

CITY OF OAKWOOD

STATE OF OHIO

SEPTEMBER 19, 2005

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. Mayor Cook opened the meeting by asking all present to participate in the Pledge of Allegiance. The Mayor, Mrs. Judy Cook, presided, and the Clerk of Council, Ms. Cathy Blum, recorded.

Upon call of the roll, the following members of council responded to their names:

MRS. JUDY COOK.....PRESENT  
MR. CARLO C. McGINNIS.....PRESENT  
MR. WILLIAM D. DUNCAN.....PRESENT  
MR. ROGER C. BLUMENSHEID.....PRESENT  
MR. STANLEY CASTLEMAN.....PRESENT

Officers of the city present were the following:

Mr. Norbert S. Klopsch, City Manager  
Ms. Dalma C. Grandjean, City Attorney  
Mr. Jay A. Weiskircher, Assistant City Manager  
Ms. Carol Collins, Leisure Services Director

The press this evening was represented by the editor of the Oakwood Register, Mr. Lance Winkler and Mrs. Helen Bebbington, staff writer for the Dayton Daily News.

The following visitors registered:

Joseph Koussa, Kettering  
Jo Shank, 50 Wisteria  
Ann Snively, 1776 Far Hills, Wright Library  
Matthew Lindsay, 106 E. Peach Orchard  
Matt Krystofik, 353 Greenmount  
Dave Crusey, 230 E. Dixon  
Todd Maugens, 1545 Ridgeway

Mr. Duncan, Chair of the Council Committee on Minutes, advised council he had read the minutes of the regular and work sessions of council held August 8, 2005, of the work session held August 22, 2005 and of the executive session held August 31, 2005. Mr. Duncan reported he found the minutes correct. Therefore, it was moved by Mr. Duncan and seconded by Mr. Blumensheid 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

Mayor Cook asked the city manager to give an update on the deer population and Sugar Camp issues. Mr. Klopsch noted both are challenging issues. In regard to Sugar Camp, he indicated staff speaks regularly with Miller Valentine representatives who are in the middle of the due diligence and development feasibility study with the hope to re-use all four buildings. They have a number of potential business users, however, have not given specifics other than that one firm is outside of the Miami Valley area. Mr. Klopsch explained Miller Valentine is currently obtaining input on development ideas before they make formal application to the city, which is a two-step process before the Planning Commission and Council. The input includes residential needs from an invited focus group, which will meet on four occasions. Two meetings have already taken place and most participants have expressed interest in a single story and/or patio type home. Although the latter is a nice concept, it is economically troubling and Miller Valentine is looking at a mid-rise structure. Mr. Klopsch indicated another way they plan to obtain information is to invite the public to a "town hall" meeting. He added they have hired a public relations firm that will handle the publicity for this event where citizens may express ideas.

In regard to the deer issue, Mr. Klopsch indicated he has heard from a number of citizens, mostly from those who enjoy seeing the deer and admit they have no negative impact on their property because most of them live on the east side of Far Hills. He noted staff is still doing research on acceptable ways to deal with the deer population. Mr. McGinnis asked that the analysis include risks when the deer create accidents.

Mr. Blumensheid reported as Oakwood's representative to the Miami Valley Communications Council (MVCC), he serves on the executive and budget committees and they have been very busy discussing projects. He noted since Executive Director Kent Bristol is retiring, they plan to select an interim director for a six month period and also negotiate the new contract with Time Warner and/or others for a 15-year period. Mr. Blumensheid added they plan a retreat to work on ideas for new director needs, anticipated budget cuts, etc. He informed the community that if there are any concerns with cable issues, he is the person to contact.

Mayor Cook welcomed the visitors and recognized Matt Lindsay. Mr. Lindsay indicated he is President of the Wright Library Board and on behalf of the board and citizens for the levy thanked council for the opportunity to discuss their upcoming levy. He referenced concerns with the Local Government Fund formula cuts to libraries and how that would impact their budget. He indicated they are currently into the reserve funds and have cut hours, frozen salaries, cut health benefits, materials budget was lowered and staff reduced by attrition. He noted they have doubled overdue fines, but in anticipation of no additional revenue, they may need more drastic cuts.

Mr. Lindsay explained in looking toward the future, budget planning must be based on the assumption of no growth in state funding, however, that may be optimistic. Given the unknown, they developed a strategic plan by citizens and expect to continue offering the following activities: (1) current topics and titles; (2) commons environment; (3) formal learning support for grades K-12; (4) general information; and (5) lifelong learning. Mr. Lindsay referenced graphs of future finances for the library showing anticipated budget, known revenue and revenue with the new levy. He noted the proposed 1.98 mill levy will be additional revenue to take care of the shortfall. He noted without the levy it will be impossible to fulfill the strategic plan and the library would face severe budget cuts affecting as staff, hours, materials and services. Mr. Lindsay indicated the citizens for the levy have registered with the Board of Elections and have raised approximately \$2000 in monetary contributions, \$252 in-kind contributions commitments for levy yard signs, 4 letters in the Register and 21 web site endorsements. In regard to the latter, he indicated the [www.citizensforwrightlibrary.org](http://www.citizensforwrightlibrary.org) has been established to provide information.

Mayor Cook asked if the intent is to let the current levy expire. Mr. Lindsay indicated no decision has yet been made; they'll wait and see what the state determines with the local government fund before they decide on that levy that expires in 2007. Mr. Duncan wondered if before they knew the state wasn't going to cut funding immediately if the original millage was higher. Mr. Lindsay agreed, originally they approved 2.98 but withdrew that when the state didn't cut the funding as originally proposed. He indicated they feel 1.98 is more reasonable. Mayor Cook thanked him for the presentation.

Mrs. Shank, 50 Wisteria, indicated the Library Board hasn't approved the 1.98 levy. She indicated the finance committee felt 1.98 was reasonable only because they think that is as much as they can get. She felt it is too much since her medium home will now cost an additional \$200 per year, highest taxation of a community in the area and of several libraries in the area as well. Mrs. Shank indicated the Library Board acts with no supervision; they are not elected but appointed by the School Board. She noted the board is not held accountable and they could wait for a couple years to see what happens on the state level with the local government fund. In regard to the old levy, she heard the director indicate they would need that money. Mrs. Shank reiterated the board is not accountable to anyone and heard one of the co-chairs of the levy committee state they weren't sure what the money would be used for.

Mrs. Shank indicated she is a fan of the Library, has worked there, but can obtain no information; there are no minutes of the board action available. She is very confused about the levy board making statements for the library board. She understands they are rather informal but has seen no commitment, purpose or motion on the matter. Mrs. Shank reiterated she is unable to obtain straight information/answers, feels the library spends too much money; the staff doesn't have the appropriate training and evaluation, etc. She noted she uses the library, and believes they are asking for too much with too little information.

Mr. Koussa expressed prayers for the troops and to the victims of Katrina who are without food, water and clothes. He added that he is very thankful to be a citizen of this great country.

#### ORDINANCE

BY MR. DUNCAN

NO 4593

TO AMEND SECTION I, APPROPRIATION ORDINANCE NO. 4563 AND SECTION I, AND SUPPLEMENTAL APPROPRIATION ORDINANCE NO. 4590, SECTION I: 1. TO PROVIDE FOR ELIMINATION OF THE TRANSFER AND EXPENDITURE OF MONIES

RELATED TO THE \$310,000 PATTERSON-DIXON SANITARY SEWER IMPROVEMENT PROJECT, FOR WHICH THE CITY WAS UNABLE TO OBTAIN STATE ISSUE 2 GRANT MONIES, AND 2. TO PROVIDE FOR AN EXPENDITURE OF \$120,000 FROM THE SEWER IMPROVEMENT/EQUIPMENT REPLACEMENT FUND TO REHABILITATE THE PATTERSON-DIXON SANITARY SEWER SYSTEM, AND 3. TO PROVIDE FOR THE EXPENDITURE OF AN ADDITIONAL \$90,000 FROM THE PUBLIC FACILITIES FUND FOR PROJECT FINAL PAYMENT TO THE DANIS CONSTRUCTION CO. INC., AND 4. TO PROVIDE FOR AN APPROPRIATION OF \$10,000 TO BE EXPENDED AND/OR DONATED FROM THE SPECIAL PROJECTS FUND TO ASSIST WITH RESTORATION EFFORTS IN THE SOUTHERN UNITED STATES, RELATED TO DEVASTATION CAUSED BY HURRICANE KATRINA FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2005.

A copy of the ordinance, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan explained last December, when the appropriation ordinance was adopted, they had hoped to obtain a \$150,000 grant from the state, however did not obtain the money so cancel that expenditure. The second item relates to final payment to Danis for work at 30 Park Avenue. He noted the last item is money to help Katrina victims based on the manager's discretion. Mr. McGinnis asked that the city manager bring his recommended use of that money to council for approval.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Castleman that the ordinance be passed.

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

MRS. JUDY COOK.....YEA  
MR. CARLO C. MCGINNIS.....YEA  
MR. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....YEA  
MR. STANLEY CASTLEMAN.....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

TO AMEND THE PROPERTY MAINTENANCE CODE BY THE ADDITION OF SECTION 17-302.7, ACCESSORY STRUCTURES, TO REQUIRE GARAGE DOORS FOR SECURITY.

Mr. McGinnis explained this is a first reading. Mr. Klopsch explained they recently noticed that several garages have no doors. He believes the garages originally were originally built with doors but probably weren't replaced and this relates primarily to rental properties. He noted it now appears to look like a carport, what is stored is visible and there is no security. This will be enforced under the Property Maintenance Code. Mr. McGinnis recalled this concern was expressed during the Comprehensive Plan review. Mr. Klopsch concurred, and noted the Property Maintenance Code helps keep Oakwood homes in excellent condition.

#### RESOLUTION

BY MR. DUNCAN

NO 1619

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Duncan explained this is a housekeeping resolution required by the County Auditor to certify property tax levies for real estate bills. He indicated the city has two levies, one is 2.72 mills which was last voted in May, 2001 and expires in 2006, but the effective rate is only 1.69. He explained when property values go up, the effective millage goes down. The second levy is a 5.5 mill which was last voted in 2003 and expires in 2008 with an effective rate of 1.09. He noted the city has not increased rates since 1991. Mayor Cook indicated she often hears about the high total millage, however, the effective rate is not out of line with other neighboring communities.

Thereupon, it was moved by Mr. Duncan and seconded by Mr. Blumensheid that the resolution be passed.

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

MRS. JUDY COOK.....YEA  
MR. CARLO C. McGINNIS.....YEA  
MR. WILLIAM D. DUNCAN.....YEA  
MR. ROGER C. BLUMENSHEID.....YEA  
MR. STANLEY CASTLEMAN.....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

Leisure Services Update. Ms. Collins reported on activities at the Community Center and other community events. She indicated they had a successful pool season, although memberships were slightly down from last year there was great attendance and a lot of positive comments on the new baby pool. In regard to memberships, there are 2,445 OCC and 293 health center for total revenue of \$425,182 which is up from last year due to the increase in rates. She noted the pool staff was excellent; they received positive comments, and many returnees including the manager who was also the swim team coach. Ms. Collins indicated the Dolphin Swim Team had 200 participants and were first in the Miami Valley. Other activities included three family night swims and group swim lessons. She reported the Orchardly Park wading pool had approximately 19,200 users and there was a monitor there. She referenced the recent Ice Cream Social that had the largest crowd ever. This summer they also held the first annual Oakwood Tennis Tournament which was very successful.

Ms. Collins reviewed upcoming fall activities. She reported that soccer at Old River has begun as well as the pre-school indoor soccer and the little kickers. She noted there has been a slight decrease in 4-6 grade participants due to Oakwood United Soccer. She indicated two of the several new programs include conversational Spanish, and the class has already been filled, as well as bridge. Ms. Collins announced flu shots will be given on Monday, October 24<sup>th</sup> from 8:30 – 10:45 a.m. in the Teen Center and they don't anticipate a shortage problem. She indicated the third annual Scarecrow Contest will be held and added that last year there were 33 entries. She noted the Johnny Appleseed Tree Project will soon be underway, applications will be available October 3<sup>rd</sup> and they are currently obtaining quotes on the five species. To date, they have planted 2,233 trees in this project which is a criteria for Tree City, USA. Ms. Collins extended appreciation to the Environmental Committee for its participation in various programs, particularly for putting out 2,500 luminaries for the Light Up Celebration which will be December 11<sup>th</sup> this year. She indicated the Senior Holiday lunch is scheduled for December 8<sup>th</sup> and Holiday of Lights on December 11<sup>th</sup> at Shafor Park.

Ms. Collins reported Smith Gardens held three blanket concerts this summer which were very well attended. She noted the Friends of Smith Gardens annual campaign will soon be underway which will again be chaired by Dr. Pryor. On a sad note, Ms. Collins indicated that one of the Smith daughter's, Jane Tuverson, will be moving out of the community. She noted that October 22<sup>nd</sup> is Make A Difference Day at Hills and Dales Park. Mayor Cook extended thanks for the complete report. Mr. Klopsch noted a handicap lift was also installed in the pool this summer. Ms. Collins reported some of the money was donated by a resident who has a child that needed this access and it was used by many.

Committee Appointments. Mayor Cook indicated that Bill Schuerman, Frank Surico, Terry Hall and Kristin Motlagh have expressed interest in serving on the MLK Breakfast Committee.

Therefore, it was moved by Mr. Duncan and seconded by Mr. McGinnis 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.

CITY MANAGER'S REPORTS

Auditor's Report. Mr. Klopsch was pleased to announce that a couple weeks ago they met with the auditor regarding the 2004 Audit and received a "clean opinion" thanks to Mr. Beachdell and the finance department.

Street Projects. Mr. Klopsch indicated bids were recently opened and the effect of increased gas prices was evident. He indicated in order to stay within budget, they eliminated one street but work will begin on the other areas and post cards were sent out to impacted property owners.

Apparatus Doors. Mr. Klopsch reported the apparatus doors were recently painted green to match the entire building façade. He noted during the May Open House, the doors were silver.

COUNCIL COMMENTS

Mr. Blumensheid referenced the August Public Safety Report from Chief Beddies. He reported the safety department cleared half of the Part I crimes and he urged citizens to step up their own personal safety by locking doors and calling in any concerns. Mr. Blumensheid also reminded citizens that school is back in session and since this is a walking community, drivers need to be cautious and added that the safety department is ticketing speed violators. He commended the safety department on their response to the 17 fire alarms in August; average first officer response was 1.6 minutes with the fire apparatus arriving in 3.6 minutes. He noted the medic response was 3.5 average minutes with 1.8 minute response from the first officer. He noted of the 25 alarm calls, 24 were false which took about three hours of lost staff time. Mr. Blumensheid commended the safety department on their work.

Mr. Duncan commended the Environmental Committee, a great jewel of Oakwood volunteers who assist on many projects. He publicly thanked committee members Lisa Reeder, Sandy Bally, Jane Brennan, Kathy Brown, Katie Dalrymple, Tom Davis, Beth Loew, John Rasmussen, Eric Reed, Jane Rininger, Kim Robinson, Ed Rodabaugh, Amy Smith, Sally Solarek and returning Chair Darrell Apt.

Mayor Cook indicated recently Neal Boortz was at Books & Company promoting one of his books and had stayed at the Marriott. During his interview with WHIO, he commented on his drive through a very special community and the beauty of Oakwood, oak trees everywhere and gorgeous beautiful homes. Mr. Klopsch indicated this national radio syndicated talk show host expressed his perception of Oakwood and played the tape from the WHIO interview for the audience to hear.

Mayor Cook thanked the Wills for operating the cable equipment and indicated the next formal meeting is scheduled for October 3<sup>rd</sup>.

Council adjourned to work session. The public meeting concluded at 8:50 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL