

CITY OF OAKWOOD
STATE OF OHIO
AUGUST 1, 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
Ms. Carol D. Collins, Leisure Services Director
Ms. Karen Earley, Leisure Program Supervisor

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

The following visitor registered:

Stefanie Campbell, 271 Schenck 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 July 11, 2011 and the special and work sessions held July 25, 2011. 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 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 REPORT

Sugar Camp and Pointe Oakwood. Vice Mayor Byington referenced a recent meeting council had with sole owner Lee Schear who provided an update on work at the site. In regard to the commercial development and its four buildings, the synagogue is built out; building A is close to being full and buildings B and D are being updated for potential tenants. He explained how exterior improvements have been made – landscaping, parking lots, etc. Vice Mayor Byington referenced Pointe Oakwood which is moving along and based on a recent market study, the plan will need to have some minor amendments. He indicated another model home will be built, Vectren is doing gas line work, and the first homeowner’s construction will soon be underway.

VISITORS

There were no visitors with business.

LEGISLATION

RESOLUTION

BY MR. CASTLEMAN

NO 1739

A RESOLUTION BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO,
PROVIDING FOR AN ELECTION ON THE RENEWAL OF A TAX LEVY IN EXCESS
OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL
OPERATION OF THE CITY.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read.

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

Mr. Castleman referenced the Certificate of Estimated Property Tax Revenue received from the Auditor that this will provide \$457,048 in revenue and wondered if the tax valuation went down. Mr. Klopsch explained 2.72 is the total millage, effective millage is about 1.4 so it went up slightly

with the recent drop in total assessed property value. Mayor Duncan indicated this is the same revenue as was requested 20 years ago, no new tax, just a renewal.

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 VICE-MAYOR BYINGTON NO 1740

A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR CUTTING NOXIOUS WEEDS TO THE COUNTY AUDITOR FOR COLLECTION.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Vice Mayor Byington explained property owners are sent notice to take care of their yard or the city will do the work. The city then bills the property owners and this relates to those bills not paid which are forwarded to the county auditor for collection.

Thereupon, it was moved by Vice Mayor Byington 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 4734

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY, AND DECLARING AN EMERGENCY.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure.

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 4735

LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY, AND DECLARING AN EMERGENCY.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure.

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 MRS. HILTON

NO 4736

TO ESTABLISH THE MAXIMUM ANNUAL COMPENSATION FOR THE CLASSIFICATION OF LAW DIRECTOR (IN-HOUSE), AND TO DECLARE AN EMERGENCY.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mrs. Hilton explained for years the city has used a local law firm for general law, prosecutor, income tax and labor law services. Staff has determined it would be more cost effective to combine these needs into one in-house attorney. She indicated this ordinance amends the personnel schedule, outlines the maximum compensation rate and indicates the position will report to the city manager.

Thereupon, it was moved by Mrs. Hilton and seconded by Mr. Castleman that the ordinance be passed as an emergency measure.

Mr. Klopsch explained Rob Jacques has served as the city’s law director for over a year and previously did a lot of the work for Dalma Grandjean. He indicated when Dennis Adkins was recently appointed to a Judgeship, the city lost its long time prosecutor. Since Mr. Jacques has experience in litigation, they decided to combine the position, include income tax (they spend about \$25,000 annually) and a portion of the labor law work. Mr. Klopsch indicated this makes financial sense and is pleased Mr. Jacques will be at city hall. Mayor Duncan asked if this is prosecution in Judge Dedden’s court. Mr. Jacques concurred, misdemeanors and traffic violations. Mr. Klopsch noted Mr. Jacques was born and raised in Oakwood, a 1992 Oakwood High School graduate. Mayor Duncan indicated, on behalf of council, they’ve seen the outstanding job he has done and welcomed him.

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 was pleased to provide an update on the Community Center, Smith Gardens and other community activities. She introduced Karen Earley, the new Recreation Supervisor. Ms. Earley reviewed her background which included 21 years at local YMCAs and feels she is settling in after five months. Mayor Duncan welcomed Ms. Earley. Ms. Collins is pleased she’s here and looks forward to working with her for many years, and in particular during the upcoming Ice Cream Social.

Ms. Collins reviewed the following: There are 760 pool memberships this year; three family swim nights; third annual Dog Splash is scheduled for September 11; and the Oakwood Dolphins swim team had 243 participants - for the eighth year is undefeated in its league. She invited the community to the August 21 Ice Cream Social at Shafor Park and noted this year they plan to use a local caterer rather than Lee’s. Ms. Collins announced other activities: Annual Hot Dog Supper scheduled for September 29, 5:30-7 p.m., at the OCC prior to parade and bonfire; 9th Annual Scarecrow Building Contest on Sunday, October 9, registration packets will be available in September; 7th Annual Family Fall Festival set for October 9 from 2-5 at Shafor Park with a lot of activities; and the 3rd Annual Community Book Swap is scheduled for September 10 from 9:30 to 1, books will be collected between now and September 9 are sorted by categorize and alphabetized by author. Last year 2,500 books were collected and left over books were donated to local charities. Ms. Collins announced the Lighting up Oakwood/Holiday of Lights is scheduled for December 11.

Ms. Collins reported the city has treated 888 trees for Emerald Ash Borer for an average cost of \$62.50 per tree and to date there has been no activity from the Emerald Ash Borer. The fall Johnny Appleseed Street Tree Planting Program will offer four or five varieties of trees at a discount and since the program began in 1978, they have planted 2,535 trees and this is the 29th year the city has been a Tree City, USA. Ms. Collins reported on activities at Smith Gardens – the family photos have been a sell out and the owner of Red Leaf Photography donated her time. The Friends of Smith Gardens membership drive raised \$25,870. She referenced photos of the new dog park which has been very well received and indicated the fall brochure was recently delivered to residents.

Mr. Castleman asked about noise at the dog park. Ms. Collins indicated she hasn't heard a lot of barking. Mr. Klopsch noted he has gone up about every evening and believes when the dogs are in the open area they don't tend to bark as much. He noted to date they have not received any complaints, this is a success for the 910 Oakwood dogs that are registered through the county. Mayor Duncan thought the Smith Gardens membership drive was in the fall. Ms. Collins concurred, the 2011 drive will begin this September. Mayor Duncan asked about obvious blight on pine trees. Ms. Collins indicated there has been a fungus on long needled pines plus wind damage. Mayor Duncan thanked her for the report.

CITY MANAGER'S REPORTS

Facebook. Mr. Klopsch indicated the city will enter the realm of Facebook but added that several colleagues have mixed opinions on its value. He noted Ms. Collins and Mr. Jacques will work together on this project and they have to be careful of public records laws. The plan is to begin at the OCC and then if it works expand to other city areas.

Far Hills Roadway Project. Mr. Klopsch explained every 12 years the state does a major reconstruction project on Far Hills Avenue in Oakwood. He indicated they are doing a great job and hope to have all the work done prior to school opening. He extended compliments to Kevin Weaver and Bart Bornhorst on assisting the ODOT inspector. Mayor Duncan asked about funding. Mr. Klopsch explained this is a \$1.1M project, and 80% comes from MVRPC/ODOT/federal funding.

Budget. Mr. Klopsch thanked council for adopting legislation to put the 2.72 mill levy renewal on the ballot based on the budget impact with the repeal of the estate tax and Local Government Fund. He indicated they need to find ways to make up loss of revenue. In regard to the mill levy renewal, council ultimately decided (with input from the Budget Review Committee) that it was a smart move to only renew. Mr. Klopsch indicated staff is looking at ways to cut costs and over the past few years have eliminated eight full-time positions without cutting services and now they have cut capital expenditures. He indicated they hope to defer or eliminate about \$360,000 or 34% of the \$1.1M 2011 budget.

Ice Cream Social. Mr. Klopsch indicated at this year's Social there will be two city tables. He noted as was done last year, Mr. Weaver will have an informational table on stormwater issues which is part of the EPA requirements. The second table, recommended by Mr. Stephens, will be to promote signing up for E-statements and automatic payment, to go paperless with water/sewer/refuse bills.

Mayor Duncan commended staff on making real budget cuts...unlike Washington DC.

COUNCIL COMMENTS

Mr. Stephens welcomed Mr. Jacques as the new in-house law director, noting he has done a fabulous job to date, very detail oriented with good communication skills. He noted Mr. Jacques is a fellow Oakwood graduate and welcomed him.

Mr. Castleman also welcomed Mr. Jacques.

Council adjourned. The public meeting concluded at 8:15 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL