

CITY OF OAKWOOD

STATE OF OHIO

JUNE 13, 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
Chief Alex Bebris, Public Safety Director
Major Randy Baldrige
Captain Alan Hill
Captain Mike Jones

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

The following visitors registered:

Frank Ecklar, Greater Dayton RTA
Gene Rhodes, Greater Dayton RTA
Andrew, Sarah, Ethan & Kyle Lethander, 107 Aberdeen Avenue

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 9, 2011 and the work session of May 23, 2011. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Castleman that the minutes of the sessions of council aforementioned be approved as written and the reading thereof be dispensed with. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

STATUS REPORTS

Committee Appointments. Mayor Duncan announced the following have agreed to serve: Beth Ritzert, Budget Review Committee; Kevin Hill, Board of Zoning Appeals; and Nancy Drozd and Gregg Smith, Environmental Committee.

It was moved by Mayor Duncan and seconded by Mr. Stephens that the aforementioned appointments 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. Mr. Byington explained when the area was originally developed the Oakwood Investment Group (OIG) consisted of three partners, now there is one sole owner who is progressing with the project. He indicated a second model home will be built and others are expected; and tonight they have legislation for signage which includes information to encourage development at Pointe Oakwood.

VISITORS

Greater Dayton RTA Update. Mayor Duncan welcomed Frank Ecklar, Director of Planning and Gene Rhodes, Director of Human Resources. Mr. Ecklar referenced a PowerPoint presentation and packet of material on a "Community Conversation", organization update. He explained their vision is to provide premier public transportation connecting people and communities, reviewed operational statistics (majority use the service for work commuting) and the number of citizens using the Project Mobility. Mr. Ecklar referenced accolades they have received including a Federal Transportation Achievement of Excellence Award. He reviewed Oakwood statistics, approximately

30,639 annual passenger trips and the \$68,750 investments on ramps, benches, etc. He discussed transit economics - revenue, state funding and comparison with nearby states, sales tax, and budget balancing. Mr. Ecklar referenced their first priority of safety, service quality and future concerns relating to jobs, fuel prices, state funding and new sources of support. He reviewed transportation alternatives and coordination for future needs of older adults and those with disabilities. He urged everyone to go to i-riderta.org and take the strategic questionnaire.

Mrs. Hilton commended them on the Wright Stop Plaza and better scheduling. Mr. Ecklar indicated it has also worked out well with transfers and thanks to the bus installed GPS equipment, announcements can be made regarding bus locations and expected arrivals. Mrs. Hilton also commended them on the bike racks; however, noticed on her bus #14 the racks are generally full. Mr. Ecklar suggested she ask the driver if the bike can be placed in the bus. Mrs. Hilton wondered how far south they plan to go. Mr. Ecklar explained currently to MetLife but with Austin Boulevard development, that might change. Mayor Duncan recalled years ago discussion about maintaining the trolleys. Mr. Ecklar explained an analysis was done and they will maintain the electric trolleys, have found a trolley manufacture and believe the system provides a unique alternative to petroleum. Mr. Stephens asked about savings. Mr. Ecklar explained they receive significant federal funding for the trolley buses. Mayor Duncan recalled seeing DC metro buses that were powered with natural gas. Mr. Ecklar indicated they could not have those near the trolley sparks, perhaps other areas. Mr. Klopsch extended thanks for their work on painting the poles and work on the major project in the Far Hills Business District by replacing older street light/trolley poles. Mayor Duncan indicated Oakwood was one of the founding transit communities and has a fondness for the trolleys. He thanked them for the update.

There were no other visitors with business. The following legislation was introduced.

ORDINANCE

BY VICE MAYOR BYINGTON NO 4731

TO APPROVE USE EXCEPTIONS FOR THE PLANNED DEVELOPMENT KNOWN AS
POINTE OAKWOOD TO PERMIT THE ERECTION OF MARKETING SIGNAGE.

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 at its June meeting, the Planning Commission reviewed and supported this proposal for two marketing signs subject to review of the signage in 18 months.

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

Mayor Duncan opened the public hearing. There being no comments, the hearing was closed.

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 4732

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 relates to last year's sidewalk project; approximately \$19,500 invoices have not yet been paid. He indicated another invoice will be sent and then if not paid by a date certain, will be forwarded to the county for inclusion on the tax bill which also includes a 5% fee.

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

NO 1736

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 allows the city to continue having lit street lights.

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

ENACTING SECTION 505.121, "DANGEROUS AND VICIOUS DOGS," OF THE CODIFIED ORDINANCES OF 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 and given a first reading. Mr. Stephens explained this establishes a procedure in case a dog problem situation arises, defines certain vicious breeds and consequences after a dog problem situation.

STAFF REPORT

Public Safety Department Update. Chief Bebris referenced a PowerPoint presentation and indicated his command staff is also in attendance. He reviewed promotions/reorganization of the command staff after the retirement of Captain Lantz; they promoted Randy Baldrige to Major and promoted Mike Jones and Alan Hill to Captains. He explained this will increase the efficiencies of the department administration to tackle projects. One project relates to fire training which is being re-evaluated by Captain Hill and will include a new component. They also plan to update the Tactics Manual which was last reviewed in 2004, and work on fleet management, scheduling, etc. Chief Bebris explained they will be up to full authorized personnel strength in July and he is always amazed with the quality candidates. He recently met with the staff at the police academy and heard great things about Damien Baggott and George Williams as well as Sarah Martin who surpassed everyone graduating first in academics, firearms, physical fitness, the first in the academy's history and first woman.

Chief Bebris referenced crime stats, i.e., burglaries June-December 2009 - 9; and June-December 2010 - 17 primarily due to the Upchurch case. He reminded citizens that crime is cyclical and some see Oakwood as a target. Captain Hill explained Mr. Upchurch started in June, 2010 and then activity picked up in the fall when the weather changed and it was darker. He reviewed statistics on attempted burglaries and total loss to Oakwood. He worked with other communities on crime similarities, including footprints found in the snow and a couple near misses. In April, after an alarm sounded, they searched an impounded car and found a small wooden jewelry box that belonged to an Oakwood resident. They also learned of a storage facility where Mr. Upchurch had all the property. Thanks to Mr. Weiskircher, they were able to set up a room in the basement with the 5,000 pieces of property, the majority of which has been returned to victims; however, some of the high value items were sold, but sentimental items found and returned. He indicated Mr. Upchurch has been charged with 55 counts which could result in 200 successive years in prison but

will probably plea deal. In response to questions from council, Captain Hill explained if you took Mr. Upchurch's activity out of the stats, the stats would flat line. He also urged citizens to have lights on since the majority was forcible entry to homes within the early evening. Discussion ensued in regard to how Mr. Upchurch was apprehended, the pry bar found, etc. Chief Bebris indicated this was a lifetime case and indicated Captain Hill will be receiving a letter of commendation for his work on this. He reiterated the department needs citizen to give them input on what they see/hear.

Chief Bebris referenced a photo of illegal parking near Orchardly Park and noted the van owner questioned the ticket. He explained during summer months parking is strictly enforced near the pool and parks. He indicated last week they wrote about a dozen tickets near Orchardly Park which was also the same area of an estate sale. Chief Bebris explained other endeavors/projects relate to the security camera project which was delayed due to rain, they are working on the pole extensions and hope to finish soon. He indicated they are also working with Lexipol on review of the procedural manual, a time consuming process. Mayor Duncan thanked him for the update and extended congratulations to Major Baldrige and the two new Captains, excellent leadership thanks to Chief Bebris.

CITY MANAGER'S REPORTS

Far Hills Street Work. Mr. Klopsch reminded citizens that over the summer months, there will be barrels up and a lot of activity as they grind and repave from the north to south corporation line. He asked everyone to be patient and prepare for single lane traffic.

Sister City Visit. Mr. Klopsch reminded citizens of Oakwood's two official sister cities – Outremont, Canada and LeVesinet, France. The city is celebrating its 35th twinning with Outremont and a group of visitors will be in the city from June 30 through July 5. The Sister City Association has planned a series of events, three of which involve council – welcome reception, mayor's luncheon and cocktail reception. He looks forward to continued relations and the re-energized Sister City Association.

COUNCIL COMMENTS

Mr. Byington referenced the May 21 "That Day in May" celebration and jokingly extended kudos to Mr. Stephens on the weather. He indicated it was a great time and during the cleanup, he heard from one of the carnival staff about how special Oakwood is and that the children were extraordinary, very polite, etc. Mr. Byington indicated a lot is going on with the state Budget, politics and issues facing Oakwood. He believes Oakwood is very blessed to have active citizens who volunteer and spend time on vital issues, i.e., the Budget Review Committee.

Mayor Duncan echoed kudos on "That Day in May" and referenced a photo of all council members who walked in the parade, a great event, etc. He referenced the 10th annual CARE walk that was also held in May and a letter from Mrs. Fulford about the \$16,500 raised this year. On a personal note, Mayor Duncan indicated his daughter recently turned 30 and his parents celebrated their 60th wedding anniversary.

Mayor Duncan indicated the July meeting was just amended from July 18 to July 11. Council adjourned. The public meeting concluded at 8:40 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL