

**MINUTES
OAKWOOD CITY COUNCIL WORK SESSION
APRIL 22, 2019**

The Council of the city of Oakwood, Ohio, met in a work session on Monday, April 22, 2019 in the conference room of the Oakwood Municipal Building, 30 Park Avenue. The Mayor of the City, William Duncan, presided.

Council members in attendance were Mayor William Duncan, Vice Mayor Steve Byington, Councilmember Rob Stephens, Councilmember Anne Hilton and Councilmember Chris Epley. Staff in attendance were City Manager Norbert Klopsch and City Attorney Rob Jacques. Also attending for the first three agenda items were Dr. Kyle Ramey, Oakwood Schools Superintendent, and Julie Belden, CPA, Oakwood Schools CFO.

Mayor Duncan called the meeting to order at 5 p.m. and welcomed Dr. Ramey and Mrs. Belden. Mr. Klopsch noted that he invited Dr. Ramey and Mrs. Belden to the meeting this evening for two purposes. The first was so Mrs. Belden could meet City Council. Mrs. Belden began her duties as CFO about two months ago, after the retirement of Treasurer/Business Manager Kevin Philo. The second was so Dr. Ramey and Mrs. Belden could speak about the May 7 ballot issue regarding a new school property tax.

Dr. Ramey introduced Mrs. Belden and asked her to provide some details about her professional background. Mrs. Belden did so, after which Dr. Ramey provided an overview of the two-part property tax levy. One part is for operating expenses and the second is for capital improvements. The operating part is 4.99 mills and the capital improvement (bond issue) is 2.71 mills. If approved by the voters, the cost to the owner of a \$100,000 value home is \$269.50 annually.

At the conclusion of the tax levy discussion, Mr. Klopsch addressed two additional items in the presence of Dr. Ramey and Mrs. Belden.

- Shafor Park Tennis Courts: Mr. Klopsch provided an update on warranty repairs needed at the new Shafor Park Tennis Facility. Staff has already met with the consultant and contractor. Staff will have another meeting with the consultant in the near future to discuss technical aspects of these warranty repairs. All of the repairs will be done at no cost to the City or the Schools.
- Fiber Optic at Lane Stadium/Old River: Mr. Klopsch mentioned that the City and Schools are obtaining a cost proposal to install a fiber optic communications line to Lane Stadium/Old River. The line would be connected to the existing fiber optic cable at the intersection of Far Hills Avenue and Springhouse Road/Old River Trail. The fiber would be used for various purposes, including security cameras, telephones, and enhanced Wi-Fi service.

Dr. Ramey and Mrs. Belden departed the meeting at approximately 5:50 p.m.

Mayor Duncan then led a discussion on the following agenda items:

▪ COUNCIL COMMITTEES

○ Finance, Vice Mayor Byington

- Permissive Licensing Fee: Mr. Klopsch explained that the recently approved Ohio Transportation Bill authorized municipalities to impose an additional \$5 per year fee for vehicle license renewals. The current licensing fee (permissive tax) is \$20 annually per vehicle, with \$12.50 remitted to Montgomery County and \$7.50 to Oakwood. The additional \$5 fee would go entirely to Oakwood and would generate about \$45,000 annually to be used on street maintenance projects. Mr. Klopsch mentioned that it is staff's intention to present an ordinance at the May 6 council meeting for a first reading on this matter. Mr. Stephens questioned the need for imposing this additional \$5 fee. Mr. Klopsch explained that the amount of money the City receives from licensing fees has been relatively unchanged since 2006, yet street maintenance costs increase every year. This \$5 fee helps to address cost increases experienced over the past 13 years. It will also help to delay the need for the City to consider future tax increases. Mr. Klopsch added that the permissive tax can be viewed as a fee for service, given that it only applies to citizens that have registered vehicles, and is dependent on the number of vehicles owned by each person.
- Police and Fire Pension Fund: Mr. Klopsch reported that the remaining City liability under the Ohio Police and Fire Pension Fund is approximately \$440,000. The City pays 4.25% interest on this liability, and currently earns approximately 2% interest on investments. Under the current payment plan, the final payment on this liability is due in year 2035. If the City chose to pay off the remaining balance now, Oakwood would save approximately \$170,000 in interest charges. Mr. Klopsch suggested that this would be a prudent action, and that the matter could be presented to the citizen Budget Review Committee for opinion, or Council could decide the matter directly. Mr. Klopsch opined that this is a matter that Council should decide directly. Updated liability payoff numbers will be provided to the City in the fourth quarter of this year. At that time, the City can consider options for paying off the liability. This could be done in one installment or perhaps two installments, one in late 2019 and one in 2020.

○ Law & Minutes, Mrs. Hilton

- S.B. 331 Update: Mr. Jacques provided a brief update on the City's involvement with S.B. 331 (small cell wireless) litigation and recent updates with the case. He reminded Council that the City had joined a coalition of other municipalities to challenge S.B. 331, and had prevailed at the trial court with a finding that S.B. 331 was adopted in violation of the single-subject rule. H.B. 478 was subsequently adopted while the S.B. 331 case was on appeal, rendering much of the S.B. 331 case moot and leading most of the coalition municipalities to drop out of the case. However, the appeal is ongoing and all of those cities are still parties. Recently, the State of Ohio filed a motion to vacate the court's original finding that S.B. 331 violated the single-subject rule, on grounds of mootness. This could undo the positive precedent we established for future single-subject rule cases. The only cities actively litigating the case are Columbus and Akron, but they have offered to extend their representation to continue covering cities that have discontinued active litigation. Council supported this approach and asked the Law Director to reach out to the Columbus Law Department.

- Planning & Zoning, Vice Mayor Byington
 - Sign Code Update: Mr. Klopsch reminded Council that the second reading of the sign code update will take place at the May 6 council meeting. This will include a detailed briefing from Law Director Jacques and a public hearing. Mr. Jacques will include in that briefing a recommendation to modify language regarding the orientation of electronic changeable copy signs. That change would allow existing uses to be retrofitted with electronic changeable copy technology in the current orientation.
 - Electric Scooters: Mr. Klopsch mentioned that the city of Dayton is currently considering legislation to regulate the use of electric scooters. Staff is concerned that Oakwood may begin seeing these electric scooters sometime in the near future. Staff is researching the topic and will recommend legislation in the near future.
- Public Properties, Mr. Epley
 - Hollinger Tennis Center: Mr. Klopsch mentioned that staff recently received comments about the Hollinger Tennis Center, and its financial viability. Mr. Klopsch reviewed the cost savings realized by Hollinger now that the center is owned by the city of Oakwood. He also reviewed the actions taken through the OCC to promote Hollinger and annual memberships.
 - Dog Park Improvements: Mr. Klopsch commended Oakwood resident Charles Jacques for recently completing an Eagle Scout project involving construction of agility equipment at the Oakwood Dog Park.
- Public Utilities/Waterworks/Sewer, Mr. Epley
 - Water Filter Reconstruction, Springhouse Water Plant: Mr. Klopsch noted that the primary water filters at the Springhouse Water Plant will be completely reconstructed over the next few weeks. This is the first time these filters have been rebuilt since the original plant was constructed in 1992. The plant will be completely shut down during this construction project. The work is being done during a period of low water usage so the 210 Shafor Water Plant will be capable of meeting the entire city water demand.
 - Water Tower Cleaning: Mr. Klopsch mentioned that the City water tower will be cleaned internally sometime over the next few weeks. This is a two day project and will involve a diver entering the tower from the top and cleaning sediment at the bottom of the tank. The City will notify the Ohio EPA of this project, as well as the filter reconstruction.
- REGIONAL AGENCIES
 - First Suburbs, Vice Mayor Byington
 - Housing Court: Mr. Klopsch reported that there was discussion at the March First Suburbs meeting of property maintenance issues and the possibility of establishing a countywide housing court. Such a court currently exists in Franklin County. First Suburbs meets again this Wednesday, at which time the matter will be again discussed. Mr. Klopsch mentioned that the Oakwood Municipal Court sees less than ten property maintenance cases per year and that a countywide court would not be beneficial to Oakwood. Mr. Klopsch will make that report at the First Suburbs meeting.
- MISCELLANEOUS
 - Committee Appointments: Mayor Duncan mentioned that he will contact candidates for the Beautification Committee and the Property Maintenance Board, with the intent to make the final 2019 committee appointments at the May 6 council meeting.

- DDC/JobsOhio: Mr. Klopsch mentioned that he attended a meeting recently where Dayton Development Coalition President Jeff Hoagland and JobsOhio CEO J.P. Nauseef discussed the work of JobsOhio.
- AT&T Work in the Forrer, Devereux and Woodstock Area: Mr. Klopsch mentioned that AT&T is installing a new underground fiber optic cable in this area of Oakwood. The work involves installing new ground mounted junction boxes, and removing old boxes. There has been some reaction from the neighborhood, but all matters are being appropriately addressed.
- Property Maintenance Board: Mr. Klopsch read two e-mails received last week complimenting the work of Jennifer Wilder, Ethan Kroger and Sherri Laidler. The three met with the Property Maintenance Board last Thursday for the annual meeting. The complimentary letters came from board members Judy Steiger and Polly Petricola.

At 6:55 p.m., Mayor Duncan made a motion to go to executive session for personnel matters. Second by Vice Mayor Byington. Upon viva voce vote, motion passed.

At 7:05 p.m., Mayor Duncan concluded the executive session and the work session was adjourned.

There being no other business, at 7 p.m., Mayor Duncan adjourned the work session.



Mayor

ATTEST:



Clerk of Council