CITY OF OAKWOOD
STATE OF OHIO
JANUARY 6, 2014

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. Carol Collins, Leisure Services Director
Mr. Alex Bebris, Director of Public Safety
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Stefanie Campbell, 271 Schenck Avenue
Kimberly and Greg Robinson, 236 Rubicon Road
Brian and Chris Hemmelgarn, 1111 Oakwood Avenue
Charlotte and Jim Wuebker, 100 Patterson Road

Mr. Klopsch shared that according to the Charter, once every two years an organization meeting is conducted to elect a Mayor and Vice Mayor. The five members of council are elected by the citizenry for four year terms and City Council selects amongst themselves a member to serve as Mayor and a member to serve as Vice Mayor.

Mr. Jacques administered the Oath of Office to re-elected Council Members Rob Stephens and Anne Hilton.

Mr. Klopsch asked for nominations for Mayor and Vice Mayor.

It was moved by Mr. Castleman and seconded by Mr. Stephens that Mr. Duncan be reappointed as Mayor and Mr. Byington be reappointed as Vice Mayor.

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 five (5) yea votes and no (0) nay votes thereon, said motion was declared duly passed and it was so ordered.

Mayor Duncan shared that he was proud to serve for another two years and couldn't ask to work with a better group of council members. Mr. Castleman is beginning his 11th year on city council; Mr. Byington is beginning his 7th year on city council; and, Mr. Stephens and Mrs. Hilton are beginning their 5th year on city council. He added that they are the finest group of community leaders and community servants that you could ever ask for in not only our city, but any other city in Montgomery County.

Council Committee Assignments – Mayor Duncan indicated council decided to leave the committee assignments the same as last year, as follows:

2014 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 Anne Hilton, Alternate
South Suburban Coalition	Alex Bebris William Duncan, Alternate

Boards, Commissions and Citizen Ad Hoc Committees

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

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

It was moved by Mr. Duncan and seconded by Mr. Byington that the aforementioned assignments be confirmed. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Mrs. Hilton advised Council she had read the minutes of the December 9, 2013 regular and work sessions of Council. 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

2014 Committee Appointments – Mayor Duncan noted that we are blessed in Oakwood to have a large number of volunteers that serve on citizen volunteer committees. Mayor Duncan presented the following list of reappointments and new appointments to various committees:

Harrison Gowdy, Planning Commission; Kip Bohachek, BZA; Lawrence Leese, Personnel Appeals Board; Charles Campbell, Vince Lewis, Howard Boose, Frederick Dudding, Jaci Hollmeyer, Brian Huelsman, Rob Connelly, Jim Broz and Susan Elliot to the Budget Review Committee; John Rasmussen and Jane Rininger to the Environmental Committee; Kathy Luckett to the Property Maintenance Board; Robert Coughlin to the Tax, Water and Sewer Appeals Board; and, Harvey Pierce to the ADA Compliance Committee.

It was moved by Mr. Duncan and seconded by Mrs. Hilton 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.

VISITORS

New Public Safety Officer - Mayor Duncan recognized new Public Safety Officer Jason Tipton and his family and friends. Mayor Duncan administered the Oath of Office. Chief Bebris welcomed him and indicated he enjoys bringing in new people to the team and Oakwood attracts many fine candidates. Mayor Duncan welcomed him to the Oakwood family.

2013 Holiday Decorating Contest Winners - Mayor Duncan introduced Kimberly Robinson of the Environmental Committee to present certificates to this year's holiday decorating contest winners. Mrs. Robinson indicated that awards were being presented based upon use of natural materials, lighting and curb appeal. Although several were not in attendance, Mrs. Robinson recognized the following winners:

DAYTIME WINNERS

Area 1 – Chris Croom and Susan McChesney, 331 Schenck Avenue
Area 2 – Linda and Bart Weprin, 600 Garden Road
Area 3 – Kyle and Phyllis Ramey, 160 Spirea Drive
Area 5 – The Mayhew Family, 2222 Coolidge Drive
Area 6 – The Hemmelgarn Family, 1111 Oakwood Avenue
Business – First Financial Bank, 2331 Far Hills Avenue

NIGHTTIME WINNERS

Area 1– Chuck and Alice Roedersheimer, 349 East Schantz Avenue
Area 2 – The Wuebker Family, 100 Patterson Road
Area 3 – Daniel and Melissa Wright and children Joe, Grace and Jacob, 307 Telford Avenue
Area 4 – Janet Gerace, 412 East Peach Orchard Avenue
Area 5 – Kristin and Lee Carpenter and Family, 2200 Deep Hollow Road
Area 6 – Tom and Mary Olsen, 524 Walnut Springs Drive
Business – Starbucks, 2424 Far Hills Avenue

Oakwood Historical Society – Harrison Gowdy shared that the Oakwood Historical Society is celebrating its 40 year anniversary and showed a handheld picture of their new branding and logo. Mrs. Gowdy encouraged everyone to view the Historical Society's website at www.oakwoodhistory.org to see a schedule of events. The Oakwood Historical Society is working with Wright Library to present a Far Hills speaker series starting in February. There will also be fundraising events including wine tasting in May and a holiday at the homestead in December.

LEGISLATION

ORDINANCE

BY MR. STEPHENS NO 4783

AN ORDINANCE TO REPEAL EXISTING SECTION 505.121, "DANGEROUS AND VICIOUS DOGS," AND ENACT NEW SECTION 505.121, "NUISANCE, 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 reported that Council adopted Ordinance No. 4733 in July 2011, which created a local version of the state's vicious dog law. It allows the Safety Department to designate dogs as dangerous or vicious when they have exhibited certain aggressive behaviors, and requires the owners of dangerous or vicious dogs to carry liability insurance and take extra steps to securely confine their dogs. The owner of a dog labeled as "dangerous" or "vicious" could appeal that designation by requesting an administrative hearing with the Public Safety Director.

The General Assembly made changes to the state law in 2012. They added a third category of "nuisance dog" to address a wider range of aggressive behaviors, and they required owner appeals to be filed in court rather than being handled administratively. As a result, our local ordinance became inconsistent with the state statute.

The city of Lima was recently involved in litigation concerning their vicious dog ordinance, which also differed from the state statute. In a decision issued on December 23, 2013, the 3rd District Court of Appeals decided that municipal home rule does not apply in these situations, and municipal vicious dog ordinances need to be consistent with the state law.

This ordinance would repeal our existing vicious dog ordinance and adopt the state law provisions for the city. The ordinance will be placed on the agenda for a second reading at the February 3 meeting of Council.

STAFF REPORT – NONE

CITY MANAGER'S REPORT– Mr. Klopsch recognized the Public Works Department for going out early in the brutally cold morning to begin trash pickup around the city without any complaints. They deserve to be commended for stepping up and getting the job done.

Mr. Klopsch shared that the 2014 community calendar is available on the city website, as opposed to being printed and delivered to each household, which is one of the city's many cost saving measures. Carol Collins and her staff prepare the calendar including photos from the annual photography contest and do a fantastic job with it. There are two different versions on the city website, one with photos and one without photos, that can be downloaded as a reference for important events, major meetings and some national holiday information.

Mayor Duncan added that the photography is unbelievable and one of the hardest things he had to do last year was pick the Mayor's Award. There were a lot of other great pictures from the annual photography contest that were not included in the calendar.

COUNCIL COMMENTS

Mrs. Hilton thanked Bud Welch, Carol Collins and everyone involved for putting the Christmas trees up at Hawthorn Hill.

Mr. Stephens thanked Kim Robinson for all of her hard work on the Environmental Committee and the citizens of Oakwood for his re-election. He shared that he enjoys working on city council and that his door is always open. He added that he loves the city of Oakwood and looks forward to his next four years.

Vice Mayor Byington offered his condolences to the Kendall Family on Bill's passing. Bill Kendall was a resident of the city of Oakwood and a longtime member and Chair of the Planning Commission. Vice Mayor Byington served under Mr. Kendall on the Planning Commission and added that you couldn't ask for a better person to teach the ropes.

Vice Mayor Byington shared that on January 20 the city of Oakwood will be working in with the cities of Kettering and Moraine to sponsor a luncheon honoring Dr. Martin Luther King, Jr. at the National Composite Center in Kettering. Tickets can be purchased for $5 at the Kettering-Moraine-Oakwood Chamber of Commerce.

Vice Mayor Byington congratulated Mr. Stephens and Mrs. Hilton on their re-election and reiterated that all members of council always have their door open. City Council works well together as a group because they are all very concerned about what citizens have to say and are always interested in hearing different viewpoints. He invited people who have any type of concerns to come to any member of council or to the city manager so it can be addressed.

Vice Mayor Byington congratulated Nan Whaley, Joey Williams and Jeffrey Mims who were sworn in as Dayton Mayor and Commissioners and wished them the best of luck.

Vice Mayor Byington shared that there was an incident this past Thursday where an alert citizen of Oakwood contacted the Public Safety Department after noticing a suspicious person going from car to car. The Public Safety Department responded within minutes and was able to track the suspect and take the person into custody. The suspect was apprehended after 11 different reports were filed with theft totaling more than $5,000 in property reported. Vice Mayor Byington added that it is important that citizens not get complacent because of the great community we live in. Even though Oakwood has the finest public safety staff doesn't mean there aren't people out there looking to do bad things to Oakwood citizens and he encouraged everyone to stay safe.

Mayor Duncan shared that he witnessed the swearing-in of Judge Quinn with Mr. Stephens and Mrs. Hilton. The ceremony was very well attended by friends and family around the community. Judge Deddens was recently honored for serving our community and Mayor Duncan read a nice thank you card sent to him from Judge Deddens.

Mayor Duncan shared that he attended Mayor Nan Whaley's Oath of Office. She gave a very good speech pointing out that for Dayton to be a great city again, it needs to have a great education system. When 48% of the children in the Dayton Public School systems may not be promoted from 3rd grade to 4th grade because they cannot read at a 3rd grade proficiency level, this is a problem that our community has to solve. Senator Lehner is passionate about this as well and recognizes that we need to do more to help our children be proficient in reading. Mayor Duncan shared that he was surprised to learn that there are a handful of 3rd graders in the Oakwood school district that are currently not reading at a 3rd grade level. He encourages the Dayton Commissioners and looks forward to the city helping to solve the problem because it affects everyone in the entire region.

The public meeting concluded at 8:05 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL