

CITY OF OAKWOOD  
STATE OF OHIO  
DECEMBER 11, 2017

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, 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 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. ROBERT P. STEPHENS.....PRESENT  
MRS. ANNE S. HILTON.....PRESENT  
MR. CHRISTOPHER B. EPLEY .....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  
Ms. Carol Collins, Leisure Services Director  
Mrs. Cindy Stafford, Finance Director  
Mr. Alan Hill, Public Safety Director  
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Sally McBride-Solarek, 19 W. Monteray Road, Oakwood, OH 45419  
Tommy Routsong, 494 Lookout Ridge, Oakwood, OH 45409  
Tom & Carolyn Wittman, 3390 Sunny Crest Lane, Dayton, OH 45419  
Jim Vaughn, 1711 Southwood Lane, Oakwood, OH 45419  
Bill Frapwell, 400 Hathaway Road, Oakwood, OH 45419  
Dave Dickerson, 216 Lookout Drive, Oakwood, OH  
Lizzie Schumacher, 20 Spirea Drive, Oakwood, OH 45419  
Allie Jefferis, 648 Wood Road, Oakwood, OH 45419  
Lauren Steen, 26 Hadley Avenue, Oakwood, OH 45419  
Mary Kidwell, 1000 Hathaway Road, Oakwood, OH 45419  
Kristen Ruscitelli, 238 Hadley Avenue, Oakwood, OH 45419  
Samantha Auditore, 1222 Hathaway Road, Oakwood, OH 45419  
Frank Baughman  
April Wilson  
Lydia Beyer, 800 Oakwood Avenue, Oakwood, OH 45419  
Allison Kordik, 52 Corona Avenue, Oakwood, OH 45419  
Grace Hutton, 307 Telford Avenue, Oakwood, OH 45419  
Sarena Kelley, 420 Kramer Road, Oakwood, OH 45419  
Ali Davis, 1100 Ridgeway Road, Oakwood, OH 45419  
Evie Davis, 1100 Ridgeway Road, Oakwood, OH 45419  
Harry Delaney, 1830 Southwood Lane E., Oakwood, OH 45419  
PSO Mike Tanner and Family  
PSO Joshua Wells and Family  
Various Members of Oakwood Safety Department  
Members and parents of Girl Scout Troop 30149  
Mayumi Hall, 1800 Southwood Lane W., Oakwood, OH 45419  
Stefanie Campbell, 271 Schenck Avenue, Oakwood, OH 45409  
Brian Barr, *Oakwood Register*

Mrs. Hilton advised Council she had read the meeting minutes of the November 6, 2017 regular session, work session and executive 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

Chief Promotion – Mayor Duncan and Mr. Klopsch introduced new Public Safety Director Alan Hill.

Mr. Klopsch shared that Chief Hill began his career in the Oakwood Public Safety Department in July 2007 when he was hired as a Public Safety Officer. In that capacity, he provided police, fire and emergency medical services to the Oakwood community. Prior to joining Oakwood, Chief Hill served as a Deputy Sheriff with the Montgomery County Sheriff's Office working in all aspects of law enforcement. Over the years, he also served as a full-time law enforcement instructor at the Regional Training Center for the Montgomery County Sheriff's Office, as a community education officer in Washington Township, as a school resource officer in the Dayton School District, as a member of the Montgomery County Task Force, as an officer in the Drug Enforcement Agency Task Force, and was an active member of Regional SWAT teams for 11 years. In Oakwood, Chief Hill was promoted to the rank of Captain in 2011. Since that time, he served as Operations Captain and Administrative Captain. He oversaw or had significant involvement with major department projects. In 2014, Chief Hill became the first member of the Oakwood Public Safety Department to complete the Certified Law Enforcement Executive Program. In May 2014, Chief Hill was elevated to second in command and assisted Chief Bebris in overseeing the day-to-day operations of the department. Effective November 11, 2017, Chief Hill is now serving as Director of Public Safety, carrying the joint titles of Police Chief and Fire Chief. Chief Hill was raised in the city of Kettering and graduated from Fairmont High School. He earned an Associate of Applied Science degree in Law Enforcement from Sinclair Community College, and a Bachelor's of Science degree in Criminal Justice Administration from Columbia Southern University. He is state certified in providing police, fire and emergency medical technician services. Chief Hill and his wife Lisa have been married for 16 years, and have a 7 year old daughter named Kaylee.

Mayor Duncan then administered the Oath of Office. Chief Hill's wife pinned the chief badge onto his uniform.

Lieutenant Promotion – Mayor Duncan welcomed PSO Mike Tanner and his family. Chief Hill reported that seven very qualified Oakwood public safety officer candidates were considered for the lieutenant position. The process was not easy and the candidates were evaluated by the FERRELL Group. Chief Hill reviewed the highlights of Lt. Tanner's career and shared that he was pleased to promote Lt. Tanner. Mayor Duncan then administered the Oath of Office. Lieutenant Tanner's father pinned the lieutenant bars onto his uniform.

PSO Swear-In – Mayor Duncan recognized new Public Safety Officer Joshua Wells and his family. Chief Hill welcomed PSO Wells and shared that he comes to the department already fully trained as a paramedic, fire fighter and police officer, which is very rare. Mayor Duncan then administered the Oath of Office.

Recognition of Detective Jeff Yount, Jr. – Chief Hill shared that Detective Jeff Yount, Jr. received the 2017 "TCSU Investigation Award" at the end of year TCSU agents meeting for his involvement in a long-term investigation into a marijuana grow operation. When the opportunity presented itself, Detective Yount balanced his time between taking care of Oakwood needs and assisting TCSU agents on this case. Chief Hill presented Detective Yount with a letter of appreciation.

Speed Enforcement and Stop Signs – Public Safety Director Alan Hill addressed concerns that were raised at the October 2 City Council meeting regarding vehicle speeds and pedestrian safety. He reported that Safety Department began conducting a series of site enforcements and traffic analysis evaluations at two locations within the city. Captain Mike Jones contacted three of the Oakwood citizens who spoke before Council in an effort to obtain additional information to assist the Public Safety Department.

Chief Hill referenced a PowerPoint presentation and reviewed the following:

He reported that the Radar Speed Sign was placed on Hathaway Road at Dellwood Avenue monitoring the northbound lane of travel and captured data for six days. The results show that during the six days of monitoring, the speed sign recorded a total of 2616 vehicles of which approximately 54% of the vehicles were traveling at or below the posted 25 miles per hour (mph) speed limit. Approximately 7.5% of the vehicles recorded were traveling in excess of 30 mph. Approximately 92.5% of the vehicles recorded during the monitoring period were traveling at or below 30 mph. When evaluating each individual day, the highest daily average speed for a particular day was 22.7 mph. When combining the average speed for all days, the daily average speeds were a little more than 2 mph below the posted speed limit. The daily average 50<sup>th</sup> percentile speed was 25 mph and the daily average 85<sup>th</sup> percentile speed was 29 mph. Initial analysis of the data collected shows that the speed traffic pattern in the area of Hathaway Road



and Dellwood Avenue is within an acceptable range with approximately 92.5% of the vehicles traveling at or below 30 mph. Although there are opportunities for improvement and a visual presence will be maintained in the area, nothing of significance was noted.

The daily average speed on Kramer Road near Southview Road was monitored over a five day period. He explained that one of the resident's primary concerns is the speed in which vehicles are traveling along Kramer Road, particularly between the area of West Schantz Avenue and the Dayton Country Club. The Safety Department began conducting site enforcements on Kramer Road by assigning a marked patrol vehicle to sit in the area and monitor traffic for enforcement. During the period of October 21 through November 20, a total of 33 site enforcements were conducted. The highest vehicle speed recorded was 33 mph in a posted 25 mph zone, which occurred on two separate occasions. On the vast majority of the days recorded, speeds were between 26-30 mph. There were no traffic citations issued during any enforcement period. The Radar Speed Sign was placed on Kramer Road at Southview Road monitoring vehicles traveling south from West Schantz Avenue towards the Dayton Country Club. The results show that during the five days of monitoring, the speed sign recorded a total of 1098 vehicles of which approximately 41% of the vehicles were traveling at or below the posted 25 mph speed limit. Approximately 11.5% of the vehicles recorded were traveling in excess of 30 mph. Approximately 88.5% of the vehicles recorded during the monitoring period were traveling at or below 30 mph. When evaluating each individual day, the highest daily average speed for a particular day was 20 mph. When combining the average speed for all days, daily average speeds were a little more than 5 mph below the posted speed limit. The daily average 50<sup>th</sup> percentile speed was 23 mph and the daily average 85<sup>th</sup> percentile speed was 29 mph. Initial analysis of the data collected shows that the speed traffic pattern in the area of Kramer Road and Southview Road does not show any major cause for concern. However, the data did reveal over the five day monitoring period 26 vehicles (a little more than 2%) did pass by the speed sign traveling at or above 35 mph. As a result, the Public Safety Department will continue to maintain a visual presence in this area. Another analysis will be conducted in March/April 2018 and again in June when the Dayton Country Club is in full season.

Another concern raised is the pedestrian traffic in and around Smith Elementary. A resident expressed pedestrian safety concerns on Aberdeen Avenue while walking her children to school, and felt the area is unsafe and dangerous for pedestrians. Captain Jones spoke with the resident and identified that the path of travel was from Greenmount Boulevard to Smith Elementary. Captain Jones then recommended an alternative route that is consistent with the Smith Elementary Suggested School Route Map. The resident indicated that she was not familiar with the suggested route maps and would change the path of travel. After several days, Captain Jones followed up with the resident who reported no safety concerns with the new route.

The Safety Department is working with the Public Works Department to update the suggested school route maps for both Smith and Harman Elementary. Once completed, Chief Hill will coordinate with School Administrators to develop a distribution plan for the 2018/19 school year.

In closing, Chief Hill stated that the Public Safety Department will continue to monitor traffic in the areas of reported concern and will allocate resources as necessary.

Mayor Duncan thanked the Public Safety Department for all of their on-going speed enforcement efforts.

#### VISITORS

Janice Duke, 417 Winding Way, Kettering, shared that the Ridgeway Road Bridge was built in 1965. A 1963 Kettering Ordinance spoke of Oakwood's participation. The bridge was built for a number of different reasons. One of the reasons was that Oakwood felt that retaining the bridge would provide for safe and efficient movement of traffic from Oakwood onto Dorothy Lane. Another reason stated was that this would provide an alternate route for the thoroughfares traveling north and south through Oakwood. The city of Kettering recently surveyed Oakwood and Kettering residents around the bridge and the citizens who responded to the survey expressed overwhelming support for the bridge. The Ridgeway Bridge will need to be replaced in about five years. The city of Kettering decided to apply for a grant with the Ohio Department of Transportation (ODOT) Municipal Bridge Program. She asked that the city of Oakwood participate in the grant process with Kettering to help get funding for the bridge.

Harry Delaney, 1830 Southwood Lane, expressed concern about the Ridgeway Bridge and the announcement by the city of Kettering that the bridge may be altered. Altering the bridge to make it a pedestrian bridge or eliminating the bridge altogether would change traffic patterns in Oakwood.

Ridgeway Road is a strong second alternate route for Far Hills and if the bridge is no longer there, the traffic would find other routes on the side streets to Far Hills Avenue. He is a member of St. Albert the Great Catholic Church in Kettering and the bridge is convenient to people



attending the various masses. He asked City Council to continue to be vigilant and assure residents that the city of Kettering honors the contract they committed to in 1963. Also, where possible, to support the city of Kettering with grant funding if a new bridge is required.

Tommy Routsong, 494 Lookout Ridge/6 Oakwood Avenue, shared that he is in favor of the city of Oakwood’s support to the city of Kettering, and with the restructure of the Ridgeway Bridge. Mr. Routsong asked that the 1963 city of Kettering Ordinance be placed in the record. This discusses the agreement between the city of Kettering and the city of Oakwood regarding the maintenance and access across Ridgeway Bridge. He shared that there are a lot of funerals at St. Albert the Great. For safety purposes, he has been directed that they are not allowed to turn left out of the church through the intersection, so their alternate path takes them across the Ridgeway Bridge. He asked for City Council’s support with the Ridgeway Bridge. He ended his comments by thanking Jay Weiskircher for his dedication to the city and for his years of service. He wished him all the best in his retirement.

Mayor Duncan thanked the city of Kettering for surveying all of the residents, including Oakwood residents. The survey results were presented to Council, and the video of the Ridgeway Road Bridge presentation made at the November Kettering City Council meeting was also sent to Oakwood City Council. Oakwood supports the efforts even though the Ridgeway Bridge is located in the city of Kettering.

Members of Girl Scout Troop 30149 addressed Council. The girls initially addressed City Council in March 2017 to propose placing a Veterans memorial at Orchardly Park using their cookie money and other donations. Since March, the Girl Scout Troop has been collecting money and has raised \$1,500. They need an additional \$1,500 to meet their goal for the memorial and asked for further support. The memorial plaque will be placed in a rock located near the shelter at Orchardly Park with an inscription of, “Thank you to all Veterans who served our Country”. Mayor Duncan shared that it is a great project. He asked that the Girl Scout Troop send information to city staff on where donations can be sent.

LEGISLATION

AN ORDINANCE  
BY MR. STEPHENS NO. 4846  
TO APPROVE CURRENT REPLACEMENT PAGES TO THE  
OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

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

Mr. Stephens explained that this is the second reading of Oakwood’s annual house-keeping ordinance to align local traffic and criminal ordinances with changes that have been made at the state level. This ordinance will adopt the 2017 replacement pages for the Traffic Code and the General Offenses Code.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance 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. ROBERT P. STEPHENS.....YEA  
MRS. ANNE HILTON.....YEA  
MR. CHRISTOPHER EPLEY.....YEA

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



AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4847  
TO AMEND SECTION I, 2017 ORIGINAL APPROPRIATION  
ORDINANCE NO. 4832, AND SUPPLEMENTAL APPROPRIATION  
ORDINANCE NO. 4843, TO PROVIDE FOR THE APPROPRIATION  
OF:

AN ADDITIONAL AMOUNT OF \$45,000 TO BE EXPENDED  
FROM THE CAPITAL IMPROVEMENT FUND FOR THE  
PURPOSE OF EXPANDING AND ENHANCING EXISTING  
FIBER OPTIC INFRASTRUCTURE IN PARTNERSHIP WITH  
MIAMI VALLEY COMMUNICATIONS COUNCIL (“MVCC”)  
MEMBER COMMUNITIES;

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE  
FISCAL YEAR ENDING DECEMBER 31, 2017.

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 second reading of a supplemental appropriation ordinance that is necessary to address an important capital project. In 2014, Oakwood, along with Kettering, Centerville and the Miami Valley Communications Council (“MVCC”), was awarded a \$100,000 grant from the state’s Local Government Innovation Fund. The grant funds were used to study existing fiber optic infrastructure in the area, and develop a plan to add additional fiber and build a network that would be of significant value to all MVCC member communities.

The result of that study is a proposal to expand 16.3 miles of existing fiber into a 45.2 mile fiber ring. The Fiber Ring will provide broadband connectivity to the cities of Oakwood, Centerville, Kettering, Miamisburg, Moraine, Springboro, and West Carrollton, as well as MVCC. All of these communities will be users of this infrastructure, and customer users will include local school districts and other non-profit and tax exempt organizations.

This is an exciting infrastructural development that has many long-term uses and benefits for Oakwood. The finished Fiber Ring project will be a combination of city-owned fiber and private network-owned fiber that will be accessed through shared use agreements, and the project is scheduled for completion in 2018. This is a \$935,000 project, to which Oakwood’s contribution is approximately \$45,000.

In order to pursue this project, Council must appropriate an additional \$45,000 from the Capital Improvement Fund, which is what this ordinance will accomplish.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Epley that the ordinance 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. ROBERT P. STEPHENS.....YEA  
MRS. ANNE HILTON.....YEA  
MR. CHRISTOPHER EPLEY.....YEA

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

AN ORDINANCE  
BY MR. EPLEY NO. 4848  
TO AMEND “APPENDIX A” OF THE STREETS AND PUBLIC  
SERVICES CODE OF THE CITY OF OAKWOOD, OHIO,  
THEREBY INCREASING RATES CHARGED FOR SANITARY  
SEWER UTILITY SERVICES.

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

Mr. Epley explained that this is the second reading of an ordinance to increase rates for the Sanitary Sewer Utility.



The city's Sanitary Sewer Utility consists of Oakwood's own local sewer personnel and city sewer infrastructure, as well as outside services and infrastructure which is contracted with the city of Dayton and Montgomery County. About 25% of the Sanitary Sewer Utility rate that Oakwood charges residents covers in-house personnel and infrastructure costs, and 75% is the cost of contracting sewer and wastewater treatment services from Dayton and Montgomery County.

In the last eight years, Oakwood has absorbed five increases in the Dayton rate and three increases in Montgomery County's rate, without increasing the rate charged to residents. On average, each Dayton increase was over 4%, and each Montgomery County increase was over 3%. The Montgomery County rate is scheduled to increase an additional 14% in 2018.

Oakwood last raised Oakwood sewer rates in 2009 and cannot sustain further increases in these outside costs without an adjustment to the rate. This ordinance will adjust the Oakwood rate schedule by eliminating the minimum use credit, eliminating the second tier consumption rate, and increasing the standard consumption rate. For typical household water usage of 1,000 cubic feet per month, these changes will result in an increase of \$12.77 per month on a property owner's combined city utility bill, and will first appear on the bills for January 2018.

Thereupon, it was moved by Mr. Epley and seconded by Mr. Stephens that the ordinance 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. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

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

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4849  
TO AMEND EXISTING SECTION 147.04.1, OPTIONAL  
PLEDGING REQUIREMENTS TO ALLOW THE POOLING OF  
PLEDGED SECURITIES, OF THE OAKWOOD  
ADMINISTRATIVE CODE TO ALLOW CITY FINANCIAL  
DEPOSITS TO BE SECURED THROUGH THE OHIO POOLED  
COLLATERAL PROGRAM, AND TO DECLARE 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 this is a housekeeping ordinance to update part of the city's Administrative Code. Section 147.04 is the section that governs the city's financial deposits. When the city deposits public funds in the bank, the state Uniform Depository Act, which is mirrored in the Oakwood local ordinance, requires the city to use a bank that qualifies as a "public depository." Among other things, that means that the bank must collateralize Oakwood deposits with pledged securities.

Oakwood local ordinance references the collateralization procedures described in Ohio Revised Code Sections 135.18 and 135.181. But the state recently adopted an additional section, 135.182, which creates a pooled collateral program to be operated by the State Treasurer, and under pressure from the State of Ohio, all of the local banks with which Oakwood does business are moving to this new program.

This ordinance will amend the local ordinance to match state law, allowing Oakwood to use banks that collateralize the deposits through the state's pooled collateral program. It is being introduced as an emergency measure because updated depository agreements need to be signed and implemented by the end of the year to ensure continuity in banking relationships.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure, with no second reading required.

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. ANNE HILTON .....YEA  
MR. CHRISTOPHER EPLEY.....YEA

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

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4850  
TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES  
AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD,  
STATE OF OHIO, DURING THE FISCAL YEAR ENDING  
DECEMBER 31, 2018.

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 annual budget ordinance, which appropriates the city’s funding for 2018. This ordinance is required under Section 6.05 of the City Charter and, when adopted, provides formal authorization to the city manager to spend public dollars in providing city services.

The total city budget is divided into five primary parts with budgeted spending in each as follows:

General City Services:	\$12,897,015
Refuse:	\$ 1,271,651
Water Utility:	\$ 1,090,386
Sanitary Sewer Utility:	\$ 1,580,987
Stormwater Utility:	\$ 543,596

The City Manager and Finance Director then made a presentation on the budget.

Mr. Klopsch referenced a PowerPoint presentation on the 2018 budget and reviewed the following:

A chart was referenced showing the budgeted and actual spending from 2008 to present. The chart shows that spending decreased over the first six years of that time period and has gradually increased since then. However, the 2017 spending is nearly identical to what the city spent in 2008, nine years prior, demonstrating tight cost controls. The figures account for all city spending, except for the three Enterprise Utilities.

Mr. Klopsch displayed graphs for Income Tax receipts, Property Tax receipts and Estate Tax receipts.

The Municipal Income Tax is a major revenue source that the city relies on to provide some growth each year to deal with the modest annual cost increases. Over the past ten or so years, other communities around Oakwood have raised their income tax rates. Historically, Oakwood has given a 100% tax credit for taxes paid to other jurisdictions. When the other cities tax rates increase Oakwood loses revenue. There have been over 20 communities over the past few years where the tax rate has been increased. The cumulative effect of this is about an \$800,000 loss in annual revenue.

The city of Oakwood has two voted property tax issues. Of the property tax bill that Oakwood residents(awaiting confirmation) pay, only about 8% comes to the city for city services, but it is an important 8%. The hope is to simply renew the two property tax levies for the next 7-8 years, and not ask for new money.

The Estate Tax produced a significant source of revenue for the city over a period of many years, but it was eliminated in 2013.

A full 56% of the local municipal tax paid by Oakwood residents is remitted to the taxing jurisdictions where Oakwood citizens work, and Oakwood loses more revenue every time another community raises their tax rate. This is a growing problem and something that needs to be addressed.



The Residential Real Estate Tax breakdown consists of 69.5% to Oakwood Schools; 1.6% to Montgomery County; 0.3% to Developmental Disabilities; 1.7% to Metro Parks; 13.3% to Human Services; 3.9% to Sinclair; 8.3% to the city of Oakwood; and, 1.4% to Wright Library.

Budget comparisons were presented for the primary operating funds (General City Services, Refuse Operations, Water Utility, Sanitary Sewer Utility and Stormwater Utility) for the years 2017 and 2018. There are very little differences in what is budgeted for 2018 compared to 2017 showing business as usual, with the exception of the Stormwater Utility due to the need to purchase a street sweeper.

For General City Services, there will be a continuation of comprehensive services. The last increase in the income tax rate was in 1984 and property taxes in 2013. Oakwood is beginning 2018 with an estimated \$9.3 million in the eight primary operating funds. There are a significant amount of Capital Expenditures included in the 2018 Budget, most notably for street improvements and the reconstruction of the Shafor Park Tennis Facility.

The Refuse Operations is beginning 2018 with an estimated \$530,000 balance. Refuse rates were last raised in January 2016 from \$25 a month to \$27 a month. There is no proposed rate increase in 2018, nor are there any capital equipment replacements. Over the next few years, a refuse packer and three dump trucks will need replaced.

The Water Utility fund is beginning 2018 with an estimated \$1,030,000 million balance. It continues to be operated in compliance with all EPA regulations. The city has the 8<sup>th</sup> lowest water rates out of 66 jurisdictions in the region. The last water rate increase was in January 2017. The Water utility includes \$50,000 for Capital Expenses in 2018.

The Sewer Utility fund will begin 2018 with about \$730,000 and projects 2017 expenses of \$50,000 more than revenues. The 2017 regional rate survey showed Oakwood as having the 30<sup>th</sup> lowest sewer rate out of 63 jurisdictions. The majority of the sewer expenses are paid to Montgomery County and the city of Dayton for wastewater treatment. Oakwood has not raised sewer rates since July 2009, but in the eight years since then, Oakwood has absorbed five increases in the Dayton rate and three increases in Montgomery County's rate. On average, each Dayton increase was over 4%, and each Montgomery County increase was over 3%. An additional Montgomery County increase of 14% is scheduled to take effect in 2018.

The Stormwater Utility fund will begin 2018 with about \$280,000 and the utility is entering its sixth year of operation. The \$7 per month rate went into effect in January 2017. The Stormwater utility includes \$250,000 for Capital Expenses in 2018.

Since Oakwood gives 100% credit for municipal income taxes paid elsewhere, the city has lost more than \$3.2 million over the past 10 years. Beginning this year, the annual loss is about \$800,000. The annual growth in municipal income tax revenue has historically allowed the city to avoid tax increases, most importantly property taxes.

Mr. Klopsch shared the legislation being presented this evening contemplates establishing a 90% credit factor. This would provide residents with a 90% credit on taxes paid to other jurisdictions, versus the existing 100% credit. In extensive discussions with City Council and the Budget Review Committee, everyone worked very hard to evaluate the options to address this issue.

Mr. Stephens referenced the Income Tax receipts chart and asked if the reason there was not an increase in the 2017/2018 income tax is due to losing funding from other cities.

Mrs. Stafford answered no and she said it is because of House Bill 5.

Vice Mayor Byington explained that Oakwood is fortunate to have a citizen budget committee that currently includes 34 members and is equally represented by residents from each of our seven voting precincts. That committee met four times this year and endorses this 2018 budget. Vice Mayor Byington invited Committee Chair Dave Dickerson and Vice Chair Bill Frapwell to make a few comments about the citizen budget committee's role in providing input on financial matters.

Dave Dickerson and Bill Frapwell addressed Council. Mr. Dickerson shared that the Oakwood Budget Review Committee (BRC) has been in place for 30 years and consists of a large and diverse group of Oakwood citizens. The committee's role is to advise staff and council on city finance matters and to communicate the viewpoint of Oakwood residents regarding the extent of public services they desire and their willingness to pay the associated costs. The key to the committee is that members provide not only their own opinions but also provide the opinions of other Oakwood residents within their precincts and throughout Oakwood.



The committee was actively engaged in discussions with Oakwood city leaders on how Oakwood responded to the elimination of the Ohio estate tax and to other state funding cuts over the last few years, and is pleased with the comprehensive and balanced manner in which we approached the loss of revenue. The committee has seen Oakwood city leaders work hard each year to develop a responsible budget and have witnessed first-hand the major steps taken to control costs.

The committee met four times this year to receive detailed briefings on financial matters and to provide feedback and counsel to Oakwood city leaders. The Budget Review Committee appreciates the good work of city staff in putting together a budget that is cost conscious, but provides the resources needed to continue delivering first-class city services. The BRC fully endorses the budget and recommends to city council that the 2018 Budget be approved. Recognizing that the sanitary sewer rates were last increased over eight years ago and understanding the need to address higher wastewater treatment costs, the BRC supports the proposed sewer rate hike. Finally, over the past several years, the BRC has studied the income tax credit issue and considered various options to address it. Accepting the fact that Oakwood is now losing over \$800,000 annually by giving 100% credit on municipal taxes paid to other communities, the BRC unanimously supports action by City Council to pass legislation that would reduce the credit to 90%. The committee understands that this change to a 90% credit would generate about \$600,000 in revenue annually, and believe this is the best action for the long-term financial health of our community.

Mr. Frapwell shared that city staff provides a lot of information during the Budget Review Committee meetings and is always very transparent. He stated that because other cities have raised their income tax rates, Oakwood has no choice but to respond with proposing a 90% credit reduction factor.

Mayor Duncan thanked Mr. Dickerson and Mr. Frapwell, as well as the Budget Review Committee members for being the eyes and ears of the community.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the second reading be waived and that the 2018 budget ordinance be passed tonight.

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. ANNE HILTON .....YEA  
MR. CHRISTOPHER EPLEY.....YEA

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

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4851  
TO AMEND EXISTING SECTION 148-1.081, CREDIT FOR TAX  
PAID TO ANOTHER MUNICIPALITY, OF THE OAKWOOD  
ADMINISTRATIVE CODE.

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 in Ohio, residents pay local income tax where they work and where they live. The city of Oakwood currently gives a tax credit for all local income taxes paid elsewhere, up to the full amount of Oakwood’s 2.5% income tax. In other words, if a person pays taxes where they work, that amount is credited against the tax they owe to the city of Oakwood. This ordinance would reduce the credit.

This is a necessary step to stabilize city finances after losing nearly \$3 million of funding per year due to the 2013 repeal of Ohio’s estate tax, state cuts to the Local Government Fund, and other state cuts, and after tax rate increases in 24 other cities have cost the city of Oakwood nearly \$800,000 in annual revenue.

Some Oakwood residents will remember that a credit limitation ordinance was introduced once before, in February of 2014, and ultimately decided not to adopt it. That ordinance would have reduced the credit from 2.5% to 1.75%, effectively increasing some taxpayers’ local tax burdens by three-quarters of a percent. This ordinance takes a different approach. Instead of capping the credit at a specific percentage, it imposes a reduction factor of 0.9 to all taxpayers who receive a



credit. In other words, each taxpayer that currently receives a credit will still receive 90% of that credit, and the maximum credit will be 2.25%.

This method ensures that all Oakwood residents who have taxable income will pay at least one-quarter of a percent (0.25%) to the city in which they live, and it ensures that no one's local tax burden will increase by more than one-quarter of a percent (0.25%).

Council and staff have looked at this issue from every direction and feel this is the most balanced and appropriate way to spread the impact over the broadest base of residents, yet in the smallest way possible. Our 34 member citizen Budget Review Commission has reviewed the proposal, and several others, and as reported by Mr. Dickerson, unanimously concurs with this approach.

Vice Mayor Byington then read the entire preamble text, which describes the lengthy process that has brought Council to introduce this ordinance.

*WHEREAS, the elected officials of the city of Oakwood, Ohio, are responsible for the city's fiscal well-being; and*

*WHEREAS, over the past five years, the Ohio legislature has taken steps that have dramatically reduced revenues to the city of Oakwood and many other local governments in the state, most notably the repeal of Ohio's estate tax, cuts to the Local Government Fund, and the imposition of so-called municipal income tax reforms; and*

*WHEREAS, Oakwood has not increased its income tax rate since 1984; and*

*WHEREAS, over the past ten years, tax rate increases in 24 other cities – including most recently the cities of Dayton, Centerville and Moraine – have resulted in a loss of nearly \$800,000 in annual revenue to the city of Oakwood because Oakwood gives full credit for taxes paid to other jurisdictions; and*

*WHEREAS, through ongoing dialogue with Oakwood residents, Council has determined that a majority of citizens appreciate the comprehensive and first-class city services and desire to keep those services; and*

*WHEREAS, to the best of its ability, Council has focused on reducing the city's expenses by limiting expenditures to those that are necessary for maintaining the operation of the city in a responsible manner, and by increasing fees for services that are appropriate for payment by the users of those services rather than general tax revenues; and*

*WHEREAS, Council has recognized and communicated to the citizenry that cost-cutting and user fees alone are inadequate to close the budget shortfall and that it will become necessary to enhance the city's revenue stream through tax increases in order to stabilize the city's financial position; and*

*WHEREAS, in May, 2013, Council placed a 3.75 mill property tax levy on the ballot that was approved by a margin of 55% - 45% and generates approximately \$1 million annually; and*

*WHEREAS, Council has consistently communicated to the citizenry that this new property tax revenue by itself would fall short of providing the additional money needed to maintain existing service levels and that additional revenue would be needed; and*

*WHEREAS, in spite of Council's efforts to increase certain revenues and to reduce, eliminate, and/or minimize expenses relative to the operation of the city, combined revenues from all sources to the city are forecast to be insufficient to cover the city's essential budgeted expenses; and*

*WHEREAS, having discussed and reviewed revenue options with the 35 citizen members of the Budget Review Committee, City Council has concluded that the most appropriate and balanced means to generate the additional revenue needed to maintain city services at current levels is to reduce the credit Oakwood citizens currently receive for taxes paid to another municipality; and*

*WHEREAS, by taking this action, it is estimated that the city will collect approximately \$600,000 in additional annual income tax revenue, thereby helping to offset the \$800,000 loss and allowing the city to continue maintaining critical public infrastructure and providing the finest city services.*

This is a first reading of the ordinance, so Vice Mayor Byington made no motion.



AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4852  
TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION  
AND STAFFING SCHEDULE FOR THE PURPOSE OF  
CREATING WATER AND SEWER MAINTENANCE  
FOREMAN AND DIRECTOR OF PERSONNEL AND  
PLANNING CLASSIFICATIONS, TO INCREASE THE SCHOOL  
CROSSING GUARD POSITIONS FROM THREE TO FOUR,  
AND TO ELIMINATE THE POSTIONS OF ASSISTANT  
PUBLIC WORKS DIRECTOR AND ASSISTANT CITY  
MANAGER, AND TO DECLARE 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 this is an ordinance to update the Oakwood Organization and Staffing Schedule so it reflects the city’s current staffing needs. The updated schedule includes the following changes: creates a Public Works Water and Sewer Line Maintenance Foreman classification; creates a Director of Personnel and Planning classification; eliminates the classifications of Assistant City Manager and Assistant Public Works Director; and changes the School Crossing Guard staffing from three to four.

This ordinance is being introduced as an emergency measure to ensure that it takes effect as of the first pay period of the new year.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the ordinance be passed as an emergency measure, with no second reading required.

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. ANNE HILTON .....	YEA
MR. CHRISTOPHER EPLEY.....	YEA

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

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO. 4853  
TO REPEAL ORDINANCE NUMBER 4830 AND ESTABLISH  
AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER  
11, 2017 AND TO DECLARE 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 this is an ordinance to update the city’s personnel schedule. It accomplishes three things: it restates wage increases for the city’s non-bargaining unit employees that were previously authorized in Ordinance No. 4830, and includes an additional wage increase for the Water Plant Superintendent classification; it establishes the maximum compensation for the newly created classifications of Water and Sewer Line Maintenance Foreman and Director of Personnel and Planning, consistent with compensation already in effect for other foreman and director classifications; and, it increases the paramedic certification payment for employees in the Public Safety Captain classification.

This ordinance is being introduced as an emergency measure to ensure that it takes effect as of the first pay period of the new year.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Epley that the ordinance be passed as an emergency measure, with no second reading required.

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. ANNE HILTON .....	YEA
MR. CHRISTOPHER EPLEY.....	YEA



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

CITY MANAGER'S COMMENTS – Mr. Klopsch provided an update on the following items:

Hats off to the Public Works Department for their efforts during the first snow event of the season last Saturday. Prior to the snow, there was a water main break on Sweetwood Lane, so it was a busy weekend. He reported that the city should have enough roadway salt to last through the winter.

The Army-Navy game last Saturday was a close game, but Army won with a score of 14-13 and reclaimed the Commander-in-Chief's Trophy.

Assistant City Manager Jay Weiskircher is retiring at the end of the year after 35 years of outstanding service. There will be a public recognition event at the Council meeting on Tuesday, January 2.

COUNCIL COMMENTS

Mrs. Hilton commended Leisure Services Director Carol Collins and her staff for a great Holiday of Lights event yesterday. She also mentioned the scheduled opening of the Goodwill store at 3 p.m. on Tuesday, December 12.

Mr. Stephens welcomed PSO Josh Wells and congratulated Chief Alan Hill and Lieutenant Mike Tanner on their promotions. He added that the promotions were well deserved and he is excited about the future of the Public Safety Department.

Mayor Duncan shared that he attended a Washington Township Trustee event for retiring member Joyce Young after 22 years. He reported that the State Senate is discussing SERPs (Supplemental Executive Retirement Plan), which are deferred compensation plans, and options for exempting them from municipal income tax.

The public meeting concluded at 9:16 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL



