

CITY OF OAKWOOD
STATE OF OHIO
JANUARY 9, 2017

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, 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.....	ABSENT
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. Lori Stacel, Clerk of Council

The following visitors registered:

Mrs. B. Epley, 568 Hathaway Road
Dr. Masha Kisel, 101 Oak Knoll Drive
Brian and Sara Cox, 101 Forrer Boulevard
Barbara Cauper Mendoza, 140 Oak Knoll Drive
Danielle Groves, 2300 Far Hills Avenue
Lisa Nueslein, 2426 Far Hills Avenue
Gus and Sharon Liapis, 269 Northview Road
Matthew Crawford, 59 Spirea Drive
Kym and Kevin Hutten, 511 Volusia Avenue
Tim Benford, 132 Greenmount Boulevard
Larry Deguire, 2607 Fairmont Avenue
Nancy Campbell, 224 Grandon Road
Scott Campbell, 1723 Coolidge Drive
Jason and Bridget Miner, 20 Greenmount Boulevard
Stefanie Campbell, 271 Schenck Avenue
Ashley Coyne, 810 E. Schantz Avenue
David Collopy, 305 Orchard Drive
Christine Urquhart, 119 Lookout Drive
Brian Barr, *Oakwood Register*

It was moved by Vice Mayor Byington and seconded by Mr. Epley that the absence of Mrs. Hilton be excused. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

Vice Mayor Byington advised Council he had read the meeting minutes of the December 5, 2016 regular and work sessions. Vice Mayor Byington reported that he found the minutes correct and complete. Therefore, it was moved by Vice Mayor Byington 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.

Council Committee Assignments – Mayor Duncan explained that there are several committees of Council that consist of two members that meet as needed to discuss various topics. Mayor Duncan indicated that Council decided to leave the committee assignments the same as last year, with the exception of the Montgomery County ED/GE appointee, which is a new position. He explained that each city in Montgomery County has the opportunity to assign a representative to serve on this committee on a yearly rotation, and it is Oakwood's turn to serve this year. The committee assignments are as follows:

2017 COUNCIL COMMITTEE ASSIGNMENTS

William Duncan, Mayor	Steve Byington, Vice Mayor
Court Liaison	Anne Hilton, Chair
Finance	Christopher Epley
Law and Minutes	Steve Byington, Chair
Planning and Zoning	William Duncan
Public Properties	Anne Hilton, Chair
Public Utilities/Waterworks/Sewer	Steve Byington
Safety and Traffic	Steve Byington, Chair
Streets and Alleys	Christopher Epley
Community Relations/Promotion & Appointments	Christopher Epley, Chair
	Rob Stephens
	Christopher Epley, Chair
	Rob Stephens
	Rob Stephens, Chair
	Anne Hilton
	Rob Stephens, Chair
	Anne Hilton
	William Duncan, Chair
	Steve Byington

Regional Agencies

Miami Valley Communications Council	Christopher Epley
Miami Valley Regional Planning Commission	Rob Stephens, Alternate
EMA Regional Advisory Council	Steve Byington
First Suburbs Consortium	William Duncan, Alternate
	William Duncan
	Norbert Klopsch, Alternate
	Steve Byington
	Norbert Klopsch
	William Duncan, Alternate
	Anne Hilton, Alternate
	Rob Stephens
	Alex Bebris
	William Duncan, Alternate

Boards, Commissions and Citizen Ad Hoc Committees

Planning Commission	Steve Byington
Environmental Committee	Rob Stephens
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. Epley and seconded by Vice Mayor Byington that the aforementioned assignments be confirmed for 2017. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

STATUS REPORTS

2017 Committee Appointments – Mayor Duncan presented the following list of reappointments and new appointments to various citizen committees:

ADA Compliance – Harvey Pierce; Board of Zoning Appeals – Greg Lauterbach; Budget Review Committee – Richard Ordeman (Precinct A), John Jervis (Precinct A), Bill Frapwell (Precinct B), Don Groff (Precinct D), Ella Himes (Precinct E), Ellen Fodge (Precinct E), Doug Kinsey (Precinct E), Chas Kidwell (Precinct F) and Pete Luther (Precinct G); Environmental Committee – Jane Rininger and Nina Anglin; Personnel Appeals Board – Larry Henry; Planning Commission – Andrew Aidt; and Property Maintenance Board – Judy Steiger and Jane Lieberth.

It was moved by Vice Mayor Byington and seconded by Mr. Stephens 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.

Mayor Duncan reported that last Friday, the Common Pleas Court of Montgomery County issued a decision affirming the decision of the Council of the City of Oakwood to approve a 32 unit condominium complex known as “The Pointe”. This decision allows the developer to pursue construction on the 32 unit condominium project. This is a project that was proposed by Hills Developers, Inc. and involves construction of a condominium development at the northwest corner of Schantz Avenue and Far Hills Avenue. The plan was approved on February 22, 2016 by a 4-0 vote of City Council. Subsequent to the plan approval, a group of eight Oakwood property owners filed an appeal asking for the court to overturn the approval. At that same February 22, 2016 meeting, Oakwood City Council denied an application for an 84 unit, two building condominium project along the north edge of the Pointe Oakwood development. This

project is known as "The Trails". Subsequent to that plan denial, Hills Developers, Inc. and the Oakwood Investment Group filed an appeal asking for the court to overturn the denial. A decision has not yet been rendered on the denial of the 84 unit development.

VISITORS

2016 Holiday Decorating Award Winners – Mayor Duncan and Environmental Committee members Nancy Drozd and Jane Lieberth presented certificates to the 2016 holiday decorating contest winners. Awards are presented based upon use of natural materials, lighting and curb appeal. Although several were not in attendance, all of the following winners were recognized:

DAYTIME WINNERS

The Coyne Family, 810 E. Schantz Avenue
 The Arzola Family, 139 Wisteria Drive
 Dr. and Mrs. Jason Miner, 20 Greenmount Boulevard
 Garth and Lynn Williams, 255 Corona Avenue
 Nancy Campbell, 224 Grandon Road
 Samuel and Gwyn King, 205 Haver Road

NIGHTTIME WINNERS

Kym and Kevin Hutten, 511 Volusia Avenue
 Dr. and Mrs. Byron G. Epley, 568 Hathaway Road
 The Cox Family, 101 Forrer Boulevard
 Terry and Camille Morris, 209 E. Peach Orchard Avenue
 Gary and Darcy Plunkett, 2020 Coolidge Drive
 Gus and Sharon Liapis, 269 Northview Road

BUSINESS WINNERS

Wild Poppy, 2426 Far Hills Avenue
 Intili and Groves, 2300 Far Hills Avenue

Dr. Masha Kisel, 101 Oak Knoll Drive, shared ideas on how to make Oakwood more sustainable in 2017 with recycling, composting and using green energy. She said that with the landfills getting full, and not enough people recycling, she feels that a much more visible and assertive city campaign is needed in Oakwood. This could be done by placing a full page on recycling in each *Oakwood Register* or by placing banners along Far Hills promoting recycling. Dr. Kisel shared that a lot of residents do not realize that recyclables left outside of the recycling bin are not recycled. She suggested that educating residents on proper recycling procedures and providing positive or negative financial incentives to commercial residential buildings and businesses that currently do not recycle may also help. Dr. Kisel shared that awareness needs to be raised on composting to help reduce landfill waste. She recommended that the city provide a "most sustainable" home award, similar to the beautification awards, to recognize people that are making their homes more environmentally friendly. Dr. Kisel believes that Oakwood could be run by renewable energy and questioned what Oakwood can do in order to become a "green city". The option of solar panels could be explored. There are companies such as DP&L that promote clean energy options for public facilities. Mayor Duncan shared that when the refuse program was evaluated a while back, the city believed that money could be earned through recycling, but those economics have since changed. Mr. Klopsch shared that the city pays to remove co-mingled recyclables. The city previously paid \$8/ton, and now pays \$20/ton. The city limits residents to three 35-gallon trash cans but has no limit on the number of cans for recyclables. Mayor Duncan asked if residents can co-mingle recyclables. Mr. Klopsch answered yes. Mayor Duncan mentioned that there are cardboard recycling containers at Creager Field available for Oakwood residents. Mr. Klopsch noted that there is value for cardboard if it is recycled separately at the Creager Field containers versus being co-mingled. Mayor Duncan asked Mr. Weiskircher if the city now receives requests for solar panels. Mr. Weiskircher said that the city receives more inquiries regarding solar panels than in previous years, so there is an added interest. Mayor Duncan shared that City Council would take Dr. Kisel's recommendations under advisement.

LEGISLATION

AN ORDINANCE

BY VICE MAYOR BYINGTON NO 4835

AN ORDINANCE TO AMEND EXISTING SECTION 919.06 AND "APPENDIX A – PUBLIC SERVICES RATE SHEET" OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE WATER SERVICE RATES AND ELIMINATE CERTAIN WATER SERVICE CREDITS AND TO INCREASE THE STORMWATER FEE.

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 second reading of an ordinance to make modest increases in the rates for Oakwood water and stormwater utility services. These new rates would be effective January 1, 2017.

The city operates four services as public utilities: water, sanitary sewer, stormwater, and refuse. Each of these services are supported entirely by user fees and not by general tax revenues. In order to meet operational and capital needs for the water and stormwater utilities, the City Manager has recommended rate increases and the elimination of certain credits for the water utility and a rate increase for the stormwater utility. In summary, and for the standard 5/8 inch residential water meter, which represents 84% of Oakwood customers, the water fee changes include:

- Increasing the monthly water minimum use charge from \$8.15 to \$10;
- Increasing the water consumption rate charge by 2.3%;
- Eliminating the minimum-use credit; and
- Eliminating the 5% early payment discount.

For the typical usage of 1,000 cubic feet per month, the water fee changes would increase the monthly bill by about \$7.40.

For the stormwater utility, the City Manager has recommended increasing the monthly residential stormwater management fee from \$6 to \$7.

These changes were presented to the citizen Budget Review Committee as part of the 2017 budget briefing on October 18, and the committee’s response was positive. It is important to note that the stormwater rate has not been increased since 2013, when the stormwater utility was first established. Oakwood water rates have not been increased since 1994 and will remain among the very lowest in the region. Last year Oakwood water rates were the third lowest of the 66 jurisdictions in the Miami Valley. With the rate increase, Oakwood will have the ninth lowest of the 66 jurisdictions.

Thereupon, it was moved by Vice Mayor Byington 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
 MR. CHRISTOPHER EPLEY..... YEA

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

AN ORDINANCE
 BY MR. STEPHENS NO 4836
 TO DECLARE SHROYER ROAD, WITHIN THE CITY LIMITS OF OAKWOOD, A WORK ZONE, TO ESTABLISH A TEMPORARY SPEED LIMIT OF TWENTY FIVE (25) MILES PER HOUR, AND TO IMPOSE DOUBLE FINES FOR SPEED VIOLATIONS IN SAID WORK ZONE, DURING CONSTRUCTION OF THE 2017 SHROYER ROAD IMPROVEMENT PROJECT (ODOT PID NO. 97897).

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 a first reading of an ordinance that will put temporary safety measures in place for the Oakwood 2017 Shroyer Road Improvement Project. It does three things:

- Declares Shroyer Road as a “work zone” for the duration of the project;
- Reduces the speed limit from 35 mph to 25 mph during the project; and
- Allows the Oakwood Municipal Court to impose double fines for speed violations in the work zone.

This is not something Oakwood typically does with the annual paving projects, but the upcoming Shroyer Road project is significantly more extensive and will take several months. In addition to mill and overlay paving, this project will involve the construction of raised medians, turn lanes, pedestrian crosswalks, significant re-striping, and the installation of topsoil, grass, and electrical signage. These temporary measures will promote safety during the project, which is always Oakwood's paramount concern.

This is a first reading of that ordinance, so Mr. Stephens made no motion.

STAFF REPORT – NONE

CITY MANAGER'S COMMENTS – NONE

COUNCIL COMMENTS

Vice Mayor Byington reported that the Oakwood Planning Commission met on January 4 to consider a proposed Zoning Code text amendment to prohibit medical marijuana-related businesses and/or home occupations within all zoning districts in the city of Oakwood. The Planning Commission unanimously recommended a Zoning Code text amendment change to prohibit the sale of medical marijuana in Oakwood. City Council will consider this recommendation at the February 6 City Council meeting.

Mayor Duncan noted that he was rooting for Alabama in tonight's College Football National Championship Game, but said that next year, it will be Ohio State!

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



MAYOR

ATTEST:



CLERK OF COUNCIL