

CITY OF OAKWOOD
STATE OF OHIO
DECEMBER 4, 2023

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 5:30 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
- Mrs. Cindy Stafford, Finance Director
- Chief Alan Hill, Public Safety Director
- Mr. Doug Spitler, Engineering & Public Works Director
- Mr. Ethan Kroger, Planning & Zoning Manager
- Mrs. Sangita Anand, Human Resources Manager
- Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

- Public Safety Officer Dustin Mitchell & Family
- Jessica Myers, 303 Wonderly Avenue
- Joseph & Leigh Ann Fulford, 219 Orchard Drive
- Healy Jackson, 118 Lonsdale Avenue
- Andrew & Cheryl Lloyd, 465 Kramer Road
- Brian Barr, *Oakwood Register*

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the November 6, 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

PSO Swear-In – Mayor Duncan recognized new Public Safety Officer Dustin Mitchell and his family. He then administered the Oath of Office. Chief Hill welcomed and introduced PSO Mitchell.

Five Points Roundabout – Mayor Duncan provided an update on the Five Points (Far Hills Avenue, Thruston Boulevard, Oakwood Avenue) intersection and proposed that Council suspend further work on pursuing a roundabout project at this time. He explained that there was input received about the roundabout alternative from numerous citizens, both pro and con. Also, the city submitted a funding application to the Ohio Department of Transportation and recently received word of a favorable outcome. However, there remains enough division throughout the community suggesting that now is not the right time to pursue the project. Many positive comments have been received and we believe that a roundabout could be a good project in the future.

Mrs. Turben stated that she supports suspending the work related to a possible roundabout. She believes that in the future a roundabout will be a better solution for the Five Points intersection, but not at this time.

Mrs. Hilton shared that she is also in favor of suspending further consideration of a roundabout. She stated that she does not love the project, for right now. That intersection is so tricky. She hopes that a future council will make the best decision for the intersection and at the right time.

Mr. Stephens shared that while a roundabout can do a lot of positive things, he has hesitations and also supports suspending this work. He has seen many successful roundabouts in flat areas but believes the north end of Five Points toward downtown could pose safety concerns during hazardous weather. He appreciated all of the work put into analyzing the roundabout option. The current traffic signal system at Five Points works well and moves traffic efficiently.

Vice Mayor Byington said that Council has done due diligence to consider a roundabout at Five Points. The project had a fantastic group of engineers and consultants who took the time to explain the issues and the different available options. He thanked the people who were open-minded and considered something that may not have been in their comfort zone. There are still some concerns that need to be explored in further detail to coincide with applying for future potential transportation funding. He agrees with suspending the project and reconsidering this in the future when Ohio and the region have more experience with roundabouts.

Mayor Duncan thanked City Manager Norbert Klopsch for taking the lead on this project. There were citizens that stated that a roundabout at Five Points was the greatest thing they had ever heard of, and others stated opposing comments such as "what were you guys thinking?" There was a lot of opposition a few years ago to the "road diet" project on Shroyer Road, but now there is pretty much unanimous agreement that it was the best thing we could have done in terms of safety and traffic calming, and in improving property values along Shroyer Road. The roundabout at Five Points is an interesting concept and something that will likely be reevaluated in the future.

Thereupon, it was moved by Mayor Duncan and seconded by Vice Mayor Byington, as a procedural matter without legislation, to suspend the further study of a roundabout at the Five Points intersection.

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, the motion carried.

VISITORS

Mrs. Cheryl Lloyd, 465 Kramer Road, suggested that the vacant lot at 1313 Far Hills Avenue be converted into a low-maintenance biodiversity-friendly park commemorating Oakwood resident Joseph Desch. He was the recipient of the medal for merit, was a brilliant NCR engineer, UD alumnus, and resided on Oakwood's Greenmount Boulevard. Mrs. Lloyd read a list of organizations supporting the Joseph Desch project including the Oakwood Historical Society and several others, including members of the Desch family and a nephew to Alan Turing.

Mrs. Jessica Myers, 303 Wonderly Avenue, shared that she is one of the residents displaying temporary holiday lights on Wonderly Avenue. The display requires a great deal of time, effort, and money, but is entirely worth it because it means a lot to the people who observe the decorations. She said that she was not aware that the decorations were not allowed on the sidewalk or else she would have worked with the city's zoning department to come up with something equally creative. She apologized for any miscommunication and stated that there has been a lot of communication since November and some confusing discrepancies. Initially, an ordinance was cited prohibiting the sidewalk arches, and then she was told that the decorations were not prohibited by an ordinance, they were just not permitted. She stated that if never permitted, the city seems to be selectively targeting this display with the enforcement of its current processes. As a solution, she recommends that the city adopt a process for special seasonal permits, as long as the homeowner gets liability insurance to cover the areas on sidewalks.

LEGISLATION

AN ORDINANCE

BY MRS. TURBEN NO 4983

AN ORDINANCE TO AMEND "APPENDIX A – PUBLIC SERVICES RATE SHEET" OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE WATER SERVICE RATES AND THE SANITARY SEWER UTILITY RATES.

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

Mrs. Turben explained that this is the second reading of an ordinance to increase the rates for Oakwood’s water and sanitary sewer utility services, which is needed in order to meet operational and upcoming capital needs. The city last raised water rates in January 2017 (seven years ago) and sanitary sewer rates in January 2018 (six years ago). The increases would take effect in January of 2024.

The typical residential customer in Oakwood uses between 300 and 900 cubic feet of water per month. Based on that usage, the typical residential bill would increase by approximately \$7 to \$13 per month for water and \$7 to \$14 per month for sanitary sewer services.

These rate changes were presented to the citizen Budget Review Committee as part of the 2024 budget briefing on September 12 and October 16, and their response was positive.

Thereupon, it was moved by Mrs. Turben and seconded by Mr. Stephens 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 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 ordinance was declared duly passed and it was so ordered.

AN ORDINANCE
 BY VICE MAYOR BYINGTON NO 4984
 AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION
 OF A 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 this ordinance is the second and final legislative step toward placing a new levy on the ballot in March 2024.

Council had originally planned to place a levy on the ballot for the election that took place on November 7. It would have been a renewal of an existing 3.75 mill levy that was first approved by Oakwood voters in 2013. Unfortunately, the issue was not approved for the ballot by the Board of Elections due to a clerical error. As a result, the existing 3.75 mill levy will expire at the end of 2023. Council is placing a new replacement levy on the ballot in March of 2024. Based on a determination by the Montgomery County Auditor, and strong property values in Oakwood, the new levy will be at the rate of 2.41 mills instead of 3.75. This will generate the same amount of revenue as the expiring levy, meaning it will not raise property taxes above what we pay today.

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 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 ordinance was declared duly passed and it was so ordered.

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4985
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD,
STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31,
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 this is the annual budget ordinance, which appropriates the city's funding for 2024. This ordinance is required under Section 6.05 of the City Charter and, when adopted, provides formal authorization to the City Manager to spend public dollars in providing city services.

Oakwood's total city budget is divided into five primary parts with budgeted spending in each as follows:

General City Services:	\$18,126,259
Refuse Services:	\$ 1,680,468
Water Services:	\$ 1,980,076
Sanitary Sewer Services:	\$ 2,840,039
Stormwater Services:	\$ 636,926

Mr. Klopsch briefly explained the city's annual budget and planning process. Staff begins to discuss the budget around April. In May, the Budget Review Committee is provided an update on the city's financial status and is introduced to capital projects that are being considered for the following year. City staff begins putting together the budget in June and initially focuses on capital equipment and public infrastructure, which are two primary components of the budget. In September, the Budget Review Committee is presented with the capital expenditures that are planned for the next year. In October, the BRC discusses the details of the line item budgets. The final budget is then presented to the BRC in late November or early December.

Mr. Klopsch mentioned that he meets with other city managers regularly and there is often discussion on budget processes. Through these discussions, Mr. Klopsch has learned that there is no other community that has a budget committee or financial advisory committee that is as robust as Oakwood's. Oakwood's citizen budget committee includes 34 members who are very involved.

If not for the property tax levy that is expiring at the end of this year, 2024 revenues and expenses would likely be balanced. Because money will not be collected in 2024 for the expiring 3.75 mill tax levy, there will be a deficit, but the city has cash reserves to make up the difference without any negative impact on public services.

Vice Mayor Byington reiterated that Oakwood has a citizen budget committee that includes 34 members and is represented by residents from each of the eight voting precincts. That committee met four times this year and at its November 28th meeting, voted to endorse this 2024 budget.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben 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 4986
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO
THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

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 each year, an annual housekeeping ordinance is passed to align the local traffic and general offense codes with changes that have been made at the state level. This ordinance will adopt the 2023 replacement pages for the Traffic Code and the General Offenses Code.

This ordinance is being introduced as an emergency measure to ensure that the replacement pages will take immediate effect to avoid any practical and legal entanglements.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben 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 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 4987
AN ORDINANCE TO REPEAL ORDINANCE NUMBER 4968 AND
ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED
DECEMBER 4, 2023 AND TO DECLARE 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 this is an ordinance to update the city’s personnel schedule. For all non-bargaining unit employees, the updated schedule authorizes pay increases of 2.95% in 2024. These are responsible increases for the non-union employees that are consistent with the raises authorized by current collective bargaining agreements for union employees.

This ordinance is being introduced as an emergency measure to ensure that it takes effect as of the first pay period of 2024, which begins on December 18, 2023.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens 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 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 4988
AN ORDINANCE TO SET THE MAXIMUM COMPENSATION OF
THE OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF
COURT, AND BAILIFF, AND TO DECLARE 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 by law, the Oakwood Municipal Judge determines the actual salary for each court employee, but City Council is responsible for setting the maximum amount to be paid for each job classification within the court. This ordinance will increase the maximum compensation for all court employee job classifications by 2.95%, consistent with increases for union and non-bargaining unit employees.

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 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.

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4989
AN ORDINANCE TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE FOR THE PURPOSE OF: CREATING THE CLASSIFICATIONS OF CITY ENGINEER, HUMAN RESOURCES MANAGER, AND PLANNING & ZONING MANAGER; ELIMINATING THE STAFF ENGINEER AND DIRECTOR OF PERSONNEL AND PROPERTIES CLASSIFICATIONS; MODIFYING TITLES FOR OTHER CLASSIFICATIONS FOR CITY'S OPERATIONAL NEEDS; 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 this is the ordinance to update the Organization and Staffing Schedule so it reflects the city's current staffing needs.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben 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 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.

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4990
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 \$140,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR ADDITIONAL COSTS FOR THE 2024 FAR HILLS RESURFACING PROJECT; AND
- 2. AN AMOUNT OF \$140,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND;

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 make additional money available for the 2024 Far Hills Avenue Resurfacing Project. Because Far Hills is a state highway, this will be a cooperative project between the Ohio Department of Transportation (ODOT) and Oakwood. 80% of the project is funded by ODOT and the remaining 20% is paid by the city as a local match.

The 2023 budget originally included \$220,000 for the city's local match contribution. That figure was based on ODOT's preliminary cost estimate. Unfortunately, ODOT's revised cost estimate is

significantly higher due to inflation and other market factors. As a result, the city’s local match is now estimated to approach \$360,000, so Council needs to appropriate the difference of \$140,000. As a supplemental appropriation, this ordinance will take effect immediately and keep the project on schedule as planned.

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 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.

A RESOLUTION
 BY MR. STEPHENS NO 1916
 A RESOLUTION TO PROCEED WITH THE 2024 RESURFACING OF FAR HILLS AVENUE (STATE ROUTE 48) IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT).

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 the entire length of Far Hills Avenue within Oakwood is scheduled to be repaved in 2024. Since Far Hills is a state highway, projects like this require cooperation and cost-sharing between the city, which pays 20% of the improvement cost, and the Ohio Department of Transportation, which pays 80%.

Council took the first legislative step of this process in February 2023. This resolution is the second and final legislative step of the project. It authorizes the Finance Director to issue payment for the city’s 20% contribution and the City Manager to sign the final contract documents.

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 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 – Mayor Duncan shared that there is no staff report this evening.

CITY MANAGER REPORT

Mr. Klopsch shared that he fully supports Council's decision to suspend the further study of a roundabout at the Five Points intersection. The process was a wonderful experience and the work that was done will be very useful in the future when the matter may be reconsidered. As an engineer, he recognizes the value of roundabouts, but there is currently not enough public familiarity with how they operate. He thanked Council for the opportunity to explore this option. The existing traffic signal remains fully functional and will be maintained for the foreseeable future.

Mr. Klopsch provided an update on the construction work on Far Hills Avenue. The curb work that is currently being done will be completed in the next 2-3 weeks. The catch basins will be replaced over the next few months.

Mr. Klopsch closed his comments by recognizing and thanking city staff for their service and dedication to the city of Oakwood.

COUNCIL COMMENTS

Mrs. Turben reminded everyone of the annual Holiday of Lights Ceremony held at Shafor Park at 6:30 p.m. on Sunday, December 10 and the Santa Tour on December 18. She wished everyone a happy and safe holiday season.

Mrs. Hilton shared that this was her last meeting as a member of Oakwood City Council. She stated that she learned so much from City Council and city staff and thanked everybody for everything. She recognized the outstanding city staff. Mrs. Hilton concluded by wishing Mrs. Healy Jackson all the best as a new member of City Council.

Mr. Stephens said that it has been an honor working with Mrs. Hilton. He recognized Mrs. Hilton's genuine care for the city.

Vice Mayor Byington said that it has been a pleasure working with Mrs. Hilton. He thanked all city employees for their hard work throughout the year. He recognized Law Director Rob Jacques and Planning & Zoning Manager Ethan Kroger for their integrity and professionalism when dealing with difficult situations. He wished everyone a happy holiday season.

Mayor Duncan thanked Mrs. Hilton for her service. He noted that he is looking forward to working with councilmember-elect Healy Jackson next year on City Council. He is thankful to live in the great city of Oakwood with a fine group of council members who have the city's best interest in mind. Mayor Duncan closed the meeting by announcing the city employees who will be recognized for their years of service in five-year increments at the December 15 holiday employee luncheon.

The public meeting concluded at 8:30 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL