

CITY OF OAKWOOD
COUNCIL AGENDA
FEBRUARY 5, 2024

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF JANUARY 3 REGULAR SESSION & WORK SESSION AND JANUARY 22 WORK SESSION
- V. STATUS REPORTS
 - 2024 State of the City Address, Mayor Duncan
 - Citizen Committee Appointments
 - Council Policy Update
- VI. VISITORS
- VII. LEGISLATION
 - An Ordinance authorizing the sale of 1313 Far Hills Avenue, Vice Mayor Byington
 - A Resolution to support appointments to the Countywide 9-1-1 Program Review Committee, Mr. Stephens
 - An Ordinance to provide a supplemental appropriation to purchase a power load cot for Medic 27, Vice Mayor Byington
- VIII. STAFF REPORT – PUBLIC SAFETY DEPARTMENT
- IX. CITY MANAGER’S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

NEXT REGULAR SESSION SCHEDULED FOR MARCH 4, 2024

AN ORDINANCE

BY: _____ NO. _____

TO AUTHORIZE THE DISPOSITION OF CERTAIN REAL PROPERTY WHEN NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

WHEREAS, pursuant to Ordinance No. 4912, adopted April 6, 2020, the city acquired a parcel of real estate located at 1313 Far Hills Avenue (the "Property") and subsequently demolished the single-family home thereon in order to facilitate a major capital improvement known as the 2023 Far Hills Storm Sewer Reconstruction Project (the "Project"); and

WHEREAS, the Project was specifically engineered and designed in such a way as to ensure that the Property could be utilized for the construction of a new single-family home upon its completion; and

WHEREAS, upon conclusion of the Project, Council intends to sell the Property in order to (1) partially recoup the public funds invested in its acquisition and demolition, and (2) ensure that it is returned to single-family use, which is the highest and best use for this residential location;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Pursuant to Section 151.02(B), it is hereby found and determined that the real property located at 1313 Far Hills Avenue is no longer needed for municipal purposes, with the exception of a utility easement that shall be retained over the location of a storm sewer pipe installed as part of said Project, such determination to take effect upon conclusion of the 2023 Far Hills Storm Sewer Reconstruction Project. A copy of the legal description for said real estate is attached as Exhibit A and is hereby incorporated by this reference.

SECTION II.

At such time as Section I shall take effect, the City Manager is hereby authorized and directed to offer and sell the real property described on Exhibit A upon such terms and conditions as, in his managerial judgment, are deemed to be the most practical and beneficial to the city, provided that in doing so, he shall be guided by the fair-market value as determined by a licensed appraiser or realtor, and shall retain for the city an appropriate utility easement for the future maintenance and replacement of the storm sewer pipe installed upon the property.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, if required, in compliance with all legal requirements including Ohio R.C. 121.22.

SECTION IV.

This ordinance shall take effect as of the earliest date permitted by law.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this ____ day of _____, 2024.

Mayor William D. Duncan

ATTEST:

CLERK OF COUNCIL

TO THE CLERK:

Publish the foregoing Ordinance in the summary form set forth below.

City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance _____ of the Council of the city of Oakwood, Ohio was passed on the ____ day of _____, 2024. Said ordinance was enacted to provide for the disposition of a parcel of real property when no longer needed for municipal purposes.

LORI STACEL
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council

EXHIBIT A

For APN/Parcel ID(s): Q71-00807-0006 and Q71-00807-0007

Situate in the City of Oakwood, County of Montgomery and State of Ohio, and being Lot Numbered Three Thousand Three Hundred Fifty Three (3353) excepting ten (10) feet taken by parallel lines of the south side, and Lot Numbered Three Thousand Three Hundred Fifty Four (3354) of the consecutive numbers of lots on the plat of the said City of Oakwood, Ohio.

KARL KEITH
COUNTY AUDITOR
MONTGOMERY COUNTY DAYTON, OHIO
DESCRIPTION APPROVED FOR
STRAIGHT TRANSFER CLOSURE.
NOT CHECKED
BY MMQ DATE 4/29/2020
MAP DEPARTMENT

A RESOLUTION

BY: _____

NO. _____

APPOINTING WILLIAM D. DUNCAN TO THE MONTGOMERY COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE PURSUANT TO SECTION 128.06(A)(5) OF THE OHIO REVISED CODE.

WHEREAS, pursuant to Section 128.06(A)(5) of the Ohio Revised Code, a member of the Montgomery County 9-1-1 Program Review Committee shall be a member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt; and

WHEREAS, William D. Duncan is a member of this Council for the city of Oakwood, Ohio, duly elected according to law, thereby meeting the qualifications and eligibility requirements for service upon the Montgomery County 9-1-1 Program Review Committee, as per Section 128.06(A)(5) of the Ohio Revised Code; and

WHEREAS, Council of the city of Oakwood, Ohio, considers William D. Duncan to be eminently qualified to serve as a member of the Montgomery County 9-1-1 Program Review Committee and wishes to appoint him to serve thereon; and

WHEREAS, Council further wishes to designate an alternate to serve on the Montgomery County 9-1-1 Program Review Committee in the event that William D. Duncan should become ineligible to do so; and

WHEREAS, Centerville Mayor Brooks Compton is a member of the City Council for the city of Centerville, Ohio, thereby meeting the qualifications and eligibility requirements for service upon the Montgomery County 9-1-1 Program Review Committee, as per Ohio Revised Code Section 128.06(A)(5), and is qualified and willing to serve thereon in the event that William D. Duncan should become ineligible to do so;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

Pursuant to Section 128.06(A)(5) of the Ohio Revised Code, Council hereby selects and designates William D. Duncan, a member of this Council duly elected according to law, to serve as a member of the Montgomery County 9-1-1 Program Review Committee.

SECTION II.

In the event that William D. Duncan should become ineligible to serve as a member of the Montgomery County 9-1-1 Program Review Committee, Council hereby selects and designates Centerville Mayor Brooks Compton, a member of the City Council for the city of Centerville, Ohio, duly elected according to law, to serve as the first alternate member of the Montgomery County 9-1-1 Program Review Committee.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION IV.

This resolution shall take effect as of the day of its passage.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this ____ day of _____, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:
No publication is required.

City Attorney Robert F. Jacques

AN ORDINANCE

BY: _____

NO. _____

TO AMEND SECTION I, 2024 ORIGINAL APPROPRIATION ORDINANCE NO. 4985, AND ANY EXISTING SUPPLEMENTS THERETO, TO PROVIDE FOR THE APPROPRIATION OF:

1. AN ADDITIONAL AMOUNT OF \$40,000 TO BE EXPENDED FROM THE GENERAL EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF A POWER COT FOR MEDIC 27.

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.

WHEREAS, in December 2023, the Public Safety Department applied for a grant from the Ohio Bureau of Workers Compensation to assist with the purchase of a power load cot system for a city ambulance known as Medic 27; and

WHEREAS, the power load cot system was not included in the 2024 budget due to the timing of the grant application, as it was unknown whether a grant would be awarded and if so, the amount thereof; and

WHEREAS, the Public Safety Department was awarded and recently received grant funding in the maximum available amount, which is \$40,000; and

WHEREAS, Council wishes to adopt a supplemental appropriation in order to add this amount to the 2024 budget and proceed with the purchase of the power load cot system for Medic 27;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

To provide for the current expenses and other expenditures of the said city of Oakwood during the period commencing January 1, 2024 and ending December 31, 2024, the following revised sums shall be and they are hereby set aside and appropriated as follows, with added material in **bold** type and deleted material in ~~strike-through~~ type:

<u>Fund</u>	<u>Appropriation</u>	
308 General Equipment Replacement Fund	\$754,500	\$794,500

SECTION II.

The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by this ordinance of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION III.

This ordinance, as an appropriation to meet current expenses of the City, takes effect immediately upon its passage as provided by Section 3.04 of the City Charter.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 5th day of February, 2024.

Mayor William D. Duncan

ATTEST:

CLERK OF COUNCIL

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below.

City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance _____ of the Council of the city of Oakwood, Ohio was passed on the 5th day of February, 2024. Said ordinance was enacted to make a supplemental appropriation for current expenses of the city of Oakwood, Ohio, for the period ending December 31, 2024.

LORI STACEL
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council