

CITY OF OAKWOOD
STATE OF OHIO
MAY 1, 2023

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 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 BYINGTONPRESENT
- MR. ROBERT P. STEPHENS.....PRESENT
- MRS. ANNE S. HILTON.....PRESENT
- MRS. LEIGH TURBENPRESENT

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
- Captain Mike Tanner, Public Safety Captain
- Mr. Brian Caldwell, Horticulturist
- Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

- Leslie Nagel, 14 Patterson Road
- Christine Robinson, 36 Telford Avenue
- Lucas Robinson, 36 Telford Avenue
- Nancy Shelton, 1613 Far Hills Avenue
- Daniel Gentry, 1809 Coolidge Drive
- Brian Barr, *Oakwood Register*

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the April 3, 2023 regular session and work session, and April 17, 2023 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

Proclamation – Mayor Duncan read a proclamation designating the month of May as “National Tennis Month.” He recognized members of the Hollinger Memorial Tennis Club in attendance and thanked them for offering the best known clay courts in the area. Mayor Duncan commented on the city’s tennis facilities.

Mr. Dan Gentry with Hollinger Memorial Tennis Club thanked Council for their support and for taking the time to recognize National Tennis Month. He noted that the partnership with the city has been great and allows people to easily join Hollinger through the Oakwood Community Center. Mr. Gentry encouraged people to sign up for a trial membership to see what the Hollinger facility has to offer.

VISITORS

Mrs. Christine Robinson, 36 Telford Avenue, shared that she addressed City Council on June 7, 2021 asking that they consider a change in the traffic flow in the first block of Telford Avenue by making the first block of Telford Avenue one-way westbound. She was, and continues to be, concerned about the safety of pedestrians, especially children, traveling near Smith Elementary School due to congestion, traffic and illegal parking on the south side of the street. She noted that she was disappointed that Council dismissed the concerns she raised at the June 2021 meeting. She shared that her daughter was struck by a vehicle last month during afternoon dismissal near

illegally parked vehicles. She is bringing this issue back to Council and demanding to see changes to the first block of Telford Avenue to address safety concerns to keep children safe.

Mayor Duncan thanked Mrs. Robinson for her comments. He shared that Council discussed the enforcement improvements at the pre-council work session addressing safety concerns around Smith School, and noted that we can always do better. Mayor Duncan recalled his wife, now retired from the Oakwood School District, sharing stories about parking issues at both Smith School and Harman School. He noted that Oakwood is a walking community and students are encouraged to walk to school using the appropriate routes to minimize safety risks. Mayor Duncan shared that Council understands that there are a lot of issues related to traveling eastbound and it will continue to be evaluated.

LEGISLATION

AN ORDINANCE

BY MR. STEPHENS

NO 4974

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

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 this is the third and final step of the 2024 street lighting program. It is a second reading of an ordinance that allows for the costs of street lighting to be certified to the Montgomery County Auditor for assessment.

Thereupon, it was moved by Mr. Stephens 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
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 4975

AN ORDINANCE ADOPTING THE 2024 TAX BUDGET FOR THE CITY OF OAKWOOD, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 2024.

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 to comply with Section 6.01 of the City Charter, this is the second reading of an annual housekeeping ordinance to estimate the city's revenues and expenses for calendar year 2024.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben 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
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 4976
AN ORDINANCE TO AMEND SECTION I, 2023 ORIGINAL
APPROPRIATION ORDINANCE NO. 4967, AND ANY EXISTING
SUPPLEMENTS THERETO, TO PROVIDE FOR THE
APPROPRIATION OF:

1. AN ADDITIONAL AMOUNT OF \$985,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE STORMWATER IMPROVEMENT / EQUIPMENT REPLACEMENT FUND FOR THE FAR HILLS STORM SEWER RECONSTRUCTION PROJECT; AND
 2. AN ADDITIONAL AMOUNT OF \$50,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR COSTS RELATED TO THE CONTINUATION OF A TRAFFIC SIGNAL STUDY;
 3. AN ADDITIONAL AMOUNT OF \$25,000 TO BE EXPENDED FROM THE REFUSE IMPROVEMENT / EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF A REFUSE SCOOTER; AND
 4. ADDITIONAL TRANSFERS RELATED TO THESE EXPENDITURES;
- FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023.

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 transfer funds needed for the Far Hills Storm Sewer Reconstruction Project, and to make funds available for two expenditures that were not included in the 2023 budget.

The transfer for the Far Hills Storm Sewer Reconstruction Project is needed to provide money that was not received through a grant from the Ohio Public Works Commission. The city applied for the grant in August 2022 and received word in December 2022 that the grant application was denied.

The \$50,000 is to pay additional engineering costs that have arisen as part of an ongoing study being conducted of the city's 17 signalized traffic intersections. As the study progresses, information will be provided to the citizens of Oakwood and general public and seeking feedback on traffic control options, particularly at the intersection of Far Hills Avenue, Oakwood Avenue and Thruston Boulevard, commonly known as Five Points. The City Manager has recommended an increased study of Five Points, including modeling, video animation, and other materials for Five Points to facilitate public meetings, and this ordinance appropriates the additional funding for this increased scope of work.

The \$25,000 is to provide money to replace one of our refuse collection scooters that was damaged beyond repairs in an accident last year. The replacement was not included in this year's budget because the 2022 insurance claim was still being processed. The insurance settlement has now been received and need to appropriate those funds to pay for the replacement scooter.

This ordinance authorizes a transfer for \$985,000 from the General Fund to the Stormwater Improvement/Equipment Replacement Fund for the Far Hills Storm Sewer Reconstruction Project. It also authorizes an additional \$50,000 to be expended from the Capital Improvement Fund for the continuation of the traffic signal study, and an additional \$25,000 to be expended from the Refuse Improvement/Equipment Replacement Fund for the replacement refuse scooter. It also authorizes transfers from the General Fund to each of these funds to facilitate the appropriation.

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.

Mayor Duncan noted that four yes votes are required in order to waive the second reading of the ordinance.

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 4977
 AN ORDINANCE AUTHORIZING THE ACQUISITION OF FOUR (4)
 EASEMENTS IN CONNECTION WITH THE 2023 FAR HILLS STORM
 SEWER RECONSTRUCTION PROJECT, 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.

Vice Mayor Byington explained that in the coming months, the city will begin the 2023 Far Hills Storm Sewer Reconstruction Project. This is a critically important infrastructure upgrade that affects stormwater drainage in the areas of Dellwood Avenue, Greenmount Boulevard, Forrer Boulevard, Far Hills Avenue, and Devereux Drive.

In order to complete the project, the city needs to acquire four (4) easements. Three of these are permanent easements where new storm sewer pipes will be installed. One is a temporary construction easement that will be used for material storage and equipment staging during construction.

The easements are roughly located as follows:

- Two (2) permanent easements along the property line between the homes located at 7 and 9 Dellwood Avenue, resulting in a 719 square foot easement upon 7 Dellwood and a 1,059 square foot easement upon 9 Dellwood Avenue;
- One (1) permanent easement, 20' in width, running along the southern property line and the full depth of the property at 1400 Devereux Drive, consisting of 3,646 square feet; and
- One (1) temporary construction easement at the northeast corner of 1410 Devereux Drive, consisting of 502 square feet.

Each easement was valued by an independent appraiser, and appraisals were provided to each affected property owner. The City Attorney and Staff Engineer engaged in negotiations with the affected property owners and have reached tentative agreement as to the purchase price for each easement. The total acquisition cost is \$47,350.

This ordinance will authorize the City Manager to finalize the acquisition of these easements at the negotiated purchase prices. It is being introduced as an emergency measure to ensure that the project remains on schedule for a late spring or early summer start.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure.

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 S. HILTON.....YEA
 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.

STAFF REPORT

Finance Department Presentation: Mrs. Cindy Stafford, Finance Director, referenced a PowerPoint presentation and updated Council on the following topics: 2022 year-end finances and 2023 financials through March 31, 2023.

Mrs. Stafford shared that all of the information she is reporting on this evening is also available on the city website. She encouraged people to contact her with any questions.

In regard to the 2022 year-end financials, she referenced a chart for Non-Enterprise Funds (General City Services), excluding transfers, showing budgeted versus actual for receipts (budgeted: \$15,652,995 versus actual: \$16,722,031) which is 106.83% of budget; and disbursements

(budgeted: \$16,375,194 versus actual: \$15,381,198) which is 93.93% of budget. The year finished in a strong financial position with disbursements and encumbrances less than receipts. Receipts were greater than disbursements and encumbrances by about \$1.3 million. Receipts were 107% of budget due to several things: 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 total earned income of Oakwood residents remains strong.

Mrs. Stafford then referenced a chart for the Refuse Fund, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$1,378,600 versus actual: \$1,386,404), which is 100.57% for the year; disbursements (budgeted: \$1,605,900 versus actual: \$1,525,827) which is 95.01% of budget. The budget included planned capital expenditures for the purchase of a new front-end loader and two new refuse scooters.

She then referenced a chart for Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$3,588,935 versus actual: \$3,547,917), which is 98.86% for the year; disbursements (budgeted: \$4,372,141 versus actual: \$4,198,887) which is 96.04% of budget. The Enterprise Funds include Water, Sanitary Sewer and Stormwater. The water and sewer funds can fluctuate from year to year and are driven, in large part, by the weather and rainfall. Also, 63% of sewer costs went to Montgomery County and the city of Dayton for wastewater treatment.

The 2022 financial audit has been performed. The auditors completed their field work in the city's administrative offices. There were no items noted by the auditors so the city anticipates an unqualified "clean" opinion, which is the best opinion. There has been no timeline given for receiving the final audit report, but it is expected by the end of May.

In regard to 2023 financials through March 31, Mrs. Stafford referenced a chart for General City Services, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$16,306,353 versus actual: \$4,342,092) which is 26.63% of budget (April and May are when a large portion of income taxes are received); and disbursements (budgeted: \$18,068,858 versus actual: \$6,445,240) which is 35.67% of budget. Property taxes and property tax assessments are typically received in April and May. Blanket purchase orders are submitted for many purchases at the beginning of the year to cover expenses for the entire year.

She then referenced a chart for the Refuse Fund, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$1,387,100 versus actual: \$338,066), which is 24.37% of budget; disbursements (budgeted: \$1,596,368 versus actual: \$690,402) which is 43.25% of budget.

She then referenced a chart for Enterprise Funds, excluding transfers, showing budgeted versus actual for receipts (budgeted: \$3,484,400 versus actual: \$817,212 which is 23.45% of budget; disbursements (budgeted: \$6,585,297 versus actual: \$1,996,692) which is 30.32% of budget. The Enterprise Funds include Water, Sanitary Sewer and Stormwater. She explained that most of the sewer costs are driven by Montgomery County and the city of Dayton. Also, receipts include \$985,000 for the Far Hills Storm Sewer Reconstruction Project. This project was dependent on a grant that was not received which is why a supplementation appropriation was passed this evening to allow for the transfer of these funds from the General Fund to cover the cost of the project.

Mr. Klopsch mentioned that the water and sewer rates have not been raised in a number of years, but costs continue to increase. The Budget Review Committee is aware that a rate increase may be needed for water and sanitary sewer. This will be discussed at their Tuesday, May 16 committee meeting.

Mayor Duncan reported that Oakwood has the 3rd lowest water rates of 66 Miami Valley jurisdictions.

Council thanked Mrs. Stafford for all her good work.

AN OAKWOOD MOMENT

Mrs. Turben highlighted the blooming trees and flowers in Oakwood. She recognized that Oakwood has been designated a Tree City USA for 41 consecutive years.

CITY MANAGER REPORT – Mr. Klopsch began his comments by thanking Leisure Services Director Carol Collins and Horticulturist Brian Caldwell for all of their hard work and beautification efforts throughout the city. He recognized Ms. Collins for her dedication and passion for creating an incredible ambiance in Oakwood. He then recognized Mr. Caldwell and noted that there's no harder worker in Oakwood than Brian Caldwell. He is seen out working in the Oakwood community taking care of all of the details. Ms. Collins started the Johnny Appleseed Street Tree Planting program early in her career and it has paid enormous dividends in terms of

the systemic way that trees are added to the community year after year. The Tree City USA recognition is a testament to Ms. Collins and Mr. Caldwell's hard work.

Mr. Klopsch thanked Engineering and Public Works Director Doug Spitler and Staff Engineer Chris Kuzma for their work over the last year to develop construction plans for the Far Hills Storm Sewer Project along Far Hills Avenue. The project began with a study approximately five years ago and the construction work will begin soon. Mr. Klopsch also thanked Ms. Stacel for creating a future feature on the city's website for weekly project updates. Mr. Klopsch then thanked Law Director Rob Jacques for his work in negotiating the four easements, and thanked the four property owners for working with the city on this important project. The work is anticipated to begin in the next month and will last through the better part of the year.

City staff began a comprehensive analysis of Oakwood's traffic signal system in September of last year. The study is ongoing and is now heavily focused on Five Points, the single most important and the most complicated intersection in Oakwood. A press release will be distributed after the council meeting announcing that there is sufficient evidence to seriously consider the construction of a roundabout in lieu of a traditional traffic light as the design at the Far Hills Avenue, Oakwood Avenue and Thruston Boulevard intersection. That said, no decision has been made yet. The city will conduct three open house events to present information about the traffic signal system study. These events will take place in the Great Room at the Oakwood Community Center from 6-8 p.m. on Wednesday, June 14, Thursday, June 29 and Tuesday, July 11. A decision will not be made on the intersection design until a thorough analysis is completed, and until city leaders receive feedback from the citizens of Oakwood and the general public.

There was a lot of recycling activity last Saturday at the Public Works Center. People were dropping off yard debris, cardboard and other recyclables; Green Oakwood was collecting Styrofoam; Oakwood Rotary was engaged in the quarterly hazardous waste collection program; and there was a constant stream of vehicles picking up leaf mulch.

Mr. Klopsch closed his comments by sharing that there will be a uniquely special entry in the "That Day in May" parade on May 20.

COUNCIL COMMENTS

Mrs. Turben thanked everyone for attending the Wright at Home event.

Mrs. Hilton thanked Mayor Duncan for recognizing National Tennis Month. She shared that the Hollinger courts are the best clay courts she has ever played on. She encouraged people to become Hollinger members by signing up using the new OCC registration system.

Vice Mayor Byington encouraged everyone to attend the "That Day in May" events on Saturday, May 20, and the May 22 golf outing. The event helps raise money for the Oakwood Rotary Foundation to go towards charitable organizations. He closed his comments by congratulating the Oakwood Academic Decathlon Team for winning their 11th straight Division III National Championship title.

Mayor Duncan shared that his first tennis racket was autographed by Bobby Riggs.

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



MAYOR

ATTEST:



CLERK OF COUNCIL