

CITY OF OAKWOOD
STATE OF OHIO
JULY 17, 2023

The Council of the city of Oakwood, State of Ohio, met in a work session and 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, 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
Ms. Carol Collins, Leisure Services Director
Chief Alan Hill, Public Safety Director
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

Judy Cook, 927 Far Hills Avenue #4
Michael Kossol, 1001 Runnymede Road
Lauren Randall, 251 Hathaway Road
Tom & Nancy Thicket, 100 Lookout Drive
Alison & Tim Benford, 132 Greenmount Boulevard
Michele Wilson, 306 East Drive
The Ellis-Barrentine Family, 420 Peach Orchard Avenue
The Gillis Family, 800 Harman Avenue
Amanda Malusky Krauss, 269 Volusia Avenue
Brian Barr, *Oakwood Register*

The following Zoom visitors attended via remote teleconference:

Michael (no last name provided)

Mrs. Hilton advised Council she had read the meeting minutes of the June 5, 2023 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 – NONE

VISITORS

2023 May and June Beautification Award Winners – Mayor Duncan explained that a video will be shown highlighting all the winners and then he will present certificates to those who are at the meeting. The following properties were recognized and shown in the video:

Shannon & Tracy Morgan, 407 Volusia Avenue; Thomas & Nancy Thicket, 100 Lookout Drive; Dr. and Mrs. William Randall, 251 Hathaway Road; Ryan & Megan Schroeder, 422 Telford Avenue; Ron & Tina Moore, 317 E. Peach Orchard Avenue; Ward & Elizabeth Barrentine, 420 E. Peach Orchard Avenue; Matt Murrell, 244 Orchard Drive; Ryan & Sarah Larman, 2424 Shroyer Road; Harriet Meehan, 4 Beverly Place; Timothy & Alison Benford, 132 Greenmount Boulevard; John & Allyson Danis, 1405 Woodstock Drive; William & Amy Martin, 1430 Raleigh Road; Dr. John & Dr. Sarah Gillis, 800 Harman Avenue; Nickolay & Maria Markov, 1120 Harman Avenue; John & Shannon Powell, 525 Maysfield Road; Michael & Kyla Guy, 337 Oak Forest Drive; Melvin Parada & Ariel Batungbacal, 144 Patterson Road; Christopher & Trisha Donaldson, 357 Forrer Boulevard; John & Jill Basom, 2222 Shafor Boulevard; Michael & Patricia Ridenour, 301 Claranna Avenue; Gary & Darcy Plunkett, 331 Fairforest Circle; and Michael & Allyson Kessel, 1001 Runnymede Road.

LEGISLATION

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4981
AN ORDINANCE PROVIDING FOR AN ELECTION ON THE
QUESTION OF A RENEWAL TAX LEVY IN EXCESS OF THE TEN-
MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL
OPERATION OF THE CITY.

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 the city has an existing 3.75 mill property tax levy, first approved by Oakwood voters in 2013 and renewed in 2018. It is due to expire this year. At the June meeting, Council took the first legislative step to put this matter on the ballot for renewal, and this ordinance is the second and final step. It is important to note that since this is a renewal instead of a new levy, it will maintain the current level of property taxation and will not increase property taxes.

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.

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4982
AN ORDINANCE AMENDING ORDINANCE NO. 4907 TO
ESTABLISH A PROCESS FOR APPOINTING MEMBERS TO THE
BOARD OF THE DAYTON REGIONAL ENERGY SPECIAL
IMPROVEMENT 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 Ohio law allows municipalities to participate in special improvement districts that allow property owners to finance the cost of certain improvements through special assessments. Oakwood has been a participant in the Dayton Regional Energy Special Improvement District (“Dayton ESID”) since 2020.

By law, a special improvement district is overseen by a Board of Directors, and each participating jurisdiction must appoint a person to serve on that board. Council’s original appointee was Jennifer Wilder, who was the city’s Director of Personnel and Properties at the time but is no longer employed by the city of Oakwood.

The original appointing ordinance, Ordinance No. 4907, did not specify a procedure for amending the appointment from time to time. Therefore, in order to avoid having to amend Ordinance No. 4907 every time Council wishes to make a new appointment, this resolution has a single amendment that will allow future appointments to be made by resolution. This is a procedural adjustment only and does not materially change any aspect of the city’s participation in the Dayton ESID.

If approved this ordinance will take effect in 30 days, and a resolution will then be introduced at the September Council meeting to make the city’s next appointment.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens 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 HILTONYEA
MRS. LEIGH TURBENYEA

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

RESOLUTION

BY MRS. TURBEN

NO 1909

A RESOLUTION APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE MIAMI VALLEY COMMUNICATIONS COUNCIL RETAIL ELECTRIC SUPPLY AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING THE SAME FOR THE CITY OF OAKWOOD.

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

Mrs. Turben explained this is a resolution for the city of Oakwood to join the electric supply aggregation program recently launched by the Miami Valley Communications Council (“MVCC”).

With the move to deregulate public utilities in the early 2000s, which was intended to promote competition and lower costs, there have been two ways for utility customers to obtain electric or natural gas supply. The default is to pay the “standard choice offer” rate charged by the utility company that delivers electricity and natural gas in their area, which for Oakwood is AES for electricity and CenterPoint for natural gas. The alternative is to sign up with a third-party supplier, which can be done on an individual basis or via a governmental aggregation program. These programs allow cities to negotiate competitive rates with third-party suppliers who provide electricity or natural gas to retail utility customers. In 2003, Oakwood voters authorized the city to participate in utility aggregation, if a suitable program became available.

Currently, Oakwood does not have its own aggregation program but is a member of MVCC, which is in the process of developing aggregation programs for both electricity and natural gas. MVCC’s electric aggregation program is currently up and running, and the natural gas program is anticipated to begin this fall. As an MVCC member community, Oakwood is permitted to join these programs. The advantage of joining MVCC is the larger group size, which gives additional bargaining leverage due to economies of scale.

MVCC’s program is primarily offered on an OPT-OUT basis, which means residents in participating communities are automatically enrolled in the program unless they take affirmative steps to opt-out. However, communities may also join on an OPT-IN basis, meaning that no one is enrolled automatically; they must enroll themselves. Oakwood City Council has discussed this extensively in work sessions and believes that the best approach for our city is to join on an OPT-IN basis. In this way, individual residents will make their own deliberate choice on whether to: 1) opt into the MVCC program; 2) stay with the “standard choice offer”; or 3) choose their own third-party supplier.

In order to join the MVCC program, state law requires Council to hold two public hearings and approve the Plan of Operation and Governance for the MVCC electric aggregation program. This resolution is being introduced tonight and will then hold the first public hearing. The second public hearing and vote on the resolution will be held at Council’s August 7 meeting.

Mayor Duncan explained the public hearing procedure. He then asked Law Director Rob Jacques to comment on the MVCC aggregation program.

Mr. Jacques shared that electric deregulation happened in the early 2000s. Before the deregulation, a single payment for delivery and supply (infrastructure) was made to local monopolies, such as Dayton Power & Light. Deregulation allowed consumers to unbundle their services and pay for delivery (hardware) and supply (electricity) separately. Even though aggregation has been available, many communities determined that there was not a need for aggregation until recently when the supply costs rose substantially. Energy consumers have the option to choose where they purchase their electricity. They can continue with their current service provider, choose a new provider, or participate in a government aggregation program. The Public Utilities Commission of Ohio’s “Apples to Apples” website tool provides a comparison of current natural gas and electric supplier price options and contract terms from a variety of third-party natural gas and electricity sellers. A governmental aggregation program can be an effective way for a large group of consumers to get exclusive pricing on their utility services. The Ohio Municipal League (OML) and MVCC partnered with Palmer Energy Company to build and manage a governmental electric aggregation program. The program will initially be a two-year contract period, including the remainder of this year and then 2024 and 2025 with a locked-in rate. The provider chosen for this

program, based on a competitive RFP process, is a company called "Energy Harbor." The program will cover more than 80,000 customers to save approximately \$30 per month on electric bills on average, in comparison to the current AES standard offer. It is important to note that the average residential household considers very small and very large households so the savings could vary. All residential and most commercial businesses in Oakwood would be able to participate in the program. Oakwood would be joining on an "OPT-IN" basis, meaning that no one is enrolled automatically or forced to participate.

Mayor Duncan opened the public hearing.

There were no visitors wishing to testify.

Mayor Duncan closed the public hearing.

RESOLUTION
BY MR. STEPHENS NO 1910
A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF
FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR
CUTTING NOXIOUS WEEDS AND NUISANCE PLANT MATERIAL
TO THE COUNTY AUDITOR FOR COLLECTION.

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

Mr. Stephens explained that each year, the city incurs costs for mowing and clearing overgrown yards and removing nuisance plant material when owners do not take care of their property. The city bills property owners for those costs and most of them pay. For those who do not pay, this is our annual resolution to certify the costs to the County Auditor so they can be added to the tax bill for each property. This certification includes six properties at a total outstanding dollar amount of \$1,925.07.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton 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 BYINGTONYEA
- MR. ROBERT P. STEPHENS.....YEA
- MRS. ANNE HILTONYEA
- MRS. LEIGH TURBENYEA

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 Safety Department Presentation: Chief Alan Hill, Public Safety Director, referenced a PowerPoint presentation and updated Council on the following topics: Crisis Now; Capital Improvements; Personnel Changes; PSAP Compliance; Use of Force Stats; Recent City of Dayton Incident; ISO Rating; Good Choice Tickets; Fraud/Identify Theft; ACORN Program and the Citizen Police Academy.

Crisis Now is a resource that launched last year and is available to the community. Crisis Now is a 24/7 local call center designed to help anyone in the community who is experiencing a mental health or substance abuse crisis. The call center provides immediate services to anyone in need and if deemed appropriate, Crisis Now has the ability to dispatch a mobile response team with a licensed clinician to assist any person in need. Undiagnosed and untreated mental illness is a huge concern not just for our region, but for the nation. It can lead to many other issues such as drug abuse, domestic violence, suicide or attempted suicide and criminal activity.

Chief Hill highlighted capital improvements planned for this year and next year. The Public Safety Department will be purchasing a 2024 Chevy EV Blazer and entering into the all-electric police vehicle market. The vehicles are available for order this summer and are scheduled for production during the first quarter of 2024. Medic 26 will be replaced after nearly 20 years of service life. Over the past several years, the medic is starting to experience periodic and ongoing maintenance issues that can result in the medic unit being out of service for extended periods of time while being repaired. The current lead time for ordering and taking delivery of a new medic is approximately 18 months, so the plan is to order a replacement unit in early 2024 with anticipation of summer/fall 2025 delivery.

Public Safety Officer Glen Evans retired after 16 years of service with the city of Oakwood. Public Safety Officer Joe Dues was hired on March 20. He arrived as a fully certified public safety officer with significant experience in police/fire/EMS.

In May 2016, the state of Ohio implemented 19 standards for all Public Safety Answering Points (PSAP). All dispatch centers were required to achieve compliance within two years from the date of adoption. Some standards were put into place to challenge the viability of individual dispatch centers and to promote regional dispatch centers. Montgomery County PSAPs are audited for compliance and Oakwood continues to be in full compliance with the standards required for operating a PSAP. In May 2019, Montgomery County PSAPs were audited for initial compliance by the Ohio Department of Administrative Services Ohio 9-1-1 Program Office. Oakwood was found to be in full compliance with the standards required for operating a PSAP. This process is ongoing. In early 2023, compliance documents were again submitted, and Oakwood remains in full PSAP compliance.

Year-to-date, there has been only one incident where the use of force was required. The low number of use of force incidents in Oakwood is a testament to the professionalism and de-escalation skills of Oakwood's Public Safety Officers patrolling streets every day.

On June 17, police responded to the Davis-Linden Building in the city of Dayton on what was initially reported as a fight. The call was then upgraded to a shooting, and then an active shooter. Oakwood responded on a mutual aid basis with multiple units. Chief Hill commended Public Safety Officer Jeff Watkins and Public Safety Officer Rob Wilson for their response to this incident. The Oakwood officers were one of the first responding units from an outside agency on the scene immediately after the shooting.

On May 29, the city received its updated ISO (Insurance Services Office) rating. The city's rating improved from a Class 3 to a Class 2 rating. Class 1 represents superior property fire protection capability, and Class 10 would indicate the fire suppression program does not meet ISO's minimum criteria. This Class 2 rating places our city inside the top 7% of all agencies in the state of Ohio.

The Oakwood Public Safety Department is once again issuing "Good Choice Tickets." The program is designed to recognize Oakwood's youth for making good choices such as using a crosswalk, wearing a bicycle helmet, or looking both ways before crossing the street. This is a good way for the officers to interact and acknowledge youths for making good choices.

Fraud continues to be a major problem. The Federal Trade Commission's 2022 snapshot review reports 2.4 million fraud reports in 2022 totaling almost 9 billion in total loss. Although the number of reports was down from 2021 to 2022, the amount of total loss increased by 2.7 billion from 6.1 to 8.88. Chief Hill shared some tips to help prevent fraudulent activity: lock your financial documents and records in a safe place at home and lock your wallet or purse in a safe place at work. Keep your information secure from workers and contractors; before you share information at your workplace, a business, your child's school, or a doctor's office, ask why they need it, how they will safeguard it, and the consequences of not sharing it; shred receipts, credit offers, credit applications, insurance forms, physician statements, checks, bank statements, expired charge cards, and similar documents when no longer needed and consider placing a "credit freeze" on your credit report with the major credit bureaus. Also known as a security freeze, this tool lets you restrict access to your credit report, which in turn makes it more difficult for identity thieves to open new accounts in your name. If you are a victim or suspect you are a victim of identity theft, contact the Oakwood Safety Department as soon as possible to speak with an officer. The city's website has a lot of information to help prevent, recognize, and report scams and fraud.

At a recent Global Fraud Conference, the Association of Certified Fraud Examiners (ACFE) presented the annual Chapter of the Year Award (Small Market) to the Southwest Ohio Chapter. Founded in 1993, the Southwest Ohio ACFE Chapter is one of 196 ACFE global chapters.

The Southwest Ohio Chapter consists of about 100 members with many being Certified Fraud Examiners (CFEs), which is the ACFE's highest credential. These trained professionals often specialize in various types of fraud including individual fraud, fraud internal to organizations, or fraud external to organizations. The current chapter president is Oakwood resident Amanda Malusky-Krauss, who was in attendance tonight. Chief Hill congratulated Ms. Malusky-Krauss and her team. He shared that she will be invited to share a few words about the program after his report.

Mayor Duncan noted that Ms. Malusky-Krauss is also a member of the Oakwood Budget Review Committee and is a Certified Public Accountant.

On March 1, 2019, the Safety Department implemented the ACORN (Assisting and Contributing to Oakwood Resident Needs) program. The program is designed to assist residents in times of emergency and provide peace of mind through proactive community outreach, implementing safety plans, and advocating for the well-being of Oakwood's senior and at-risk population. Over the next several months, the Safety Department will make a significant effort to grow the ACORN program. Chief Hill noted that former Mayor Judy Cook was in attendance to say a few words about the program after his presentation.

The Oakwood Public Safety Department will host its sixth Citizen Police Academy (CPA) in September 2023. The CPA is a 10-week program that meets for two hours, one night per week, covering the following topics: Safety Department Introduction/Orientation; Patrol Operations; Traffic Enforcement; Use of Force; Active Shooter Training; Evidence Collection and Processing; and Fire Prevention / Education. The CPA is free of charge and is open to any Oakwood resident or individual working within the city of Oakwood. The September program is already full.

Chief Hill invited Ms. Malusky-Krauss to share some information about the Association of Certified Fraud Examiners (ACFE.)

Ms. Malusky Krauss shared that she is in her fifth year as President of the Southwest Ohio Chapter. She shared that her career of conducting fraud investigations is how she became president of the ACFE. ACFE is a global entity with 90,000 members located in almost every country around the world. The members are essentially fraud fighters helping to stop frauds of all kinds. The Southwest Ohio Chapter is one of 196 Chapters, so it was very exciting to compete with chapters all around the world and then be presented with the Chapter of the Year Award.

Mrs. Cook shared that she has lived in Oakwood for many years and has total respect for and trust of the Oakwood Public Safety Department. When she found out that the Public Safety Department created and was overseeing the ACORN program, she happily signed up to be a member. She said that as an independent senior resident, it is reassuring to know that the Public Safety Department can access her home in case of an emergency. She explained that the program supports seniors and at-risk citizens, and is a significant addition to the Oakwood community.

Mrs. Hilton asked if Mrs. Cook was also referring to the Key File Program.

Chief Hill answered yes. He said that the Public Safety Department maintains a secure key file in the dispatch office for residential property owners that wish to provide a key in case they are locked out or have other emergencies that require quick entry into the home.

Mrs. Hilton asked how many residents participate in the program.

Chief Hill shared that they have around 300 keys on file.

Mayor Duncan thanked the Public Safety Department for the extensive research on electric vehicles. He then thanked Chief Hill for his presentation.

AN OAKWOOD MOMENT

Vice Mayor Byington highlighted sustainability measures in Oakwood.

CITY MANAGER REPORT – Mr. Klopsch reported on the following:

Mr. Klopsch shared some recent personnel changes. Code Enforcement Officer Ethan Kroger was promoted to the position of Planning and Zoning Manager. Sangita Anand was hired as the Human Resources Manager. They will be invited to a future council meeting for introductions.

There are approximately 50 residential solar power generating systems installed in Oakwood. The Planning and Zoning Department welcomes anyone who is interested in obtaining a permit for solar power systems.

The Public Works Department is engaged in resurfacing roadways in the north end of Oakwood, most notably E. Schantz Avenue from Lookout Drive to Far Hills Avenue. Barring any unforeseen inclement weather, the project should be done by the end of this week.

Mr. Klopsch thanked the community for their compliance with the yard debris disposal regulations. There are noticeably fewer incidents of yard debris being improperly placed in the roadway.

The annual Sidewalk, Curb and Driveway Apron project began last week. Work is being done around Harman School and will be completed before school begins in the fall. Work will also be done in the southwest corner of Oakwood.

The work on Far Hills Avenue will continue with the repair of stormwater inlets and the replacement of numerous sections of concrete roadway curbing. This work will take place over the next few months in advance of the 2024 Far Hills Avenue resurfacing.

A large storm sewer replacement project is underway on Far Hills Avenue. The home at 1313 Far Hills Avenue will be demolished next week and the lot will then serve as a materials and equipment staging area for the contractor while they complete the storm sewer replacement. There are no current plans for the reuse of this property, but the new sewer is being aligned along the south property line so that the majority of land could be used for a new home or greenspace.

Mr. Klopsch estimated that around 200 people attended the Five Points intersection open house events. He thanked everyone that attended. The feedback that has been received so far is mixed regarding the potential roundabout at the Five Points intersection.

Mr. Klopsch noted that he was told when he started working in Oakwood that people move to Oakwood for the schools, and stay in Oakwood for public safety. He said that this still remains true today. He complimented Chief Hill and the Public Safety Department for their service.

COUNCIL COMMENTS

Mrs. Turben shared that The Oakwood Historical Society has been selected as one of two of the 2023 Wick Wright recipients by the National Aviation Heritage Alliance. The Wick Wright Award honors an individual or organization for outstanding support of a National Aviation Heritage area partner and The Oakwood Historical Society was nominated by Dayton History for its support for the Wright at Home program. The award ceremony is on August 8 at Wright State University. Mrs. Turben congratulated The Oakwood Historical Society board members and volunteers.

Vice Mayor Byington congratulated the beautification award winners. He shared that he moved to Oakwood because of the diversity and uniqueness of the architectural styles. The pride that everyone has in their property ownership is truly amazing. He shared that Mr. Klopsch and Mr. Jacques planned to participate in a "Native Garden Event" at Wright Library before it was cancelled due to inclement weather. Mr. Jacques explained that the City was to host a table at the event to share information about the sustainability efforts in Oakwood. The event will be rescheduled. Vice Mayor Byington encouraged people to vote early for the August special election.

Mayor Duncan noted that Oakwood celebrated its centennial 15 years ago. He congratulated Mr. Klopsch and his staff for taking a long-term view of all the infrastructure needs in the community both above ground and below ground.

The public meeting concluded at 8:58 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL