

Oakwood City Council POLICIES

This binder contains procedural policies that have been adopted by Oakwood City Council on a variety of matters. These policies are non-legislative in nature and do not carry the same binding legal effect as ordinances or resolutions. The purpose of these policies is to provide policy guidance on various matters, both for city staff and Oakwood residents.

Many of the policies within this binder originated years ago, but underwent an extensive review between December 2022 and January 2023. A number of old policies were determined to be obsolete for a variety of reasons, including: (1) they involved outdated technology; (2) they had been superseded by ordinances, resolutions, or other regulations adopted after the original policy; or (3) they addressed topics that are within the purview of city management rather than matters of Council concern. Those that were not obsolete were updated to ensure that they remain current and relevant.

The updated policies in this binder were adopted by unanimous vote of Oakwood City Council at its regular meeting of January 9, 2023.

The addition, deletion, and/or amendment of any policy herein after January 9, 2023, will be noted on supplemental page(s) as appropriate.

OAKWOOD CITY COUNCIL

William Duncan, Mayor
Steve Byington, Vice Mayor
Rob Stephens
Anne Hilton
Leigh Turben

**CITY OF OAKWOOD
COUNCIL POLICIES
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CITIZEN COMMITTEES

Oakwood is proud to have over one hundred citizens who are active participants in their local government as members of various committees and boards. Council has always believed in, and encouraged, citizen participation.

Among the boards and committees created to assure citizen involvement in their community affairs are:

- Planning Commission
- Board of Zoning Appeals
- Board of Health
- Personnel Appeals Board
- Budget Review Committee
- Beautification Committee
- Property Maintenance Board
- Tax / Water & Sewer / Assembly Appeals Board
- ADA Compliance Committee

In addition, special *ad hoc* committees are created from time to time to address specific matters of concern or interest.

While unforeseen circumstances can always arise, it is Council's preference, as a matter of policy, to appoint persons to these boards and committees for a commitment of at least two full terms depending on the activity of said committee, and welcomes longer service if so desired by the board/committee member and Council/staff. Vacancies are filled on an as-needed basis, with expired terms typically being filled during the early months of each new calendar year.

Adopted on January 9, 2023.

COUNCIL CORRESPONDENCE

In order to assure prompt handling of Council correspondence, the City Manager and Clerk of Council are authorized to open mail, either hard copy or electronic, and other items received by the City and addressed to Council Members.

With regard to appointments to committees, acknowledgements, letters of appreciation, thank you notes, and similar routine correspondence, the City Manager will prepare letters for the various Council Member's signature who may be in charge of the function in question. Logistics will be handled by the Clerk of Council, who also serves as the City Manager's Administrative Assistant.

Council Members may respond directly to emails they receive, or may forward them to the City Manager for response by city staff as appropriate.

Council Members are not custodians of public records within the meaning of the Ohio Public Records Act. Requests for public records, when addressed to Council Members, will be forwarded to the appropriate records custodian and/or the City Attorney for review and response as warranted.

Adopted on January 9, 2023.

USE OF COUNCIL CHAMBERS

Primary use of the City Council Chambers (“Chambers”) is reserved to the city of Oakwood, its official boards and committees, and the Oakwood Municipal Court. These city functions shall have absolute priority over any other use of the Chambers. When not in use by an official organization of the city, the Chambers will be available for use by other organizations or groups, subject to the following terms, conditions, and priorities:

1. All meetings are subject to cancellation by an official organization of the city. For example, if a citizen’s group has a meeting on the 3rd Thursday of each month, and a city organization needs to use the Chambers on a 3rd Thursday, the city organization shall have priority and the citizen’s group meeting must be cancelled or rescheduled. The city will make reasonable efforts to avoid these kinds of conflicts and will try to make alternative space available, if possible, but will not guarantee the same.
2. Any group using the Chambers must be sponsored by an Oakwood citizen, twenty-one (21) years of age or older, who will be ultimately responsible for any damages occurring to the facilities. The sponsoring Oakwood citizen must serve as the city’s point of contact with regard to that group, even though the group may be chaired by someone else.
3. Any damage to city property is the responsibility of the sponsoring citizen and the group or organization, jointly and severally. In addition to damages which may be assessed, the city may cancel or suspend the group or organization’s right to use the Chambers.
4. Any group or organization using the Chambers must clean the facilities promptly after usage. Cleaning entails removing any papers, coffee cups, or other items; placing trash and recyclable items in the appropriate receptacles; folding tables, stacking chairs, etc.; with the expectation that the room will be left as it was found.
5. Alcoholic beverages, illegal drugs, and firearms are prohibited. They may not be brought into the building for any reason whatsoever.
6. Any violation of federal, state, or local law may result in criminal prosecution as well as cancellation or suspension of the right to use the Chambers.
7. Both the sponsoring citizen and the group’s chair must sign an agreement acknowledging the terms, conditions, and priorities set forth in this policy prior to use of the Chambers. Violation thereof may result in the cancellation or suspension of the right to use the Chambers.
8. All scheduling must be arranged through the Clerk of Council.

Adopted on January 9, 2023.

NEIGHBORHOOD REQUESTS

Council encourages neighborhood requests. Requests generally are divided into two types: requests for *capital improvements*, and requests for *services*.

In the case of a request for capital improvements, a petition from the property owners must be submitted to City Council through the City Manager's office. This would be a petition signed by a majority of the property owners affected, or all of said owners, depending on the type of improvement and the statutory requirements for assessing the cost thereof. Once accepted, city staff will prepare/obtain cost estimates, present the project to Council, and follow the statutory requirements to implement the project and specially assess the costs. Council may, but shall have no obligation to, waive the assessment of costs if there is a general public purpose in doing so.

When a group of citizens wish to have a service or function considered by Council that is not established, they must draft a proposal that sets forth as much information as possible for Council in dealing with the subject. This would include, but is not limited to, the exact nature of the request, proposed plans, cost of implementing and maintaining, and who is to maintain the service or function once adopted. Council may consider the proposal as submitted, or may request additional information as needed.

Adopted on January 9, 2023.

TIME-LIMITED PARKING POLICY

City Council hereby adopts the following procedural policy with respect to the consideration of any time-limited parking zone within the city.

From time to time, residents or businesses in a particular block or district may request the establishment of a time-limited parking zone, or the amendment of an existing time-limited parking zone, to address traffic or parking problems. To be considered by Council, proposals should be submitted in the following manner:

Business areas. Business area proposals must be agreed to by a majority of the property owners in the proposed zone, and by a majority of the tenants or occupants.

Residential areas. Residential area proposals must be agreed to by a majority of the residents in each block of the proposed zone. For purposes of this policy, “block” may mean either (a) the entire length of a street between intersecting streets, or (b) the definition of “block” as set forth in the Zoning Code. If the proposal will only affect parking on one side of the street, only a majority of residents of that side must agree to the proposal.

Council may accept the proposal for consideration, or may reject the proposal, based on immediate knowledge of the area in question. If accepted, it will be forwarded through the City Manager to the Department of Public Safety for a study of the potential impact of proposed time limitations on parking and traffic patterns in the area. The impact study should include consideration of the following:

1. Impact of the proposed time limitations on traffic and parking beyond the proposed zone;
2. Impact of the proposed time limitations on nearby businesses, institutions, or organizations;
3. Comparison of the proposed zone to similar problem areas within the city, if appropriate;
4. Any precedent that may have been previously established for similar time limitations, and possible precedent that may be created by approving the proposal;
5. The rationale and general reasonableness of the proposal;
6. Alternative means of alleviating traffic and parking problems within the proposed zone;
7. Any other relevant factors.

Proposals should be submitted to Council in writing, and should include descriptions, diagrams, and any other material that may be relevant to consideration of the proposal. In considering a proposal, Council may request the petitioners to present facts to justify the need for time limitations, with or without a formal public hearing on the question. If Council determines that a public hearing is necessary, it will be scheduled and advertised in the same manner as other public hearings before Council.

Adopted on January 9, 2023.

PARKING PERMIT POLICY

City Council hereby adopts the following procedural policy with respect to the consideration of any parking permit system within the city.

Council understands that from time to time, residents in a particular neighborhood, geographic area, or district may request the establishment of a permit parking system, or the amendment of an existing permit parking system, to address traffic or parking problems. To be considered by Council, such proposals should meet the following requirements:

1. Due to the difficulty of enforcing permit parking where the permit zone boundaries are subjective or not well-defined, permit parking systems will only be considered for entire blocks or districts.
2. Blocks or districts will only be considered if they are contiguous to, or in close proximity to, a business or institutional facility that regularly attracts non-local vehicular traffic or parking. "Non-local," in this context, means vehicular traffic or parking that comes into the area from outside the immediate neighborhood or vicinity.
3. Council will only consider permit parking systems that exempt permit holders from posted parking time limits. Council will not consider parking permit systems that would exempt permit holders from the 18 hour limit, snow removal restrictions, or any other special limits ordered by the Public Safety Department.
4. Council will consider traffic or parking problems in terms of their overall impact on areas surrounding or contiguous to a business or institutional facility. A permit parking system will only be considered when the impact is significant and is experienced 5 or more days per week over a period of at least 3 months.
5. Proposed parking permit systems must be constitutional and consistent with Ohio law.

Proposals should be submitted to Council in writing, and should include descriptions, diagrams, and any other relevant information sufficient to show that the proposal meets the requirements set forth above. Council will forward the proposal through the City Manager to the Department of Public Safety and to the Law Director for review before placing the proposal on the agenda for consideration at a public meeting of Council.

Final approval of any proposal must be made by Council.

Adopted on January 9, 2023.

SIDEWALK, CURB AND DRIVEWAY APRON POLICY

In the winter or spring of each year, city staff will inspect sidewalks (including service/carriage walks), curb, and driveway aprons in a specific area of the city for that year's Sidewalk, Curb, and Driveway Apron Program. The purpose of the program is to maintain structures in the public rights-of-way in a good and safe condition. The portions of concrete that need to be repaired or replaced will be appropriately marked, typically with paint.

The program will generally be operated on a rotating basis throughout the city from year to year, cycling through each area of the city about once every 4 to 5 years. The city's policy is to repair or replace sidewalks, curb, and driveway aprons that are damaged, deteriorated or holding water at the time of inspection, and not to anticipate damage, deterioration or water-ponding problems in the future. The City Manager shall establish appropriate standards for determining the level of damage or deterioration necessary to warrant repair or replacement. Also, it is the city's policy to replace sidewalk panels where a trip hazard exists. The standard for a sidewalk trip hazard shall be an elevation difference of $\frac{3}{4}$ " or more, typically at the location of a crack or panel joint. "Ramping" by placing concrete, mortar, or any other material on sidewalks to eliminate the trip hazard shall not be permitted, although property owners may be permitted to grind elevated sidewalks to remove the trip hazard provided that the grinding does not damage the sidewalk. Replacement will typically be done on a per-panel basis, although patching may be permitted in certain circumstances, subject to inspection and approval by the Public Works Department.

The city will pay all costs for replacement of curbs and driveway aprons. Also, the city will pay all costs for sidewalk ramps at street intersections. Property owners will be responsible for costs on all work associated with sidewalks on their frontage except: 1) the cost for sidewalk work on side yard frontages for corner properties; and 2) the cost for the sidewalk on the side yard frontage in connection with new sidewalk installations where a sidewalk has never existed.

Residents planning to repair or replace sidewalk panels themselves must secure permits from the city and complete the work within the period of time specified by the city. If residents hire a contractor to do the work, the contractor must obtain the necessary permit(s), be licensed and bonded to work in the public rights-of-way, and must complete the work within the period of time specified by the city. Residents who choose not to do the work themselves or hire their own contractor will automatically be placed in the city's program and will be billed for the work. If the invoice is not timely paid, it will be certified to the Montgomery County Auditor for collection via statutory assessment procedures.

Adopted on January 9, 2023.

SISTER CITY GIFTS AND VISITS

It is Council's general policy not to pay for city officials or staff attending Sister City events away from Oakwood. However, once at the location, lodging may be paid for with Council's prior approval, provided funds have been budgeted and appropriated for that purpose.

It is Council's further policy that any gifts given to a hosting Sister City, and any local events hosted by the city, are for a public purpose and shall be paid for by the city, provided funds have been budgeted and appropriated for that purpose.

In keeping with the requirements of the Ohio Ethics Law, no city official or staff member shall solicit gifts of any kind. However, the city may accept the same provided it is a gift to the city and not to any particular official or staff member, voluntarily given, and the acceptance therefor shall be made by City Council.

Adopted on January 9, 2023.

CONSERVATION EASEMENTS

City Council understands that citizens of Oakwood may wish to establish conservation easements over their properties, or parts thereof, in order to preserve natural environmental features and topographic conditions. Council further understands that such conservation easements typically limit current and future use or development of land and therefore can impact the value of private property. Therefore, it is Council's policy to address conservation easements in the following manner:

1. The establishment of conservation easements is to be initiated by Oakwood property owners. Council and city staff may encourage property owners to consider establishing such easements, but will not solicit property owners in this regard. Council respects the rights of property owners to use their land consistent with the rules and regulations established in the Zoning Code or Subdivision Regulations.
2. Council will not require, or permit to be required, the establishment of conservation easements as a condition of approving building or subdivision applications, except as may be specifically outlined in the Zoning Code or Subdivision Regulations.
3. Council will generally promote the establishment of conservation easements if they serve a public purpose.
4. Council will review requests for conservation easements from property owners considering issues including, but not limited to:
 - a. Value to the neighborhood and community;
 - b. Future financial burden to the city;
 - c. Tax consequences; and
 - d. Potential liability to the city.
5. Council will consider each easement proposal on its own merits.

Adopted on January 9, 2023.

CITY EMPLOYEE APPOINTMENTS TO COUNCIL COMMITTEES

Recognizing the importance of keeping City Council's official interaction with city staff limited to communications with and through the City Manager, it is Council's policy to not appoint any staff members, with the exception of the City Manager, to Council-appointed citizen committees. This policy applies for all city employees, whether or not they live in the city of Oakwood. This policy does not prohibit the City Manager from assigning city employees to serve in the capacity of staff liaison to Council-appointed committees, or from assigning city employees to serve on committees that are not Council-appointed. Such employee assignments shall be at the sole discretion of the City Manager.

Adopted on January 9, 2023.