

CITY OF OAKWOOD

STATE OF OHIO

SEPTEMBER 20, 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
Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Kevin Weaver, Engineering & Public Works Director
Chief Alex Bebris, Public Safety Director
Ms. Carol Collins, Leisure Services Director
Mr. Gary Dursch, Water Plant Superintendent
Mr. Dan Ruble, Program Supervisor
Dr. Richard Garrison, M.D., Health Commissioner

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and *Dayton Daily News* reporter, Mr. Jeremy Kelley.

The following visitors registered:

Richard Ordeman, 609 Oakwood Avenue
William Newcomb, 915 Far Hills Avenue
Mark Thompson, LJB, Inc.
Mark Stiver, 409 Telford Avenue
Judy Cook, 417 Schenck Avenue
Stefanie Campbell, 271 Schenck
Andy Pruitt, 400 Ridgewood Avenue
Greg Ramey, 200 Harman Boulevard
Harry Ebeling, 456 Lookout Ridge
John Eastman, LJB, Inc.
Bonnie Doman, 305 Springgrove
Chris Athmer, 9 Hadley Road
John & Henke Kennel, Washington Township
Nancy Paessun, Sinclair College
Mike Joseph, Corona Avenue
B. Kammer, Dayton
Mark Risley, 151 Aberdeen Avenue
Mackensie Wittmer, 101 Peach Orchard
Jim Joly, 1011 Little Woods Road
Dave Dickerson, 216 Lookout Drive

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 August 2, 2010, the work session of August 16, 2010 and the executive session of September 15, 2010. Mrs. Hilton reported she found the minutes correct and complete. Therefore, 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.

STATUS REPORT

Old River Fields: Mayor Duncan referenced recent articles and letters in the *Register* and a citizen's newsletters with allegations about this issue, so the city will explain what has been done and what is being done to ensure that the fields are safe. This will include an update from Dr. John Eastman, P.E., Ph.D., LJB Inc., the professional engineer the city uses on environmental issues.

Dr. Eastman explained that he has had direct involvement on this matter since 2003 when NCR began soil and water testing; he then presented the following information. Dr. Eastman referenced his June 2003 letter on the wellfield and on safety of children playing on the soccer fields which included a request for additional information from NCR. He then referenced a subsequent August 2003 letter from NCR providing additional data – NCR shared data and information cooperatively. In 2006, when Oakwood considered purchasing the fields, LJB undertook a Phase I Environmental Site Assessment (ESA), based on national standards established by ASTM, to review existing information and data. A Phase I ESA looks at the whole history of the property from the existing record. The site assessment required review of all historical records including archives from NCR, MVRPC data, and reports sent to the Ohio EPA. The ESA identified three recognizable environmental concerns but did not call for additional samples. He indicated that small quantities of contaminants which are considered de-minimis cause no threat and are not considered recognized environmental conditions.

Dr. Eastman indicated the three recognized environmental conditions identified: arsenic and lead levels in soil samples; trichloroethene (TCE) in water samples; and dichloroethane in water samples. Dr. Eastman explained that the arsenic and lead are located in the soil below the sod and referenced his November 20, 2006 memo, which demonstrated using a risk-based analysis of arsenic, that there is no threat to human health. He also referenced a similar study done for NCR in 2003 which determined that the lead levels are not a threat and indeed are no greater than what can be found in many yards that were mowed in the 1950's, 60's and 70's when leaded gas was used. Dr. Eastman referenced the TCE which was discovered in the groundwater underneath the field in very low concentrations. This TCE likely originated from the east (Area 6) which is land still owned by NCR, specifically from industrial solvents stored in drums some 30 years ago. The drums were removed at least by 1980. He indicated the very low levels of TCE under the fields indicates very slow contaminant movement, possibly due to the impermeable canal bed. In 2006, he wrote a letter to Oakwood that those low levels of contaminants would not cause a health threat.

Dr. Eastman explained around the same time Pointe Oakwood was being developed so additional testing was undertaken on behalf of Versant. He continued to review all new data, test results and reports and has seen nothing that has risen to a level that constitutes a threat or danger to Oakwood residents. He referenced Mr. Pruitt's "Oakwood Reports" website and indicated there is only one piece of evidence noted that he might not have previously seen; however, much of Mr. Pruitt's information is blown out of proportion in terms of impact to the fields. He explained for there to be a threat, there has to be a route of exposure by either inhalation of gas or dust, ingestion by drinking or eating, or dermal contact by touch. Regarding TCE, the low concentrations are such that even if the groundwater was contacted, it would not pose a health risk through the skin. Arsenic and lead are not absorbed through the skin and are also not in gas form so the only inhalation exposure route is from dust. Surface water runoff could only be contaminated if it contacted the contaminants, which is not the case here because the contaminations are beneath the soil surface.

Dr. Eastman indicated there has also been concern expressed about water contaminants from the old carbonless paper factory north of the fields – but that area is now covered by an asphalt parking lot so water runoff from that area would not carry contaminants. He reiterated that based on everything he has seen and evaluated, and considering the routes of exposure, he can emphatically and without qualification say that the soccer fields do not pose a threat from contaminants to Oakwood children and residents. Mayor Duncan asked about his qualifications. Dr. Eastman explained he has a Ph.D. in environmental engineering, has worked in the environmental engineering field for 33 years, since 1977, and for Oakwood for 23 years. He was one of the earliest in the State of Ohio to perform Environmental Site Assessments and has trained LJB staff in this area. LJB has done hundreds of ESA's.

Mayor Duncan recognized Dr. Greg Ramey, Chair of the Oakwood Board of Health. Dr. Ramey stated the following points:

- *He has been on the Oakwood Board of Health for the past 16 years, and as its Chairman for the past 10 years*
- *The Board has dealt with issues ranging from head lice, pool safety, mosquito control, food inspections, swine flu and issues around Sugar Camp and the Pointe Oakwood project.*

- *The Board has conducted numerous meetings involving discussions, debates, and occasionally disagreements.*
- *The Board members are not experts in aquifer theory, industrial waste, vapor intrusion, or interpreting geophysical surveys. However, the Board members are physicians, nursing administrators, geneticists, and psychologists and administrators with an extensive background in health issues.....more importantly the Board members are your neighbors who live and work in Oakwood and are concerned about public safety*
- *The Board members' kids play soccer at the former NCR fields, live near Pointe Oakwood, and have a responsibility to come to their best determination about the safety of our environment.*
- *The Board has reviewed the Pointe Oakwood project many times and when it had concerns, such as air quality monitoring during construction, the Board advised staff to increase their monitoring, which was done.*
- *As scientists, the Board works in the health care field where members try to separate feelings from objective facts.*
- *The Board has come to two conclusions regarding this issue:*
 1. *While we respect the involvement of citizens in raising legitimate concerns, we can find no objective evidence that there is any concern regarding safety. If I or any of my colleagues had any concerns, I assure you that you would hear from us. In the world of science, we look at peer review, not just someone bringing up a concern, but can anyone else substantiate the concern. When we use that test, we find that no one can substantiate with any scientific validity the concerns that have been raised.*
 2. *There are many issues that deserve our attention. In spending more time on this issue, we are taking time away from other issues. We respectfully request that the city stop spending time and resources on this issue and focus instead on real issues that affect our city.*

Mayor Duncan mentioned that the city has assembled a packet of information on this issue and that it is available this evening and will be on the city website. He then asked for citizen comments based on the normal three minute rule and no repetitive comments, but stated that he would waive the three minute rule with Mr. Pruitt.

Mr. Andy Pruitt, 400 Ridgewood Avenue, introduced himself and made the following presentation. He explained that he will basically summarize his complaints as quickly as possible. Mr. Pruitt referenced a handout that everyone was given and that his main concern was with the athletic fields and Area 6. In Area 6, looking at the reports, reports that go back to 2003, that Eastman is talking about, there are six separate contamination sources that are shown in Area 6. There are coal piles placed on top of the Miami and Erie Canal. The Miami and Erie Canal was itself filled with foundry waste and this foundry waste in the canal has never been tested. In other areas it has been tested and there's been 25 containments found in that waste.

Mr. Castleman asked that he give a description of Area 6 which he is referring to. Mr. Pruitt indicated John Eastman had already brought up Area 6. Mr. Castleman noted so people don't have the image that is where the kids are kicking the soccer ball. Mr. Pruitt indicated it is east of the athletic fields. Mayor Duncan noted it's currently owned by NCR. Mr. Pruitt explained when you go down to the parking lot, and you look at the green wall there; it's the area behind the green wall essentially. Mayor Duncan noted the city does not own that area.

Mr. Pruitt explained there were the coal piles that were about several hundred feet, 15 feet high coal piles. These show up in some of the reports around 1940 or so and the Miami and Erie Canal coal pile is on top of that. The Miami and Erie Canal stretches about 2,200 feet to the east side and the south side of the athletic fields and that was likely filled with that foundry waste which contained about 25 different contaminants and that would amount to about 660,000 cubic feet of toxic waste that is distributed right around the east and south borders of the athletic fields. That area has never been tested. It was listed as an area of concern back in one of the earlier studies, back in 1995. The 1995 study did not test it. That was one of two or three areas that weren't tested and it's never been tested since then. There was an area just to the east of that where some of the insurance maps showed storage of cyanide chemicals, acids and ammonias. That was just open storage and then a little bit south of that there was an area that was identified as storage of flammable liquids and drums, a little bit farther than that, in the 2004 report by John Eastman, you said that NCR reported storing drums of waste in the area just south of that and if you look at this, you can't see it but the people in the audience who have the reports can see that where all the contamination was detected corresponds with a lot of these areas so it's not like we just have reports that there may have been contamination here but we actually have evidence – this is all done by NCR; evidence of soil contamination, groundwater contamination and soil gas contamination in all of these areas. They also have a chemical drum that was reportedly buried in an area just southeast of that and that area is within the wellfield protection district and it's about maybe 800 feet away from the Springhouse

Wells themselves. Then we have detected on the fields themselves, arsenic, lead, TCEs, PCBs and others. His conclusion is that the contamination on the fields is coming from this Area 6. Now we know the Area 6 has never been cleaned up, as far as I know, I've asked for all of the reports from the EPA, from the city and everything else. I've gone over all the reports and I haven't seen any evidence that any cleanup has been done in that area and so I'm wondering why don't we have NCR clean that area up. We know there's pollution there and we know it's coming over to the athletic fields and whether it's at this level or that level, I don't really care because we don't really know what the levels are. All we know is that the precise locations where NCR collected samples throughout the years, they never did a plume study, for example. A plume study would be required in a case like this where you've got pollution that is up hill and is flowing into the area. It's not going to have a uniform distribution over the athletic fields so no matter where they sample unless they do a thorough plume investigation they are never going to know where those samples are in the distribution. Well if that's the case, you also have a time problem too; the pollution that comes over into these fields it's not constant. This is a dynamic process. It depends on the rainfall, it depends on the erosion, it depends on all these factors. Just because NCR took samples way back in 2003-2005, I believe, just because they took samples way back then at these specific places around this area doesn't mean that's valid today, it's changing all the time. The other point is NCR is the one that took the samples. This is the company that we are buying the property from. This is the company that is grooming the property for sale. This is like buying a house and asking the person you buy the house from to do the inspection report for you and trust everything that they say. Is that something that you guys would do - not something I would do. I don't trust NCR, I don't have any faith in NCR's measurements.

One point I wanted to make was one of the problems I've had with this in the beginning is the story seems to keep changing as it evolves. As you go back into the old reports, like the 2004 report and John Eastman wrote the 2004 report, you go back there, it's talking about all these areas with a great deal of concern. I have that up on my website and on the latest newsletter and I have some of the quotes in my newsletter - he was really concerned about this area where NCR reported storing drums of waste but he said well that's not going to be a problem because the water is flowing in the downhill direction away from Lots 1 and 2 but remember he was analyzing, at that point he was analyzing the area Lots 1 and 2 which is southeast and uphill so it says it's not going to be a problem for those lots but what it means is it is a problem for the athletic fields because it's flowing directly into the athletic fields. So things seem to keep changing.

Another example of how things change, if you look at the NCR Sugar Camp Subarea Plan from 2004, it's on the city's website. You'll find that there is a particular area; I was talking about the Miami and Erie Canal how it goes to the east and the south of the athletic fields. This area toward the south, when that Subarea study was done, that area in the south was called Area 5, that was their designation for it. It basically included a strip about where the road is now, down there, including the Miami Erie Canal and all that. Well LJB was part of this study, this was back in 2004 and their recommendations at that point are - this is #5 from Appendix B from that report - Area 5 will require a Phase 2 Environmental Site Assessment to determine whether any materials previously stored or disposed of in this area have caused contamination. I haven't seen any reports, of even a Phase 1 from that study, let alone a Phase 2. Now I haven't addressed that study yet but I do know, I have seen reports that these drums had been stored down there as well and then you also have the contamination of the canal, whatever is in the canal and that is the downhill location. Most of the stuff that is up here in Area 6 tends to flow down in that direction, especially if it is confined like John said.

Mr. Pruitt continued. The last thing I wanted to bring up was this risk based study that John Eastman talked about. I'm having trouble even figuring out what the purpose of that study was because we've already determined that there was a source of pollution. We've already determined that the fields are contaminated, above acceptable limits even. We also know that the pollution is coming from that area to this area so why don't we just clean up the area - you know that's the problem. Now, the city decides to hire John Eastman to do another study for some reason. The only purpose I can see for that study is to demonstrate that most children playing on the field will receive acceptable doses of arsenic. Basically, that's the purpose of the study. To make sure that the doses of arsenic that the children receive on the fields are acceptable. In order to calculate that exposure dose, John had to make certain assumptions. OK, let's see what those assumptions were. If the child were to play on the field no more than 48 days out of the year, that's the first assumption, the ingestion rate from dust, water, whatever would be .0002 kg per day for children under five and .0001 kg per day for children over 5. The third one, the bioavailability percentage of ingestion that gets into the system would be 50%. Using that assumption, they calculate that any child of one year of age or older and of a typical weight for that age group would receive an acceptable dose of arsenic while playing on the fields. Well, to me there are many many flaws in that study. The first one being that the assumptions that John used for that study were taken right

off the website of the Agency of Toxic Substances and Disease Registry. The problem is the example that they gave on that website was a specific example, for a specific park and it's called the Arrow Stone Park, south of Deer Park, MT. Now Arrow Stone Park, out in MT, is a wilderness park with usage that is completely different than an urban recreation park such as the Old River Fields. I maintain that any assumptions made for a park like that would not apply to our park. Some might, but I think most probably wouldn't. #2, I think there are many children, especially if we get the new recreation complex built, there are many children that would play on the fields for far more than a 48 day limit and another question is are we going to have a limit? Are we going to put up a sign that you can only play on these fields for 48 days. Does that seem reasonable? I don't think so. Another thing he ignored, he didn't include PICA. PICA is the eating of soil and things like that which is prevalent among children under five years of age. That wasn't considered in the city's study and again he goes back to the Arrow Park study and the Arrow Park dismisses PICA because very few young children frequent the contaminated portion of that park – like I said it's a wilderness park. In our case, you can't dismiss PICA and it could drastically increase the soil ingestion rate for certain children.

So using all these assumptions that John made and using his calculations, children under one year of age would still receive unacceptable doses. His calculations only go down to one year old, well if you go below one year and I don't know how many below one year olds are going to be playing over there through his calculations, using his numbers you get unacceptable levels for arsenic and also if you increase the number of days per year that they play there, if you increase the bioavailability, these are all numbers that are just kind of pulled out of the air in a way and assumptions that you make and based upon, I don't know what. Every one of these numbers has a range, it's a probability distribution and he didn't include any of that. He just picked a specific number --- that's going to be it and that's not the way to do that study. I said before that the city's studies are based on just a few samples collected at just a few discreet points at the fields and again, a few discrete points; at a few moments in time well I don't think you can apply that in this case and again, relies on NCR data which I don't think is valid. I don't have any faith in NCR data. And the study did not include the effects of lead, TCE or cis 1, 2-dichlorethane was definitely determined to be above the standards at least at one sample point. The main point I want to make about this is I don't believe the city has the right to unilaterally determine acceptable risks for all of the children of Oakwood. I mean if we'd already done a prudent cleanup of Area 6, if we'd already done that and then we say OK what's the best we can do, what's the lowest levels we can get the contamination at the field. If you'd already done that and then we are able to measure all those contaminants and see what residuals we have left, then we can look at that and have an honest and open discussion about reasonable risk. I think it makes sense at that point but until that area is cleaned up, I think it's completely wrong to be doing risk-based studies like he's been doing.

Mr. Jim Joly, toxicologist, attended based on his curiosity and understands Dr. Eastman's risk assessment and assumptions based on professional judgment. Although he hasn't seen the report, he believes due diligence has been undertaken. He agreed with Mr. Pruitt on concerns about quality controls on NCR samples and although contaminant levels would diminish over time, he sees pros/cons on each side. Mayor Duncan stated he believes NCR hired an independent firm to conduct the testing.

Mr. Rick Ordeman, 605 Oakwood Avenue, was born and raised in Oakwood and has been an environmental consultant for 21 years with no affiliation to Dr. Eastman or LJB. He worked for a company that had done work at Old River Field and other former NCR properties and has studied Mr. Pruitt's information. He agrees with Dr. Eastman that there is no risk for children and has kids who play three times a week on the field. The point of exposure of arsenic and lead is in the soil under the sod and he believes there is greater concern with the kids playing in the goose poop. Mr. Ordeman explained the groundwater is not exposed nor used to drink from. He noted all volatile compounds are low enough that the exposure is minimal. He agreed with the city to follow-up with the assessment study. Mr. Ordeman indicated his dealings with NCR were cooperative and that their main environmental contact was an Oakwood resident who would not have wanted the city to buy the fields if there was an issue. Mr. Ordeman indicated the contaminants do not cause a health risk.

Mayor Duncan asked Dr. Eastman about Mr. Pruitt's concern that the contaminants are not an acceptable risk and data that at those levels of arsenic there is a 1 in 100,000 chance of developing cancer. Dr. Eastman concurred only if a child at age one were to ingest 200 mg of soil, 48 days per year for ten years. The criterion for the study is days of soil ingestion, not days of playing on the fields. He appreciated Mr. Joly's input that the assumptions/standards were not arbitrarily chosen. He noted the values of ingestion are not numbers he assumed but information established by the EPA for medical safety and he has used conservative data. Dr. Eastman noted arsenic doesn't travel in plumes so such a study would have no benefit. In regard to the "PICA" exposure, that has been

medically defined as an eating disorder and a parent should watch a child who has been diagnosed as such.

Mayor Duncan referenced the question about how old the studies are, yet some have been done with the recent development at Pointe Oakwood. Dr. Eastman indicated the recent samples were done by RMT who has provided a lot of data and the results were certified. He believes NCR had reputable studies done on their properties. Mayor Duncan questioned a study versus further evaluation. Dr. Eastman indicated new data could be obtained but that impacts city funds, these aren't cheap studies/processes and he isn't sure what would be gained. He noted over time the concentration declines based on biodegradation. Mr. Castleman reiterated Area 6 is south of the newspaper building, owned by NCR, the city has no control over the property yet Mr. Pruitt has asked that it be tested and cleaned up; so wondered how EPA is involved. Dr. Eastman explained Weston did an environmental report on behalf of Versant for the Pointe Oakwood area. He isn't sure what legal methods Oakwood has to require NCR to undertake additional testing; the Ohio EPA has limited resources and has informed him that Area 6 does not pose a sufficient concern. Mr. Stephens reiterated arsenic is found in multiple areas, including people's yards. Dr. Eastman concurred and noted it's also in some natural areas (in Clark County well water for example). Mr. Byington asked if EPA has reviewed these studies. Dr. Eastman indicated in 2004 someone provided data to the newspapers and the Ohio EPA made a formal request to NCR for the documents, which they reviewed. There was concern about vapor intrusion and studies were undertaken by Ohio EPA along Far Hills with no harmful levels found. Mayor Duncan thanked Dr. Eastman for his update.

Mr. Pruitt indicated there is a petition process through the Federal EPA which could require NCR to clean up Area 6. He explained any citizen or city government could file the petition and the federal government would have to conduct phase 1 testing.

VISITORS

Historical Society: Mr. Harry Ebeling explained the Society was formed in 1974 and over the past five to six years, the city has been generous in responding to requests for funding. The Society inherited the residence in 1985 from Mrs. Romspert and the Homestead has received donations over the years to keep it running properly. He indicated the property was built in 1867 and for years was not visible behind honeysuckle. He noted there is folklore that the property was haunted. When the Society obtained the Homestead all the contents were sent to the County Historical Society and they have been very fortunate with furniture donations. The property includes two houses on two acres; they have installed a sign, and in 2005 began programs and fundraisers to help with repairs. Mr. Ebeling indicated since they are an asset to the community, like Smith Gardens and the Sister City Association, they asked for financial assistance and have used that funding for additional repairs.

Mr. Ebeling reported on a variety of activities including: tours; repairs to the rear summer kitchen; rebuilding the 1914 wooden porch for use as a museum room; inventorying Mrs. Romspert's furniture, etc., that the county returned; open houses; teaching events; etc. He noted membership dues are minimal, however based on the aging population; they aren't getting a lot of new families to join which also impacts volunteer time. He also explained based on economic times, it's difficult to do much fundraising. Mr. Ebeling explained the recent budget request relates to roof and electrical needs for the garage and carriage house. He hopes they'll only need to ask for a couple more years of support and not cut into their capital expenses. He referenced the Shafor Heights walking tour brochure, which the Rotary Club helped with the printing cost, which is available for the public. Mr. Stephens asked if the volunteers include providing electrical work, etc. Mr. Ebeling indicated they have solicited some volunteer donations and noted Houser Asphalt has been very generous in providing driveway gravel. Mayor Duncan indicated council has been in the Homestead and he has continued the tradition of former Mayor Cook (who is in the audience) that no fee is required when he performs a wedding, but a donation made to the Historical Society which is requested. He noted council will take Mr. Ebeling's request into consideration.

MOM's Group: Mayor Duncan recognized Mackensie Wittmer who is also involved in the Historical Society and is a member of the Athletic and Recreation Master Plan Committee. Mrs. Wittmer is trying to spread the word about this community group that has been active for 18 years, has approximately 150 members who are primarily from Oakwood, some from Kettering, etc. Although it's primarily for Moms with kids under 6, there are some lifetime members; a small majority of members are stay at home, some work part-time. They sponsor activities for kids, Moms, Dads, families; including a book club, cooking club, monthly meetings, playgroups, Relay for Life team, etc. They also have an active e-mail and referral list, good source of information, good social network and valuable tools to get connected. Mrs. Wittmer explained they help others in the group if a spouse is deployed or there is an illness by providing meals, babysitting, raking, etc. She recalls a former member calling it a lifeline. She extended thanks to the city for including the information in the marketing packet, city offices, and providing assistance with field trips, etc.

Mrs. Wittmer indicated another group leader is a Mom from New Jersey who wasn't happy about relocating but once she found the Mom's group online, she is thrilled to be in Oakwood.

There was no legislation on the agenda.

STAFF REPORT

Engineering and Public Works Update. Mr. Weaver referenced a PowerPoint presentation and updated council on the following. They recently purchased a used Gehl AWS 36 loader to replace S-89 for \$51,000, including the bucket, compared to a new one for \$64,250 – a demo model with very few miles and a savings of \$13,000. They will sell the used loader on govdeals.com. He reviewed photos of Pointe Oakwood and noted the paving of Old River Trail which provides access to the athletic fields. Mr. Weaver reviewed the following projects: asphalt pavement; curb, walk and apron; concrete street repairs; Far Hills catch basin repairs and Oakwood Avenue pavers. In regard to water projects they worked on the Triangle and Hathaway repair and sent out a boil advisory to 48 abutting homes via the Code Red process, Aberdeen water main, and source water protection area work. Mr. Weaver referenced the Storm Water Program: NPDES permit work; NPDES Federal EPA survey; Ice Cream Social educational information; and public help by reporting spills, use of car washes, clean up after pets and limit fertilizer/pesticide use. He announced the leaf program will run from October 16 through December 17. Mr. Weaver asked if there were any questions. Mayor Duncan thanked him for the report.

CITY MANAGER'S REPORTS

Budget Review Committee. Mr. Klopsch reported they recently met with 22 members of the committee for an update on the status of the 2010 budget with no surprises in expenditures; however, income tax is 3-4% below last year's collection. He believes that is a function of the state of the economy and impact from abutting communities adjusting their tax rate.

Cruiser Purchase. Mr. Klopsch indicated they purchased two new cruisers, a more efficient Dodge Charger since the Ford Crowne Vic is no longer being built.

Old River Field. Mr. Klopsch indicated staff will continue to do everything to make sure residents are safe where they work, play, live and travel in a cost conscious manner and that any possibility of a risk/problem will be shared with council.

COUNCIL COMMENTS

Mrs. Hilton indicated before her son began school, their last summer break day was spent going to every park in Oakwood. She was pleased with all the city's wonderful parks.

Mr. Stephens encouraged citizens to register for the automatic withdrawal on utility bills.

Mr. Byington recognized Mark Risley in the audience who will be holding another architectural history session at Wright Library on October 24. As President Elect for the Oakwood Rotary, Mr. Byington invited citizens to attend the upcoming Oktoberfest and visit their lemon shake-up booth.

Mayor Duncan referenced articles and reports he receives from a variety of organizations and in particular a report from the Western Ohio Legal Aid Society. He commended and thanked Mrs. Hilton for being listed as one of the attorneys who provides pro bono services. Mayor Duncan reviewed a story of a United States Army Staff Sergeant who will be receiving the Congressional Medal of Honor for service in Afghanistan and Iraq and commended his service to the county. He indicated the next work session will be September 29 when they meet with the school and library boards.

Council adjourned. The public meeting concluded at 9:33 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL