

CITY OF OAKWOOD
STATE OF OHIO
SEPTEMBER 20, 2021

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 6:00 p.m. in the second-floor training 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 meeting was streamed live from the Oakwood city website, telecast live on Cable Access Channel 6 and was available via remote teleconferencing utilizing the Zoom.com platform.

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 BYINGTON	PRESENT
MR. ROBERT P. STEPHENS.....	PRESENT
MRS. ANNE S. HILTON.....	PRESENT
MRS. LEIGH TURBEN	PRESENT

Officers of the City present were the following:

- Mr. Norbert S. Klopsch, City Manager
- Mr. Robert F. Jacques, City Attorney
- Chief Alan Hill, Public Safety Director
- Mrs. Jennifer Wilder, Personnel and Properties Director
- Mr. Douglas Spitler, Engineering and Public Works Director
- Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

- Madeline Iseli, Human Services Levy Campaign
- Dan Turben, 204 Forrer Boulevard
- Captain Kevin Pruszynski
- The Pruszynski family
- Dispatcher Jennifer Anderson

Attending via remote teleconference utilizing the Zoom.com platform were the following visitors:

- Cait Botschner, 237 Hadley Avenue
- Pruszynski Family Member
- Pruszynski Family Member
- Pruszynski Family Member

Mrs. Hilton advised Council she had read the meeting minutes of the August 2, 2021 regular session and work session, and August 16 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

Public Safety Recognition – Mayor Duncan invited Chief Hill to recognize Captain Kevin Pruszynski and Dispatcher Jennifer Anderson for their lifesaving actions during a Roanoke fire emergency on Roanoke Avenue.

Chief Hill shared that on August 18, 2021, an emergency 911 call was received by Oakwood Dispatcher Jennifer Anderson. The caller reported that his entire kitchen was on fire. Dispatcher Anderson calmly instructed the resident to get out of the house, but he refused. As Captain Pruszynski was travelling to the scene, Dispatcher Anderson lost contact with the caller.

Chief Hill displayed a video taken from Captain Pruszynski's in-car camera showing him entering the home and removing the resident from his burning house. He then displayed a video that was taken approximately five minutes after the initial 911 call showing the house engulfed in flames and smoke.

Chief Hill recognized Dispatcher Jennifer Anderson and awarded her with a letter of appreciation, which he read aloud.

Chief Hill then recognized Captain Pruszynski and awarded him with a Valor Award, which he read aloud, for taking an extraordinary risk to save others.

Chief Hill closed his comments by stating that the past year has been tough for the public safety profession across the country, and the past few years have been challenging for the Oakwood Public Safety Department as the integrity of the department was questioned. The lifesaving efforts of both Dispatcher Anderson and Captain Pruszynski is an example of the quality of services provided by the entire Safety Department staff, and it speaks to the caliber and professionalism of everyone in department.

Mayor Duncan shared that he had the opportunity to listen to the 911 call. Dispatcher Anderson remained calm and professional throughout the entire call. The 911 call came into the Oakwood Dispatcher as a mutual aid call to the city of Kettering. The house that was on fire was in the city of Kettering, and Captain Pruszynski was the first to arrive on the scene. It is quite likely that this man would have died had Captain Pruszynski not arrived so quickly, and had not immediately entered the home as he did. During this call, the in-car and body cameras used by the Public Safety Department show the outstanding job that the Oakwood Public Safety Department does day in and day out.

VISITORS

Human Services Levy Campaign, Madeline Iseli – Ms. Iseli addressed City Council and shared that her family moved to Oakwood 24 years ago for the safe neighborhoods and great schools. Although she had concerns of being accepted as a first generation American of mixed race that grew up in Dayton, she was welcomed and became engaged in the community. Ms. Iseli shared that she moved her parents to Oakwood two years ago. During the last months of her father's life, the Public Safety Department responded to medical calls several times. Every single time the medics were called, the response was not only immediate, but the Public Safety Department was very compassionate and caring. She said that she has always known Oakwood to be inclusive and welcoming. The city of Oakwood not only grows to the challenge, but provides the standards that allows the community to thrive.

Ms. Iseli shared that at a recent meeting of the Montgomery County Board of Developmental Disability Services, a story was told of how two young adult males that receive developmental disability services were abandoned by their parent one evening at the Oakwood border. The two young men were lost and several Oakwood residents called the Safety Department for assistance. Public Safety Officer Ryan Wells responded and handled the situation with great compassion. His outreach resulted in swift action by the Developmental Disability Services leadership in getting those two young men appropriate housing that night.

Ms. Iseli then updated Council on the November Human Services Levy renewal ballot issue. The renewal was last passed in 2014 and will not increase taxes. The levy provides services for people in need across Montgomery County. This combined levy offers many different services and helps people from every community in Montgomery County to receive Human Services, including children, seniors and people looking for work.

Mayor Duncan thanked Ms. Iseli for her kind words about the Oakwood Public Safety Department.

2021 July and August Beautification Award Winners – Mayor Duncan explained that a video will be shown highlighting all the winners and then certificates will be mailed to the winners. The following properties were recognized and shown in the video:

Melissa Theis & Steven Mates, 704 Runnymede Road; Christopher & Susan Croom, 331 Schenck Avenue; Julie Beyer, 332 Volusia Avenue; Debra Edwards, 234 E. Dixon Avenue; Daniel & Karen Kugel, 259 Greenmount Boulevard; Wayne Anderson & Jayne Robinson, 215 Lonsdale Avenue; Jane Hamilton, 1814 Coolidge Drive; Ashley Graham, 25 Orchard Drive; Scott & Monica Hiebert, 249 Orchard Drive; William LeValley, 101 Mahrt Avenue; Edward & Maureen Dowd, 248 Ridgewood Avenue; Lynne Irwin, 55 Beverly Place; Margaret Juergens, 401 Lonsdale Avenue; Barbara Deluca, 302 Corona Avenue; Christopher & Anne Athmer, 9 Hadley Road; Michael & Lisa Hayes, 306 Claranna Avenue; Joseph & Christina Mangan, 240 East Drive; Jeffrey & Tara Nabholz, 1521 Runnymede Road.

A RESOLUTION

BY VICE MAYOR BYINGTON NO 1887

A RESOLUTION PURSUANT TO SECTION 1009.1(G) OF THE OAKWOOD ZONING CODE, EXTENDING A ZONING CERTIFICATE PREVIOUSLY ISSUED FOR 1911 RIDGEWAY ROAD.

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 1911 Ridgeway Road was redeveloped in the late 1990's, when two adjoining properties were demolished and the lots were consolidated into a single 10-acre parcel. The development plan, originally approved in 1998, called for construction of a

single-family home and several accessory structures. One of these structures was a large workshop known as a "bottega," which was to be a later phase of the development. Significant work was done to install water, sewer, and electric utility infrastructure for the bottega, but the structure was not built.

In 2006, the property owner re-approached the city about the bottega. The original zoning certificate had lapsed but he wanted to proceed with construction. The matter was heard by the Planning Commission and an extension of the original zoning certificate was approved. Again, however, the bottega was not constructed.

The owner still desires to build the bottega, but the zoning code has changed since it was approved. For reasons unrelated to the development of 1911 Ridgeway Road, the code now limits the height of detached accessory structures to 18', which is substantially shorter than the 41' height that has been approved twice for this property. There is no height variance available under the current code.

This project has been vetted twice by the Planning Commission through its public hearing process, and has been approved twice. 1911 Ridgeway is a uniquely large property that can accommodate a larger structure without adverse impact to the surrounding neighborhood. As such, this resolution would exercise Council's authority under Section 1009.1(G) of the Zoning Code to grant an extension of the zoning certificate previously issued for this bottega.

Council is mindful that despite two prior approvals, this project has not been completed. For that reason, this resolution establishes a one year deadline to obtain permits and commence construction. After that deadline, no further extensions will be considered or granted.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the resolution be passed.

Due to a potential conflict of interest, Mayor Duncan recused himself from the vote.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. STEVEN BYINGTON	YEA
MR. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON	YEA
MRS. LEIGH TURBEN	YEA

There being four (4) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

A RESOLUTION
BY VICE MAYOR BYINGTON NO 1888
A RESOLUTION RATIFYING AND CONFIRMING THE CITY OF
OAKWOOD'S PARTICIPATION IN A CONSORTIUM OF LOCAL
GOVERNMENTS KNOWN AS "ONE OHIO" AND ACCEPTANCE OF
A PROPOSED OPIOID DISTRIBUTOR SETTLEMENT AGREEMENT
IN CONNECTION WITH ONGOING NATIONAL LITIGATION.

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 Ohio is included in ongoing litigation involving the national prescription opioid epidemic. This is complex, multi-district litigation occurring nationwide, and there are many defendants including opioid distributors and manufacturers. The City recently became aware of a proposed settlement of Ohio claims involving three distributors: AmerisourceBergen, Cardinal Health, and McKesson. Under the proposed terms, an estimated total of nearly \$805 Million would be paid to Ohio over 18 years. The money would be restricted for use in abating the opioid epidemic.

Up to 30% of the money would be allocated to a pool that provides direct payments to local governments, including Oakwood. There is an incentive structure to ensure the participation of as many jurisdictions as possible. If 95% of Ohio jurisdictions participate, the payout would be 70% of the pool. At 100% participation, the payout increases to 100% of the pool.

Oakwood's allocation is 0.0665% based on population. (For comparison, Kettering's is 0.3384% and Dayton's is 1.3853%.) However, the numbers are not as large as they may seem because the settlement is structured over 18 years. At the 95% participation level, Oakwood's share would be an estimated \$93,000, or about \$5,500 per year. At the 100% participation level, that would increase to an estimated \$134,000, or about \$7,500 per year.

Aside from the direct payments, other settlement funds will be directed to 19 regions throughout the state, of which Montgomery County is one. There will be additional funding opportunities through those disbursements for opioid abatement projects that are of regional value.

The 95% participation threshold has already been met. Oakwood did not actively participate in this litigation initially, as the level of opioid-related damages that many communities have experienced could not be established. But the City does not intend to pursue its own litigation, and proving damages is not an issue with this proposed settlement.

Due to time sensitivity, the City Manager has already signed documents to participate in this settlement. These include a Memorandum of Understanding by which the city of Oakwood joins "OneOhio," a consortium of all Ohio municipalities participating in this litigation, as well as the proposed settlement with AmerisourceBergen, Cardinal Health, and McKesson. Although ratification is not required under our charter, this resolution will constitute legislative approval of the settlement as required by the court.

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
- MRS. LEIGH TURBEN.....YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

A RESOLUTION
 BY VICE MAYOR BYINGTON NO 1889
 A 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 2021 – 2022, the Budget Commission has determined that Oakwood will receive \$1,263,471 from inside-millage and \$1,070,342 from outside-millage tax levies. These figures are consistent with the city's projections.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben 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
- MRS. LEIGH TURBEN.....YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

STAFF REPORT

Public Works Department Presentation: Mr. Doug Spitler, Engineering and Public Works Director, began by recognizing Captain Pruszyński and Dispatcher Anderson for the services they provide to the community.

He then referenced a PowerPoint presentation and updated Council on various Public Works projects and operations.

A map was displayed depicting the 2021 asphalt street resurfacing project. The work took place on Patterson Road, Ridgewood Avenue, Schenck Avenue, Runnymede Road, Runnymede Lane and Sweetwood Lane at a cost of \$345,091.

The recycling facility is in the process of being upgraded and relocated from its current location in the Creager Field Dog Park parking lot. The new recycling facility will be at the entrance to the Public Works yard at 210 Shafor Boulevard, creating a more efficient drop-off operation and safer environment for the heavily used facility. The first phase of the work which involved the clearing of a wooded area at the site of the new facility has been completed. Phase 2, which is currently underway, involves extension of a large retaining wall to provide a level space for the facility. The final phase will involve construction of the drop-off area, including entrance and

exit lanes. The facility will accommodate the drop-off of green waste, cardboard, and co-mingled recyclables such as glass, plastics and metal cans. The recycling facility project will be completed by late 2021. The total project cost is estimated to be \$299,000. Approximately 24% of the project cost (\$72,000) will be paid through a grant from the Montgomery County Solid Waste District under the 2021 District Incentive Grant Program.

The multi-year Vectren gas line project work that started in 2010 is scheduled for completion in 2023. This is a project to replace the original bare steel and cast iron pipeline infrastructure and installation of new gas services to each property. The 2021 work was broken down into four project areas. Project Area A included work on Ridgeway Road, Fairforest Circle and Deep Hollow Lane. Project Area B includes work on Orchard Drive and Triangle Avenue. Project Area C includes work East Thruston Drive and Lookout Drive. Project Area D includes work Far Hills Avenue from Patterson Road to Five Points.

The Public Works Department has been working on the following projects: annual pavement marking; traffic signal conflict monitor testing; asphalt pavement rejuvenation; fiber optic installation to Orchardly Park; Far Hills stormwater inlet repairs; resurfacing of Dog Park parking lot; and Public Works storage facility.

There were several large capital equipment purchases this year. The purchases include: Refuse Packer Truck #1: \$245,687; Refuse Packer Truck #2: \$275,307; Refuse Scooters (4 units): \$89,600; Dump Truck: \$140,819; and Pickup Truck: \$35,000.

The Oakwood Public Works Department is now a member of Ohio WARN (Water/Wastewater Agency Response Network.) Ohio WARN allows for sharing of emergency resources among water and wastewater agencies statewide. The network offers statewide mutual aid of “utilities helping utilities.”

The Public Works Department provides a broad range of municipal services such as: weekly trash/recyclables collection; yard debris and special pickups; and leaf disposal/leaf mulch. There are several self-service options available such as: drop-off containers for recycling cardboard, yard debris, and co-mingled materials at a 24/7 site in the Creager Field (Dog Park) parking lot at Shafor Boulevard and Irving Avenue; the Foell Public Works Center at 210 Shafor Boulevard is open from 8 a.m. until 12 noon on the first Saturday of each month for Oakwood citizens to drop off refuse items; and refuse dumpsters are available for disposal of a mixture of debris from “do-it-yourself” homeowner projects.

Mr. Spitler displayed a line graph showing refuse collection trends over the past six years. The line graph showed a substantial increase in collection beginning in March of last year. This increase follows COVID-19, suggesting that many property owners disposed of more household debris during the pandemic. The 2021 refuse collection data appears to be trending back to normal.

The next Oakwood Rotary hazardous waste pick up event is on Saturday, October 23. Citizens desiring a pick up simply call (937) 296-5155 before noon on Friday, October 22 and leave their name and address.

From December 2020 to March 2021, the Public Works Department used 822 tons of salt through the winter season. There is approximately 1,000 tons of salt in storage. The cost of salt this year is \$54.98 per ton, compared to \$44.98 per ton last year.

Mr. Spitler shared several personnel changes in the Public Works Department. Steve Alston retired on April 30, 2021. The Public Works Department welcomed Scott Loper, Water Plant Superintendent/Water & Sewer Foreman on April 5, 2021; Corey Edwards, General Service Worker – Refuse on August 2, 2021; and Chris Kuzma, Staff Engineer on August 2, 2021.

Mayor Duncan asked if the cost increase for salt is due to inflation.

Mr. Spitler answered yes.

Mayor Duncan thanked Mr. Spitler for the department summary.

AN OAKWOOD MOMENT

Mr. Stephens recognized the Oakwood High School Band concert at the Farm. This annual Oakwood tradition features the band performing a “preview concert” to several hundred Oakwood citizens. The event is hosted annually by MJ and John Gray. Mr. Stephens played a short video of this year’s concert.

CITY MANAGER’S COMMENTS

Mr. Klopsch commented on technological advancements and recalled when meetings were conducted utilizing overhead projectors and transparency slides. He thanked Ms. Stacel and Mrs. Wilder for managing the new technology and the equipment during the meeting.

He shared his appreciation for all of the efforts and work done by the Public Works Department. While Oakwood is a small community, the Public Works Department provides a broad range of services. All of the department's projects are done in residential neighborhoods. The projects not only involve the actual project work, but also require staff to manage disturbances to maintain a livable community, as well as providing effective and timely communication with residents.

COUNCIL COMMENTS

Councilmember Turben shared that the annual shred event is scheduled from 8 – 11 a.m. this Saturday, September 25, at the Public Works Center. She encouraged everyone to vote on November 2.

Mayor Duncan read the following letter that he received last month from an Oakwood citizen:

"As you know, I participated in the Oakwood Police Academy during Fall 2020. Since our ability to experience a police ride along was constrained by Covid19, I deferred that activity. On Saturday I rode with Officer Chris Slone. It was an excellent experience. Officer Slone was an effective teacher who increased my understanding of policing in Oakwood. The ride along enhanced the education I got from the Academy, providing "real life" experience and an opportunity to understand the decision making process employed in different situations.

Not only did I increase my understanding of policing, but I also gained an enormous respect for Officer Slone. I am pleased and proud that the Oakwood Safety Department includes personnel of his caliber.

Thank you for including me in the 2020 Citizen Police Academy. I'm glad to know the 2021 Academy will be starting soon so more residents will share this opportunity."

Mayor Duncan noted that the Citizen Police Academy is a great program that was created three years ago. This year's academy is already full with 12 participants.

Mayor Duncan closed the meeting by honoring the 13 United States service members killed in action on August 26, 2021 at the Kabul airport in Afghanistan. He asked that people pray for the families of the following heroes:

Marine Corps Lance Cpl. David Espinoza, 20, of Rio Bravo, Texas
 Marine Corps Sgt. Nicole Gee, 23, of Roseville, California
 Marine Corps Staff Sgt. Darin Taylor Hoover, 31, of Salt Lake City, Utah
 Army Staff Sgt. Ryan Knauss, 23, of Corryton, Tennessee
 Marine Corps Cpl. Hunter Lopez, 22, of Indio, California
 Marine Corps Lance Cpl. Rylee McCollum, 20, Jackson, Wyoming
 Marine Corps Lance Cpl. Dylan R. Merola, 20, of Rancho Cucamonga, California
 Marine Corps Lance Cpl. Kareem Nikoui, 20, of Norco, California.
 Marine Corps Cpl. Daegan William-Tyler Page, 23, of Omaha, Nebraska
 Marine Corps Sgt. Johanny Rosario, 25, Lawrence, Massachusetts
 Marine Corps Cpl. Humberto Sanchez, 22, Logansport, Indiana
 Marine Corps Lance Cpl. Jared Schmitz, 20, of Wentzville, Missouri
 Navy Hospital Corpsman Max Soviak, 22, of Berlin Heights, Ohio

The public meeting concluded at 8:40 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL