

CITY OF OAKWOOD
STATE OF OHIO
NOVEMBER 6, 2006

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, Mrs. Judy Cook, presided, and the Clerk of Council, Ms. Cathy Blum, recorded. Mayor Cook 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:

MRS. JUDY COOK.....PRESENT
MR. CARLO C. MCGINNIS.....PRESENT
MR. WILLIAM D. DUNCAN.....ABSENT
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
Chief Alex Bebris, Public Safety Director
Mr. Kevin Weaver, Public Works & Engineering Director

The press this evening was represented by the editor of the *Oakwood Register*, Mr. Lance Winkler and Ms. Helen Bebbington, *Dayton Daily News*.

The following visitors registered:

Bill Zois, 304 Monterey Avenue	Kathy Borneman, 15 W. Hadley Road
Diana & Vance Knowlton	Christa Kanet, 432 Shafor
James & Ellen Farra	Lisa Reeder, 126 W. Hadley
Marlene & Henry Maimon, 1101 Ridgeway	Leo & Paula Krebs, 75 Wiltshire
Hal & Jean Erskine, 210 Greenmount	Chris & Debbie Walker, 2016 Far Hills
Darrell Apt, 401 E. Hadley	Bill Burnett, 2100 Far Hills
Amanda & Polly Korb	Julie & Joe Dannemiller, 512 Acorn
Doug & Lisa Petkie, 20 E. Dixon	Public Safety Officer Scott Cavin
Bill & Pam Combs, 214 Spirea	Public Safety Officer Greg May & Family
Larry & Sylvia Dugan, 220 Spirea	Public Safety Officer Glen Evans & Family
Rick, Connie & Victoria Ordeman, 605 Oakwood	Public Safety Officer Matthew Harrison & Family
Peggi & Mark Stiver, 409 Telford	Members of Safety Officers Crew Three

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

Mr. McGinnis, Council Committee on Minutes, advised council he had read the minutes of the regular and work sessions of council held October 2, 2006, the work session on October 16, 2006 and the work session on November 1, 2006. Mr. McGinnis reported he found the minutes correct and complete. Therefore, it was moved by Mr. McGinnis 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

Proclamations. Mayor Cook read a Proclamation recognizing accomplishments of Miamisburg City Manager John Weithofer who is retiring. She also proclaimed November as National Adoption Month and recognized and commended adoptive parents.

2008 Town Hall Meeting. Mayor Cook invited the community to the Town Hall meeting this Thursday, 7 p.m.; a time to discuss ideas for the 2008 Centennial Celebration. She hoped everyone completed the questionnaire and recognized co-chairs Dick Good and Madeline Iseli.

Mayor Cook recognized three new employees and their families. Chief Bebris introduced Public Safety Officers Greg May, Glen Evans and Matthew Harrison. Mayor Cook administered the Oath of Office to each employee. Chief Bebris welcomed them to the department, has the utmost confidence in them and looks forward to having them as part of the team.

Mayor Cook recognized Officer Cavin. Officer Cavin invited fellow Crew 3 officers to join him. Chief Bebris explained on August 14, Officer Cavin witnessed a vehicle traveling 80-90 mph, feeling from UD officers, almost hitting the cruiser and crashing into a tree. When the car burst into flames, Officer Cavin, at a great personal risk, extinguished the fire and removed the patient who was bleeding profusely. Given the rapid extrication and quick response, the driver survived the crash. Chief Bebris presented a Departmental Distinguished Award to Officer Cavin. He noted that Officer Cavin was nominated for the Dayton 100 Club Award and was one of the runner-ups.

Mayor Cook recognized James Farra, a retired officer who was with the city for 25 years, is celebrating his 80th birthday, and invited he and his wife to the podium. Chief Bebris indicated it isn't often that someone serves a department for 25 years and extended compliments on that honor and achievement. He also presented an article about Mr. Farra when he was an officer in 1977, noting a FOP member had the article enlarged and matted.

Mayor Cook announced the winners of the 2006 Scarecrow Row displays and extended thanks to Leisure Services Director Carol Collins for putting together a great community celebration with the Family Fall Festival. She indicated this year there were 34 entries, 9 more than last year. The third place winner goes to a group of neighbors known as "Monteray Madness" for the "Scare Dance". The second place goes to the Oakwood Environmental Committee for "Have you Hugged Your Tree Today" and she presented the award to member Lisa Reeder. Mayor Cook noted the committee already gives a lot of time and effort to beautifying the community and their scarecrows are very artistic. The first place winner is the St. Paul's Episcopal Church Youth Group for "Frank-n-Stein". She presented the award and certificate to Victoria Ordeman.

Mayor Cook recognized the 2006 beautification award winners. A video depicting the following winning properties was shown: Christa & Jack Kanet - 432 Shafor Boulevard; Mr. and Mrs. Sven Anstadt - 1408 Schantz Avenue; Dan & Leigh Turben - 204 Forrer Boulevard; William W. Burnett - 2100 Far Hills Avenue; Mr. and Mrs. Timothy Cosgrove - 215 Triangle Avenue; Joseph Viereckl & Maria Renner - 334 E. Thruston Boulevard; Christopher & Deborah Walker - 2016 Far Hills Avenue; Ms. Stacy L. Silverstein - 1501 Shafor Boulevard; Mr. and Mrs. Byron R. Stirman - 219 Triangle Avenue; Bruce & Julie Teeters - 646 Runnymede Road; Steve Adler, The Groundskeeper - 36 W. Dixon Avenue; Dr. and Mrs. Jim French - 246 Northview Road; Brian & Julie Dannemiller and Family - 512 Acorn Drive; Mr. and Mrs. Francis L. Berger - 11 Dellwood Avenue; David & Joanne Cronin, Martina, Kate, Micaela and Ellie - 140 E. Dixon Avenue; Sara & David Feldmiller - 238 Greenmount Boulevard; Leo & Paula Krebs - 75 Wiltshire Boulevard; Al & Carol Mayhew - 2317-2319 Shafor Boulevard; Dr. and Mrs. Henry Maimon - 1101 Ridgeway Road; Linda R. Grandfield - 607 Far Hills Avenue; Tim & Dana Murphy - 318 E. Thruston Boulevard; Steve & Heather Kleinhenz - 310 Southview Road; Mr. and Mrs. Harold C. Erskine - 210 Greenmount Boulevard; Kevin Moon & Kathy Borneman - 15 W. Hadley Road; Polly Korb & Amanda Korb - 1121 Oakwood Avenue; Kimberly & Kevin Hutten - 511 Volusia Avenue; Mr. and Mrs. Christopher Schenck - 254 Northview Road; Doug & Lisa Petkie, - 20 E. Dixon Avenue; Larry & Sylvia Dugan - 220 Spirea Drive; Mr. and Mrs. James G. Owens - 308 Lonsdale Avenue; Peggi & Mark Stiver - 409 Telford Avenue; Lindell & Lindsay Pearson - 100 Monterey Avenue; Bill & Athanasia Zois - 304 Monterey Avenue; Mr. and Mrs. Bryan C. Foos - 800 Harman Avenue; Julia & Greg Mayeux - 1324 Woodstock Drive; and Bill & Pam Combs - 214 Spirea Drive.

Mayor Cook indicated she is always impressed with the effort citizens put forth, an inspiration for everyone and understands why Oakwood is a walking community. She commended Carl Suchomel at the MVCC for the film and extended thanks to Dr. Apt, Environmental Committee Chair, and Mr. Bohachek, Property Maintenance Board Chair. Mayor Cook thanked everyone for making the city so beautiful and extended congratulations on their award. There were no other visitors.

AN ORDINANCE AMENDING PART SEVENTEEN – PROPERTY MAINTENANCE CODE OF THE CODIFIED ORDINANCES OF OAKWOOD BY REPEALING CURRENT SECTION 17-800.1 LANDLORD REGISTRATION STATEMENT; EXEMPTION FOR OWNER-OCCUPIED BUILDINGS; SECTION 17-800.3 LANDLORD REGISTRATION CERTIFICATE; SECTION 17-800.4 REGISTRATION FEES; SECTION 17-800.5 LANDLORD REGISTRATION CERTIFICATE NOT TRANSFERABLE; 17-800.6 CHANGE OF OWNERSHIP, CONTROL, OR OCCUPANCY; 17-800.7 APPOINTMENT OF AGENT; AND ADOPTING NEW SECTION 17-800.1 INSPECTION; NEW SECTION 17-800.3 ACCESS TO UNIT; AND NEW SECTION 17-800.4 SUPPLEMENTATION OF INFORMATION FILED WITH COUNTY AUDITOR PURSUANT TO OHIO REVISED CODE § 5323; AND AMENDING PARAGRAPH A OF SECTION 17-106.1 UNLAWFUL ACTS.

Mr. McGinnis indicated this ordinance is first reading, outlines a lot of detail about rental properties and how they must be maintained, that landlords need to register tenants, etc. Mayor Cook explained given interest in the region about rental property and how some are subject to blight, they want common maintenance guidelines. She indicated the city's landlord registration will be eliminated since the state law supersedes and now requires that the county auditor's office be responsible. Mayor Cook explained the city will continue to enforce its own maintenance standards. Mr. Blumensheid questioned Section C that states a complainant must submit a concern in writing so it can be reviewed by the city but wondered if the complainant must identify themselves. Mr. Klopsch indicated they could include language that the complainant identifies themselves. Mr. Blumensheid noted the tenant also has the right to refuse an interior inspection and noted there is a \$50 fee. Mr. Klopsch indicated if an inspection is required to review a complaint and the complaint is not valid, then the \$50 isn't required. The following ordinance was given its first reading.

RESOLUTION

BY MR. BLUMENSHEID

NO 1642

AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE VIA INFORMAL COMPETITIVE PROCEDURES FOR THE PURCHASE OF STEEL-BACKED TIMBER GUARDRAIL FOR USE ON RIDGEWAY ROAD AND FORRER ROAD AND WAIVING FORMAL COMPETITIVE BIDDING.

A copy of the resolution, having been placed on the desks of each member of council prior to introduction, was read by title. Mr. Blumensheid explained this is to replace the guardrail on Ridgeway and Forrer for a more aesthetic appearance. Although this item has been included in the 2007 budget, the city desires to order the materials now and there is only one corporate manufacturer.

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

Mr. Klopsch explained landscape architect Envision-Works, Inc. assisted the city with selecting an appropriate guardrail material based on functionality for safety and aesthetics. Since there is only one manufacturer, if they followed the formal bidding process, they would only receive one bid and would not be able to negotiate for the lowest and best price, thus the informal competitive procedure.

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.....ABSENT
MR. ROGER C. BLUMENSHEID.....YEA
MR. STANLEY CASTLEMAN.....YEA

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

STAFF REPORT

Engineering & Public Works. With the assistance of a PowerPoint presentation, Mr. Weaver reviewed several projects. In regard to distribution of system water meters, 3860 meters and transmitters have been installed (98%) and they were able to read 96% of those meters within the last 72 hours. He indicated they are working with the safety department on notifying the remaining 60 properties so as to finish up the project. In regard to water production, the water purchase was negligible and although water pumped from the wells was down 9% from last year, revenue was only down 1%. He indicated in 2007, they will continue the next phase of the lead and copper testing. Mr. Weaver reviewed the water distribution projects which include Park Road, Forrer Boulevard and Southwood Lane.

In regard to refuse programs, Mr. Weaver indicated the staff change from six to five scooters reduced manpower and they continue to become more efficient. He noted a new packer will be needed next year and leaf season is underway. Mr. Weaver reviewed roadway systems projects and indicated the 2006 curb and walk project is completed except for some final restoration; and the 2006 asphalt pavement project has been completed. He noted the Ridgeway and Forrer guardrail work will begin in mid-January, a good winter project for city crews; and next year they will need to work on the Old River access road. Mr. Weaver indicated they have reviewed snow operations with the crews and are ready for the first snowfall. He also referenced the Oakwood Avenue project which will be undertaken, thanks to Issue 2 funding. He then reviewed sample photos of the proposed guardrail.

Mr. Weaver reviewed the business district pedestrian signal and explained the installation is complete, parking on the west side will be modified, and there are accessibility features for the visually impaired as well as a locator tone and countdown features. He reviewed slides of the crosswalk and pointed out the yellow crosswalk signs above. Mr. Blumensheid wondered if it is obvious there is no traffic in either direction, whether it would be considered jay-walking to cross the street. Mr. McGinnis indicated the Ohio Revised Code states that disobeying a signal is a violation. Mr. Blumensheid noted they should use the crossing button. Mr. Weaver indicated the wait is a maximum of about 90 seconds.

Mr. Weaver reviewed storm sewers and indicated they continue to work on the NPDES permit requirements. Those requirements include: street sweeping; dry weather screening; ordinance for long term maintenance; ordinance for controlling site runoff; education of public and staff; and cleaning of storm sewer structures. In regard to sanitary sewer, the 2006 Dixon-Patterson sewer project is complete and included a \$150,000 grant from the State of Ohio. He also referenced photos of that \$318,000 project. Mr. Weaver asked if there were any questions. Mr. Castleman questioned the water revenue. Mr. Weaver explained they hope to get a better feel after a year of new meters. He then presented a video of utilizing the new business district cross walk.

CITY MANAGER'S REPORTS

2008 Centennial Celebration. Mr. Klopsch urged the community to attend the town hall meeting this week, 7 p.m. on Thursday. He indicated the meeting will be filmed and will be rebroadcast as they work on this upcoming event.

Board of Health Meeting. Mr. Klopsch invited the community to the November 20 Board of Health meeting. He explained the board typically meets every other month in the conference room, but the November meeting will be held in the council chamber and filmed for rebroadcast purposes. He indicated they will review environmental issues on land formerly owned by NCR with input from Dr. Eastman, LJB; environmental consultant Weston hired by Versant; and a representative from the Ohio EPA. The meeting will be led by Dr. Greg Ramey, citizens will be given an opportunity to comment on the 7 ½ acres at the corner, Sugar Camp and the Old River Field. Mayor Cook urged citizens with concerns to attend this meeting that will be held prior to review of the development plan. Mr. Klopsch concurred; environmental concerns should be addressed on November 20.

Planning Commission Meeting. Mr. Klopsch indicated the Planning Commission meeting has been scheduled for December 13 when they will review the application from Oakwood Investment Group and Versant for development of the 36-acre site. At that meeting, Dr. Ramey will present the findings from the aforementioned Board of Health meeting.

December 18 Council Meeting. Mr. Klopsch indicated that the December 18 formal meeting of council, will include a review the 2007 Budget which staff and the Budget Review Committee have been working on. Discussion ensued in regard to council holding the formal meeting the third Monday of the month in December and that the work session date has been changed to December 12 based on the National League of Cities ("NLC") meeting.

COUNCIL COMMENTS

Mr. Castleman commented on all the beautiful homes and properties in Oakwood. He indicated tomorrow is a great day, citizens have the right to vote and he encouraged everyone to do so. He explained Oakwood has a renewal levy on the ballot, haven't raised taxes since 1991, and encouraged citizens to vote in the affirmative.

Mr. Blumensheid noted as council liaison to the MVCC, he has been urged by a fellow member, to apply for a position at NLC for the telecommunications and information technology committee. He indicated he has applied but doesn't yet know the outcome. Mayor Cook noted he would be an excellent member.

Mayor Cook indicated Veteran's Day is celebrated this Friday and she urged everyone to be mindful of that celebration, especially during these times. She noted the military is a large part of this region and some citizens have been deployed during this dangerous time. Mayor Cook extended thanks to the Wills for operating the cable equipment.

Council adjourned. The public meeting concluded at 9:14 p.m.

ATTEST:

MAYOR

CLERK OF COUNCIL