

CITY OF OAKWOOD
STATE OF OHIO
SEPTEMBER 18, 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 BYINGTONPRESENT
- MR. ROBERT P. STEPHENS.....PRESENT
- MRS. ANNE S. HILTON.....PRESENT
- MR. CHRISTOPHER B. EPLEYPRESENT

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
- Mr. Alex Bebris, Public Safety Director
- Mrs. Cindy Stafford, Finance Director
- Ms. Lori Stacel, Clerk of Council

The following visitors registered:

- Stefanie Campbell, 271 Schenck Avenue
- Brian Barr, *Oakwood Register*

Mrs. Hilton advised Council she had read the meeting minutes of the August 21, 2017 regular, executive and work 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

Proclamation – Mayor Duncan read a proclamation designating September 17-23 as “Constitution Week”.

Proclamation – Mayor Duncan read a proclamation recognizing Lifesaving Actions of PSO Sarah Whitaker, who rendered emergency care to a cyclist who suffered a heart attack while Officer Whitaker was on her way to work. Officer Whitaker was the first responder on scene before the arrival of EMTs from the Miami Valley Fire District.

Chief Queen, from the Miami Valley Fire District, explained how the Miami Valley Fire District became operational. The city of Miamisburg and Miami Township chose to combine efforts in providing fire and EMS services to achieve a cost savings and to provide more effective services. In 2012, the Miami Valley Fire District became operational utilizing members of the two former departments and is the third busiest department in the area. Chief Queen said that PSO Whitaker acted quickly at the scene of the cardiac event and that is why the gentleman she helped is still here today. He is thankful that she was there that day and he appreciates all of her efforts.

PSO Whitaker shared that she was driving to work like any other day. She believes that God put her there to help. Her reward in this is knowing that the gentleman she helped gets to spend many more years with his family. She added that it was a team effort that day and that’s what helped make a difference.

Chief Bebris shared that it is said that when people are faced with a test or trial, their true nature comes out. PSO Whitaker showed that she is truly dedicated to the public safety profession. PSO Whitaker is indeed very dedicated and he is thankful to say that she is one of Oakwood’s Public Safety employees.

City Council congratulated PSO Whitaker for her life-saving actions.

Schenck Park – Mr. Stephens shared that discussions about this project began about 18 months ago when a group of Oakwood citizens, led by Mary Montgomery, approached the city about building a small playground in the park at the corner of Schenck Avenue and Oakwood Avenue

just north of Five Points. There are young children living on the north end of Oakwood and there is currently no playground in this part of the city. City Council and city staff looked into the proposal and worked with the citizens to develop a plan. The citizen proposal called for a significant portion of the project funding to come from grants or private donations. The park improvements will include three pieces of playground equipment, safety surface, fencing, sidewalks, benches, and trash and recycling containers. All of the playground equipment and some of the site amenities will be made out of recycled materials. The project will cost around \$70,000, with about \$40,000 coming from the Montgomery County Solid Waste District, \$7,000 from private donations, \$3,000 from the Oakwood Rotary Club and around \$20,000 from the city of Oakwood. Construction work is scheduled to begin within the next week or two and will be completed by late October or early November. When completed, the city will conduct a dedication ceremony at the park and will rename the park "Cook Park", in honor of our former mayor, Judy Cook. More information about former Mayor Cook will be presented at that ceremony.

VISITORS

Joe Braden, Auditor of State – Mr. Braden recognized Oakwood City Council and the Oakwood Finance Department for receiving the Auditor of State Award for Excellence in Financial Reporting. He explained that the Auditor of State's office audits more than 6,000 entities and less than 10% are even eligible for this award. Entities that receive this award must meet the following criteria: the entity must file financial reports with the Auditor of State's office within 150 days of year-end; have a clean audit, meaning that the report does not contain any findings for recovery, material citations, material weaknesses, significant deficiencies, Single Audit findings or questioned costs; and, the entity's management letter contains no comments related to ethics referrals; questioned costs less than \$10,000; lack of timely report submissions; reconciliation; failure to obtain a timely Single Audit; findings for recovery less than \$100; and public meetings or public records issues. This award not only represents the hard work of every city employee who strives each day to achieve excellence, but also City Council for their excellent job in accounting for the money in the city offices. Mr. Braden recognized Finance Director Cindy Stafford for her outstanding leadership, professionalism and commitment to fiscal integrity. He then presented Mrs. Stafford with the award.

Mrs. Stafford accepted the award on behalf of the city of Oakwood. She thanked the Oakwood Finance Department for all of their hard work. The city takes the money received very seriously and assures that it is properly accounted for.

Mayor Duncan shared that in being a CPA, he knows how hard it is to obtain this award. He said that the past and current Oakwood City Council and Oakwood city staff take very seriously the safeguarding of taxpayer money, and with transparency. He thanked Mr. Braden for taking the time to present the award.

LEGISLATION

AN ORDINANCE

BY MR. STEPHENS NO. 4844
TO ACCEPT THE DEDICATION OF A STREET RIGHT-OF-WAY FOR CERTAIN CUL-DE-SACS AND THE STREET KNOWN AS ASCENT CIRCLE.

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 ordinance that relates to the Pointe Oakwood Settlement Agreement that was approved by Council on March 20, 2017, and adopted by the Montgomery County Common Pleas Court on March 21, 2017.

Almost all of the paved roadways in the Pointe Oakwood development are owned by the city as public right-of-way. However, four small cul-de-sacs and Ascent Circle are privately owned by Oakwood Investment Group (OIG). As part of the settlement agreement, OIG agreed to install the final course of asphalt on all streets in the development, and then to dedicate the four cul-de-sacs and Ascent Circle to the city as public right-of-way.

The paving work was completed a few weeks ago, and OIG has delivered a deed to the City Attorney to dedicate the cul-de-sacs and Ascent Circle for public use. This ordinance will formally accept the right-of-way dedication and authorize the City Attorney to record the deed.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the second reading be waived and that the ordinance be passed this evening.

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.

A RESOLUTION

BY VICE MAYOR BYINGTON NO 1839
 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS
 DETERMINED BY THE BUDGET COMMISSION AND
 AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING
 THEM TO THE COUNTY AUDITOR.

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

Vice Mayor Byington explained that each tax year, the Montgomery County Budget Commission is required to certify its determination of the millage rates and amounts the city will receive from its existing property tax levies. For 2017-2018, the Budget Commission has determined that Oakwood will receive \$1,143,937 from inside-millage and \$1,516,595 from its outside-millage tax levies, which is consistent with the city’s projections. This is the annual resolution to accept the county’s determination.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens 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. 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 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.

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

STAFF REPORT

Public Safety Department Presentation: Chief Alex Bebris, Public Safety Director, referenced a PowerPoint presentation and updated Council on the following topics: Crime Trends; Shroyer Road Improvements; and Cases of Note.

Chief Bebris reported that burglaries and thefts have dropped significantly from 2016 to year-to-date, 2017. This reduction is due to aggressive patrolling by Oakwood Public Safety Officers.

Over the course of a six month period between November 2015 and April 2016, the city of Oakwood studied Shroyer Road. The purpose of the study was to assess the accident history and evaluate the overall safety of the 1.1 mile roadway corridor. The study, which was performed by the engineering firm of Crawford, Murphy and Tilly, Inc., identified significant safety problems and recommended countermeasures to address the safety concerns and to improve Shroyer Road for all transportation modes including vehicle, pedestrian and bicycle. The primary safety problems with Shroyer Road are high crash rates including rear-end crashes, angle crashes, left turn crashes and sideswipe crashes; lack of safe crossings for pedestrians and cyclists; and, excessive vehicle speeds. The Shroyer Road project objectives are to reduce accidents; slow the traffic; provide safer pedestrian crossings; improve the bikeway crossing north of Dellwood and provide bike lanes; improve the roadway streetscape; and, recreate a residential feel through the corridor. The project is well underway and is anticipated to be completed in October. Throughout this project, Public Safety Officers have had a strong presence on the roadway to ensure the safety of traffic, pedestrians, residents, and workers. Chief Bebris recognized Captain Jones for overseeing things from a safety standpoint.

The city placed a 24-7 prescription drug drop-off box by the dispatch window at 30 Park Avenue. The drop-off box accepts pills and patches, but no liquids or needles. So far, the drop-box is being used daily and numerous items have been collected and destroyed. The Miami Valley Crime Lab is available to accept items that the Oakwood prescription box does not. They are available to call Monday through Friday from 8 a.m. – 4 p.m.

Oakwood is a participant in a Council of Governments that administers the radio network that the Oakwood Public Safety Officers and vehicles use to communicate. The countywide system is part of the larger statewide MARCS system. A fee is paid each month per radio for system maintenance and upgrades as needed. The current fees are set at \$20 per radio per month. This is a robust system that is statistically known during storm events to take more than 75,000 radio transactions in a one-hour period.

Since 2015, the Public Safety Department has responded to approximately 40 incidents in which city street signs have been damaged costing the city thousands of dollars in repairs. In an effort to put an immediate stop to the incidents, the city of Oakwood is offering a \$1,000 reward for anyone with information leading to the arrest and conviction of the individual(s) involved.

The CVS pharmacy, located at 2801 Far Hills Avenue, was robbed just after 8 p.m. on May 1 by two males. One of the suspects passed a note to a worker stating it was a robbery and to give up pain prescription medications. The employee called 911 which startled the suspects and they fled without further incident. Federal prosecutors identified and charged two men with this attempted robbery attempt, according to court documents. Brandon Freeman and Davis Harris have been charged in Dayton's U.S. District Court with attempted interference with commerce by threat or violence, according to a criminal complaint written by a Federal Bureau of Investigation special agent. A total of eight people are under Federal Indictment for a ring responsible for multiple pharmacy robberies in the Miami Valley.

Finally, Chief Bebris shared that after working in the public safety profession for over 29 years, and 11 years as Oakwood's Public Safety Director, he has decided it is his time to move on. His last day will be November 10. He shared that he and his wife have made several trips out east and they wish to purchase an inn in Vermont. Also, he said that he received an offer for a position to do police department outreach work for troubled departments around the country. Chief Bebris shared that Captain Alan Hill will be appointed on November 10 to serve as the new Oakwood Public Safety Director. He recalled when Captain Hill first interviewed for the Public Safety position. His was the best interview that Chief Bebris recalls having and he distinguished himself early on. Throughout his career, Captain Hill has produced only top-shelf work and the Public Safety Department will be in good hands going forward.

Captain Hill thanked City Council, Mr. Klopsch and Mr. Weiskircher for their confidence in his abilities to serve as the incoming Public Safety Director. He appreciates the opportunity. Captain Hill said that he will only be the 7th person since 1955 to be appointed to this role. He said that as he goes forward, that is a reminder how truly great this opportunity is. Through professionalism, dedication and commitment, the Public Safety Department will continue to

provide services at the highest level. He thanked Chief Bebris for his guidance and for the opportunities he was given.

Mrs. Hilton asked if the labels containing personal information are removed from prescriptions placed in the drop off box before being discarded.

Chief Bebris said that citizens should package their unwanted medications in clear plastic baggies versus the prescription containers.

Mayor Duncan thanked the Public Safety Department for their vigorous site enforcement during the Shroyer Road Project. He has not seen an abundance of speeding on any streets, including Shroyer Road. Mayor Duncan shared that it is bittersweet that Chief Bebris is leaving. Historically, the city has dealt with a number of labor issues in the Public Safety Department, but there have not been nearly as many since Chief Bebris assumed the position as chief. He added that the city has the best group of public safety officers and he feels that this has to do with Chief Bebris' leadership and ability to attract high quality applicants.

Mr. Stephens thanked Chief Bebris for his time as Chief. He wished him all the best with his future endeavors. He told Captain Hill that he expects him to keep up the tradition of superior services from the Public Safety Department.

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

Chief Bebris has another 6-7 weeks in the Chief position. He and Captain Hill will work to ensure a smooth transition of this role, which is critically important. He will share additional comments about Chief Bebris at the November 6 council meeting.

The Shroyer Road Project is going well. This is a testament to the involvement of the Public Safety Department and the Public Works Department, specifically Roadway Foreman Dave Shuey. Dave Shuey has done a fabulous job making sure every detail is handled properly.

The concrete repair work on Ridgeway Road is winding down, but will continue for a few more weeks. The city of Kettering is conducting a community survey regarding a bridge replacement project on Ridgeway Road over Dorothy Lane. A portion of the city of Oakwood will also be included in the opinion gathering process to determine how people use the bridge. In the near future, mailings will be sent out to Oakwood residents from the Hills and Dales Park up to Park Road, east to Far Hills Avenue and then south to Dorothy Lane. The mailing will direct residents to a website where they can provide feedback on how they use the bridge.

On Monday, October 16 the leaf collection season will begin. Mr. Klopsch asked that leaves be put out in the gutter for pick-up and that yard debris be placed behind the curb a day or two before the scheduled pick-up day.

The 2018 Budget is currently being prepared. Details of the capital expense portion of the budget were presented to the Budget Review Committee at the September meeting and additional details will be presented at their October 17 meeting. Hats off to Finance Director Cindy Stafford and the Finance Department for receiving the Auditor of State Award.

Mr. Stephens asked Mr. Klopsch to comment about cost savings from using topsoil from Lane Stadium on the Shroyer Road Project.

Mr. Klopsch shared that topsoil recovered from the Lane Stadium construction was repurposed to build the medians along Shroyer Road. In doing this, the city saved approximately \$15,000 – \$20,000.

The public meeting concluded at 8:32 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL