

CITY OF OAKWOOD

STATE OF OHIO

JANUARY 3, 2012

The Council of the city of Oakwood, State of Ohio, met in a work session at 11:30 a.m. in the conference room of the city of Oakwood, 30 Park Avenue, Dayton, Ohio, 45419. Council then met in a regular session at 12 Noon, in the council chambers of the city of Oakwood. The City Manager, Mr. Norbert S. Klopsch, initially presided, and the Clerk of Council, Mrs. Cathy Gibson, recorded.

Mr. Klopsch explained this is the biennial organizational meeting, held every two years, and will include administering the Oath of Office to the three re-elected council members; and then council will select a Mayor and Vice Mayor to serve for a two-year period. He indicated once the vote is completed, he will turn the gavel over to the elected Mayor. Mr. Klopsch 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
Mr. Kevin Weaver, P.E., P.S., Public Works & Engineering Director

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

The following visitors registered:

Mrs. Terri Duncan, 1101 Hathaway Road
Mrs. Stefanie Campbell, DP&L

Mr. Jacques administered the Oath of Office to re-elected Council Members William Duncan, Steven Byington and Stanley Castleman.

Mr. Klopsch asked for nominations for Mayor.

It was moved by Mr. Castleman and seconded by Mrs. Hilton that Mr. Duncan be appointed Mayor. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mr. Klopsch gave the gavel to Mayor Duncan. Mayor Duncan asked for nominations for Vice Mayor.

It was moved by Mr. Stephens and seconded by Mrs. Hilton that Mr. Byington be appointed Vice Mayor. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mayor Duncan extended thanks and made the following statement:

“Members of City Council, City Staff and Citizens of Oakwood:

I would like to thank my fellow council members for electing me to the position of Mayor of the City of Oakwood. I am honored to have received your support. I pledge to fulfill the duties of Mayor to the best of my ability.

When I joined City Council in 2003, it was my belief that Oakwood was well governed, well managed and financially strong. I still hold that belief and will continue this tradition.

I am proud to serve with Vice Mayor Steve Byington who begins his fifth year on City Council and Stanley Castleman who begins his ninth year on City Council. I am also proud to serve with Rob Stephens and Anne Hilton who each begin their third year on City Council.

This Council, like those that preceded it, operates in a collegial style and everyone believes in doing the right thing for the citizens of Oakwood. We listen to one another, no one has hidden agendas, and we believe in community service.

The excellent services provided by our public safety, leisure services and public works departments would not occur if not for the leadership of City Manager Norbert Klopsch. He is

recognized throughout the region as an outstanding city manager. He is also blessed with a fine group of department directors and deputy city manager Jay Weiskircher.

We have not increased taxes for city services in 20 years. In fact, we reduced property taxes in 2008 by letting an existing levy expire. We have spent less for city services in each of the last four years and we expect to spend less in 2012 than we did last year.

Unfortunately, we have a serious budget problem facing our city. The Ohio estate tax expires on January 1, 2013. This tax has provided, on average, about 20% of the revenue used to provide city services. In addition, over a dozen surrounding communities have increased their income tax rates over the last few years. Because we allow a 100% credit for taxes paid to surrounding communities, our city receives about \$300,000 less in income taxes each year.

We also face the fact that there are people in the Ohio General Assembly and the current administration who do not agree with the right of Oakwood and other charter cities throughout Ohio to provide services under the "home rule" provisions of the Ohio constitution, provisions which were established 100 years ago.

Because it is a well-established fact that local government is the most accountable and responsive government, Oakwood City Council will fight to prevent the state from pushing the centralized government agenda. We represent you and will see that our city provides the services you believe are important and necessary. And in doing so, we will prudently manage the resources our community provides.

Serving on Oakwood City Council is truly about community service. My experience is Oakwood is a great place to live, work, play and raise a family. With the help of Council, City staff and our citizens, Oakwood will continue to be well governed, well managed and financially strong.

Thank you for the opportunity to serve the citizens of Oakwood."

Council Committee Assignments. Mayor Duncan indicated council decided to leave the committee assignments the same as last year.

2012 COUNCIL COMMITTEE ASSIGNMENTS

William Duncan, Mayor	Steven Byington, Vice Mayor
Court Liaison	Anne Hilton, Chair Steven Byington
Finance	Stanley Castleman, Chair William Duncan
Law and Minutes	Anne Hilton, Chair Steven Byington
Planning and Zoning	Steven Byington, Chair Stanley Castleman
Public Properties	Stanley Castleman, Chair Rob Stephens
Public Utilities/Waterworks/Sewer	Stanley Castleman, Chair Rob Stephens
Safety and Traffic	Rob Stephens, Chair Anne Hilton
Streets and Alleys	Rob Stephens, Chair Anne Hilton
Community Relations/Promotion & Appointments	William Duncan, Chair Steven Byington

Regional Agencies - Council Representation

Miami Valley Communications Council	Stanley Castleman Rob Stephens, Alternate
Miami Valley Regional Planning Commission and Transportation Committee	Steven Byington William Duncan, Alternate
EMA Regional Advisory Council	William Duncan Norbert Klopsch, Alternate
First Suburbs Consortium	Steven Byington Norbert Klopsch William Duncan, Alternate
South Suburban Coalition	Anne Hilton, Alternate Alex Bebris William Duncan, Alternate

Boards, Commissions and Citizen Ad Hoc Committees

Planning Commission	Steven Byington
Environmental Committee	Rob Stephens
MLK Breakfast Committee	William Duncan
Sister City	Anne Hilton
Historical Society	Anne Hilton

Note: The Mayor also serves as ex-officio member of each council committee.

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 December 12, 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 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

Committee Appointments. Mayor Duncan indicated the following citizens have agreed to serve another term: Jeff Shulman and Healy Jackson, four year term, Planning Commission; Greg Lauterbach, five year term, Board of Zoning Appeals; Dr. Marvin Miller, five year term, Board of Health; Dan Ferneding, Dave Dickerson, Jamie Greer, Becky Butler, Michael Vanderburgh, Phil Chick, Kyle Maschino, Michael O’Connell, John Gray and Teri Engle four year term, Budget Review Committee; Darrell Apt, Katy Dalrymple, Jane Brennan, Kathy Brown and Stanley Herr, three year term, Environmental Committee; Judy Caruso, Michael O’Connell, Judy Steiger and Jane Lieberth, five year term, Property Maintenance; Arik Sherk, three year term, Tax/Water/Sewer Appeals Board; and William Stephens, three year term, ADA Compliance.

It was moved by Mayor Duncan and seconded by Mr. Byington 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.

Proclamations. Mr. Byington read proclamations recognizing the service of Bellbrook Mayor Mary Graves and Springboro Council and MVCC Staff Member Marie Belpulsi. Mayor Duncan indicated he recently presented a proclamation to retiring Kettering Council Member Keith Thompson after 55 years of public service, and noted he was four years old when Mr. Thompson began his career at Kettering as a police officer.

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

ORDINANCE

BY MR. CASTLEMAN NO 4746

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$693,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING A NEW MUNICIPAL SERVICE CENTER BUILDING.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was given a second reading. Mr. Castleman explained this reduces the principal by \$55,000.

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton that the ordinance 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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. CASTLEMAN NO 4747

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$250,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF RENOVATING AND PROVIDING ADDITIONAL FACILITIES FOR THE CONDUCT OF GOVERNMENTAL OPERATIONS, INCLUDING LEGISLATIVE, ADMINISTRATION AND PUBLIC SAFETY, BY CONSTRUCTING ADDITIONS TO, REMODELING, RENOVATING AND EQUIPPING THE EXISTING CITY ADMINISTRATION BUILDING AND PROVIDING FOR ALL NECESSARY APPURTENANCES.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was given a second reading. Mr. Castleman explained this reduces the principle by \$26,000.

Thereupon, it was moved by Mr. Castleman and seconded by Mr. Stephens that the ordinance 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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MR. CASTLEMAN NO 4748

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,459,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING REAL PROPERTY FOR PARKS AND RECREATIONAL PURPOSES.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was given a second reading. Mr. Castleman explained this reduces the principle by \$41,000.

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton that the ordinance 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 ordinance was declared duly passed and it was so ordered.

ORDINANCE

BY MRS. HILTON NO 4749

TO REPEAL SECTION 511.01 THROUGH 511.99, INCLUSIVE, OF EXISTING CHAPTER 511, FAIR HOUSING, AND TO ENACT NEW SECTION 511.01, STATEMENT OF POLICY OF CITY.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read. Mrs. Hilton explained in 1969, council enacted the fair housing regulations. She reviewed a few whereas clauses that explained the history, this repeals the existing section with a replacement statement relating to fair housing. Mayor Duncan noted the committee hadn't met in 30 years.

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

ORDINANCE

BY MR. CASTLEMAN NO 4750

TO REQUIRE PRE-APPROVAL OF PLANS AND SPECIFICATIONS FOR CONSTRUCTION WITHIN THE POINTE OAKWOOD RESIDENTIAL PORTION OF THE PLANNED DEVELOPMENT SPECIAL USE UPON THE 36+ ACRES ORIGINALLY KNOWN AS LOTS 3954, 3955, AND 3956 OF THE CONSECUTIVELY-NUMBERED LOTS 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. Mr. Castleman explained Pointe Oakwood has been discussed at many public meetings, this legislation does nothing new but simply formalizes that the building plans must go through a review process and design committee. Mr. Byington recused himself from this matter since his residence is a neighbor to the site.

Thereupon, it was moved by Mr. Castleman and seconded by Mrs. Hilton 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 RECUSED
MR. STANLEY CASTLEMAN YEA
MR. ROBERT P. STEPHENS YEA
MRS. ANNE S. HILTON YEA

There being four (4) yea votes and no (0) nay votes thereon, said ordinance was declared duly passed and it was so ordered.

RESOLUTION

BY MR. CASTLEMAN

NO 1752

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH E.J. PRESCOTT, INC., AND SENSUS METERING SYSTEMS, INC., TO EFFECTUATE RESOLUTION OF OUTSTANDING ISSUES FROM THE 2004 WATER METER REPLACEMENT PROJECT.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read. Mr. Castleman explained this relates in part to dealing with new technology to address some ongoing problems with the 2004 water meter replacement project.

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

CITY MANAGER'S REPORTS

Mr. Klopsch extended congratulations to the three re-elected council members who have agreed to continue serving the community.

COUNCIL COMMENTS

Mrs. Hilton thanked Bud Welch for working with Dayton History on providing a lit Christmas tree at Hawthorn Hill. As a neighbor, she has enjoyed the lit tree across the street.

Mr. Stephens announced at the end of January, the city will begin a number of neighborhood meetings and encouraged citizens to attend. Mr. Klopsch explained there will be approximately 36-40 meetings beginning January 24 which will be hosted by members of the Budget Review Committee. Mr. Stephens reiterated the invitation to attend these meetings and to provide feedback on issues.

Mr. Castleman extended the best to everyone for a healthy and happy 2012.

Mr. Byington echoed Mr. Castleman. He is excited to serve a second term as Vice Mayor and believes Oakwood is blessed with residents who take an active roll and extended Mr. Stephen's invitation to attend upcoming meetings as the city faces a lot of challenges. He looks forward to working with this great council team.

Mayor Duncan announced on January 16, the cities of Oakwood and Kettering will host the ninth MLK Breakfast at Christ United Methodist Church. He indicated the program is always interesting and this year breakfast will be prepared by staff and served by council. Mayor Duncan explained he had a minor health issue earlier in the day and extended thanks to his family physician and ENT for

their assistance. He extended condolences and prayers to Dennis Williams, Wilcon Construction, on the recent loss of his wife and son who were killed in a car accident.

Council adjourned. The public meeting concluded at 12:36 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL