners: Mayor Duncan recognized Oakwood Environmental Committee member Kimberly Robinson. Mrs. Robinson reviewed the following winners for the holiday decorating contest based on curb appeal and tasteful presentation: Daytime – 240 Far Hills Ave., Rita & Jawn Chasteen; 234 E. Dixon, Debra Edwards & Kevin Bennett; 100 Patterson, The

Wuebker Family; 255 Corona, Michael Williams; 132 Dell Park, Richard Trehuba; and 310 Southview, The Kleinhenz Family. Nighttime – 320 Acorn, Paul Vanderburch; 800 Shafor Blvd., Steve Taylor & Patty Herron; 226 Telford, Curtis Wozniak; 227 Wonderly Ave., The Marshall Family; 224 Grandon Road, Jack & Nancy Campbell; and 906 Harman Ave., Laurie Keller. Multi-family – 4 Spirea/1104 Far Hills, Jennifer Lauterbach & The Reasoner’s; and Business – 2411 Far Hills Ave., Rife Jewelers; and 2501-05 Far Hills Ave., Shapes and Get Dressed. Mrs. Robinson indicated she will deliver awards to those who were unable to attend.

Oakwood Rotary Hazardous Waste Pickup Program. Mr. Klopsch introduced Mr. John Ferneding and Mr. Bill Wagner who both joined the Oakwood Rotary Club approximately three years ago (when he was Rotary President) and were challenged to develop a new community project. Once a quarter the Rotary picks up hazardous waste from Oakwood homes and takes it to the county disposal facility, an enormously successful project for which Mr. Klopsch wanted to publicly recognize them.

Mr. Wagner explained the Rotary has made this possible and it primarily helps elderly citizens by physically taking paint, fertilizer, etc., and disposing of it properly. He indicated for the past eight sessions, they’ve reached over 300 homes. Mr. Klopsch noted it’s been 338. Mr. Wagner explained the city has provided a phone extension where pickup requests are left and the Rotarians use their own vehicles. Mr. Ferneding indicated this is really one phase of cleaning up the environment. Mr. Klopsch also recognized the Montgomery County Solid Waste staff who has been very cooperative when pick-up trucks full of hazardous waste drop off the volume of stuff from 338 homes. Mr. Stephens noted as a fellow Rotarian, he commends them for this new project that has been ongoing and brings other Rotarians in the mix, one of their best new member programs.

There being no other visitors, the following legislation was introduced:

ORDINANCE

BY MR. CASTLEMAN

NO 4691

TO AUTHORIZE THE CITY OF OAKWOOD TO “PICK UP” THE STATUTORILY REQUIRED CONTRIBUTIONS OF MUNICIPAL COURT AND REGULAR PART-TIME EMPLOYEES TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM PURSUANT TO I.R.C. SECTION 414 (H) (2).

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Castleman asked that the second reading be waived and explained this takes advantage of tax laws relating to pension plans and has no additional cost to the city.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the ordinance be passed and the second reading waived.

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. STANLEY CASTLEMAN..... YEA
- MR. ROBERT P. STEPHENS..... YEA
- MRS. ANNE S. HILTON ..... YEA

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

RESOLUTION

BY MR. BYINGTON

NO 1710

A RESOLUTION ENDORSING THE EXISTING CONDITION ASSESSMENT PHASE OF GOING PLACES – AN INTEGRATED LAND USE VISION FOR THE MIAMI VALLEY REGION.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Byington explained this relates to the presentation by MVRPC at the last meeting.

Thereupon, it was moved by Mr. Byington and seconded by Mr. Castleman that the resolution 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. STANLEY CASTLEMAN ..... YEA  
MR. ROBERT P. STEPHENS ..... YEA  
MRS. ANNE S. HILTON ..... 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 MEMBERS OF COUNCIL

NO 1711

TO EXPRESS APPRECIATION FOR THE PUBLIC SERVICE OF CARLO C. McGINNIS AS A MEMBER OF COUNCIL AND VICE MAYOR OF THE CITY OF OAKWOOD.

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

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton that the resolution 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. STANLEY CASTLEMAN ..... YEA  
MR. ROBERT P. STEPHENS ..... YEA  
MRS. ANNE S. HILTON ..... 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 MEMBERS OF COUNCIL

NO 1712

TO EXPRESS APPRECIATION FOR THE PUBLIC SERVICE OF JUDY COOK AS A MEMBER OF COUNCIL AND MAYOR OF THE CITY OF OAKWOOD.

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

Thereupon, it was moved by Mr. Byington and seconded by Mr. Stephens that the resolution 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. STANLEY CASTLEMAN ..... YEA  
MR. ROBERT P. STEPHENS ..... YEA  
MRS. ANNE S. HILTON ..... 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

TO AMEND CODIFIED ORDINANCE CHAPTER 931, GARBAGE AND REFUSE, SO AS TO INCREASE REFUSE COLLECTION AND DISPOSAL FEES AND TO BILL FOR SAID FEES MONTHLY RATHER THAN QUARTERLY; TO AMEND CODIFIED ORDINANCE CHAPTER 915 TO BILL FOR SANITARY SEWER FEES MONTHLY RATHER THAN QUARTERLY; AND TO AMEND CODIFIED ORDINANCE 919 TO BILL FOR WATER FEES MONTHLY RATHER THAN QUARTERLY.

Mr. Castleman explained this is a first reading and proposes to amend refuse collection and disposal fees and the billing schedule from quarterly to monthly thereby making this more of a fee based program rather than general fund tax monies. Mr. Klopsch indicated for many years the city has funded the majority of the refuse cost through tax dollars, only collecting fees for approximately 20% of the total program cost which includes leaf pickup, brush pickup, special pickups, etc. He reminded Council that two years ago they allowed one of the tax levies to expire which had helped fund some of that cost. Mr. Klopsch explained they will recover the cost through user fees rather than an additional tax increase and go to a monthly billing process. Mayor Duncan asked if citizens can have the bill charged directly to their bank account without an additional fee. Mr. Klopsch responded yes. Mayor Duncan explained a second reading will be on the next meeting's agenda.

There was no staff report.

CITY MANAGER’S REPORTS

Mr. Klopsch welcomed Mr. Stephens and Mrs. Hilton and extended congratulations on their recent election.

Tax Question. Mr. Klopsch referenced the income tax question raised by a citizen at the last meeting. He noted the finance director spoke with the individual and he now understands that no citizen would ever pay more than 2.5% Oakwood income tax.

Athletic/Recreation Master Plan. Mr. Klopsch explained they are about half way through the project and the consultant will make a presentation to council later in the year. He noted staff continues to work with MSA and the 25-member citizen committee on identifying enhancement opportunities at the Community Center and Old River. Mr. Klopsch indicated they have three more committee meetings scheduled and another community meeting in February which will be publicized via notice to the media and through the OCC’s e-mail distribution list. They also plan to send out a mailing in March about the Master Plan to obtain public feedback and will conduct a telephone survey.

Pointe Oakwood Development. Mr. Klopsch indicated it has taken a lot of time to prepare the site for installation of roadways and homes. He noted although the project continues to move along, work is limited during the winter months and added it was April 2007 when Council first approved the Master Plan for this development.

COUNCIL COMMENTS

Mr. Stephens publicly thanked council and staff for their support as well as his wife Sharon, his two children, his parents and election committee. He extended thanks to Mr. McGinnis and Mrs. Cook for all their years of service and looks forward to the challenges.

Mr. Castleman extended thanks to Mrs. Cook and Mr. McGinnis for their extraordinary public service to Oakwood and welcomed Mrs. Hilton and Mr. Stephens.

Mr. Byington commended Mr. McGinnis and Mrs. Cook for their fantastic service and for being a personal mentor. He welcomed Mr. Stephens and Mrs. Hilton and looks forward to serving with them. He extended congratulations to Mayor Bill Duncan, a great steward of public trust.

Mayor Duncan welcomed Mrs. Hilton and Mr. Stephens and looks forward to working with this council. He appreciated their support for his appointment. Mayor Duncan reminded citizens of the upcoming MLK Breakfast scheduled for Monday, January 18 at Christ United Methodist Church.

Mayor Duncan referenced the January issue of the Smithsonian Magazine and an article from a citizen about what a great town Oakwood is. It includes a picture of Hawthorn Hill and information about Wright Library.

Mayor Duncan extended thanks to the Wills for operating the cable equipment and announced the next meeting is scheduled for February 1.

Council adjourned. The public meeting concluded at 8:39 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL