

CITY OF OAKWOOD

STATE OF OHIO

JUNE 21, 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 Mayor, Mr. William Duncan, presided, and the Clerk of Council, Mrs. Cathy Gibson, recorded. Mayor Duncan opened the meeting by asking all present to participate in the Pledge of Allegiance.

Upon call of the roll, the following members of council responded to their names:

MR. WILLIAM D. DUNCAN ..... PRESENT  
MR. STEVEN BYINGTON ..... PRESENT  
MR. 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  
Mr. Robert F. Jacques, City Attorney  
Ms. Carol D. Collins, Leisure Services Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and staff writer for the *DDN*, Mr. Jeremy Kelley.

The following visitor registered:

Chris Bujnak, MSA Architects

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 May 24, 2010. Mrs. Hilton reported she found the minutes correct and complete. It was moved by Mrs. Hilton and seconded by Mr. Stephens 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.

Mr. Klopsch introduced Mr. Jacques; Oakwood's new Law Director and explained for the past few years, Mr. Jacques has been back-up for Ms. Grandjean. He is pleased to welcome Mr. Jacques who is a 1992 Oakwood High School graduate and received degrees from Wabash College and The Ohio State University School of Law. Mayor Duncan noted Mr. Jacques is also with Altick & Corwin and welcomed him.

STATUS REPORT

Pointe Oakwood. Mayor Duncan indicated there is no update on the subject this evening.

There were no visitors present with business.

RESOLUTION

BY MRS. HILTON

NO 1718

A RESOLUTION TO ADOPT THE ATHLETIC AND RECREATION MASTER PLAN.

Although Mr. Castleman had introduced the legislation at the last meeting, due to his recent cataract surgery, Mrs. Hilton introduced the second reading of this resolution. A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title and salient points only, since it was read in its entirety at the May 24 meeting.

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

Mr. Klopsch indicated it's been approximately 11 months ago when the project started - on July 23, 2009 they had a kick-off meeting with the 25-member committee, Council, School Board representative and the consultant. He recognized Chris Bujnak, MSA, in the audience. At that time, they reviewed the objective of the Master Plan and have since met eight times with the committee, provided several opportunities for public input via surveys (both written and phone), one-on-one interviews, etc. Mr. Klopsch has been pleased with the community input and believes this project went smoothly in analyzing the four sites. They now have an excellent starting point for consideration of any future projects and thanked MSA. Mayor Duncan noted they have received several citizen letters since the Master Plan was included on the city's website. Mr. Castleman

noted the key is that this Master Plan is flexible and any specific project will go through another public input process - a good blueprint to have in place. Mr. Stephens encouraged citizens to continue submitting input on the plan concepts. Mrs. Hilton was pleased with how MSA was able to provide additional concepts after citizen input. Mayor Duncan indicated the consultant had also commended the city on citizen participation on this living document and reiterated it will likely be some time before the city does anything.

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

BY MR. BYINGTON NO 4702

TO AMEND SECTION 702.2, PERMITTED USES OF THE OAKWOOD ZONING ORDINANCE TO ALLOW PET GROOMING STUDIO AS A PERMITTED USE IN THE COMMUNITY BUSINESS DISTRICT, AND TO AMEND SECTION 301, TERMS DEFINED OF THE OAKWOOD ZONING CODE TO DEFINE “PET GROOMING STUDIO”.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mayor Duncan explained this is a public hearing to amend the Zoning Code to allow a pet grooming business. Mr. Byington reviewed pertinent whereas clauses and stressed this is only for grooming, does not include any overnight or long-term pet stays, and that the Planning Commission recommends approval.

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

Mr. Byington explained this request arose from an Oakwood citizen who is interested in this particular use and had a similar facility in Hyde Park prior to relocating to the area.

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.

ORDINANCE

BY MR. STEPHENS NO 4703

EXPRESSING THE CITY’S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Stephens explained this allows the city to negotiate with others on the street lighting contract that expires the end of this year.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton 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. STEPHENS

NO 1719

DECLARING THE NECESSITY OF IMPROVING CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Stephens explained this is the annual legislation relating to providing street lights in the community.

Thereupon, it was moved by Mr. Stephens 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.

ORDINANCE

BY MR. STEPHENS

NO 4704

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Stephens explained this is the annual legislation to forward assessments to the county from the 2009 sidewalk project.

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

Mayor Duncan reviewed the sidewalk project procedure – the homeowner has the opportunity to fix and pay for the marked walk and if they don’t do so, the city does the work and sends a bill and if not paid, then it is assessed – most citizens pay the bill so this assessment ordinance impacts very few. Mr. Klopsch concurred and explained a couple invoices are sent from the city, one in the fall and one the following spring; and if not paid, then it is placed on the property tax bill. Mr. Stephens asked if there is a penalty. Mr. Klopsch explained the county has a 5% fee.

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.

STAFF REPORT

Leisure Services Department Update. Ms. Collins reported on 2009-2010 highlights via a PowerPoint presentation. Gardner Pool attendance last year was 32,255 which was down from 34,382 in 2008 due to the cool summer. Last year, they had 812 membership and concessions were slightly lower. There are three upcoming family swim nights this season. The Dolphins Swim Team has nine meets, five in Oakwood. In 2009, they had 220 swimmers, this year 226. Last year was the 6<sup>th</sup> consecutive year the team went undefeated and won the league championship. She recognized coaches Jessica Bruns, Sarah Wilhoit, Mike Garza and Emily Kugel. She indicated there are nine levels of swim instruction offered. Ms. Collins reported on Orchardly Park and indicated the splash pad is open daily from Memorial Day through September and there are four fun-filled craft days free to the public. She reviewed upcoming special events at the Park and updated council on OCC summer activities which include tennis - 16 classes for ages 5-16; 7 adult classes. Other summer activities include a variety of camps for all ages including lacrosse, ballet, jazz, basketball, field trips, art camp, Safety Town, etc.

Ms. Collins reported on several community events including the New Resident Breakfast that was held on March 6 with over 90 people attending. The Ice Cream Social is scheduled for Sunday, August 22 at Shafor Park and includes a chicken dinner, ice cream and games – a good way to celebrate the end of the summer and start of the new school year. The Dog Splash at Gardner Pool is scheduled for Sunday, September 12 and last year 30 dogs participated. The Annual Hot Dog Supper is set for September 30 at the OCC with the parade and bonfire in celebration of Homecoming. Ms. Collins referenced 2009 photos of Scarecrow Row - this year set for October 10<sup>th</sup>. Last year 31 families/neighbors/businesses participated and registration packets will be available in September. The 5<sup>th</sup> Annual Family Fall Festival was held October 10<sup>th</sup> with approximately 1,500-2,000 people in attendance. The event included hayrides, old fashioned games, entertainment, costume parade, face painting and food. The First Annual Community Book Swap was held on September 12<sup>th</sup> with over 2,500 books collected and swapped and left over books donated to local charity. This year's event is scheduled for September 11<sup>th</sup>. Ms. Collins reported on the first annual Amateur Photography Contest which included 22 photographers submitting 87 photos. Judging and a gallery were held on November 7<sup>th</sup> and the photos were used for the 2010 Community Calendar. Submissions for this year will be accepted in August with judging on November 6<sup>th</sup>. Ms. Collins indicated the Holiday of Lights is scheduled for December 12 at 6:30 p.m. at Shafor Park and will include wagon rides and Santa. That same evening is the Lighting Up Oakwood with over 20,000 luminarias to line the streets of Oakwood. She extended thanks to the Environmental Committee members that light up Far Hills, Shafor, Shroyer, the city building and other areas in the community.

Ms. Collins reported on community ambiance. In 2009, the city treated 888 trees for Emerald Ash Borer (EAB) and 882 trees to date this year with an average cost of \$62.50 per tree. She indicated due to state budget cuts, the work is being done locally - Montgomery County is a quarantined county but there have been no confirmed cases reported in Oakwood. She referenced Smith Gardens 35<sup>th</sup> anniversary celebration last year which included special events and a grand finale unique musical art sculpture designed by Michael Bashaw and built by Oakwood youth. She announced upcoming blanket concerts on June 27, July 11 and August 29, as well as the Pre-School Story Hour events. To date, \$26,195 has been raised via the annual membership drive by The Friends of Smith Gardens. Ms. Collins reported on the Johnny Appleseed Street Tree Planting Program which began in 1978 and to date 2,487 trees have been planted. Last year, the city of Montgomery hosted the Southwest Ohio Tree City USA Awards Luncheon with 39 communities being represented. The city of Oakwood received a certificate of commendation from Jennifer Brunner, Ohio Secretary of State for being a Tree City USA since 1982 (28 years). Ms. Collins concluded the presentation with several tree facts and the celebration of the Oakwood community.

Mayor Duncan commended her on the report. Mr. Castleman wondered if it's too late to treat for EAB. Ms. Collins indicated they could treat through the end of June but it's more effective during the spring. Mayor Duncan wondered where lacrosse camp is held. Ms. Collins responded at Old River. Mr. Stephens wondered if the Smith Gardens monies included proceeds from the plant sale. Ms. Collins responded no that is only the membership contributions; they made \$3,500 from the plant sale. Mayor Duncan reminded citizens that a contribution to Smith Gardens is tax deductible. Mr. Stephens asked if this year's membership funding is normal. Ms. Collins indicated it's a bit high thanks in part to a generous contribution of \$1,500 from an estate memorial. Mayor Duncan extended thanks for the great presentation.

#### CITY MANAGER'S REPORTS

Mr. Klopsch extended thanks to Ms. Collins for all she does and has done for the past 35+ years.

Roadway Projects. Mr. Klopsch explained the mill and overlay project will begin tomorrow, earlier than expected. The two main projects are Runnymede, from W. Thruston to Deep Hollow; and E. Schantz, from Lookout to Spirea as well as a couple other minor areas.

Sidewalk, Curb & Apron Project. Mr. Klopsch indicated this project will begin in late June and covers the southeast quadrant of the city. He asked that citizens follow-up after the grass seed is planted by watering.

Budget Review Committee. Mr. Klopsch reported on a recent meeting with the committee for a mid-year update about city finances. He thanked Mr. Kelley, *DDN* on his recent article about the city's finances. He indicated three more meetings are scheduled this year to focus on the 2011 Budget which staff has already begun working on.

Former City Manager Mike Kelly. Mr. Klopsch extended best wishes to Mike Kelly who was involved in an auto accident and still recovering.

COUNCIL COMMENTS

Mr. Stephens extended thanks to Ms. Collins for all the work she and her staff do, the OCC is very friendly. He is also excited above moving forward on the Athletic/Rec Master Plan.

Mr. Byington asked for a report on That Day in May. Mr. Stephens was pleased to report that the Rotary Foundation made about \$22,000 from this year's event and extended thanks to the community.

Mayor Duncan referenced a letter he received from Mrs. Leigh Ann Fulford who is in charge of the C.A.R.E. Walk (Cure Access Research & Education) for breast cancer and reported this year they raised \$17,500. Although he participated, he was unable to walk the entire time since his six-year old granddaughter was with him. Mayor Duncan announced this Saturday is the Jonah's Jog, a 5K to assist with expenses an Oakwood graduate's son incurred during a life saving liver transplant, celebration of the gift of life and promote organ donations. Mayor Duncan extended thanks to the Wills for operating the cable equipment.

Council adjourned. The public meeting concluded at 8:20 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL