

CITY OF OAKWOOD  
STATE OF OHIO  
JANUARY 6, 2020

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.

City Manager Norbert Klopsch opened the meeting and shared that according to Section 2.09 of the Oakwood City Charter, an organizational meeting is held every two years. The meeting includes administering the Oath of Office to the newly elected or re-elected Council Members; and then Council selects a Mayor and Vice Mayor to serve for a two-year period.

Before proceeding with this action, Mr. Klopsch asked all present to participate in the Pledge of Allegiance.

Mr. Klopsch asked the City Attorney to swear in the re-elected Council Members.

Mr. Jacques administered the Oath of Office to re-elected Council Members William Duncan, Steven Byington and Christopher Epley.

Thereafter, Mr. Klopsch asked Ms. Stacel to call of the roll.

Members of Council present were the following:

- 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
- Ms. Carol Collins, Leisure Services Director
- Mrs. Cindy Stafford, Finance Director
- Chief Alan Hill, Public Safety Director
- Mrs. Jennifer Wilder, Personnel and Properties Director
- Mr. K. Douglas Spitler, Engineering and Public Works Director
- Ms. Lori Stacel, Clerk of Council

The following visitors registered:

- Charlotte Wuebker, 100 Patterson Road, Oakwood, OH 45419
- Andrew Norton, 2418 Delaine Avenue, Oakwood, OH 45419
- Deron Schwieterman, 2623 Roanoke Avenue, Oakwood, OH 45419
- Raya Whalen, 143 Wisteria Drive, Oakwood, OH 45419
- Barbie & Bob Bertke, 11 Greenmount Blvd., Oakwood, OH 45419
- Rachel Selby, 2411 Hickory Bark Drive, Centerville, OH 45458
- Cari Hopkins, 2529 Hillview Avenue, Oakwood, OH 45419
- William Boylin
- Michael & Cassandra Rice, 1502 E. Schantz Ave., Oakwood, OH 45419
- Charles Jacques
- Nancy Drozd, 237 Telford Avenue, Oakwood, OH 45419
- Jane Lieberth, 117 E. Peach Orchard Avenue, Oakwood, OH 45419
- Lieutenant Chuck Balaj
- Detective Jeff Yount, Jr.
- Lieutenant Jeff Yount, Sr.
- Various Members of Oakwood Safety Department
- Brian Barr, *Oakwood Register*

Mr. Klopsch then asked for nominations for Mayor and Vice Mayor.

It was moved by Mr. Epley and seconded by Mrs. Hilton that Mr. Duncan be reappointed as Mayor and Mr. Byington be reappointed as Vice Mayor.

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

Mayor Duncan expressed his thanks to Council for re-electing him as mayor and then continued with the council meeting.

Mrs. Hilton advised Council she had read the meeting minutes of the December 9, 2019 regular session, 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. 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

Oath of Office, Doug Spitler, Director of Engineering and Public Works: Mayor Duncan announced the appointment of Doug Spitler, the City's new Director of Engineering and Public Works. He welcomed Mr. Spitler and his family to the meeting and then administered the Oath of Office.

City Manager Norbert Klopsch introduced Doug Spitler, P.E. as the new Director of Engineering and Public Works effective today. Mr. Spitler has 23 years of experience in local government and comes to Oakwood from the city of Centerville. He holds a Bachelor of Science degree in Civil Engineering from The Ohio State University and is an Ohio-licensed Professional Engineer.

Mr. Spitler stated that he is looking forward to working with Oakwood residents, Oakwood City Council and all of city staff moving forward.

City Council welcomed Mr. Spitler to Oakwood.

Council Committee Assignments – Mayor Duncan explained that there are several committees of Council that consist of two members that meet as needed to discuss various topics. Mayor Duncan indicated that Council decided to leave the committee assignments the same as last year. The committee assignments are as follows:

#### **2020 COUNCIL COMMITTEE ASSIGNMENTS**

William Duncan, Mayor	Steve Byington, Vice Mayor
Court Liaison	Anne Hilton, Chair Christopher Epley
Finance	Steve Byington, Chair William Duncan
Law and Minutes	Anne Hilton, Chair Steve Byington
Planning and Zoning	Steve Byington, Chair Christopher Epley
Public Properties	Christopher Epley, Chair Rob Stephens
Public Utilities/Waterworks/Sewer	Christopher Epley, Chair Rob Stephens
Safety and Traffic	Rob Stephens, Chair Anne Hilton
Streets and Alleys	Rob Stephens, Chair Anne Hilton
Community Relations/Promotion & Appointments	William Duncan, Chair Steve Byington

#### **Regional Agencies - Council Representation**

Miami Valley Communications Council	Rob Stephens Christopher Epley, Alternate
Miami Valley Regional Planning Commission and Transportation Committee	Steve Byington William Duncan, Alternate
EMA Regional Advisory Council	William Duncan Norbert Klopsch, Alternate
First Suburbs Consortium	Steve Byington Norbert Klopsch William Duncan, Alternate
South Suburban Coalition	Alan Hill William Duncan, Alternate

#### **Boards, Commissions and Citizen Ad Hoc Committees**

Planning Commission	Steve Byington
Beautification Committee	Rob Stephens
Sister City	Anne Hilton
Historical Society	Anne Hilton

Note: The Mayor also serves as ex-officio member of each Council committee.

It was moved by Mayor Duncan and seconded by Vice Mayor Byington 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.

2020 Committee Appointments – Mayor Duncan presented the following list of reappointments to various citizen committees:

The reappointments of Healy Jackson to the Planning Commission; Dan Deitz to the Board of Zoning Appeals; David Dickerson (Precinct B), William Meyer (Precinct C), Steve Brooks (Precinct D), and John Gray and Beth Ritzert to (Precinct G) to the Budget Review Committee.

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 February 3 Council meeting.

It was moved by Mayor Duncan and seconded by Vice Mayor Byington 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.

Public Safety Department Awards, Chief Alan Hill – Chief Hill recognized Lieutenant Chuck Balaj and Public Safety Officer Jeff Yount, Jr. for receiving awards from the Tactical Crime Suppression Unit (TCSU) at their annual banquet held this past December. He explained that TCSU is a committee of the Police Chiefs of the Miami Valley Communication Council (MVCC) member cities. TCSU meets monthly to discuss training, share information, and work on cooperative projects. One of those cooperative efforts is the Organized Crime Task Force, an agency of the Ohio Attorney General supported by MVCC member cities. The city of Oakwood currently has an officer assigned to the task force fulltime.

Lieutenant Chuck Balaj received the 2019 TCSU *Investigator Award* for his outstanding work and dedication leading to the arrest and conviction of Laith Alebbini, a Dayton resident. During early 2017, a federal criminal investigation began with Alebbini as the suspect. Alebbini was ultimately arrested on April 26, 2017, at the Cincinnati/Kentucky International Airport as he was attempting to board a flight to Jordan. From there, Alebbini made plans to travel to Syria to join ISIS. Alebbini was committed to traveling overseas for the purpose of joining ISIS and engaging in violence in support of a foreign terrorist organization. Lt. Balaj's hard work is to be commended. There is no doubt that our city, county, state and country is a safer place because of Lt. Balaj and the other Dayton/Cincinnati Joint Terrorism Task Force (JTTF) members.

Detective Jeff Yount, Jr., received the 2019 TCSU *Agent of the Year Award*. This award is the most significant award given out from TCSU. Chief Hill shared that he was proud to recognize Detective Yount, Jr. for receiving this award recognizing his hard work and dedication. Chief Hill explained the Detective Yount, Jr. is assigned to the Organized Crime Task Force fulltime and works undercover. The TCSU Commander said that Detective Yount, Jr. is a "go-to" guy that will do anything to help out. Chief Hill thanked Detective Yount, Jr. for his selfless dedication and tireless efforts.

Recognition of Lieutenant Jeff Yount, Sr.: Chief Hill recognized Lieutenant Jeff Yount, Sr. for 30 years of service, and his pending retirement on January 27, 2020. Chief Hill explained that most public safety officers are now hired as a lateral entry with numerous years of service. Lt. Yount, Sr. has been with the city of Oakwood since 1989. Since being hired, he has worked in all facets of the Public Safety Department, including considerable amount of time in the detective section, and assignment with the Organized Crime Task Force. In 2003, Lt. Yount, Sr. was assigned to a cold case task force made up of detectives from Montgomery and Warren county police agencies. Lt. Yount, Sr. was involved behind the scenes in putting together a case against former Springboro Police Lt. Jim Barton who was charged for hiring the people who raped and murdered his wife. Since 1955, the Oakwood Public Safety Department has only had seven directors. Lt. Yount, Sr. has worked for five of the seven during his career. Chief Hill thanked Lt. Yount, Sr. for his efforts and dedicated to the Oakwood community. He wished Lt. Yount, Sr. nothing but the best in his upcoming retirement.

December 11 Event at Oakwood Junior High: Chief Hill reported on a significant incident that occurred on December 11 at the Oakwood Junior High that had a positive outcome. During the early morning hours of December 11, an Oakwood Junior High student received a text message from another teenager residing in northeast Ohio, approximately three hours away. The text message said that the individual had plans to harm himself. The Oakwood student reported the text message and it was then communicated to the Public Safety Department. Captain Mike Jones and Detective Kasey Ballinger immediately went into action. In the matter of an hour, Captain Jones and Detective Ballinger identified the individual and made contact with the local sheriff's office. The local sheriff's office quickly located the individual, who admitted that he was looking for a way to commit suicide. Chief Hill recognized Captain Jones and Detective Ballinger for their efforts and said that there is no greater impact on someone's life than saving it. Chief Hill closed his comments by providing information about suicide awareness and prevention, including the National Suicide Prevention Lifeline at 800-273-8255.

Mr. Klopsch shared that shortly after the authorities found the teenager that sent the text, he texted his Oakwood friend back expressing thanks for telling someone.

Mayor Duncan commended the Public Safety Department. He urged people to take time to thank the Oakwood Public Safety Department for protecting and saving lives every day. He shared that an individual was arrested on Christmas Eve who was speeding on Far Hills Avenue. This individual ended up having a felony warrant for the rape a child under the age of 13. Enforcing traffic laws takes criminals off of the street.

Greater Dayton Mayors & Managers Association: Vice Mayor Byington explained that the Greater Dayton Mayors & Managers Association includes approximately 80 members from local jurisdictions. Every two years, the association selects someone to serve as president, and it is an honor to be selected. Mayor Duncan just finished his two year term. Vice Mayor Byington commended Mayor Duncan for representing Oakwood in an exemplary fashion. Former Oakwood Mayors Jeff Ireland and Judy Cook had previously served as Mayor and Managers President.

#### VISITORS

2019 Holiday Decorating Award Winners – Mayor Duncan was joined by Nancy Drozd and Jane Lieberth of the Beautification Committee to present certificates to the 2019 holiday decorating contest winners. Awards are presented based upon use of natural materials, lighting and curb appeal. Although several were not in attendance, all of the following winners were recognized:

##### DAYTIME WINNERS

Area 1 – 118 Lookout Drive, Lisa Becker & Mark Levy  
 Area 2 – 140 E. Dixon Avenue, David & Joanne Cronin  
 Area 3 – 11 Greenmount Blvd., Barbie & Robert Bertke  
 Area 4 – 249 Claranna Avenue, Joe & Diane Scott  
 Area 5 – 2529 Hillview Avenue, Cari and Mark Hopkins  
 Area 6 – 1312 Devereux Drive, Carla & Andrew Fiden  
 Business – 2411 Far Hills Avenue, Morning Sun

##### NIGHTTIME WINNERS

Area 1– 430 Acorn Drive, Emily & Kendell Thompson  
 Area 2 – 100 Patterson Road, The Wuebker Family  
 Area 3 – 1502 E. Schantz Avenue, Cassandra & Michael Rice  
 Area 4 – 2418 Delaine Avenue, Leslie & Andrew Norton  
 Area 5 – 2623 Roanoke Avenue, Deron Schwieterman  
 Area 6 – 300 Southview Road, Jane Maney  
 Business – 2524 Far Hills Avenue, Talbots

Mayor Duncan thanked Nancy Drozd and Jane Lieberth for their service and efforts on the Beautification Committee.

Little Free Library Eagle Scout Project, William Boylin – Oakwood Boy Scout William Boylin provided an overview of his completed Eagle Scout project. He explained that he chose to build a “Little Free Library” at Orchardly Park because he spent a lot of time at the library as a young kid. The Little Free Library is a free book exchange where people can take a book, leave a book, or just enjoy a book in the park. Mr. Boylin thanked Horticulturist Brian Caldwell, Wright Library Director Kristi Hale, Leisure Services Director Carol Collins, and Oakwood residents Hans Amen and Brent Beck for all of their help and support.

Mr. Stephens asked who will maintain the Little Free Library.

Mr. Boylin confirmed that Wright Library will add books year-round.

Mayor Duncan congratulated Mr. Boylin and said that his efforts are appreciated.

Dog Park Eagle Scout Project, Charles Jacques – Oakwood Boy Scout Charles Jacques provided an overview of his completed Eagle Scout project. He shared that he chose to build dog agility equipment at the Creager Field Dog Park to offer equipment for the dogs to play on. He stated that the project was a great learning experience and it turned out very well. He thanked Leisure Services Director Carol Collins, Horticulturist Brian Caldwell, and his dad, Law Director Rob Jacques. He closed his comments by confirming that the equipment is constructed in compliance with the National Code of the Dog Agility Association.

Mayor Duncan congratulated Mr. Jacques on his project and said that his efforts are appreciated.

LEGISLATION

AN ORDINANCE

BY MR. EPLEY NO. 4896  
AN ORDINANCE TO AMEND "APPENDIX A – PUBLIC SERVICES RATE SHEET" OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE STORMWATER FEE.

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

Mr. Epley explained that this is a second reading of an ordinance to increase the rate for the stormwater utility services. It was introduced with a first reading at the December meeting. It will increase the monthly stormwater management fee from \$7 to \$10 per residential unit, or Equivalent Residential Unit, as recommended by the City Manager to meet upcoming operational and capital needs.

This fee increase was presented to the citizen Budget Review Committee as part of the 2020 budget briefing on October 15, 2019 and their response was positive. The Oakwood stormwater rate has not been increased since January 2017.

This ordinance will take effect upon adoption. Residents will first see this rate increase reflected in their January utility bills, which will be sent out at the end of the month.

Thereupon, it was moved by Mr. Epley 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.

AN ORDINANCE

BY MR. STEPHENS NO. 4901  
AN ORDINANCE AMENDING CHAPTER 163, ENVIRONMENTAL COMMITTEE, OF THE OAKWOOD ADMINISTRATIVE CODE TO REFLECT THAT THE NAME OF SAID COMMITTEE HAS BEEN CHANGED TO "BEAUTIFICATION COMMITTEE" AND TO UPDATE THE DESCRIPTION OF ITS ACTIVITIES.

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 last year, Council adopted legislation to change the name of the Environmental Committee to the Beautification Committee. This was a return to the original name for this committee and Council felt that it better captured the focus and activities of this committee.

The ordinance being introduced will update the Codified Ordinances to include that name change. It also updates the description of the committee's activities to acknowledge the committee's "behind the scenes" role in supporting our Department of Leisure Services.

For residents who may not know, the Beautification Committee is a dedicated group of city volunteers who are involved in many of our annual programs, including:

- The Johnny Appleseed street tree program;
- Scarecrow Row;
- The Holiday of Lights;
- Holiday decorating awards;
- City beautification awards;
- Boulevard plantings;
- Horticultural seminars through the Oakwood Community Center;
- Educational projects through the Oakwood Schools;
- The Smith Gardens annual perennial sale;
- The city's Tree City USA designation;
- And many others over the years.

Thereupon, it was moved by Mr. Stephens and seconded by Mr. Epley that the second reading be waived and that the ordinance be passed tonight.

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.

AN ORDINANCE

BY MR. STEPHENS NO. 4902

AN ORDINANCE AMENDING SECTIONS 505.10 AND 517.01, REPEALING EXISTING CHAPTER 549, AND ENACTING NEW CHAPTER 549, ALL OF THE GENERAL OFFENSES CODE, RELATING TO THE OWNERSHIP, POSSESSION, PURCHASE, OTHER ACQUISITION, TRANSPORT, STORAGE, CARRYING, SALE, OTHER TRANSFER, MANUFACTURE, TAXATION, KEEPING, AND REPORTING OF LOSS OR THEFT OF FIREARMS, THEIR COMPONENTS, AND THEIR AMMUNITION, AND DECLARING AN EMERGENCY.

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 House Bill 228 took effect on December 28, 2019, and requires municipalities to change their local firearm laws to ensure that they do not impact those who engage in the lawful activities of hunting and self-defense. In order to comply with H.B. 228, Oakwood must amend or delete a number of its firearm-related laws, which is the purpose of this ordinance.

Council views H.B. 228 as yet another assault on the Home Rule authority reserved to municipalities through the Ohio Constitution. Council believes they are better positioned than the General Assembly to decide what laws make sense for Oakwood being directly accountable to their fellow residents. Council is adopting this ordinance because the state requires it.

Home Rule concerns aside, this ordinance should not be cause for alarm among residents. Although the City is being forced to change or eliminate some of the local firearm laws, state law continues to prohibit hunting in Oakwood, and self-defense is and has always been legal in Oakwood. Firearms will continue to be regulated in the city of Oakwood; they will just be regulated at the state rather than local level.

This ordinance is being introduced as an emergency measure to ensure it takes effect promptly as required by H.B. 228.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure, with no second reading required.

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.

STAFF REPORT – NONE

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

The leaf collection season has officially ended. Property owners should no longer place leaves in the street gutters. The Public Works Department and the Code Enforcement Officer will begin placing door hanger notices at properties where people have put leaves or other debris in the street.

The City’s salt storage bin is fully stocked and the Public Works Department is ready to address snow and ice events when needed. Mr. Klopsch urged citizens to read the snow plowing and roadway salting policy in the December/January *Oakwood Scene* newsletter.

As a reminder, vehicles should be removed off of the street when heavy snowfall is predicted. It is safer and easier to remove snow when the streets are clear of vehicles.

While the holiday weeks are usually a time for employees to relax a bit, the City's fiscal year coincides with the calendar year, so city staff has been busy closing out 2019 finances. Mr. Klopsch recognized Finance Director Cindy Stafford, the Finance Department and Department Heads for their hard work over the past few weeks.

COUNCIL COMMENTS

Mr. Stephens congratulated Mr. Epley, Vice Mayor Byington and Mayor Duncan on their re-election. He shared that he enjoys working with them and looks forward to another great year in 2020.

The public meeting concluded at 8:28 p.m.

*William D. Duncan*

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MAYOR

ATTEST:

*Joni Staal*

\_\_\_\_\_  
CLERK OF COUNCIL