

Concrete repairs will be made over the next few weeks on Raleigh Road, Woodstock Drive and Devereux Drive.

Mr. Klopsch recognized Leisure Services Director Carol Collins for her many years of service and commitment to the city of Oakwood. On April 12, she became the longest-serving city employee in the history of Oakwood. Ms. Collins started working for the city of Oakwood on August 19, 1974. On August 19, 2024, she will have served the city for 50 years.

Mayor Duncan commented on his and Vice Mayor Byington's meeting with the Smith fourth graders who recently toured City Hall and Public Safety.

#### COUNCIL COMMENTS

Mrs. Jackson emphasized how important intergenerational relationships are in Oakwood.

Mrs. Turben highlighted the blooming trees and flowers in Oakwood. She recognized that Oakwood has been designated a Tree City USA for 42 consecutive years.

Mr. Stephens thanked Mrs. Stafford and her staff for their hard work. He encouraged everyone to attend the "That Day in May" event on Saturday, May 18.

Vice Mayor Byington jokingly asked Ms. Collins why Oakwood had not been designated a Tree City USA for 50 years.

Ms. Collins shared that Tree City USA was not around at that time. Oakwood was the second city awarded with this designation in southwest Ohio, one year behind Cincinnati.

Vice Mayor Byington announced that Mr. Klopsch will be the Grand Marshal in this year's That Day in May parade. He closed his comments by congratulating the Oakwood Academic Decathlon Team for winning their 12<sup>th</sup> straight Division III National Championship title.

The public meeting concluded at 9:02 p.m.

ATTEST:



CLERK OF COUNCIL



MAYOR

CITY OF OAKWOOD  
STATE OF OHIO  
JUNE 3, 2024

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 6:30 p.m. in the conference room of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio, 45419. Council then met in a regular session at 7:30 p.m. in the council chambers of the city of Oakwood.

The meeting was streamed live from the Oakwood city website, telecast live on Cable Access Channel 6, and available via remote teleconferencing utilizing the Zoom.com platform.

The Mayor, Mr. William Duncan, presided, and the Clerk, Ms. Lori Stacel, recorded. Mayor Duncan asked 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. ROBERT P. STEPHENS.....	PRESENT
MRS. LEIGH TURBEN.....	PRESENT
MRS. HEALY JACKSON.....	PRESENT

Officers of the City present were the following:

Mr. Norbert S. Klopsch, City Manager  
Mr. Robert F. Jacques, City Attorney  
Ms. Carol Collins, Leisure Services Director  
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:  
David Suich, 291 W. Thruston Boulevard

There were no Zoom visitors in attendance.

Mrs. Jackson advised Council she had read the meeting minutes of the May 6, 2024 regular session, work session and executive session, the May 13, 2024 executive session, and the May 29, 2024 executive session. Mrs. Jackson reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Jackson and seconded by Mrs. Turben 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 – NONE

VISITORS – NONE

LEGISLATION

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 5003  
AN ORDINANCE PROHIBITING ADULT USE CANNABIS  
OPERATORS, AS DEFINED BY SECTION 3780.01 OF THE OHIO  
REVISED CODE, FROM OPERATING WITHIN THE CITY OF  
OAKWOOD, OHIO; AND DECLARING AN EMERGENCY.

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

Vice Mayor Byington explained that at the November 7, 2023 election, Ohio voters passed State Issue 2, which effectively legalizes recreational marijuana. The new law took effect on December 7<sup>th</sup> and Council expects the state will begin issuing business licenses in mid- to late-summer.

In January, Council adopted a temporary moratorium on the issuance or processing of any permits relating to commercial cannabis operations, to allow time for the state's new Division of Cannabis Control to roll out standards, rules, and regulations for these businesses. Council was also hopeful that the state legislature might act to modify or amend some provisions of this voter-initiated law, possibly in ways that could be beneficial to our community. To date, this has not happened, and Council is not optimistic that it will.



Public Hearing. Mayor Duncan introduced the public hearing for Application 24-1. He explained the public hearing process and shared that Mr. Jacques will present a staff report on the clarifications to the proposed ordinance, which add a provision to allow for special approval of larger flags. He further explained that this is a quasi-judicial hearing, so Mr. Jacques will be administering an oath to those in the audience wishing to testify.

Mr. Jacques administered an oath to Mr. Suich.

Mr. Jacques shared that his report will focus on the flag exemption since that is the only update from his report last month. Government flags are currently not regulated in the Oakwood Zoning Code. As currently written, the exemption could be interpreted as a content-based regulation with potential constitutional ramifications. The proposed amendment avoids classifying the exempt flags as “governmental” flags because that is a content-based restriction. The code amendment is content neutral. It only addresses time, place, manner, size and the physical characteristics of the flag, without getting into the content of the flag.

The amendment presented in May allowed up to two flags totaling 60 square feet of signage without being subject to regulation. If not mounted on a flagpole, no one flag could exceed 30 square feet, nor more than 6 feet on its longest dimension. The updated amendment still retains those dimensions, but a provision was added to allow a flag larger than 60 square feet, on a flagpole, with special use approval from the Oakwood Planning Commission. The special use request would be subject to the special use decision standards, which generally ensure neighborhood compatibility. The Planning Commission would deliberate on how the larger flag will fit in the proposed neighborhood and determine if the request would qualify for special use approval.

Mayor Duncan opened the public hearing.

David Suich, 291 W. Thruston Boulevard, said that he is grateful that City Council is considering the allowance of larger flags through an approved special use permit. He understands the need for the amendment in terms of being neutral with content and freedom of speech, but he is puzzled as to why the American flag should be regulated at all. There is a lot of understandable pride in the United States of America and the American flag. He shared that he has a prominent flagpole in his front yard that is approximately 35 feet tall. He asked Council to give special consideration to exemptions for American flags.

Mayor Duncan closed the public hearing.

Mr. Stephens understands that an exemption cannot be made specifically for the American flag. He then asked if the Planning Commission would consider content when evaluating and rendering a decision on a special use request.

Mr. Jacques explained that the Planning Commission would only consider measurements, not content. He added that he is patriotic as well, but if an exemption is made for the American flag an exemption would also need to be given to other flags, such as those that have political significance. Either they all are permitted or they all are prohibited. There is no constitutional basis to regulate based on content.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben that the text amendment to the Zoning Code that would update the sign regulations to clarify the regulatory exemption for certain flags and specify a method for calculating sign face area of temporary signs installed as lawn signs be approved.

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. ROBERT P. STEPHENS ..... YEA  
 MRS. LEIGH TURBEN ..... YEA  
 MRS. HEALY JACKSON..... YEA

There being five (5) yea votes and no (0) nay votes thereon, said ordinance will be edited and presented to Council.

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 5004  
AN ORDINANCE TO AMEND SECTION I, 2024 ORIGINAL  
APPROPRIATION ORDINANCE NO. 4985, AND ANY EXISTING  
SUPPLEMENTS THERETO, TO PROVIDE FOR THE  
APPROPRIATION OF:

- 1. AN ADDITIONAL AMOUNT OF \$450,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR ADDITIONAL COSTS FOR CONCRETE ROAD REPAIRS ON RALEIGH, WOODSTOCK, DEVEREUX AND ASHRIDGE; AND
- 2. AN AMOUNT OF \$450,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND;

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.

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

Vice Mayor Byington explained that this is the first reading of a supplemental appropriation ordinance that will allow the city to perform additional concrete street work in two areas.

First, competitively bid prices for concrete street repair were received through the 2024 Sidewalk, Curb and Driveway Apron project. Work is underway and is progressing well, which provides an opportunity to schedule additional repairs under 2024 pricing that would otherwise be planned for 2025. Supplemental funding would allow for repairs to be made to the entire lengths of Raleigh Road, Woodstock Drive and Ashridge Road, and to the northern half of Devereux Drive in one project year, rather than portions of those roadways in multiple years, minimizing neighborhood disruption.

The second area is along Devereux Drive, where the 2023 Far Hills Storm Sewer Reconstruction Project has been ongoing. Current plans call for the use of asphalt to restore pavement in the project area, which is the southern half of Devereux Drive, but the City Manager has recommended completing it with concrete. This is a deviation from the project plans, but would retain Devereux's existing material and character, consistent with other streets in the immediately surrounding neighborhood.

This supplemental appropriation will authorize an additional amount of \$450,000 to be expended from the Capital Improvement Fund, and the transfer of \$450,000 from the city's General Fund to the Capital Improvement Fund, which will be utilized to fund this additional project.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the second reading be waived and that the ordinance be passed tonight.

Mayor Duncan noted that four yes votes are required to waive the second reading of the ordinance.

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. ROBERT P. STEPHENS ..... YEA  
 MRS. LEIGH TURBEN ..... YEA  
 MRS. HEALY JACKSON..... YEA

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

STAFF REPORT

Leisure Services Report: Ms. Carol Collins, Leisure Services Director, delivered the following report:

Gardner Pool opened over Memorial Day weekend. There have been 500 family pool memberships, 62 single memberships and 117 senior memberships purchased so far this season. The Oakwood Community Center (OCC) has three "Summer Fun at the Pool" family nights planned on the following Sunday dates: June 23, July 21 and August 11. The pool will close at 9 p.m. on all three nights, one hour later than normal.

The Oakwood Dolphins continue to dominate their league with over 181 swimmers. The registration deadline for the OCC and “Swimtopia” is Sunday, June 2.

Gardner Pool staff offers swim lessons that are certified by the American Red Cross. The lessons are available for kids of all ages, from toddlers with parents to advanced Level V and VI.

Gardner Pool offers two different types of water workouts. A “Deep Water Workout” is offered on Monday, Wednesday and Friday mornings, and “Water Aerobics” is available on Tuesday and Thursday evenings.

A new pool liner was installed in the entirety of the large pool and baby pool this spring. The cost was approximately \$107,000.

The Oakwood Community Center will be offering the following summer camps and activities: Bicycle Safety Class, Irish Dance Camp, Camp Shafor, Kiddie Kamp, Skyhawks Sports Camps, Girls Field Hockey Camp, Camp Hodge Podge, Kidz Home Alone, Better Babysitters, Super Kids Study Skills, Kids Trivia, Friday Fun Night, Brixilated Builders Academy Camps and Youth Theatre Camp. The following adult classes will also be offered: Tennis, Over 50 Fitness, Tai Chi, Upper Body Conditioning, P1Yo, Core Strength and Stretch, Dancercize and Indoor Spinning.

The city of Oakwood took possession of the Hollinger Memorial Tennis Club in late 2016. The Oakwood Community Center is responsible for collecting all monetary donations and membership revenue for the club. To date, there have been 33 memberships renewed this year, including two new summer memberships.

For the 42<sup>nd</sup> consecutive year, Ohio was recognized as the nation’s leader in Tree City USA communities, with 237 participating cities, villages and townships. In 2023, Ohioans planted more than 24,000 trees, pruned more than 77,000 trees, volunteered more than 42,000 hours in urban forestry programs, and invested a combined total of \$40 million toward urban forestry efforts. Oakwood has been recognized for 42 years as a Tree City USA city.

In 43 consecutive years, a total of 3,323 trees have been planted through the Johnny Appleseed Street Tree Planting Project at a total cost of \$482,416. The program is offered each year and includes a 50% discount to homeowners for trees that are planted in the city rights-of-way.

This year’s annual “Arbor Day Celebration” included a “Treasure Hunt” to find different species of trees in Oakwood for kids from both Smith School and Harman School.

The OCC, in conjunction with Wright Memorial Public Library, is presenting another fun season of “Pre-School Story Hour at Shafor Park”. The events offer a magical morning in the Gardens as the Children’s Librarian reads enchanting stories at 10:30 a.m. on the following Friday dates: June 28, July 26 and August 30.

The 2024 Friends of Smith Gardens Perennial Sale raised approximately \$7,666. During the sale, around 25 children participated in the Garden Workshop for Kids.

Ms. Collins recognized the Oakwood Beautification Committee for doing a beautiful job with the Far Hills boulevard planting between Aberdeen Avenue and Telford Avenue.

The 2024 Smith Gardens Blanket Concerts began last Sunday with Madcap Puppets – “Annie Oakley’s Wild West Show.” The remaining concerts are scheduled for Sunday, July 14 at 7 p.m. – Honey & Houston and Sunday, August 18 at 7 p.m. – Puzzle of Light. Hundreds of people enjoy these free concerts every summer by bringing their families, blankets and chairs to relax in the beauty of Smith Gardens. In case of rain, the concerts will be held at the OCC.

The Oakwood Beautification Committee is now in charge of the property beautification awards program. Awards are presented to single-family residences, a business property and/or to an apartment/condominium property each month during May, June, July and August. Up to two awards are presented in each of the eight property maintenance districts. The winners for May 2024 have already been chosen and notified. There are 15 residence winners and 1 business winner.

Mrs. Jackson asked how many trees the City maintains in Oakwood.

Ms. Collins said that there are over 8,000 known or recorded trees that are maintained by the city.

Mrs. Turben suggested a “Treasure Hunt” for adults.

Ms. Collins said that they would certainly consider it.

Council thanked Mrs. Collins for her presentation.

CITY MANAGER'S COMMENTS: Mr. Klopsch reported on the following:

There are several different ways that trees are added to public rights-of-way in Oakwood, one of which is trees that are dedicated by a person, family, or group of people in honor of someone. Last Friday, there was a ceremony at the center median of Far Hills Avenue near Wiltshire Boulevard for Dorothy (Dottie) Pultz. There is a beautiful plaque at the base of the tree in remembrance of her. There is a list of commemorative plaques on the city's website.

The Leisure Services Department, under the leadership of Ms. Collins, accomplishes a lot with a very small staff. They do a remarkable job maintaining the parks and recreation infrastructure throughout the city.

The Citizen Police Academy continues to be a successful program. A press release was distributed this week with information about the 2024 program.

Mr. Klopsch thanked Council for approving the additional funds for the concrete work on Raleigh Road, Woodstock Drive and Ashridge Road, and on the northern half of Devereux Drive. Work is underway on Raleigh Road and will then move to Woodstock Drive, Ashridge Road and Devereux Drive.

Concrete repair work will begin soon in the Far Hills business district. The city is cognizant that the work will be disruptive to the businesses.

The Far Hills Storm Sewer project is complete and now the focus is on site restoration. The circular island at Forrer Boulevard and Far Hills Avenue is in the process of being rebuilt.

Far Hills Avenue will soon be resurfaced. Work is tentatively scheduled for the middle of June and will take about three weeks.

COUNCIL COMMENTS

Mrs. Jackson congratulated the Oakwood High School graduating class of 2024. She asked for the cooperation of parents in ensuring that their children are using electric scooters safely.

Mrs. Turben congratulated the Oakwood Rotary Club for another successful "That Day in May."

Mayor Duncan shared that Thursday, June 6 is the 80<sup>th</sup> anniversary of D-Day, the invasion of Normandy. He read orders delivered by General Dwight D. Eisenhower.

The public meeting concluded at 8:20 p.m.

ATTEST:



CLERK OF COUNCIL



MAYOR

