

CITY OF OAKWOOD
STATE OF OHIO
MARCH 4, 2019

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.....	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
Chief Alan Hill, Public Safety Director
Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Bill McCarty, 221 Monterey Avenue, Oakwood, OH 45419
Liam McCarty, 221 Monterey Avenue, 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 February 4, 2019 regular session and work session, and the February 25, 2019 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. Epley 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

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

The reappointment of Kip Bohachek and Linda Weprin to the Board of Zoning Appeals; Michael Hayes (Precinct E) to the Budget Review Committee; Kathy Luckett (District A) to the Property Maintenance Board; Jill Kendall to the Personnel Appeals Board; and Ellen Fodge and Jan Scheid to the Tax/Water & Sewer/Assembly Appeals Board. The appointment of Connie Epley to the Beautification Committee; and Cait Botschner (Precinct D) and Megan Kavanaugh (Precinct F) to the Budget Review Committee.

It was moved by Mayor Duncan 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 explained that there are several other vacancies on the citizen committees. City Council and City staff are in the process of identifying citizen volunteers for appointment at the April 1 council meeting.

Mayor Duncan reported on an Ohio Municipal League update from last week. The update stated that the State of Ohio Controlling Board approved a \$2 million temporary transfer to the Ohio Department of Taxation to cover shortages in taxes municipalities received, created by taxpayers filing estimated payments to multiple municipalities. These estimated payments were filed to the State via the Ohio Business Gateway as part of the state centralized collection of municipal net profit business filings. Taxpayers underestimated payments to some municipalities while overestimating payments to others. The Ohio Department of Taxation has estimated that 445 municipalities have been shorted as a result. Mayor Duncan commented that local governments could not only foresee this happening, but could pretty much guarantee that it would happen. The Ohio Society of CPAs states that as time progresses, the businesses will have a better picture of what their annual tax liability will be for each municipality, and will adjust to subsequently file declarations to properly reflect liabilities.

VISITORS – There were no visitors wishing to address Council, but Mayor Duncan recognized Oakwood Boy Scout Liam McCarty. Liam was in attendance as part of a merit badge requirement.

LEGISLATION

AN ORDINANCE
BY MR. STEPHENS NO. 4877
TO AMEND EXISTING SECTIONS 951.103, 951.117.2, AND
951.120.1 OF THE OAKWOOD STREETS AND PUBLIC
SERVICES CODE TO CLARIFY REQUIREMENTS FOR THE
REMOVAL OF INDIVIDUAL ABANDONED OR TOPPED
FACILITIES IN THE PUBLIC RIGHTS-OF-WAY.

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 an ordinance to update the City’s regulations for administering public utilities located in City rights-of-way. These are the rules that must be followed by electric, gas, and telephone companies, and any other utilities that may have facilities located in the public right-of-way.

This ordinance will amend the rules to address so-called “double poles.” Double pole situations happen when a utility company installs a new replacement pole but does not remove the original pole within a reasonable timeframe. Often, the original pole is cut short or topped but not removed because other utility providers still have facilities on that original pole, and communication among the utility providers is not always optimal.

The ordinance would define a reasonable timeframe for removing the original pole. When the ordinance was first read, that timeframe was defined as 90 days after the pole has been topped or replaced. For the second reading, this has been enlarged to 120 days to ensure ample time is being allowed for multiple providers to coordinate work with each other. After the expiration of the 120 days, the City would be authorized to deny permits for other right-of-way work until the pole is removed.

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 BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA
MRS. ANNE HILTONYEA
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.

A RESOLUTION
BY MR. STEPHENS NO 1854
DECLARING THE NECESSITY OF REPAIRING SIDEWALKS AND
APPURTENANCES THERETO ON FORRER BOULEVARD AND
CERTAIN OTHER STREETS BETWEEN CERTAIN TERMINI IN THE
CITY OF OAKWOOD, OHIO, PROVIDING THAT ABUTTING
PROPERTY OWNERS REPAIR THE SAME.

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

Mr. Stephens explained that this is an annual resolution that is the first step of the 2019 Sidewalk, Curb and Driveway Apron Project. This year’s program will cover all streets within the area bounded by Forrer Boulevard, Far Hills Avenue, Patterson Road, Acorn Drive, and Shroyer Road.

Oakwood is required by law to pass four (4) pieces of legislation in order to carry out this program and assess the sidewalk costs. The first piece is this resolution, which declares the necessity of sidewalk repairs in these parts of the city. Mr. Stephens shared that he will also be introducing as a first reading tonight the second piece, the “Ordinance to Proceed” for the project, but there will not be a vote on that ordinance until the April meeting. After the project concludes, there will be a third piece of legislation, an ordinance to levy assessments for certain

sidewalk costs, and then a fourth piece of legislation that specifically states the properties and dollar amounts where assessments shall take place. Thereupon, it was moved by Mr. Stephens and seconded by Mr. Epley that the resolution be passed.

Mayor Duncan explained the difference between resolutions and ordinances. Resolutions can be passed in one meeting because they only require one reading. Ordinances require two readings and can be passed at the second meeting.

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 resolution was declared duly passed and it was so ordered.

AN ORDINANCE
BY MR. STEPHENS NO 4878
DETERMINING TO PROCEED WITH THE REPAIRING OF
SIDEWALKS AND APPURTENANCES THERETO ON FORRER
BOULEVARD AND CERTAIN OTHER STREETS BETWEEN
CERTAIN TERMINI, IN THE CITY OF OAKWOOD, OHIO,
PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE
SAME.

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 this is an annual ordinance that is the second step of the 2019 Sidewalk, Curb and Apron Project. Again, this year’s program will cover all streets within the area bounded by Forrer Boulevard, Far Hills Avenue, Patterson Road, Acorn Drive, and Shroyer Road.

This was a first reading of the ordinance, so Mr. Stephens made no motion.

A RESOLUTION
BY MR. STEPHENS NO 1855
DECLARING THE NECESSITY OF IMPROVING CERTAIN
STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF
OAKWOOD, OHIO, BY LIGHTING THE SAME WITH
ELECTRICITY.

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

Mr. Stephens explained that this is another annual resolution that is the first step of the 2020 street lighting program. Like the sidewalk resolution, Oakwood is required by law to pass several pieces of legislation to provide street lighting each year. The first is this resolution, declaring the necessity of street lighting throughout the city. Mr. Stephens shared that he will also be introducing as a first reading tonight the second piece, the “Ordinance to Proceed” for the project, but there will not be a vote on that ordinance until the April meeting. The third piece of legislation, an ordinance to levy assessments for certain street light costs, will be introduced as a first reading at the April meeting, followed by a final assessment ordinance to be introduced in July.

Thereupon, it was moved by Mr. Stephens and seconded by Vice Mayor Byington that the resolution 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 resolution was declared duly passed and it was so ordered.

AN ORDINANCE

BY MR. STEPHENS

NO 4879

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

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 an annual ordinance that is the second step of the 2020 street lighting program. It is the ordinance that authorizes the city to proceed with the project.

This was a first reading of the ordinance, so Mr. Stephens made no motion.

AN ORDINANCE

BY MR. STEPHENS

NO 4880

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO.

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

Mr. Stephens explained that this ordinance is the third piece of legislation for last year's Sidewalk, Curb and Apron Project authorizing the assessment of the sidewalk repair costs that have not already been paid directly by affected homeowners.

This was a first reading of the ordinance, so Mr. Stephens made no motion.

AN ORDINANCE

BY VICE MAYOR BYINGTON

NO 4881

AMENDING SECTION 729.03, PERMIT REQUIRED, OF THE OAKWOOD BUSINESS REGULATION CODE TO CLARIFY PERMITTING PROCEDURES FOR THE OPERATION OF MOBILE FOOD VEHICLES AT REGULARLY-RECURRING EVENTS.

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 August 6, 2018 meeting, Council adopted an ordinance to regulate the operation of mobile food vehicles, or "food trucks," on city streets. A key feature of the ordinance was an event-based permit system, whereby permits are issued for specific events sponsored or hosted by an Oakwood property owner.

The system is working well so far. However, representatives of the Oakwood Farmers' Market have provided constructive feedback, suggesting ways to streamline the permitting process for their food truck vendors. It has been their experience that each week is a scramble to figure out which vendors are available for the following Saturday, and there are always a few last-minute cancellations. This leaves very little time to assemble and submit permit applications, and little time for the city to review them.

The ordinance being introduced is an attempt to make the process more efficient for weekly or monthly events like the Farmers' Market. It would revise Section 729.03 to include a category for "regularly-recurring" events, and would combine each instance of these regularly-recurring events, within the same calendar year, as a single event for permitting purposes. This will enable the event sponsor to collect and submit permit applications early in the season, which the city can then review and generate a list of approved vendors. The Farmers' Market will then be free to schedule whichever approved vendors are available in a given week without having to compile a permit packet at the last minute.

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

STAFF REPORT

Public Safety Department Presentation: Chief Alan Hill, Public Safety Director, referenced a PowerPoint presentation and updated Council on the following topics: Crime Statistics; EMS Trends; Overtime Expenditures; Personnel Changes; Citizen Police Academy; and the Assisting and Contributing to Oakwood Resident Needs (ACORN) Program.

Chief Hill began his presentation by reporting that there has generally been a steady decrease of crime in Oakwood over the past four years. These statistics are impressive and show that the actions of the Public Safety Department and the Oakwood community are working.

There was a slight increase of crime in 2018 which is attributed to theft incidents. Oakwood experienced a 32% increase in reported larceny offenses that was primarily the result of two individuals breaking into vehicles. These individuals were arrested and charged with multiple offenses resulting in a clearance rate of almost 90%. The national clearance rate average is 22%. People are becoming more aware of identity theft and are closely monitoring their accounts, which is why there was a significant decrease in identify theft over the past few years. Oakwood has only experienced three burglaries over the past two years and all three cases have been solved.

Oakwood's mutual aid medic run requests to other jurisdictions have significantly increased over the past five years. There were zero mutual aid medic responses to Oakwood from other jurisdictions in 2018.

In 2018, Oakwood experienced a 37% reduction in traffic accidents, the lowest number of accidents in the last five years. The "Road Diet" on Shroyer Road has helped immensely. There has been a 40% decrease in accidents on Shroyer Road since the "Road Diet" was implemented.

The Oakwood Public Safety Department diligently monitors overtime hours. Over the past seven years, the annual average of overtime hours was 3,884. From 2005 – 2011, the average overtime hours were 5,194. When comparing these timeframes, this equates to a 23% reduction in overtime hours and an average yearly savings of over \$50,000.

PSO Bryan Shaw recently resigned from the Safety Department to accept a position with the Mason Fire Department. PSO Shaw did an excellent job for the City during his tenure with the Safety Department. PSO Bruce Upchurch recently retired with over 27 years of public service, of which 11 years was with the city of Oakwood. PSO Ryan Wells was hired on October 14, and arrived with five years of police experience. Officer Wells recently completed the fire academy and EMT school and is in the process of completing his field training program. PSO Chris Slone was hired on January 7. Officer Slone arrived with a tremendous amount of public safety experience as he has worked as a full-time firefighter/paramedic with the city of Fairborn and a police officer for the city of Mason.

In November 2018, the Oakwood Public Safety Department completed its first Citizens Police Academy (CPA). The CPA was well-received by the participants and by the officers who instructed. The CPA is free of charge and is open to any Oakwood resident or individual working within the city of Oakwood. The next CPA is scheduled for September of this year and applications will be accepted beginning in June. The Safety Department is very excited for the upcoming academy. It is a tremendous way for officers and command staff to interact with members of the community.

On March 1, the Safety Department implemented the Assisting and Contributing to Oakwood Resident Needs (ACORN) Program. The program is designed to assist residents in times of emergency, and provide peace of mind through proactive community outreach, implementing safety plans, and advocating for the well-being of Oakwood's senior and at-risk population. Program benefits include: periodic wellness visits from Safety Department; procedures for Oakwood Public Safety Officers having secure access to your home in the event of an emergency; up-to-date medical information; and a partnership with Wright Memorial Library Book Delivery Program. The ACORN program is free-of-charge and is intended for Oakwood residents who are 65 or older, residents living alone and/or residents with limited contact with caregivers. The goal of the program is to work in partnership with our senior and at-risk citizens to better address their needs and improve their quality of life within the community. To enroll, contact the Safety Department and arrange for a home visit. Officer Kasey Ballinger has been instrumental in the development of this program.

Chief Hill closed his presentation by sharing that the Public Safety Department almost had a clean sweep in the employee bi-annual chili cook-off. Captain Mike Jones received first place for chili; Crew One received second place for chili; and Captain Kevin Pruszynski won for the best dessert.

Mr. Stephens asked if the number of citations on Shroyer Road has changed since the Road Diet was implemented.

Chief Hill shared that the number of citations on Shroyer Road has decreased significantly. There were approximately 236 citations in 2016 compared to approximately 35 in 2018. With the changes on Shroyer Road, the normal flow of traffic has slowed down significantly.

Mr. Stephens asked if the radar speed sign is still being used.

Chief Hill reported that the sign is still actively being used. It is currently located in the 300 block of Claranna Avenue. The sign helps to evaluate areas of concern.

Mr. Stephens inquired about narcotic crimes.

Chief Hill shared that the majority of narcotic arrests stem from traffic stops or when narcotics are found on individuals. Rather than criminal conviction, the focus for people who sustain an overdose is toward treatment.

Mr. Stephens asked if all public safety officers will be involved in the ACORN Program.

Chief Hill shared that initially there will be five public safety officers, including Captain Pruszyński and PSO Ballinger.

Mayor Duncan and Mr. Stephens asked that Chief Hill relay to the public safety department that their efforts are appreciated and they continue to do a great job.

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

The 2019 Budget is now available on the City website. The budget book contains valuable information for residents, including a Capital Improvement Plan and the City Manager Budget Message providing a synopsis of the City's financial situation. Kudos to Finance Director Cindy Stafford and her staff for all of the work in putting this together.

City staff is working on the 2018 Annual Report. The report will be delivered, along with the next edition of the Community Center events brochure, to every property owner and business in Oakwood at the end of March. Kudos to Ms. Stacel for all of her work organizing and proofreading the report.

The parking lot at the Oakwood Community Center has been a great addition. The parking patterns along Patterson Road have improved resulting in fewer parked vehicles on the street. Residents that utilize the Community Center appreciate the convenience of the 25 parking spaces.

City staff has started preparing for the opening of Gardner Pool over Memorial Day weekend. Kudos to Leisure Services Director Carol Collins and Program Supervisor Karen Earley for getting everything ready.

The City website has information on the different methods in which the City communicates with residents. There are several communication methods such as the bi-monthly *Oakwood Scene* newsletter, the City website, press releases to the *Oakwood Register* and *Dayton Daily News*, Facebook, e-mail distribution, and a telephone notification system called CodeRED. With CodeRED, City staff can send messages to telephone numbers across the entire city, or within any selected geographical area. The telephone database automatically contains all landlines, but only includes cell phone numbers if they are specifically added to the database. Additional telephone numbers may be registered on the CodeRed website which can be accessed from the home page of the City website.

The City is implementing a new improved service to provide more convenient online payment options. Over the next few weeks, the Finance Department will be rolling out a new web-based payment portal. Information will be available on the City website, including a link to the portal where citizens can sign up for this new service.

Law Director Rob Jacques explained that each year, scouts in the Miami Valley Council conduct a food drive known as "Scouting for Food." Scouts distribute plastic collection bags to homes, and return a week or two later to pick up donations of canned goods and other non-perishable items. This year, in connection with the Miami Valley Council's 100th anniversary and in partnership with both the Hall Hunger Initiative and The Foodbank, and sponsored by Dayton Power & Light, the scouts have set an ambitious goal of collecting 101,000 pounds of food. In addition to the door-to-door distribution of collection bags, there will be collection boxes placed

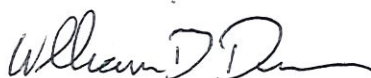
throughout the Dayton region. The City will host two collection boxes to support this effort. They will be here from Monday, March 4 to Friday, March 22, with one placed in the lobby at City Hall and the other at the Oakwood Community Center.

COUNCIL COMMENTS

Mr. Stephens reported that the annual New Resident Breakfast is at 9:30 a.m. on Saturday, March 16 at the Oakwood Community Center. He encouraged all new residents to attend.

Mayor Duncan congratulated the Wright State University men's and women's basketball teams. Both teams won their conference championship, and will begin conference tournaments. If they win the first tournament games, they will go to the semi-final game on Monday, March 11 at Little Caesars Arena in Detroit, Michigan, followed by the championship game on Tuesday, March 12.

The public meeting concluded at 8:18 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL