

CITY OF OAKWOOD

STATE OF OHIO

MARCH 7, 2011

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
Mrs. Cindy Stafford, Finance Director

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

The following visitors registered:

Stefanie Campbell, DP&L
Ann Snively, Wright Library
George Skuns, 1800 Deep Hollow Road
Wendy & Jacob Kordik, 52 Corona Avenue
Rob Skills & David, 314 Volusia Avenue
Mr. & Mrs. Greg Brush, Montgomery County Clerk of Courts

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 February 7, 2011. Mrs. Hilton reported she found the minutes correct and complete. 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.

STATUS REPORTS

Proclamation. Mayor Duncan read a Proclamation proclaiming April, 2011 as Fair Housing Month.

First Suburbs. As the city's representative to the First Suburbs group, Mr. Byington reported the group generally had speakers discuss a specific topic but recently changed the meeting format to be more interactive. At the last meeting, they discussed the estate tax issue and its ramifications. They reviewed information from both sides, including Mayor Duncan's testimony. Mayor Duncan reported the House Ways & Means committee passed the estate tax issue with an amendment that it not go into effect until January 1, 2013 – the bill has not yet gone to the House as they are waiting for the Governor's Budget.

VISITORS

Ann Snively, Wright Library. Mrs. Snively encouraged participation in the county-wide Big Read program sponsored by Cox Media and Books & Company and presented council and the city manager with a copy of this year's book The Immortal Life of Henrietta Lacks by Rebecca Skloot. Oakwood will have book review sessions on March 20 at the Library and April 5 at Starbucks. She indicated it's a fascinating story. Mayor Duncan thanked Mrs. Snively. Mr. Castleman wondered how the book is selected. Mrs. Snively explained there is a committee of representatives from libraries in the area as well as Cox Media and Books & Company that nominate several books based on availability in paperback, etc. and then a ballot is developed for the final book determination.

Greg Brush, Montgomery County Clerk of Courts. Mr. Brush appreciated the opportunity to be at the meeting and presented a video on "E" filing – the new electronic court document filing system which will help alleviate future storage of paper, easier access, etc. After the video, Mr. Brush introduced his wife and explained this system has been working for over a year and since Oakwood is a stakeholder, he wanted to inform them how this program has set the standard not only in the

state but also the nation. He indicated they have changed the way business is done at the office and already received their return on the investment. Mr. Byington referenced the \$330,000 paper storage fee that was mentioned in the film and asked if they have saved that. Mr. Brush responded no because they still have paper storage from past cases, Ohio requires that paper records be stored on microfilm and they have cases in the Reibold building dating back to the 1800's. Mr. Byington asked if they can scan old cases. Mr. Brush explained they had started to do so but due to budget cuts, they lost 25% staffing. Mrs. Hilton asked about those without computer access. Mr. Brush explained if they can't file electronically, his staff will scan and time stamp. Mayor Duncan asked about disaster recovery. Mr. Brush indicated everything must be in duplicate and they have files stored both in and outside Montgomery County. Mayor Duncan asked about access. Mr. Brush explained these are online public records and they have a software program that scrubs personal data. Mayor Duncan thanked him for his report.

There being no other visitors with business, the following legislation was reviewed.

ORDINANCE

BY MR. CASTLEMAN

NO 4722

TO AMEND SECTION I, 2011 ORIGINAL APPROPRIATION ORDINANCE NO. 4715 TO PROVIDE FOR THE APPROPRIATION OF AN ADDITIONAL AMOUNT OF \$20,000 TO BE EXPENDED FROM THE LAW ENFORCEMENT FUND AND AN ADDITIONAL AMOUNT OF \$20,000 TO BE EXPENDED FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF ONE MOBILE CAMERA SYSTEM, THREE FIXED CAMERA SYSTEMS AND INSTALLATION OF THE CAMERAS.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this is for security cameras at Orchardly Park, Shafor Park and the Far Hills Business District plus one mobile camera moveable to various locations. Mayor Duncan noted half of this is not from tax dollars but the Law Enforcement Fund which consists of fines and sale of contraband.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Stephens that the ordinance be passed without two readings.

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. CASTLEMAN

NO 4723

TO DECLARE UTILITY EASEMENT 93-0526B01 AS UNNECESSARY FOR MUNICIPAL PURPOSES, AND TO EXTINGUISH THE SAME.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this relates to a utility easement on Runnymede.

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton that the ordinance be passed without two readings.

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. CASTLEMAN

NO 1730

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ELECTRIC GENERATION SUPPLY AGREEMENT WITH DPL ENERGY RESOURCES, INC. (“DPLER”) FOR ELECTRICAL GENERATION SERVICES TO MUNICIPAL ACCOUNTS.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Castleman explained this results in a savings of \$80,000 for a 22-month period. Mayor Duncan noted this savings was a result of the MVCC cities negotiating as a group.

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

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

- 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 MR. BYINGTON

NO 1731

SUPPORTING THE REAUTHORIZATION OF A MULTI-YEAR FEDERAL SURFACE TRANSPORTATION PROGRAM.

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 as the council representative to MVRPC, he attended a recent transportation committee funding meeting and was asked to adopt a resolution encouraging the federal government to reauthorize the federal transportation program. He explained this is for ongoing maintenance of the infrastructure and need for congress reauthorization to continue. He noted Ohio has the second largest number of bridges and fourth largest number of interstates.

Thereupon, it was moved by Mr. Byington 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.

STAFF REPORT

Finance Department Update. Mrs. Stafford referenced a PowerPoint presentation and reviewed year-end charts comparing budgeted and actual revenue in the Non-Enterprise Funds – revenue of \$11,491,019 and expense of \$13,120,644 with year-end cash reserves at a reduction of \$2,408,271 from 2009 to 2010. She explained the \$846,000 difference between budgeted and actual expense was no one particular line item, but a combination of all departments finding ways to cut costs. The Water funds – revenue of \$1,070,011 and expenses of \$881,178 with an increase of \$199,637 in year-end cash reserves from the previous year. She explained they spent less than budgeted primarily on the media to soften the water. Mr. Klopsch compared the water plant media to that of a home water softener, it’s the same ion exchange but on a larger scale and pulls out the calcium and magnesium. She noted they have not raised water rates since 1994 and based on last year’s county-wide survey, Oakwood was the sixth lowest rate out of 66. Mrs. Stafford reviewed the Sewer Funds – revenue of \$1,700,219 and expense of \$1,378,073 with year-end cash reserves increase of \$616,896. She noted that increase was just reduced by \$150,000 due to county incurred sewage treatment charges.

Mrs. Stafford referenced current events in Columbus that will have a budgetary impact: HB-3, elimination of estate tax; SB-5, changes to collective bargaining and the impact on the Local Government Fund (LGF). In addition to the estate and LGF, the city also received state funds from gasoline tax, the real estate tax rollback, state income tax, vehicle registration tax, permissive tax, deregulation reimbursement, liquor tax and health subsidy. Mayor Duncan wondered how the gasoline tax is computed. Mrs. Stafford responded it is based on population. Mayor Duncan commended staff for saving across the board which helped reduce city expenses.

CITY MANAGER'S REPORTS

Estate Tax. Mr. Klopsch reiterated the importance of this revenue since it constitutes 20% of the annual budget. He is part of a coalition in the state that plans to set up a council of governments and continue to educate elected officials on this impact. He indicated a bedroom community like Oakwood relies heavily on the estate tax so if taken away could result in an increase in local taxes. They will continue to follow HB-3 closely. Mayor Duncan noted calculations indicate they might have to raise income tax, increase a property tax levy or reduce personnel costs by 35%.

Ice Storm Clean-Up. Mr. Klopsch reported by Wednesday, they will have completed one full pass throughout the city on the enormous amount of debris pickup. He indicated Oakwood is known for all its trees and there is a lot of debris from the ice storm. He commended the public works department and although there have been a few complaints on timing, he explained there is a cost involved as public works staff has worked beyond normal hours which involves over-time and now with better weather, debris from rear yards is being brought out. Mr. Klopsch indicated they will make one more pass and then return to the regular bi-weekly schedule.

Far Hills Project. Mr. Klopsch reminded citizens of the upcoming major project this year on State Route 48 from the north to south corporation line. He explained this is an ODOT project that involves grinding and resurfacing. In addition, the city is working on the decorative street light replacement in the Business District. Mr. Stephens asked about timing. Mr. Klopsch indicated ODOT's work is scheduled from June through August; and the street lights in the fall.

Elected Officials. Mr. Klopsch extended compliments to Senator Peggy Lehner and Representative Jim Butler on their helpfulness during all the issues at the state level. They are doing a great job for their local communities. Mayor Duncan noted Representative Butler is an Oakwood resident and Oakwood Rotarian.

COUNCIL COMMENTS

Mrs. Hilton commended Ms. Collins and other staff on all the work at the recent New Resident Breakfast with approximately 100 new citizens. It was nice to meet everyone.

Mr. Stephens indicated he attended the Tropical Smoothie ribbon cutting ceremony last week with Mayor Duncan and Mr. Klopsch. He is pleased with this new business that is very good for Oakwood and families. He extended congratulations to the Oakwood Select Youth Basketball third grade girls and third and fourth grade boys on winning the metro championship. Mr. Stephens thanked the Bieser family for their recent donation of an old cabin from Woods Road to Dayton History.

Mr. Byington commended the scouts in the audience for attending the meeting and learning more about the community. He also extended thank to Mrs. Snively for her presentation and book; and looks forward to reading the Governor's upcoming Budget.

Mayor Duncan was pleased to meet all the new residents - staff prepared the breakfast, Ashley's donated coupons, the children were entertained by Stan the Magic Man and information was provided by council, schools, library and the Judge. He indicated on May 5, they plan a military appreciation breakfast. Both opportunities show how great Oakwood is.

Council adjourned. The public meeting concluded at 8:40 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL