

SEPTEMBER 16, 2019 COUNCIL MEETING

City Council met in public session on September 16, 2019. Here are the highlights.

Council meeting minutes were approved for the August 5, 2019 regular session, work session and executive session, and the August 19 work session and executive session.

STATUS REPORTS

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

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.
- Stormwater Placards: Little Miami Watershed Network and The University of Dayton River Stewards – Wendy Dyer, Little Miami Watershed Network, and Claire Sullivan, The University of Dayton River Stewards, spoke about their organizations. Council thanked the organizations for placing stormwater placards on all Oakwood drainage catch basins.

LEGISLATION

Oakwood City Council approved the following legislation:

- An Ordinance to establish the Special Improvement District Assessment Fund.
- A Resolution to approve Existing Property Tax Amounts and Rates.
- A Resolution authorizing Collective Bargaining Agreements with PSOs and Lieutenants.
- A Resolution authorizing a Collective Bargaining Agreement with the Public Safety Dispatchers.

STAFF REPORT

- Public Works Department Presentation: Mr. Klopsch provided an update on Public Works projects and operations.

CITY MANAGER’S COMMENTS

Mr. Klopsch thanked Finance Director Cindy Stafford and the Finance Department for their hard work and excellent performance on the 2018 audit. He also thanked Leisure Services Director Carol Collins and Program Supervisor Karen Earley for another successful pool season. Mr. Klopsch then provided an update on the Budget Review Committee and the Citizens Police Academy.

COUNCIL COMMENTS

- Councilmember Anne Hilton shared that she recently attended two events sponsored by Wright Library: Storytime at Smith Gardens and Read-a-Thon on the Lawn. She also attended the annual Classics on the Lawn Car Show hosted by the Oakwood Historical Society. All were great events.

An Oakwood resident shared concerns about the lack of clean-up from Dayton Power & Light after recent tree trimming. City staff will follow up on this.

The meeting adjourned at 8:28 p.m.

AN ORDINANCE

BY: VICE MAYOR BYINGTON

NO. 4893

TO CREATE A NEW FUND WITHIN THE FISCAL RECORDS OF THIS CITY TO BE KNOWN AS THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT FUND; AND TO DECLARE AN EMERGENCY.

WHEREAS, beginning in 2009, the General Assembly adopted various state laws to authorize and implement what is known as Property Assessed Clean Energy ("PACE") financing, a mechanism for funding energy-efficient property improvements through loans which are serviced by the levying and collection of special assessments; and

WHEREAS, PACE financing does not involve the use of city funds, and the city's role in a PACE financing arrangement is limited to the levying of special assessments and transfer of the proceeds thereof to an outside lender; and

WHEREAS, no Oakwood property owners have pursued PACE financing to date, but city staff anticipates receiving the first application in the coming months; and

WHEREAS, Sections 5705.09 and 5705.12 of the Ohio Revised Code require that cities establish certain specified funds within their fiscal records, and permit, but do not require, the creation of additional special funds; and

WHEREAS, the City Manager has recommended the creation of a new fund in the city's financial records to be known as the Special Improvement District Assessment Fund, which will allow for the separate accounting of special assessments relating to Property Assessed Clean Energy (PACE) financing; and

WHEREAS, pursuant to Section 5705.12 of the Ohio Revised Code, the State Auditor's approval is required in order to establish this fund; and

WHEREAS, Council desires to accept the recommendation of the City Manager;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Through this ordinance a new fund entitled the Special Improvement District Assessment Fund is created, subject to and requiring the approval of the State Auditor as provided in Section 5705.12 of the Ohio Revised Code.

SECTION II.

The Director of Finance is hereby authorized to seek the State Auditor's approval of the fund created in Section I, and to take such related actions as may be necessary to secure state approval. If such approval is granted, the Special Improvement District Assessment Fund shall be promptly entered upon the fiscal records of this city and may be utilized immediately. If such approval is declined, and such declination is final, this ordinance shall thereupon become null and void, and shall be repealed automatically by operation of law.

SECTION III.

All revenues and expenditures relating to special assessments for PACE or similar financing within a special improvement district shall be allocated to the Special Improvement District Assessment Fund for use as provided by law.

SECTION III.

This ordinance is hereby declared to be an emergency measure and as such shall take effect immediately, on the basis that it is necessary to create the new fund promptly so that it is in place prior to receiving any applications for inclusion of a property within a special improvement district, and on the further basis of protection of the public peace, health, safety and welfare.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this 16th day of September, 2019.



Mayor William D. Duncan

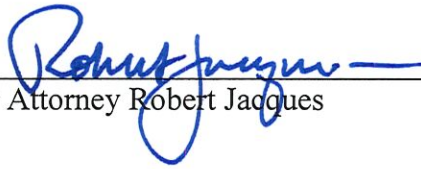
ATTEST:



Clerk of Council

TO THE CLERK:

Please publish in the following summary form.



City Attorney Robert Jacques

LEGAL NOTICE

On September 16, 2019, the Council of the City of Oakwood, Montgomery County, Ohio, adopted Ordinance No. 4893 entitled "AN ORDINANCE TO CREATE A NEW FUND WITHIN THE FISCAL RECORDS OF THIS CITY TO BE KNOWN AS THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT FUND; AND TO DECLARE AN EMERGENCY."

