

CITY OF OAKWOOD

STATE OF OHIO

MARCH 2, 2009

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, Mrs. Cathy Gibson, 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  
Mr. Kevin Weaver, P.E., P.S., City Engineer & Public Works Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and staff writer with the *Dayton Daily News*, Ms. Kelli Wynn.

The following visitors registered:

Phyllis Miller, 109 Oakwood Avenue  
Aart den Hoed, 410 Ridgewood  
Claude & Mary Malone, 303 E. Schantz Avenue  
Fran O'Shaughnessey, American Red Cross  
Lauren Beach, 216 Hadley Avenue  
Greg Monett, 234 Irving Avenue  
Lisa Kell, 247 Volusia Avenue  
Brad Judge, Judge Engineering  
Nancy Cauley, 241 Volusia Avenue  
Robert Hayes, 555 Ridgewood Avenue  
Shiow-Meei Myers, 610 E. Schantz Avenue  
Joyce Ann Jones, 429 Ridgewood Avenue  
Martha Haley, 400 Irving Avenue  
Ellen Gleason, 448 Irving Avenue  
Leslie Allen, 472 Irving Avenue  
Tommy & Lisa Routsong  
Jim Mutter, 318 Shadowlawn Avenue  
Dan & Barb Miller, 6 Glendora Avenue  
Jane Balquiedra, 414 Irving Avenue  
Kathy Luckett, 34 Shafor Circle  
Jorge & Melissa Arzola, 336 Ridgewood Avenue  
Chris Cook, 339 Ridgewood Avenue  
Gary Kedziorn, 409 Ridgewood Avenue  
Nosrat & Thomas Hillman, 217 Haver Road  
Aaron Rodgers, 230 Irving Avenue  
Tyler Baumgartner, 433 Wiltshire  
Ernest Baumgartner, 433 Wiltshire  
Lance Roll, 201 Volusia Avenue  
Denise Feeney, 468 Irving Avenue  
C. William Hager, 312 Forrer Boulevard  
Bonnie Doman, 305 Springgrove  
Carleen Turner, 230 Volusia Avenue  
John & Allison Dinning, 224 Volusia Avenue  
Matthew Kell, 247 Volusia Avenue  
Veronica Beardsley, 246 Irving Avenue  
Alan Schaefer, Esq., 134 Patterson

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 February 2, 2009 and of the work session held February 23, 2009. Mr. Duncan reported he found a discrepancy with Mr. Conard's address and

asked that it be corrected. 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 REPORTS

Proclamation. Mayor Cook proclaimed March as Red Cross Month. Ms. Fran O'Shaughnessy extended thanks on behalf of the American Red Cross. She referenced last fall's wind storm which gave them a local lesson on the challenge of a disaster and the need to have a disaster kit, medication, food and emergency response plan in order. She also extended thanks to all the volunteers and United Way agency.

Committee Appointment. Mayor Cook recommended Mr. Scott Gunnell to serve on the Property Maintenance Board, District E.

Therefore, it was moved by Mr. Byington and seconded by Mr. Duncan that the aforementioned appointment be confirmed. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Sugar Camp/Pointe Oakwood Update. Mr. Byington indicated due to weather not alot has happened but now with warmer weather forthcoming, the "Old River Trail" roadway will be graded, this is the entry to Pointe Oakwood and access to the Oakwood Old River Fields.

Mayor Cook welcomed the visitors and asked if there was any business other than legislative issues. There were no comments.

#### ORDINANCE

BY MR. BYINGTON

NO 4666

TO AMEND THE ZONING MAP OF THE CITY OF OAKWOOD SO AS TO REZONE LOTS 149 AND 153 FROM THE CLASSIFICATION OF R-5 TO THE CLASSIFICATION OF NEIGHBORHOOD BUSINESS DISTRICT LOTS.

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 recused himself from this issue. Mayor Cook welcomed comments and asked for new information.

Mrs. Barb Miller, 6 Glendora, extended congratulations to Mayor Cook and Mr. Byington on their local and national appointments to the First Tier Suburb groups which is appropriate since Oakwood is a "first ring" and this issue deals with Oakwood's gateway. She hopes they can maintain the integrity/character of the neighborhood and recommended that council keep the zoning as is and the parking lots be turned into green space. Mrs. Miller referenced buildings in other Neighborhood Business District (NBD) areas in the community, none of which have such a large footprint as is proposed. She believes this decision is irreversible and will change the neighborhood. Mrs. Miller asked for additional time to research the matter, including the value of homes, and based on current economic issues she believes a smaller business footprint would be best and zoning should remain as is.

Mrs. Allison Dinning, 224 Volusia, referenced when the Routsong family requested rezoning of the parking lots in the 1970s and the stipulation by that council that the parking be used specifically for the funeral home, so as to fit in with the residential area, and hopes this council will take that into consideration. When she moved to Oakwood six years ago, she was concerned with the traffic on Oakwood Avenue, understood there was a funeral home at that corner with limited traffic, but believes this development will change the character of the residential area. Mrs. Dinning asked that consideration be given to the challenges of home investors and believes this proposal will impact home values. Although she understands current economic instability, homes in the area have sat on the market and this development will not help. She expressed concern with the UD housing impact on Irving and the ripple impact to abutting streets. Mrs. Dinning noted the neighborhood is impacted by UD, Routsong and Sugar Camp, the latter of which won't have any benefit for probably 10-12 years. She indicated this has caused a decrease in property values yet there continues to be a significant increase in taxes, a challenge to their area.

Mr. Matt Kell, 247 Volusia, noted although there were no specific hours of operation for the funeral home, any business use will increase operation before 9 a.m. and in the evening. He questioned the traffic impact and believes this proposal will generate additional hours, traffic, etc. He noted the city recently changed the traffic flow on Oakwood Avenue and asked whether a traffic study was submitted on the proposed development. He brought these issues up at the Planning Commission meeting and believes additional study needs to be undertaken before a decision is made.

Mr. Greg Monett, 234 Irving, expressed concern with the impact in the area and noted officers sit at the Routsong property to monitor street and alley traffic. He reiterated his concern with emergency vehicle access through the proposed amended alley.

Mrs. Nancy Cauley, 241 Volusia, explained she has lived in three different homes/cities and believes Oakwood is unique with its architecture and neighborhoods. She believes if Dayton continues to creep in and up the hill, there will be a problem as she saw outside Chicago and in other areas. Mrs. Cauley wondered what will happen to all the large older homes if this proposal is approved, i.e., home sales, business creeping in, etc. She believes the city needs to hold tight on what it wants to continue to be.

Mrs. Veronica Beardsley, 246 Irving, has been a resident for over 20 years and is concerned with the changes on Irving Avenue and area homes becoming rental properties.

Mrs. Carleen Turner, 230 Volusia, grew up behind the Salem Mall and recalls her parents and neighbors in the 1970s expressing the same concerns with that business expansion, i.e., screening, property values decreasing, etc. As a 21 year resident, she lives in a beautiful quaint street within walking distance to UD. Mrs. Turner recalled when the Frisch's by UD was demolished and the university decided to build a beautiful gateway/entrance on that corner. She suggested that Oakwood follow UD in that regard and not open retail space.

Mr. Alan Schaeffer, 134 Patterson and legal counsel for Mr. Routsong, agreed this is a difficult decision and with any rezoning issue, they would hear the same concerns/issues expressed with the same passion. As a lifelong Oakwood resident he has attended many funerals at Routsong and if there were 25 cars, there would be a traffic jam. He agreed the traffic will change as the business use changes and a traffic report was submitted to the Planning Commission and staff. Mr. Schaeffer explained they still have to return with a specific site plan; this issue only relates to rezoning lots to NBD, where parking has been. In regard to emergency access with the proposed alley closing, the plan includes emergency vehicle access. He noted student housing is an ongoing issue and the zoning code deals with same. He can't speculate to the residential property on the other side of Oakwood Avenue and this proposal isn't the same size as the Salem Mall. Mr. Schaeffer indicated this request is to make small pieces currently used for parking conform to the property and its zoning use.

Mrs. Mary Malone, 303 E. Schantz, indicated Oakwood has allowed the commercial area and the funeral home parking, but now Mr. Routsong is asking for much more. She urged council to think carefully and although some members have already made up their mind, she urged them to think before they vote and urged them to vote no.

Mr. William Hager, 312 Forrer Boulevard, has financial concerns as do Mr. Routsong and his attorney with the homes in this historical district. He spent his own money and time in preparing an application to the National Registry which was recognized as one of the finest nominations due to no commercial impact in the Schantz Historic District. He referenced the poor economy and since Oakwood is known as a bedroom community, it makes no sense to change the zoning. Mr. Hager reviewed recent home sales, the number of days properties have been on the market, etc. He referenced recent concerns with Hawthorn Hill being open and how the federal government will supersede Oakwood regulations. Mr. Hager also expressed concerns with the traffic impact, this border street, etc.

Mrs. Cauley suggested council think about what they would do if they had a leak in their roof, whether it would go away or would they do something.

There being no further audience comment, Mayor Cook asked for council input. She indicated this has been a long process; she attended the Planning Commission meetings, heard staff and the applicant's presentation, listened to citizens and considered the deliberations of the Commission. In the interim, she has talked with many citizens, read e-mails and letters; and the discussion from the last meeting. She indicated when council votes, they have all that information as well as the Comprehensive Plan and zoning code on which to make a decision. She has gained a perspective of the neighborhood and this is an important border area. She was pleased the neighbors organized themselves, communicated amongst themselves and with staff and council and have been quick to bring to the city's attention any issues. In regard to Irving Avenue, Mayor Cook indicated the city only controls one side of the street and can't control the amount of traffic or young adult college students. However, the city is blessed with the UD administration and their good neighbor relationship. Although she understands concerns with this corner, they can't restrict development. She indicated Mr. Routsong's original plan included demolishing homes to the south and east

(properties he owns) but when staff expressed concern with that plan, Mr. Routsong returned with an amended plan.

Mayor Cook explained the application before council relates to what has existed on those lots for over 35 years as a business use and the requested proper zoning label for the property which includes the existing parking. She agreed this corner will change, it is zoned NBD and the owner has every right to review options. For several years, the property has been a funeral home with a lot of traffic and car doors shutting. She reviewed her concerns; first she doesn't believe denying the use would be anything other than punitive to this business or any business and that the existing business use cannot be removed. Second, she believes the applicant would challenge the issue and legal challenges are an expensive use of tax dollars which she doesn't feel the city would win. Finally, this is just the beginning of the application, there is a lot of room to review the specifics later. Mayor Cook expressed her support of the proposed rezoning.

Mr. McGinnis asked for details on the site plan review process. Mr. Klopsch explained a Major Site Development Plan would be presented to the Planning Commission and review is based on several criteria, i.e., environmental, traffic, compatibility, etc. Mr. McGinnis indicated the proposal would be reviewed based on the same character and scale of the existing use and the applicant has indicated the same square footage will remain yet the new business will have a "strip mall" appearance. He indicated council asked for and has reviewed minutes of the salient hearings from the 1970s and 1990s and the Comprehensive Plan. He referenced the concern expressed in the 1970's that the use not expand beyond its area and cautioned future councils in that regard and in the 1990s the use was placed in the NBD. Mr. McGinnis asked if council may direct Mr. Byington, as liaison to the Planning Commission, to review the strong residential and architectural characteristics against the proposal. Mr. Byington indicated without being told by council, he plans to do so. Mr. Klopsch referenced zoning stipulations 1013.9 D and E relating to architectural compatibility, etc. Mr. McGinnis recalled using those criteria when Sunrise was built as a Tudor structure. He expressed concern that the same square footage is going from a square to a rectangular shaped building and asked that the scale be reviewed. Mr. Byington indicated that is for a later discussion, tonight relates to the rezoning. Mr. McGinnis indicated the NBD use currently exists, they can't make it go away and suggested concerns/questions be addressed during the Major Site Plan. A member of the audience interrupted the discussion with a question. Mayor Cook indicated she was out of order.

Mr. Byington referenced traffic concerns and informed the audience a study was done which reflected engineering standards, and reiterated the alley will be accessible to police/fire. In regard to concerns over hours of operations; he personally lives within half a block of Graeters/Starbucks and has not seen any negative impact, but understands those concerns. Mr. Byington referenced the accusation that council has already made its decision which he finds offensive since a morning email today on the issue brought out other issues he considered. He took the proposal to ten citizens in the community for their review and recommendation, received many pros/cons and council has made an active effort to get input; it upsets him that citizens think they aren't listening. He noted this property has been used as a commercial use, along with the R-5 lots for parking, which council approved. He reviewed the May 1975 Planning Commission minutes relating to the parking lots and the motion included a stipulation that nothing beyond Lots 149, 150 and 153 be encroached; that guidance is followed by this legislation, proof that this council has reviewed the intent of the previous council. Mr. Byington reminded everyone this is a zoning issue; the scale of the building is part of the Site Plan review before the Planning Commission. He reiterated he takes his position very seriously and will continue his research and encouraged citizens to be part of the overall process. Mr. Klopsch explained the rezoning is a two-step process through the Planning Commission and Council, however the Master Site Plan is only reviewed by the Planning Commission, and Council is the appellate body.

Mr. Duncan noted if the applicant returns with the Site Plan and the Planning Commission votes no, then the applicant's only recourse is to appeal the matter before Council. He referenced concerns that the proposal is a "white elephant" that will cause too much traffic and noted Mr. Routsong has also heard these concerns which hopefully will be taken into account. Mr. Duncan referenced all the materials they reviewed on this issue from the 1970s, same issues as today. He also referenced property owners' rights to use their property and concern of what could happen if this was denied. In regard to the concept of residential encroachment Oakwood doesn't support commercial use intruding into residential areas and Mr. Routsong was told there would be no support to demolish the two adjacent homes. However, as the property owner, Mr. Routsong may do as he chooses and if he wants to tear down his homes, he could do so.

Thereupon, it was moved by Mr. Byington and seconded by Mr. Duncan that the ordinance be passed after this second reading.

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.....ABSTAIN

There being four (4) yea votes, no (0) nay vote and one (1) abstention thereon, said ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. BYINGTON NO 4667

TO AMEND THE ZONING MAP OF THE CITY OF OAKWOOD SO AS TO REZONE LOT 150 FROM THE CLASSIFICATION OF R-5 TO THE CLASSIFICATION OF NEIGHBORHOOD BUSINESS DISTRICT.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Byington explained this ties into the other lots adjacent to the commercial property.

Thereupon, it was moved by Mr. Byington and seconded by Mr. Duncan that the ordinance be passed after this second reading.

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.....ABSTAIN

There being four (4) yea votes, no (0) nay vote and one (1) abstention thereon, said ordinance was declared duly passed and it was so ordered.

Mr. Dan Miller, 6 Glendora, noted council voted in favor of changing the zoning which is against the wishes of the neighbors and probably against other citizens they represent as the elected body. He doesn't believe Mr. Routsong will act in good faith and had hoped council would have done more to make sure Brown Street didn't encroach into Oakwood. Mr. Byington noted that opinion is not the same as the majority of all Oakwood citizens, but perhaps that of the immediate neighbors.

ORDINANCE

TO ENACT PART TWELVE ENTITLED STORMWATER MANAGEMENT CODE OF THE OAKWOOD CODIFIED ORDINANCES.

Mayor Cook asked that this be removed from the agenda.

Therefore, it was moved by Mr. Duncan and seconded by Mr. Byington that the Stormwater Management ordinance not be addressed this evening. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

ORDINANCE

TO REPEAL ORDINANCE NO. 4608, WHICH CONDITIONALLY VACATED A PORTION OF THE ALLEY WHICH RUNS EAST-WEST PARALLEL TO AND BETWEEN SCHENCK AND RIDGEWOOD AVENUES IN THE 400 BLOCK OF THOSE PUBLIC STREETS.

Mayor Cook recused herself from this matter and turned the meeting over to Vice Mayor McGinnis.

Mr. Byington indicated this is a first reading of the ordinance and although he is unfamiliar with the referenced Ordinance 4608, a neighbor has asked that this vacation be rescinded.

Therefore, it was moved by Mr. Byington and seconded by Mr. Castleman that the ordinance be given its first reading.

Mr. Aart den Hoed, 410 Ridgewood, explained he is the sole owner of the property and referenced concerns he heard earlier in the meeting about not making a change; however, he'd like to make a change in his back yard but this legislation to repeal the alley vacation will penalize he and his neighbors. He indicated his neighbors have heard rumors about his long-term plans and paranoia has set in. Mr. den Hoed indicated as a property owner he has followed the step-by-step process, obtained required signatures to vacate the alley which required a signed plat (which he presented to council) for approval. After that approval, Mr. den Hoed referenced a change in wording that

required all the lots be similar in size and believes that could cause a large legal issue which he doesn't want to be forced to pursue. Mr. den Hoed believes he has followed due diligence and now council has legislation to repeal the approval and referenced proposed garage plans.

Mr. Gary Kedziorn, 409 Ridgewood, lives across the street and indicated Mr. den Hoed is in need of a garage and if this legislation to repeal prohibits that from occurring, then he is not in favor of the ordinance. He explained they are on a very narrow area of the street and since there is no garage at 409 Ridgewood it has impacted on-street parking. Mr. Kedziorn believes it's in the best interest of the majority of property owners to have this garage built.

Mrs. Joyce Ann Jones, 429 Ridgewood, has been in her home for 36 years and also hopes this garage can be built given the narrowness of the street. She explained there are only about six on-street spaces which are always full and she has a difficult time backing out of her driveway due to the parking. Mrs. Jones hopes Mr. den Hoed can build his garage.

Mr. Duncan indicated this is a first reading which means no vote tonight but in April and asked whether it could be tabled. Ms. Grandjean explained it could be with a different motion.

Mr. Greg Dunsky, 320 Springgrove, explained the alley runs east-west and also services his property. He recalled a couple years ago when Mr. den Hoed asked for his signature to help vacate the alley. At that time, Mr. Dunsky understood a regular sized garage would be built for which he had no problem, but after the fact he saw drawings of a garage that would be 44' wide, 18' high and a second story which appeared to be residential. Mr. Dunsky explained in August, 2007, after nothing had occurred, he informed the city he was no longer in favor of the alley vacation and along with other signatories filed a Notice of Revocation of Petition to Vacate the Alley. He has heard that Mr. den Hoed plans to park trucks, car, boat, trailer, etc., in the garage and believes a garage that size is not appropriate, that was not his understanding during the initial request. Mr. Dunsky had assumed the alley ended at the asphalt, but recently learned the alley extends 5-6' into his ivy/yard, he'd like a buffer between his property and doesn't want vehicles backing out into his yard for turnaround purposes.

Mr. Eric Hafer explained he recently surveyed the area and also expressed concern with the change in wording that happened after the original alley vacation was approved. He indicated Mr. den Hoed wants to work with the neighbors. A resident in the 300 block of Ridgewood, reiterated the on-street parking problem has spilled into their block and although Mr. den Hoed complies with the 18-hour parking regulation, he needs access from the alley for his garage. The issue relates to the alley, not the size of the garage.

Mrs. Bonnie Doman, 305 Springgrove, indicated the street is like a parking lot, a garage is needed on the property, and she asked for council's help.

Mr. Weaver explained the city has had no formal review of the proposed garage.

Mr. den Hoed explained his lot is small compared to others in the area and understands that the code permits 18' height. When he removed the previous garage and concrete, his overall plans have less surface area, he has installed drains and sump pumps to assist with water issues and has offered the Dunksys and Cooks arbor vitae screening. Mr. den Hoed indicated the issue tonight is not the garage design but the alley and feels it's ironic that during the discussion earlier in the meeting council was open to change but now they aren't. He questioned whether the alley is vacated, referenced two different documents that have been circulated. Mr. den Hoed asked those in the audience that he invited to raise their hand which shows he has kept the neighborhood involved.

Mr. Duncan asked how many vehicles the garage would hold. Mr. den Hoed explained 2-3 cars, a covered patio on the lower side and the second floor would be for his workshop. Mr. den Hoed added his home needs a lot of work and when he purchased it, his parents helped finance, but the records now show he is the sole owner. He believes this legislation is punitive to he and his neighbors. Council discussed proceeding with the second reading at the April meeting and in the interim, obtaining all the facts prior to the vote.

#### RESOLUTION

BY MR. CASTLEMAN

NO 1687

AUTHORIZING AND DIRECTING THE CITY MANAGE OR HIS DESIGNEE TO NEGOTIATE VIA INFORMAL COMPETITIVE PROCEDURES FOR THE PURCHASE OF NEW COMPUTER SOFTWARE AND RELATED EQUIPMENT TO UPGRADE THE CITY'S FINANCIAL SYSTEMS.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan recused himself.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Byington that the resolution be passed.

Mayor Cook extended compliments to Mrs. Stafford for all her research and information in this regard.

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.....ABSTAIN
- MR. STANLEY CASTLEMAN.....YEA

There being four (4) yea votes, no (0) nay votes and one (1) abstention thereon, said resolution was declared duly passed and it was so ordered.

RESOLUTION

BY MR. DUNCAN

NO 1688

ACKNOWLEDGING THAT THE CITY MANAGER OR HIS DESIGNEE NEGOTIATED VIA INFORMAL COMPETITIVE PROCEDURES FOR THE PURCHASE OF ROADWAY DEICING SALT.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan indicated there is a shortage of salt. The current cost is \$144/ton and fortunately they were able to purchase some from Kettering for \$68/ton and just received a quote for \$79/ton to purchase 600 tons.

Thereupon, it was moved by Mr. Duncan 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:

- 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.

RESOLUTION

BY MR. BYINGTON

NO 1689

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS FOR FEDERAL AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009 FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION.

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 requesting funds for specific projects.

Thereupon, it was moved by Mr. Byington and seconded by Mr. Duncan 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.

STAFF REPORT

Public Works & Engineering Department. Mr. Weaver referenced a PowerPoint presentation and plans to review issues relating to the Stimulus Funds Application, Far Hills and Schantz update, annual projects, salt purchase and water projects. In regard to the stimulus funds project request,

they have included upgrading handicap curb ramps and traffic signal equipment on Far Hills Avenue and Patterson Road at approximately \$375,431 with no required city funding match. In regard to the Far Hills and Schantz Avenue area, the contractor will be back in town next week to work on seeding and sodding, the signal at Springhouse and striping. Mr. Weaver referenced other projects which include the curb, walk and apron (\$160,000 budgeted project); asphalt pavement; and Park Avenue parking lot. Mr. McGinnis asked if council could be forwarded a copy of the proposed plans and screening on the Park Avenue parking lot proposal.

Mr. Weaver thanked council for authorizing the salt purchase issue, they purchased 500 tons at \$68.05; 600 tons at \$79.45; the dome is full; and they are working on SWP4G bids for the 2009-2010 season. Mr. Castleman wondered how much salt has been used this winter. Mr. Weaver estimated 800 tons. Mr. Weaver reviewed water projects which include the 210 Shafor Softening media replacement, hydrant flushing from April 6 to May 8 and leak detection survey. Mr. Duncan asked that public works staff be again commended for all their work during the Ike wind storm.

#### CITY MANAGER'S REPORTS

Mr. Klopsch had nothing to report.

#### COUNCIL COMMENTS

Mr. Duncan reminded citizens tax filings are due April 15 and requests for extensions to file are available.

Mr. Byington extended thanks to all who participated in the Routsong issue and for sharing input via letters, e-mail, calls, attending meetings, etc.

Mayor Cook indicated last Friday evening she was invited to and attended the Blue & Gold Banquet at the United Methodist Church in Oakwood. There were approximately 200 at the Banquet and it was delightful to see families sharing at this successful event.

Mayor Cook extended thanks to the Wills for operating the cable equipment.

Council adjourned. The public meeting concluded at 10:02 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL