

CITY OF OAKWOOD  
STATE OF OHIO  
NOVEMBER 6, 2023

The Council of the city of Oakwood, State of Ohio, met in a work 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:

- Amanda Malusky-Krauss, Southwest Ohio ACFE Chapter President
- Detective Robert Bell, Southwest Ohio ACFE Chapter Vice President
- Tom Hardy, 1776 Coolidge Drive
- Victoria Nilles, 1776 Coolidge Drive
- Colin & Holly Pohlman, 15 Shafor Boulevard
- Heather Heritage, 531 Woodview Drive
- Katy Dalrymple, 38 Spirea Drive
- The Cahoon Family, 356 Hadley Avenue
- Katherine Patrick
- Brian Barr, *Oakwood Register*

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the October 2, 2023 regular session and work session, October 16, 2023 work session and executive session, and October 23 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

Mayor Duncan read the following comments:

*“My apologies to the members of Oakwood City Council, who first heard this story in 2015 and again in 2020. If you are a parent of or a student graduating in 2024 or a new resident of our fine city, I especially urge you to listen to my message. Unfortunately, it is now time to tell my uncle’s story again.*

*This is the story of Richard Dutro of Lakewood, Ohio a suburb of Cleveland, Ohio. After graduating in Zanesville, Ohio in 1944, 80 years ago, he served in the famed 42<sup>nd</sup> Rainbow Division of the American 7<sup>th</sup> Army and was awarded two Bronze Stars. After walking across Europe, and 11 days after turning age 19, in April 1945 his division liberated the Dachau Concentration Camp.*

*He would not talk of his war time experiences for almost 60 years. In response to numerous reported instances of Holocaust deniers in the news media 20 long years ago, he started describing his personal experiences to middle school and high school students in Cleveland. I attended and listened to his story with the students, and it was compelling.*

*After the war he received an undergraduate degree from the University of Dayton, his master's from Miami University and his doctorate from Ohio State University. He was a teacher and administrator for over 40 years in the Lakewood City School District.*

*Over 10 years ago, he went to Washington D.C. with his family to visit the WWII Memorial. His son-in-law bought him a WWII veteran's ball cap which he reluctantly wore.*

*At his request, they also visited the Holocaust Museum in Washington D.C. The tour guide upon seeing his hat asked him where he served. He replied he served in Europe and liberated Dachau.*

*She exclaimed "you liberated me." They embraced and cried together.*

*In 1945 the Allies asked Alfred Hitchcock, the famous film producer, among others to film the atrocities at Dachau. Because of post-war global political concerns, the film was never released for over 50 years. Upon its release, there is the image of my 19-year-old uncle with a grappling hook removing a dead German guard from the mote surrounding the camp.*

*The Frontline documentary "Memory of the Camps" should be mandatory viewing for Oakwood High School seniors. I wonder if a single employee of the Oakwood City School District has ever seen or even heard of this documentary.*

*One month ago, Hamas terrorists supported by Iran committed the worst atrocities on Jewish people since the Holocaust. Within days, Holocaust deniers were out of the woodwork again, denying the atrocities occurred even though the terrorists themselves filmed and promoted their crimes against humanity.*

*While I have been disappointed with college liberal arts education for years, the recent virulent antisemitism we have seen on college campuses has been shocking. Where is the Board of Trustees of the University of Dayton denouncing such behavior? Where are the Board of Trustees of every public University in Ohio, two thirds of whom were appointed by Governor DeWine? At least the Ohio Senate unanimously passed a resolution condemning the actions of Hamas and their allies, including Iran, on their unjustifiable attack on the Israeli people.*

*Richard Dutro is a true American Hero. In 2020 he passed away at age 93. He did, in fact, disagree with me that he was an American hero. It was my honor to issue a proclamation in 2016 celebrating his 90<sup>th</sup> birthday. My final Whereas...was, Richard Dutro is known throughout the State as a patriot, educator, mentor, role model, friend, father, grandfather and Cleveland Indians fan.*

*Why do I tell this story? Many of you know, or should know, about the yellow star attached to the clothing to identify the Jews in the camp. Did you know about the pink triangle for homosexuals, the purple triangle for Jehovah's Witnesses, the green triangle for criminals, the red triangle for political prisoners or the black triangle for prostitutes?*

*As the German theologian Dietrich Bonhoeffer once said, "Silence in the face of evil is itself evil: God will not hold us guiltless. Not to speak is to speak. Not to act is to act."*

*What will you do when confronted with injustice?"*

Proclamation – Mayor Duncan read a proclamation recognizing the week of November 12 -18, 2023 as "International Fraud Awareness Week." He introduced from the audience Amanda Malusky-Krauss, Chapter President for the Southwest Ohio ACFE (Association of Certified Fraud Examiners) Chapter and Oakwood resident, and Detective Robert Bell, Chapter Vice President, from the West Carrollton Police Department. Mayor Duncan invited Chief Hill to comment on Oakwood's forgery, fraud and counterfeiting statistics.

Chief Hill congratulated Ms. Malusky-Krauss, Officer Bell and their team for receiving the 2023 Global Chapter of the Year – Small Market award. He then commented on fraud statistics. Fraud continues to be a major problem and Oakwood is not immune. The Federal Trade Commission's 2022 snapshot review reports 2.4 million fraud reports in 2022 totaling almost 9 billion in total loss. The average person suffers a loss of about \$1,400 locally. Last year, Oakwood's numbers from 2021 to 2022 almost doubled and 2023 will likely exceed 2022 numbers. The city's website has a lot of information and recommendations to help prevent, recognize, and report scams and fraud.

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

Ms. Malusky-Krauss shared that her team is proud to be the chapter that was recognized as small market chapter of the year. She thanked Chapter Vice President Detective Bell and the leadership team for their service. She then commented on the chapter's achievements, including promoting better fraud detection, providing training events, and creating networking opportunities. Ms. Malusky-Krauss thanked the city of Oakwood for placing a high priority on the topic of fraud, and for declaring next week Fraud Awareness Week so that everyone in the community is more aware of the issues.

VISITORS

Scarecrow Row Award Winners – Mayor Duncan recognized the following 2023 Scarecrow Row Award winners: Third Place – “Ghouling to the Chapel” by the Angel/Pohlman Wedding Group at Patterson Road and Shafor Boulevard; Second Place – “The Lumberjack” by the Cahoon, Kraczek and Patrick Families – at Telford and Shafor Boulevard; First Place – “Peaches, Peaches, Peaches” by the Woodview Crew – at Greenmount Boulevard and Shafor Boulevard; and Mayor’s Award – “ ‘Howl’ Oween” – a Howling Good Time by the Oakwood Beautification Committee at Peach Orchard and Shafor Boulevard.

Mayor Duncan thanked the groups of scarecrow builders and the judges for their participation in the event.

Judge Margaret Quinn thanked City Council and city staff for conducting such a fun community event.

LEGISLATION

A RESOLUTION  
BY VICE MAYOR BYINGTON NO 1915  
A RESOLUTION BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO,  
DECLARING THE NECESSITY OF A LEVY IN EXCESS OF THE TEN-  
MILL LIMITATION AND REQUESTING THAT THE COUNTY AUDITOR  
CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF  
OAKWOOD AND THE NUMBER OF MILLS FOR EACH ONE DOLLAR  
OF TAXABLE VALUE NECESSARY TO GENERATE A SPECIFIED  
AMOUNT OF REVENUE.

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

Vice Mayor Byington explained that this resolution is the first legislative step towards placing a new levy on the ballot in March 2024. Council had originally planned to place this levy on the ballot for the election taking place tomorrow. 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 and Council will place a new replacement levy on the ballot in March of 2024. The exact millage rate for the new levy is not known at this time. The Montgomery County Auditor will determine the rate so that the new levy will generate the same amount of revenue as the expiring levy, meaning it will not raise property taxes above what is currently paid. The current effective millage rate of the expiring levy is 3.03. Council anticipates that the millage rate for the replacement levy will be lower than 3.03 due to strong property valuations in Oakwood. The second piece of legislation for this levy will be on the agenda for Council’s December meeting.

Thereupon, it was moved by Vice Mayor Byington 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.

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 an ordinance to make increases in the minimum charges and consumption rates for our water and sanitary sewer utility services. The city last raised water rates in January 2017 (seven years ago) and sanitary sewer rates in January 2018 (six years ago.) The city operates four services as public utilities: water, sanitary sewer, stormwater, and refuse. Each of these services are supported primarily by user fees and not by general tax revenues. The City Manager has recommended responsible rate increases for the water and sanitary sewer utilities in order to meet operational and upcoming capital needs. The increases would take effect in January of 2024. A typical residential customer in Oakwood uses between 300 and 900 cubic feet of water per month. During the summer months, the use can increase depending on the degree to which a property owner engages in outside irrigation. The monthly increase for water and sewer will be as follows:

	<u>Water</u>		<u>Sanitary Sewer</u>
300 cubic feet:	\$7.64	300 cubic feet:	\$7.95
900 cubic feet:	\$12.92	900 cubic feet:	\$13.24

The 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.

This was a first reading of the ordinance, so Mrs. Turben made no motion.

STAFF REPORT

Leisure Services Report: Ms. Carol Collins, Leisure Services Director, referenced a PowerPoint and reviewed the following information:

Gardner Pool improvements began in the fall of 2022 and were completed in the spring of 2023. All of the construction was done in a timely manner and Oakwood residents were able to enjoy a summer of fun and activities for the family. Gardner Pool finished the 2023 season with 535 family pool memberships purchased, 56 single memberships and 121 senior memberships. The gate revenue was \$194,563 compared to \$166,367 in 2022. Swim lessons had 205 participants. The swim team had 224 participants. Water aerobics/deep water workout had 47 participants. The city plans to install a pool liner in 2024. After that project, the entire facility will be renewed.

The 13<sup>th</sup> annual Dog Splash was a lot of fun. There were 33 participants in the 2023 event.

A new playground structure and swings were installed at Orchardly Park, and the pickleball courts have become very popular within the community. New swings and new safety surfaces were recently installed at Shafor Park.

This year’s Scarecrow Row and the Family Fall Festival was held on Sunday, October 8. There were 30 participants in Scarecrow Row and the weather was beautiful for this great community event.

The Johnny Appleseed Street Tree Project began in 1976 in an effort to support Oakwood’s commitment to urban forestry and the environment. To date, this program has been responsible for planting 5,259 trees. The highlights of the program include: the cost of the selected species are discounted 50% to Oakwood residents and trees must be planted in the city right-of-way; species of trees will be 1 3/4” in diameter and are excellent for planting; the most needy areas of Oakwood, as determined by the city, will be given first priority; tree species selected are well-suited for planting and most are resistant to disease; and, the trees will be guaranteed for one growing season by the nursery that plants them. Oakwood was recognized as being a Tree City USA for 41 years. Ms. Collins displayed pictures of the different trees offered in 2023.

There were numerous activities that took place at Smith Gardens this year. Blanket concerts were held over the summer, Wright Library hosted story hour and there were several rentals and weddings at the gardens.

Ms. Collins thanked the 28 individuals that volunteered at the Houk Stream clean-up last Saturday. Over four truckloads of honeysuckle were removed.

Ms. Collins reviewed the following upcoming events: The Candy Cane Hunt in Shafor Park on Saturday, December 2 from 1:30 to 2:45 p.m.; Breakfast with Santa on Saturday, December 16 from 9 to 11:30 a.m.; and Lighting Up Oakwood/Holiday of Lights on Sunday, December 10 beginning at 6:30 p.m. at Shafor Park.

Mrs. Hilton asked about this year's poinsettia sale.

Ms. Collins shared that the Friends of Smith Gardens will be taking poinsettia orders until the nursery says they cannot take anymore. The proceeds go directly to the care and maintenance of Smith Gardens.

#### AN OAKWOOD MOMENT

Mayor Duncan recognized Veterans in Oakwood and Dr. Tom Hardy's retirement as Chief of Staff of the Dayton VA Medical Center. He thanked all Veterans for their service. Dr. Hardy was present for the recognition and thanked City Council for the tribute.

CITY MANAGER REPORT – Mr. Klopsch shared that he and Dr. Hardy have enjoyed volunteering Saturday mornings on the HAZMAT pick-up program conducted by the Oakwood Rotary Club. He then reported on the following:

A press release was distributed today about the Miami Valley Communications Council (MVCC) electricity aggregation program. The deadline to enroll in the program is November 15, 2023.

Construction work is continuing on Far Hills Avenue. Construction crews are actively engaged in work on the Far Hills Storm Sewer Reconstruction Project and curb replacement.

The Army West Point Black Knights with a record of 2-6 defeated rival Air Force Falcons by a score of 23-3 last Saturday. Air Force entered the game with a record of 8-0. It was one of the biggest upsets in Army college football history. The Army football team plays Navy for the Commander-in-Chief's Trophy on December 9.

#### COUNCIL COMMENTS

Mrs. Turben shared that the Oakwood Historical Society is hosting its 5<sup>th</sup> annual Holiday Home Tour on December 2, 2023. Tickets can be purchased on the Oakwood Historical Society's website.

Vice Mayor Byington reminded everyone that tomorrow is Election Day. He encouraged everyone to vote. Mr. Byington expressed his thanks and appreciation to all the candidates on this year's ballot and acknowledged their efforts to get involved and make a difference.

Mayor Duncan commented on meeting with Cub Scout Pack 101 and on the Harman third graders that toured the Public Works Center, City Hall and Public Safety. Mayor Duncan read a letter that was sent to the Public Safety Department from Beth Abraham Synagogue thanking them for their support.

The public meeting concluded at 8:29 p.m.



MAYOR

ATTEST:



CLERK OF COUNCIL