Lori Stacel, Clerk of Council, City of Oakwood

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing ordinance was duly published in the *Oakwood Register*, a newspaper of general circulation in said city and that the publication occurred on the following date: Wednesday, September 25, 2019.



Clerk of Council

Tax Year 2019/2020

**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**

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of Oakwood, Montgomery County, Ohio met in regular session on the 16th day of September 2019, at the office of Oakwood City Council with the following members present:

Vice Mayor Byington moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Oakwood Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

City of Oakwood - Tax Year 2019/2020

SCHEDULE A
 SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
 AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Oakwood - Tax Year 2019/2020	Column I	Column II	III	IV
General Fund.....	1,132,012		3.58	
General Fund.....		1,521,646		6.47
TOTAL	1,132,012	1,521,646	3.58	6.47

City of Oakwood - Tax Year 2019/2020

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION
Column II

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters 11/08/16 not to exceed FIVE years	2.72	462,497
Current Expense Levy authorized by voters 11/06/18 not to exceed FIVE years	3.75	1,059,149

Tax Year 2019/2020

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County,

I, Lori Stacel, Clerk of this Council of Oakwood City, in said County, and in whose custody the Files and Records of said Board required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes of September 16, 2019 now on file with said Council, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 17th day of September, 2019.

Clerk of Council
Oakwood City
Montgomery County, Ohio

Tax Year 2019/2020

No: 1863

COUNCIL OF THE CITY OF

MONTGOMERY COUNTY, OHIO

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.

(City Council)

Adopted _____ September 16 _____, 2019

Soni Uhaol

Clerk of Council

Filed *September 17* _____, 2019

Karl J. Kruth

County Auditor

By

Cheryl Miller

Deputy

A RESOLUTION

BY: VICE MAYOR BYINGTON

NO. 1864

AUTHORIZING THE CITY MANAGER TO EXECUTE THREE YEAR COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE, OAKWOOD LODGE NO. 107, REPRESENTING PUBLIC SAFETY OFFICERS AND LIEUTENANTS.

WHEREAS, representatives of the City and Oakwood FOP Lodge No. 107, which represents both public safety officers and lieutenants, discussed successor agreements to the current collective bargaining agreements, of which the public safety officer agreement expires on October 26, 2019, and the lieutenant agreement expires on November 3, 2019; and

WHEREAS, following discussions, representatives of the public safety officers and the City were able to agree on terms for a new three (3) year contract; and

WHEREAS, the lieutenants subsequently agreed to the same contract terms that were offered and agreed to by the public safety officers; and

WHEREAS, these separate collective bargaining agreements with Oakwood FOP Lodge No. 107 provide the public safety officers and lieutenants with responsible wage increases over the next three (3) years given the city's available financial resources; and

WHEREAS, the proposed agreements have been reviewed with Mayor Duncan and Vice Mayor Byington in their capacity as members of City Council's Finance Committee, and

WHEREAS, the City Manager recommends the execution of separate three (3) year collective bargaining agreements with the public safety officers and lieutenants, to expire on October 26, 2022 and November 3, 2022, respectively;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

The City Manager is hereby authorized to execute collective bargaining agreements with Oakwood FOP Lodge No. 107 as discussed, to wit: a three (3) year collective bargaining agreement relating to the public safety officers, to expire on October 26, 2022, and a three (3) year collective bargaining agreement relating to the public safety lieutenants, to expire on November 3, 2022.

SECTION II.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22, Ohio Revised Code.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 16th day of September, 2019.



Mayor William D. Duncan

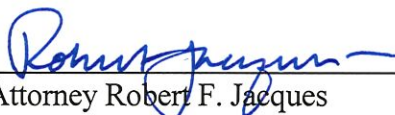
ATTEST:



Clerk of Council

TO THE CLERK:

Publication of this resolution is not required.



City Attorney Robert F. Jacques

A RESOLUTION

BY: VICE MAYOR BYINGTON

NO. 1865

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION REPRESENTING THE PUBLIC SAFETY DISPATCHERS.

WHEREAS, in early August, representatives of the City and The Ohio Patrolmen's Benevolent Association, representing the dispatchers, discussed a successor agreement to the current collective bargaining agreement which will expire on November 3, 2019; and

WHEREAS, following discussions, the parties were able to agree on a new three (3) year collective bargaining agreement to become effective November 4, 2019; and

WHEREAS, this new collective bargaining agreement provides the public safety dispatchers with responsible wage increases over the next three (3) years given the city's available financial resources; and

WHEREAS, the proposed agreement has been reviewed with Mayor Duncan and Vice Mayor Byington in their capacity as members of City Council's Finance Committee, and

WHEREAS, the City Manager recommends the execution of the three (3) year collective bargaining agreement covering the Public Safety Dispatchers, to expire on November 3, 2022;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

The City Manager is hereby authorized to execute a three (3) year collective bargaining agreement with The Ohio Patrolmen's Benevolent Association to expire on November 3, 2022.

SECTION II.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22, Ohio Revised Code.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 16th day of September, 2019.



Mayor William D. Duncan

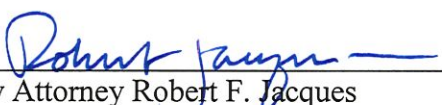
ATTEST:



Clerk of Council

TO THE CLERK:

Publication of this resolution is not required.



City Attorney Robert F. Jacques