

CITY OF OAKWOOD  
STATE OF OHIO  
OCTOBER 3, 2022

The Council of the city of Oakwood, State of Ohio, met in a work session and an executive session at 6:30 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 platform.

The Mayor, Mr. William Duncan, presided, and the Clerk of Council, Ms. Lori Stacel, recorded. Mayor Duncan asked 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
- Mrs. Cindy Stafford, Finance Director
- Mrs. Jennifer Wilder, Personnel and Properties Director
- Mr. Ethan Kroger, Code Enforcement Officer
- Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

- Mrs. Madeline Iseli, 38 Beverly Place
- Mrs. Nancy Bain, 444 Acorn Drive
- Mr. Chris Cook, 409 Rubicon Road

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the September 19, 2022 regular session and work session. Mrs. Hilton noted that 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 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 – NONE

VISITORS

Citizens for Sinclair – Madeline Iseli shared that the Oakwood community has been a continuous supporter of the Sinclair levies because it places value on education. Local levy support has enabled Sinclair to invest in high-quality and up-to-date programs to meet workforce needs, while also offering Montgomery County residents the lowest tuition in the state of Ohio. Issue 10 is a vital investment in our economy and community that will not raise taxes. She asked for Oakwood citizens to vote in favor of Issue 10, Citizens for Sinclair. Mrs. Iseli thanked City Council and Oakwood for their continued support.

Mayor Duncan asked if Sinclair course credits are still transferable to other universities.

Mrs. Iseli answered yes, and shared that high school students have the opportunity to take college courses and receive college credits for free while still in high school.

Mrs. Nancy Bain, 444 Acorn Drive, shared her concerns about insecticides causing harm to the environment. She believes that insecticidal spraying is the reason she has seen a decline in insects. She shared the following three things that people do not consider when using pesticides: the products are harmful to human health; long-term use of pesticides increases pesticide resistance; and the persistent use of pesticides creates a resistance in certain species. Mrs. Bain asked City Council to consider the harmful effects of pesticides in the Oakwood community.

LEGISLATION

AN ORDINANCE  
 BY VICE MAYOR BYINGTON NO 4963  
 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF  
 OAKWOOD SO AS TO REZONE LOT 1870 PT FROM THE R-1  
 RESIDENTIAL ZONING DISTRICT TO THE R-3 RESIDENTIAL ZONING  
 DISTRICT.

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

Vice Mayor Byington explained that this is an ordinance to rezone a lot at 409 Rubicon Road. The property owner owns two adjacent lots, one of which is zoned in the R-3 zoning district and the other of which is zoned in the R-1 zoning district. The homeowner is in the process of consolidating the two lots into a single lot, and has asked Council to put a single zoning classification on the entire property.

The request was already heard by the Oakwood Planning Commission on September 7, 2022, and they recommended approval by a 4 – 0 vote with one Commission member absent.

Council is required to conduct a public hearing on this matter. However, this is the first reading of the ordinance so Council will not vote until after the second reading at the November meeting.

Mayor Duncan opened the public hearing and asked Law Director Rob Jacques to administer an oath to those who wish to testify.

Mr. Jacques proceeded to swear in the applicant, Mr. Chris Cook, who plans to testify.

Mr. Chris Cook, 409 Rubicon, shared that he has run into some unique challenges with making restorations to his home. He was surprised to learn that his double-lot property is actually in two separate zoning districts.

Vice Mayor Byington shared that this application was thoroughly reviewed by the Planning Commission and the consolidation makes sense.

Mr. Stephens asked if part of his property was an empty lot when he moved in.

Mr. Cook answered yes.

Mr. Stephens asked what the difference is between the R-1 zoning district and the R-3 zoning district.

Mr. Jacques explained that they are both residential zoning districts, but R-1 is typically for larger lots with greater setback requirements. By rezoning the new combined lot to the R-3 zoning district, the home and accessory structures will be most conforming.

With no other visitors wishing to address City Council, Mayor Duncan closed the public hearing and confirmed that deliberations will take place at the November 7 council meeting.

AN ORDINANCE  
 BY VICE MAYOR BYINGTON NO 4964  
 TO AMEND SECTION I, 2022 ORIGINAL APPROPRIATION ORDINANCE  
 NO. 4947, AND ANY EXISTING SUPPLEMENTS THERETO, TO  
 PROVIDE FOR THE APPROPRIATION OF:

1. AN ADDITIONAL AMOUNT OF \$120,000 TO BE EXPENDED FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF AN AMBULANCE.

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL  
 YEAR ENDING DECEMBER 31, 2022.

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

Vice Mayor Byington explained that this is a supplemental appropriation ordinance to authorize the purchase of a used ambulance. The city currently has two ambulances. One of these is Medic 27, which is a 1996 model year ambulance that is scheduled for capital replacement in 2024.

Over the last several months Medic 27 has experienced a complete failure of its ABS brake module, and it cannot be repaired. Unfortunately, the part is no longer manufactured or commercially available, new or used, and Medic 27 can no longer be used for emergency medical services.

The City Manager has recommended the purchase of a used ambulance. The Safety Director has located one that is in excellent shape for about one-third of the cost of a new ambulance. It has enough remaining useful life to serve as a primary ambulance through 2024, and then to serve as a backup ambulance when we purchase a new one at that time.

This supplemental appropriation will authorize an additional amount of \$120,000 to be expended from the Equipment Replacement Fund for the purchase of the ambulance.

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

Finance Report: Finance Director Cindy Stafford referenced a PowerPoint presentation and updated Council on the following topics: 2021 year-end Audit; 2021 Auditor of State's StaRS Program; and 2022 Financials through September 30, 2022.

The Oakwood Finance Department was again awarded the Auditor of State Award for Excellence in Financial Reporting for the 2021 Audit. Mrs. Stafford recognized the efforts of the Finance Department. She noted that this award not only represents the hard work of all city employees, but also City Council in overseeing the use of public resources.

The Ohio Auditor of State uses a Stars Rating System (StaRS) to measure compliance with Sunshine Laws and to share best practices for governments to improve the transparency within their organizations. Mrs. Stafford displayed the city of Oakwood's StaRS results. The City scored four stars, which is the highest achievement in open and transparent government. The Ohio Auditor's Office shared a new best practice of recording public request acknowledgements, which was implemented immediately. Mrs. Stafford explained that in addition to reviewing financial statements, the audit also reviews the operations of the city to ensure compliance with the Ohio Sunshine Laws.

There are many resources available on the City's website ([www.oakwoodohio.gov](http://www.oakwoodohio.gov)) including annual financial audits, annual city budgets, monthly financial reports, income tax forms, utility billing forms and vital records forms. Mrs. Stafford thanked Ms. Stacel for managing the information on the city's website.

Mrs. Hilton asked how many public records requests are usually received.

Mrs. Stafford shared that the number of requests varies. City staff records and tracks all of the public record requests in a log.

In regard to the 2022 financials through September 30, 2022, Mrs. Stafford referenced a chart for General City Services, excluding transfers, showing budgeted versus actual for receipts were: \$15,652,995 and \$14,017,562; and disbursements were: \$16,255,194 and \$12,903,687. Receipts are 90% as a result of the following three main reasons: income generated by the additional people living at Pointe Oakwood; an increase in Oakwood residents working from home, thereby directing their local income taxes to Oakwood rather than other jurisdictions; and, the timing of real estate tax collections, which is currently 99% of budget. Mrs. Stafford shared that she anticipates that by the end of the year disbursements and encumbrances will be close to what was budgeted.

Mr. Stephens asked how many more people are working from home.

Mrs. Stafford explained that while she does not recall the number of people, there has been an increase. She shared that she is unable to determine the dollar amount associated with the increase in people working from home.

Mayor Duncan noted that with people working from home, more employers are required to withhold wages and then submit them directly to Oakwood.

The Refuse Funds, excluding transfers, budgeted versus actual for receipts were: \$1,378,600 and \$1,051,822; and disbursements were: \$1,605,900 and \$1,289,112. For the Water Utility Funds, Sanitary Sewer Utility Funds and Stormwater Utility Funds, excluding transfers, budgeted versus actual for receipts were: \$3,588,935 and \$2,621,168 and disbursements were: \$4,372,141 and \$3,176,714.

Mayor Duncan thanked Mrs. Stafford and the Oakwood Finance Department for all of their good work.

#### AN OAKWOOD MOMENT

Mrs. Turben shared a "pay it forward" story about several Oakwood residents taking action to make a day special for someone else.

#### CITY MANAGER'S COMMENTS

Last Friday, Mr. Klopsch had the privilege of greeting Harman third graders as they toured City Hall. Mr. Klopsch spoke about the council-manager form of government and the important roles and fine work of the department heads. He specifically thanked Finance Director Cindy Stafford for her good work, as evidenced by the audit award and excellent StaRS rating.

The Gardner Pool Project is well underway. The work includes demolition and replacement of the concrete deck, installation of fencing around the zero depth wading pool (children's pool), and installing new pool lifeguard stands and diving boards. The pool will be in great shape when it opens next Memorial Day weekend.

R.A. Miller Construction Co. is doing a good job on the Sidewalk, Curb and Driveway Apron Project.

The annual community document shred event was this past Saturday. It was very well attended with a steady flow of about 200 vehicles. Mr. Klopsch thanked Mrs. Wilder for organizing the event.

The annual fall leaf collection program begins on Monday, October 10. As in previous years, the program will provide bi-weekly leaf pickups of all areas throughout Oakwood. Mr. Klopsch reminded residents to spread out leaves in the street gutter so that traffic flow is not impeded.

The 2023 Budget is currently being prepared. A portion of the budget was presented to the citizen Budget Review Committee at their September meeting. The next meeting is scheduled for Tuesday, October 18 where they will be presented with a detailed line item budget showing projected revenues and expenses in all funds of the City.

The Family Fall Festival event at Shafor Park is from 2 – 5 p.m. on Sunday, October 9. Mr. Klopsch encouraged everyone to come out and enjoy the fun event.

Mrs. Hilton asked if leaves can be placed in the gutter.

Mr. Klopsch said yes, leaves during the fall leaf collection may be placed in the gutter line.

#### COUNCIL COMMENTS

Vice Mayor Byington encouraged everyone to read and understand the issues on the November ballot, and then take the time to vote.

Mayor Duncan commented on the Harman third graders that toured City Hall.

The public meeting concluded at 8:20 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL