CITY OF OAKWOOD
STATE OF OHIO
APRIL 8, 2013

The Council of the city of Oakwood, State of Ohio, met in a work session at 6:30 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, Ms. Lori Stacel, 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
Mr. Alex Bebris, Director of Public Safety
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Bill Frapwell, 400 Hathaway Road
Charlie Campbell, 625 Oakwood Avenue
Cara Kite, 338 Volusia Avenue
John Gray, 1911 Ridgeway Road
Jamie Greer, 106 E. Dixon Avenue
Dave Dickerson, 216 Lookout Drive
Doug Kinsey, 315 Triangle Avenue
Dick Good, 69 Park Road
Stefanie Campbell, 271 Schenck Avenue
Charles Jacques, 210 Telford Avenue

Mrs. Hilton advised council she had read the minutes of the March 4, 2013 regular and work sessions of council and March 18, 2013 work session. 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

Employee Recognition – Chief Alex Bebris, Public Safety Director, commended Captain Mike Jones and Officer Glen Evans for their actions involved in the copper thief cases and bringing the offender to justice. Mr. Bebris added that their keen sense of observation, investigative skills and ability to work as a team have brought results that make the Oakwood community a better place. Chief Bebris shared that the Safety Department took eleven breaking and entering reports over the course of approximately two weeks where they received a number of leads in the cases, but nothing concrete as to suspects or vehicles involved. Chief Bebris reported that on February 4, 2013, Officer Glen Evans observed a traffic violation and after further examination he found the vehicle to contain criminal tools as well as copper plumbing and pipes. Based on these findings, the suspect was held in custody. Chief Bebris said that Captain Mike Jones had been assigned to investigate the reported break-ins and received a warrant to search the vehicle of the suspect. Captain Jones interviewed the suspect, Christopher Knox, and obtained a full confession as to Knox's crimes in both Oakwood and Kettering, and then presented the evidence to the Prosecutor and Grand Jury. The Grand Jury returned an indictment for 22 counts of burglary, as well as possession of criminal tools and receiving stolen property. Several members of the Oakwood Safety Department were present for this employee recognition.

May 7 Property Tax Presentation – Citizen Levy Committee members Dave Dickerson and Doug Kinsey referenced a PowerPoint presentation on the 3.75 Mill Property Tax Levy. They reported that elimination of the Ohio Estate Tax resulted in the loss of an average of $2.6 million annually. Adding cuts to the Local Government Fund and other revenue losses, the city's total annual shortfall was $3.0 million. The estate tax covered some normal operating expenses and allowed the city to complete essential facility maintenance and improvement projects at the Public Safety/Administration building and the Public Works Center. The estate tax also allowed the purchase of the Old River athletic fields. All three of these major community investments were completed without incurring long-term debt. The city of Oakwood has no long-term debt. The 3.75 mill issue will generate approximately $1.0 million annually, about 1/3 of the revenue lost and would cost the owner of a $200,000 home about $230 per year. The city has not raised taxes in 22 years and lowered property taxes in 2008. If the 2008 issue had been renewed, it would currently cost the owner of a $200,000 home about $72 per year. A pie chart showed the property tax breakdown. 69.8% of property tax to Oakwood schools, 22.7% to the county, 5.8% to the city and 1.7% to the library. The city cut expenses each of the last four years and is making additional cuts this year. The city reduced staff by 10% since 2004 eliminating ten fulltime positions through attrition. In addition to reduced personnel expenses, the city has lowered spending in numerous ways. A list of examples totaling over $1,000,000 in cost cuts is posted on the Oakwood website. Through extensive community dialogue and citizen input, the city developed a plan to solve the financial shortfall with a mix of cost cutting, fees and taxes. The solution involves retaining services and doing so by cutting some expenses and replacing some lost dollars. Further cuts will negatively impact service levels in all city departments.

Mr. Castleman inquired about the elimination of the judgeship position. Mr. Rob Jacques, Law Director, clarified that the Oakwood Municipal Court is a court that is established by state law and under Ohio Revised Code in Chapter 1901. That section not only establishes the court, but it also establishes the jurisdictional territory it covers and sets up the judge position and mandates that we have a part-time judge. It also includes some statutory provisions that require the city to fund the court. The salary of the judge is not 100% paid by the city. There is actually a split that takes place at the city, county and state level. About 32% of the judge's salary is paid out of the city treasury. The city could not take direct action to merge with another court; it would have to be done by the state at the General Assembly level.

Mayor Duncan added that comparative costs were analyzed when this was brought up during last year's 28 community meetings. It was determined that even if we could merge with the Kettering municipal court system, their cost structure would not save us money and may actually cost the city more money. He thanked everyone on the levy committee for all of their hard work and added that he is confident that after presented the facts Oakwood citizens will vote yes. He urges people to go to the Oakwood website for additional information. He said there will be three articles in the *Oakwood Register* over the next three weeks. Also, a mailer and a postcard reminder will be sent to residents before the election. He added that this is the only issue in Oakwood on the May 7 ballot so we want to make sure we get a turnout to win the day.

Charlie Campbell stated that after looking at the figures, it seemed to him that on a house valued at $200,000 a citizen would pay about $50 per month and they would get all of the city of Oakwood's service. To him, this is a great bargain and he will be voting yes for the levy on May 7.

Bill Frapwell asked Mr. Byington to break down where the money goes on a $200,000 house. Mr. Byington shared that if you look at a property valued at $200,000 the property tax would be $5,449. The breakdown of where the money is distributed is: Oakwood City Schools, $3,804; Human Services Levy, $811; Sinclair Community College, $196; Five River Metro Parks, $110; City of Oakwood, $314; Wright Memorial Public Library, $92; Developmental Disabilities, $18; and Montgomery County, $104. He added that currently it is $26 a month that is paid to the city of Oakwood. Mr. Byington added that if you look at the level of service, we are second to none in the state in the quality of our parks and city services provided. He concluded stating that there are not too many places where you can get that level of service for the money being paid.

VISITORS – NONE

LEGISLATION

RESOLUTION

BY MR. STEPHENS NO 1774

DECLARING THE NECESSITY OF REPAIRING SIDEWALKS AND APPURTENANCES THERETO ON WEST DIXON AVENUE AND CERTAIN OTHER STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE SAME.

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 that this is an emergency measure to keep the sidewalk project on schedule.

Thereupon, it was moved by Mr. Stephens 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 HILTON ..... YEA

There being four (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

RESOLUTION

BY MAYOR DUNCAN NO 1775

STRONGLY OPPOSING THE PASSAGE OF H.B. 5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE.

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

Mayor Duncan explained that council passed a resolution on the predecessor of HB 5 last fall and in January new legislation came out called HB 5. It started out as a push for uniformity and has turned into tax reform which means special breaks for certain taxpayers and a revenue loss that the city of Oakwood has calculated to be approximately $435,000. He added that cities and villages all across the state through First Suburbs Consortiums and local Mayors, Managers and Council Members have united in opposition of this bill. Mayor Duncan added that we are in favor of true municipal tax uniformity but not reforms that benefit special interest groups.

Thereupon, it was moved by Mayor Duncan 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 HILTON ..... YEA

There being four (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

STAFF REPORT – NONE

CITY MANAGER'S REPORT: Mr. Klopsch shared that in addition to the information mailer and reminder postcard being sent to residents, the city will conduct three community open house events. The events will be held in the Council Chambers at Oakwood City Hall on April 11, 4-6 p.m., April 20, 10 a.m. – noon and April 30, 7-9 p.m. Mr. Klopsch added that there will not be any formal presentations, but the meetings will provide an opportunity to meet with council and city staff to get information and ask questions.

COUNCIL COMMENTS

Mr. Castleman commented that he has analyzed condo projects as part of his work in commercial finance and part of these projects involves analysis of the common area maintenance costs, or condo fees. Comparing that concept to the city of Oakwood, Mr. Castleman noted that to run Oakwood it would take approximately $14,750,000, give or take, not including cutting the grass. He added that there are 4,000 units in Oakwood and when you calculate a common area maintenance cost "association fee" of $307 a month or $3700 a year, it shows a measure of great efficiency. The $3700 a year, which doesn't include paying income tax, is the total efficiency of the way we operate. He added that we are operating efficiently and will continue to look for ways to become even more efficient. Mayor Duncan agreed that we do operate efficiently as indicated by cutting spending over the past four years and again in 2013.

Mayor Duncan concluded the meeting with a reminder that next Monday, April 15 is Income Tax Day. He said that extensions could be provided for filing, but payment would still be due on April 15. He asked that everyone do their good citizen duty by filing and paying their taxes on time.

The public meeting concluded at 7:59 p.m.

William D. Duncan

MAYOR

ATTEST:

Yori Staal

CLERK OF COUNCIL