

CITY OF OAKWOOD

STATE OF OHIO

OCTOBER 2, 2017

The Council of the city of Oakwood, State of Ohio, met in a work session at 7:00 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 BYINGTONPRESENT
 MR. ROBERT P. STEPHENS.....PRESENT
 MRS. ANNE S. HILTON.....PRESENT
 MR. CHRISTOPHER B. EPLEYPRESENT

Officers of the city present were the following:

Mr. Robert F. Jacques, City Attorney
 Mr. Jay A. Weiskircher, Assistant City Manager
 Mr. Alex Bebris, Public Safety Director
 Mrs. Cindy Stafford, Finance Director
 Ms. Lori Stacel, Clerk of Council

The following visitors registered:

Dr. Sallie Wilson, D.O., 45 W. Peach Orchard Road
 Madeline Iseli, 38 Beverly Place
 Lizzie Schumacher
 Agama Shafer, 2210 Ridgeway Road
 Allie Jefferis, 698 Woods Road
 Mary Kidwell, 1000 Hathaway Road
 Brendon Tsui, 66 Telford Avenue
 M. Kendig, 308 Hadley Avenue
 Kristen Ruscitelli, 238 Hadley Avenue
 Brenna Campbell, 1723 Coolidge Drive
 Sarah Rosenbaum, 249 Wonderly Avenue
 Katie Hapgood, 305 Northview Road
 Allison Kordick, 52 Corona Avenue
 Sarah Doczy, 1305 Hathaway Road
 Sarena Kelley, 420 Kramer Road
 Sarah Waechter, 231 Northview Road
 Abbey Urbas, 406 Greenmount Boulevard
 Sharon Edwards, 344 Spirea Drive
 Stefanie Campbell, 271 Schenck Avenue
 Natalie Bryan, 400 Spirea Drive
 Cara Kite, 338 Volusia Avenue
 James Jackson, 1120 Delaine Avenue
 Brian Barr, *Oakwood Register*

Before beginning the meeting, Mayor Duncan asked for a moment of silence to honor the victims of the Las Vegas shooting that occurred on October 1, 2017.

Mrs. Hilton advised Council she had read the meeting minutes of the September 18, 2017 regular session and work 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.

VISITORS

Out of the Darkness Community Walk – Dr. Sallie Wilson, D.O. shared that the 4th annual Suicide Prevention Walk will take place at the Oakwood High School at 2 p.m. on Sunday, October 22. The walk is sponsored by American Foundation for Suicide Prevention, which is the largest private funder of suicide prevention research in the country. Their goal is to reduce the annual suicide rate 20% by 2025. In the last three years, the walk has raised over \$120,000. The 2016 walk had over 900 participants and this year, it is expected that there will be approximately 900 – 1,000 participants. Registration prior to the walk is requested for liability purposes. For more information, please go to www.afsp.org.

Mayor Duncan thanked Dr. Wilson for her presentation.

Citizens for Sinclair – Madeline Iseli thanked City Council for their ongoing leadership to perpetuating community spirit. Mrs. Iseli shared that the Oakwood community has been a continuous supporter of the Sinclair levies because it places value on education. Since 1966, local levy support has enabled Sinclair to invest in high-quality and up-to-date programs to meet workforce needs, while also offering Montgomery County residents the lowest tuition in the state of Ohio. Issue 4 is a vital investment in our economy and community that will not raise taxes. She asked for Oakwood citizens to vote in favor of Issue 4, Citizens for Sinclair. Mrs. Iseli thanked City Council and Oakwood for their continued support.

Mayor Duncan shared that Sinclair has been a leader in allowing high school students to earn college credits. He added that it is a way to help save money while still in high school.

Sarena Kelley, 420 Kramer Road, shared that she moved to Oakwood two years ago after stumbling upon the city while driving around, which she is very thankful for. She feels there is an issue with speeding from the Dayton Country Club around Kramer Road, Oakwood Avenue, and W. Thruston Boulevard, as well as Shroyer Road and Shafor Boulevard. She feels that a stop sign on the corner of Kramer Road and Haver Road would help with the speeding along Kramer Road. The Oakwood Public Safety Department has been extremely helpful and have done everything they can to decrease speeding in the neighborhood, but the issue continues. Mrs. Kelley shared that she started a petition in her neighborhood, and after talking to her neighbors, she realized that the issue is not just isolated to Kramer Road. This is now a community effort with many residents involved. The speeding issues were discussed with the MOMs Group on Facebook and she is hoping that there is a conclusion on how to address these safety concerns.

Mayor Duncan asked if anyone in the Safety Department has contacted the Dayton Country Club management to make sure they are aware of this.

Chief Bebris said that Captain Jones has contacted the Dayton Country Club on more than one occasion.

Mrs. Kelley shared that after speaking with the Dayton Country Club's General Manager, they will be placing a reminder about speeding in their newsletter and will speak to their staff.

Mayor Duncan asked Chief Bebris to speak to how the Oakwood Public Safety Department performs site enforcement in the city.

Chief Bebris explained as a general rule for traffic engineering and public safety, studies show that typically stop signs are not to be used as a speed control device in residential neighborhoods and in many cases, they can have the opposite effect. People tend to increase speed after a stop sign. The Oakwood Public Safety Department has found that the most effective way to handle speeding complaints is to assign officers to designated areas to monitor traffic trends and speeding. Using Shroyer Road as an example, one of the objectives for why the Shroyer Road Safety Study was done was to control speeding. The study recommended engineering-based solutions but did not recommend traffic signals or stop signs. Chief Bebris stated that the Public Safety Department will diligently monitor these areas.

Mayor Duncan asked if there is less enforcement in these neighborhood areas because of increased enforcement along Shroyer Road, Acorn Drive and Hathaway Road.

Chief Bebris explained that Public Safety Officers are indeed increasing patrols around Shroyer Road, but they do patrol the areas in question and will be back to the regular enforcement patterns when the Shroyer Road project ends.

Vice Mayor Byington asked if the Public Safety Department could do some type of study to identify average speeds on these roads.

Chief Bebris responded yes, if that is what is requested by City Council.

Vice Mayor Byington added that sometimes on a residential street it can appear that someone is going quicker than they actually are. He then inquired about possible options for placing temporary stop signs.

Chief Bebris shared that while this is not recommended, he could look into this option further.

Vice Mayor Byington asked if there are any statistics on speed bumps.

Chief Bebris explained that speed bumps have an effect similar to stop signs. People tend to speed up in between, or after speed bumps. Also, the speed bumps could impact the road equipment including snow removal trucks and plows.

Natalie Bryan, 400 Spirea Drive, explained that she lives at the corner of Delaine Avenue and Acorn Drive. She has seen an increase in traffic and speeding, and police presence, but she has not noticed a decrease in speeding. She stated that she was curious about how dated the studies were that Chief Bebris referenced. She feels that there has been a lot of naysaying, but is curious what City Council and city staff recommends. She added that she isn't certain how people lobby to get sidewalks with City Council, but she would do what is necessary as a homeowner if it helps and if it keeps kids safe.

Vice Mayor Byington shared that he hopes City Council or city staff has not given the sense of naysaying. He explained that City Council is trying to gather as much information as possible so they can look into the issues further.

Abbey Urbas, 406 Greenmount Boulevard, shared that she has seen similar traffic behavior as has been previously mentioned. She feels that stop signs would be helpful on Hathaway Road and on Delaine Avenue, at the intersections with Telford Avenue and Aberdeen Avenue because it would create a break in traffic and would allow for the kids to cross the street safely. A lot of pedestrian traffic occurs there due to the location of Smith School and the library.

Mary Kidwell, 1000 Hathaway Road, shared that she believes the issue is more than just speeding in Oakwood. She runs cross country and she is noticing that drivers are more distracted. She grew up in an area without a sidewalk, and she doesn't believe the issue is with needing sidewalks. Parents need to teach their kids to stay in their yard and not go into the street.

James Jackson, 1120 Delaine Avenue, explained that he has a lot of active children in his neighborhood, and his block does not have sidewalks or a stop sign. His street is often a throughway for traffic coming south from Shroyer Road through Oakwood. He believes traffic has increased because there are double fines on Shroyer Road for speeding in a construction zone, but not on the side streets.

Sarah Doczy, 1305 Hathaway Road, shared that there is too much speeding in Oakwood, and she believes it was occurring before the Shroyer Road construction. Oakwood is a walking community and residents should not have to worry about speeding. She asked that we all work together to find a solution.

Cara Kite, 338 Volusia Avenue, explained that she has made other arrangements for her kids to get to school because they cannot walk from Volusia Avenue to Harman School. She shared concerns for her kids' safety while walking on the streets and in the medians, and added that something has to change.

M. Kendig, 308 Hadley Avenue, shared that she believes the parked cars on the streets help because it requires traffic to slow down, but at the same time those parked cars can cause a hazard when there are no sidewalks for people to walk on.

Mayor Duncan shared that the neighbors can petition for sidewalks, but the cost is then assessed to the property owner's property taxes. He asked the Law Director for additional comment on that issue.

Mr. Jacques explained that City Council has the authority to pass a resolution of necessity to put in sidewalks without a petition. Assessments would then be made to the homeowners that have frontage on the street. The other option is for neighbors to petition for sidewalks. In some circumstances, state law requires 60% of frontage owners, while others circumstances require 75%.

Sarah Waechter, 231 Northview Road, shared that she echoes the other comments that have already been made. With Oakwood being a walking community, there needs to be a way for people to cross the street through traffic. Kramer Road does not have any stop signs or any other options for crossing the street through traffic.

Sharon Edwards, 344 Spirea Drive, asked where she could find additional information about the laws for petitioning sidewalks.

Mr. Jacques shared that it is a state law and is listed in Sections 727 and 729 of the Ohio Revised Code.

Mrs. Edwards asked how assessments typically work on property taxes.

Mayor Duncan shared that they typically are played out over a period of time, but he was not certain of the specifics as it relates to sidewalk assessments.

Mrs. Edwards suggested that since there has been an increase in tickets due to speeding, radar or cameras could be installed to help identify the issues.

Chief Bebris explained that he does not believe that a traffic study would be helpful on Delaine Avenue, Acorn Drive, or Hathaway Road until after the Shroyer Road project is complete. He shared that from the time construction began on or about July 11 through September 28, there were 572 traffic stops on Shroyer Road with 217 citations issued.

Mayor Duncan stated that Ohio state law sets the requirements as it relates to increased fines in construction zones.

Mr. Jacques stated that double fines only apply in areas designated as a construction zone with workers present or during normal working hours. Outside those areas and times, speed limits still apply but not the double fine provisions.

Allie Jefferis, 698 Woods Road, shared that she believes there is nothing that can be done to stop people from speeding.

Natalie Bryan, 400 Spirea Drive, asked Council what the steps are moving forward.

Mayor Duncan said that City Council will work with the City Manager and Public Safety Director to come up with a plan of action. City Council will provide a status report at the December 11 Council meeting. Mayor Duncan asked who the point-of-contact is regarding the petitions.

Sarena Kelley, 420 Kramer Road, clarified that there are two separate petitions. For her, this started with a friendly petition with her surrounding neighbors that agree to install a stop sign at Kramer Road and Haver Road. After getting on Facebook, there were other issues related to speeding, so she invited those individuals to the City Council meeting to voice their concerns. The second petition is regarding overall speeding in Oakwood to show the number of people who agree this is a problem.

Vice Mayor Byington explained that the Public Safety Department tracks statistics, evaluates trends and then allocates officers. The Shroyer Road project is an anomaly, but if there are streets that are experiencing issues with speeding, City Council and city staff need to figure out a solution.

LEGISLATION

AN ORDINANCE

BY MR. STEPHENS

NO. 4845

TO AMEND EXISTING SECTION 305.04, EFFECTIVE DATE OF REGULATIONS, OF THE OAKWOOD TRAFFIC CODE TO CLARIFY THE PROCESS FOR IMPLEMENTING TEMPORARY TRAFFIC CONTROL MEASURES.

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 introduced at the September meeting.

Under Sections 305.03 and .04 of the Traffic Code, the City Manager has authority to adopt traffic regulations throughout the city. This authority encompasses a wide range of traffic decisions, including the placement of stop signs, time-limited parking zones, road closures, and other things.

The city's historical practice of adopting these regulations generally involves publishing them in a book of Traffic Regulations and posting signs as appropriate. However, Oakwood has only published those regulations that are intended to be permanent. Temporary regulations, such as the closure of a street for a block party, or prohibiting left turns in the area of an ongoing construction project, are appropriately signed but are not recorded in the Traffic Regulations book.

While this has been the city's practice, it is not expressly stated as such in Section 305.04. The city has not experienced any legal difficulties due to the current wording, but the City Attorney has recommended that Council adjust the language to clarify that temporary regulations need not be recorded in the Traffic Regulations book.

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.

CITY MANAGER'S COMMENTS – Mayor Duncan shared that Mr. Klopsch is on vacation, so Assistant City Manager Jay Weiskircher will be providing the City Manager comments this evening. Mr. Weiskircher provided an update on the following items:

The Shroyer Road project is going well. Beginning Wednesday, October 4, Shroyer Road will temporarily close between Dorothy Lane in Kettering and Gainsborough Road in Dayton. The closure will last about one week and is necessary to complete the asphalt pavement resurfacing. During the mill and overlay operation, all of the side streets that intersect Shroyer Road will be blocked, but accommodations will be made to allow Shroyer Road residents to access their properties. After the mill and overlay operation is completed, the final phases of work will include pavement striping, sign installations, and installing the safety flashers at the two new crosswalks and at the new bikeway crossing. All work on the project should be completed by late October. Earlier today, the Ohio Department of Transportation (ODOT) approved a request that installation of an irrigation system and trees in the medians on Shroyer Road be added to the original contract meaning costs will be shared on a 60%/40% basis between federal and local dollars.

The annual community document shred/prescription drug disposal event was this past Saturday. It was very well attended with more than 200 vehicles dropping off unused medicines and/or shreddable paper. Mr. Weiskircher noted that many participants using this service expressed their thanks and appreciation to City Council for offering this free service to the community, and suggested having the document shred/prescription drug disposal event twice a year versus only once.

This past Saturday was the last day for the Oakwood Farmers' Market. The market had a record-breaking year. Mr. Weiskircher thanked volunteers, organizers and the market manager for making the market such a success and a great asset to the Oakwood community.

The pocket park at the corner of Schenck Avenue and Oakwood Avenue will be named "Cook Park", in honor of former Schenck Avenue resident and Mayor, Judy Cook. Site work began last week and over the next several weeks play equipment, safety surface and a picket fence will be installed. The city will hold a dedication ceremony at 2 p.m. on Saturday, October 28 at the park.

COUNCIL COMMENTS

Mr. Epley reported that he didn't have any comments this evening. Mayor Duncan asked what happened to his finger. Mr. Epley shared that is an old football injury.

Mrs. Hilton mentioned that Sunday, October 15 is the Family Fall Festival event at Shafor Park from 2 – 5 p.m., which is the kick-off to Scarecrow Row. She encouraged everyone to come out and enjoy the fun event.

Mr. Stephens reported that on behalf of the Oakwood Rotary Foundation, two additional flagpoles will be installed at Lane Stadium to create a "Veterans Corner". A dedication ceremony will be held at 11 a.m. on Saturday, October 21. The flag poles will carry the US flag, the State of Ohio flag and the Oakwood flag/Rotary flag. It will be a place to honor Veterans.

Vice Mayor Byington thanked everyone in the audience for attending the meeting. He explained that comments on social media are taken with a grain of salt, but when residents take the time to attend a meeting in person to share their concerns, City Council appreciates the feedback. He

reported that Election Day is on Tuesday, November 7. He encouraged everyone to read and understand the issues, and then take the time to vote.

Mayor Duncan read the following into the record:

"Under Governor John Kasich's administration, the state broke its 75 year covenant with local governments by taking for itself sales tax revenue previously reserved for cities, villages, townships, counties and school districts. His administration also eliminated the Ohio estate tax, 80% of which benefited local governments.

They are responsible for the large amount of the local income and property tax increases over the last six years and, in fact, his administration encouraged the same.

Governor Kasich also expanded Medicaid under Obamacare in 2013. At the time, the General Assembly predicted costs would exceed his estimates and, of course, they did.

The General Assembly's current budget provides some common sense cost controls which the Governor vetoed. If the General Assembly does not override his veto, and to date, that has not occurred, our next Governor will have to decide on whether we want the State to provide assistance to poor children and the disabled or to provide free health care to able-bodied adults above the poverty level.

Yesterday, Governor John Kasich stated on CNN "if the party can't be fixed...I'm not going to be able to support the party...But have I given up? No,"

I believe our Governor should spend his final two years in elected office working for everyone in Ohio, fixing Ohio's structural deficit, and spend less time on national media."

The public meeting concluded at 8:43 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL