

**CITY MANAGER'S NEWSLETTER**  
**JULY 12, 2024**

Monday Council Meeting/Work Session: Our meeting next Monday begins at 6 p.m. in the conference room and will include executive sessions for personnel matters and for property matters. Our 7:30 p.m. regular session will take place in the council chamber and will be conducted in person and via Zoom. The agenda is as follows:

**PRE-COUNCIL WORK SESSION**

**COUNCIL MEETING**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF JUNE 3 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION AND JUNE 17 WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
  - Citizen Committee Appointment
- VI. VISITORS
  - May and June Beautification Award Winners
- VII. LEGISLATION
  - 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, Mr. Stephens
  - A Resolution addressing the membership in the Dayton Regional Energy Special Improvement District (ESID), Vice Mayor Byington
  - An Ordinance to itemize and levy special assessments for the 2022 Sidewalk Repair Projects, Mr. Stephens
  - An Ordinance to itemize and levy special assessments for the 2023 Sidewalk Repair Projects, Mr. Stephens
  - An Ordinance to Consider a Proposed Text Amendment of the Zoning Code for the placement and use of Temporary Outdoor Restroom Facilities, Vice Mayor Byington
  - A Resolution to participate in the Kroger Opioid Settlement, Vice Mayor Byington
- VIII. STAFF REPORT – PUBLIC SAFETY DEPARTMENT
- IX. CITY MANAGER'S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

Status Reports:

Citizen Committee Appointment: We will discuss the BZA vacancy in work session on Monday. Bill will ask for a vote at the regular session to appoint Dan Gentry to the Property Maintenance Board (Precinct G.)

Visitors:

May and June Beautification Award Winners: We will show a short video featuring each of the winning properties. After the video, Bill will read the name and address of each property (see enclosed). We invited the property winners to attend the meeting.

Legislation:

- 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. This is a standard annual resolution and includes six properties at a total dollar amount of \$1,679.34.

- A Resolution addressing the membership in the Dayton Regional Energy Special Improvement District (ESID.) This resolution updates the district to include participants from any political subdivision in Montgomery County, regardless of whether they are contiguous to Dayton.
- An Ordinance to itemize and levy special assessments for the 2022 Sidewalk Repair Projects. This is a first reading to itemize remaining unpaid balances for the 2022 Sidewalk Program to the County Auditor for assessment. We recommend waiving a second reading.
- An Ordinance to itemize and levy special assessments for the 2023 Sidewalk Repair Projects. This is a first reading to itemize remaining unpaid balances for the 2023 Sidewalk Program to the County Auditor for assessment. We recommend waiving a second reading.
- An Ordinance to Consider a Proposed Text Amendment of the Zoning Code for the placement and use of Temporary Outdoor Restroom Facilities. This is the first reading of this ordinance to consider a proposed Zoning Code text amendment to create a definition and provide specific regulations for the placement and use of Temporary Outdoor Restroom Facilities, commonly known as “porta-potties.” On June 5, our Planning Commission voted 4-0, with Andy Aidt excused absent, to recommend approval of the proposed changes. Monday’s meeting will include a presentation by Rob Jacques and a public hearing. Enclosed is a paper summarizing the procedure.
- A Resolution to participate in the Kroger Opioid Settlement. This resolution allows us to participate in a new opioid settlement with Kroger and authorizes the city manager to participate in any further settlements under the OneOhio framework.

Staff Report: Chief Hill will give his semi-annual staff briefing. His presentation will include some information about the work done by our Public Safety Department in addressing stray pets and wild animals. A couple of representatives, including Director Amy Bohardt, from the Montgomery County Animal Resource Center (ARC) are planning to speak about the services of their organization.

Enclosed are suggested “Introductions for Legislation.”

IMPORTANT COUNCIL DATES:

- July 15, Monday, 6 p.m. – Regular Session (30 Park)
- August 5, Monday, 6:30 p.m. – Regular Session (30 Park)
- August 11, Sunday, 3:30 p.m. to 7 p.m. – Ice Cream Social (Shafor Park)
- August 18, Sunday – Smith Gardens 50<sup>th</sup> Anniversary (Smith Gardens)
- August 19, Monday, 5 p.m. – Work Session (30 Park)
- September 10, Tuesday, 5:30 p.m. – BRC Meeting (30 Park)
- September 16, Monday, 6:30 p.m. – Regular Session (30 Park)
- October 7, Monday, 6:30 p.m. – Regular Session (30 Park)
- October 15, Tuesday, 5:30 p.m. – BRC Meeting (30 Park)
- October 21, Monday, 5 p.m. – Council/Staff Retreat (Smith Gardens)

BUSINESS UPDATE:

CITY MANAGER

- Monday Work Session: Enclosed is our work session agenda. We will meet in the conference room.
- 1313 Far Hills: We did not receive any bids for the purchase of 1313 Far Hills. We will discuss this in executive session on Monday.

- UD: Enclosed is an informational flyer from UD that lists important dates and contact information for the 2024/25 academic year.
- Local Government Leaders: Enclosed is a *DBJ* article about the movement of a number of local government leaders.
- Marijuana: Enclosed is a *DDN* article about the city of Fairborn approving a 6-month moratorium on the cultivation and sale of marijuana within the city limits. Also enclosed is another *DDN* article about existing Ohio medical marijuana dispensaries receiving provisional dual-use cannabis licenses.
- Military Families: Enclosed is a *DDN* article about Oakwood being in the top ten schools in the region that attracts military families.
- Senator Antani: Enclosed is a *DDN* article about Miami Township trustees calling for the resignation of State Senator Niraj Antani.
- Rotary Awards: I presented the awards at Rotary this morning... Civic Leadership to Andy Aidt and Community Service to Cindy Stafford and Tracy Martin.
- Gas-powered Landscape Equipment: I had a good meeting yesterday with Tim Benford and Pam Schwartz. I will speak on this in work session on Monday.

#### FINANCE

- No report.

#### LEISURE SERVICES

- Blanket Concert: Enclosed is a *Register* article about the July 14 concert at Smith Gardens.
- Smith Gardens 50<sup>th</sup>: Enclosed is an article that will be included in the August/September *Oakwood Scene*.
- Carol's 50<sup>th</sup>: Enclosed is the article that will be included in the August/September *Oakwood Scene*.

#### PUBLIC SAFETY

- Huntington Bank: Enclosed is a *Register* article about the bank robbery on July 2 at Huntington National Bank in our Far Hills business district. No leads, so far.
- Public Safety Recruitment: Enclosed is a *DDN* article about JobsOhio and the Ohio Department of Public Safety launching a new online tool to aid in recruiting new officers. Fortunately, we continue to be able to attract high quality public safety officers.

#### ENGINEERING & PUBLIC WORKS

- Roundabout: Enclosed is a *DDN* article about the pending construction of a \$2.29 million single-lane roundabout at the intersection of U.S. 68 and Ohio 235 in Greene County. It is an angled T intersection just north of Xenia.
- Styrofoam Recycling: Enclosed is a *Register* article about tomorrow's event.

- Rotary Hazmat Pick-up: The quarterly Rotary event is next Saturday, July 20. Enclosed is a *Register* article.
- Far Hills Resurfacing: Pavement milling and resurfacing began on Tuesday. The work started in the outside lane at the north corporation line and progressed southward. All goes well so far.



- Far Hills Storm Sewer: Aside from repaving the Henninger driveway at 1400 Devereux, all work is now completed. The Henninger driveway will be repaved within the next two weeks.
- Hefty ReNew Program: Enclosed is another *Register* article about the new Hefty ReNew Program available in Oakwood. Doug Spittler recently met with representatives from Green Oakwood to discuss the program.

#### LAW

- No report.

#### HUMAN RESOURCES

- No report.

#### PLANNING & ZONING/PROPERTIES

- BZA Vacancy: We will discuss the BZA vacancy in work session on Monday.
- Chickens: Enclosed is a *DDN* article about the city of New Carlisle placing an issue on the November 5 ballot addressing chickens within city limits.

HAVE A GREAT WEEKEND!

## ENCLOSURE LIST

### TENTATIVE AGENDAS FOR MONDAY

#### TRANSMITTALS NOTED WITHIN NEWSLETTER

Minutes of Previous Meetings

Legislation

Introductions to Legislation

Public Hearing Summary

Planning Commission's Findings of Fact and Decision

Informational Flyer UD

*DBJ* Article re: Local Government Leaders

*DDN* Articles re: Marijuana

*DDN* Article re: Military Families

*DDN* Article re: Senator Antani

*Register* Article re: Blanket Concert

*Scene* Article re: Smith Gardens 50<sup>th</sup>

*Scene* Article re: Carol's 50<sup>th</sup>

*Register* Article re: Huntington Bank

*DDN* Article re: Public Safety Recruitment

*DDN* Article re: Roundabout

*Register* Article re: Styrofoam

*Register* Article re: Rotary Hazmat Pick-up

*Register* Article re: Hefty ReNew Program

*DDN* Article re: Chickens

CITY OF OAKWOOD  
COUNCIL AGENDA  
JULY 15, 2024

7:30 P.M.

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- III. ROLL CALL
- IV. MINUTES OF JUNE 3 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION AND JUNE 17 WORK SESSION & EXECUTIVE SESSION
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NEXT REGULAR SESSION SCHEDULED FOR AUGUST 5, 2024

PRE/POST COUNCIL WORK SESSION AGENDA  
JULY 15, 2024

- STATUS REPORTS
  - Citizen Committee Appointment
- VISITORS
  - May and June Beautification Award Winners
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  - A Resolution to participate in the Kroger Opioid Settlement, Vice Mayor Byington
- STAFF REPORT – PUBLIC SAFETY DEPARTMENT
- COUNCIL COMMITTEES
  - Court Liaison, Mrs. Turben
  - Finance, Vice Mayor Byington
  - Law & Minutes, Mrs. Jackson
  - Planning & Zoning, Vice Mayor Byington
  - Public Properties, Mrs. Turben
    - Lawn Treatments
    - Smith Gardens 50<sup>th</sup> Anniversary
  - Public Utilities/Waterworks/Sewer, Mrs. Turben
    - Montgomery County Environmental Services at August 19 Work Session
  - Safety & Traffic, Mr. Stephens
  - Streets & Alleys, Mr. Stephens
    - Far Hills Resurfacing
    - Sidewalk, Curb and Driveway Apron Program
    - Concrete Street Repairs
    - Harman Boulevard Median
  - Community Relations/Promotion/Appointments, Mayor Duncan
- REGIONAL AGENCIES
  - MVCC, Mr. Stephens
  - MVRPC, Vice Mayor Byington
  - Mayors & Managers, Mayor Duncan
  - First Suburbs, Vice Mayor Byington

- **BOARDS & COMMISSIONS**
  - Planning Commission, Vice Mayor Byington
  - Beautification Committee, Mr. Stephens
  - Sister City Association, Mrs. Turben
  - Historical Society, Mrs. Jackson
    - Long-Romspert Use
  - Board of Health, Mayor Duncan
  
- **MISCELLANEOUS**
  - Gas-powered Landscaping Equipment

**EXECUTIVE SESSIONS FOR PERSONNEL MATTERS AND FOR PROPERTY MATTERS**



**MINUTES**  
**OAKWOOD CITY COUNCIL WORK SESSION**  
**JUNE 3, 2024**

The Council of the city of Oakwood, Ohio met in a work session on Monday, June 3, 2024 in the conference room at the city building, 30 Park Avenue. The Mayor of the City, William Duncan, presided.

Council members in attendance were Mayor William Duncan, Vice Mayor Steve Byington, Rob Stephens, Leigh Turben and Healy Jackson. Staff in attendance were City Manager Norbert Klopsch and Law Director Rob Jacques. Also attending was Tim Riordan, retired Dayton City Manager and now Oakwood resident.

Mayor Duncan called the work session to order at 6:30 p.m. and reviewed the agenda for the regular session this evening. Thereafter, he led a discussion on the following work session agenda items:

- STATUS REPORTS: None scheduled.
- VISITORS: None scheduled.
- LEGISLATION: Council discussed the following legislation scheduled for presentation at the regular session this evening:
  - An Ordinance to prohibit adult-use cannabis operators from operating within the city of Oakwood, Vice Mayor Byington.
  - An Ordinance to amend the sign regulations of the Zoning Code, Vice Mayor Byington
  - An Ordinance to provide a supplemental appropriation for additional concrete road repair costs, Vice Mayor Byington
- STAFF REPORT: Mr. Klopsch noted that Leisure Services Director Carol Collins will deliver a PowerPoint presentation at the regular session this evening.
- COUNCIL COMMITTEES
  - Planning & Zoning, Vice Mayor Byington
    - 320 Shafor Boulevard: Mr. Jacques provided an update on the status of property maintenance violations at 320 Shafor Boulevard.
    - Property Maintenance: Mr. Klopsch commented on the city-wide inspection recently completed to identify property maintenance violations. Mr. Jacques reported on property maintenance citations pending before the Oakwood Municipal Court.
  - Public Properties, Mrs. Turben
    - Master Plan for City-owned Property: Mr. Klopsch noted that the June 17 work session agenda will include preliminary discussions on the planned 2025 study of city-owned property.
    - 1313 Far Hills Avenue: Mr. Klopsch and Mr. Jacques reviewed plans for selling the city-owned property at 1313 Far Hills Avenue. Consistent with council-adopted legislation, the property is designated for reuse as the site of a single family home.

- 19-25 Wonderly Avenue: Mr. Klopsch commented on the condition of the city-owned 4-unit apartment at 19-25 Wonderly Avenue and suggested that the city consider demolishing the structure now in preparation for future construction of a parking lot.

At 7:10 p.m., Council moved to an executive session for property matters and personnel matters. Mr. Jacques departed the meeting at this time.

At 7:24 p.m., Mayor Duncan concluded the executive session and Council moved to regular session.

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Mayor

ATTEST:

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Clerk of Council

CITY OF OAKWOOD  
STATE OF OHIO  
JUNE 3, 2024

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 conference 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 available via remote teleconferencing utilizing the Zoom.com 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. LEIGH TURBEN .....PRESENT  
MRS. HEALY JACKSON.....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  
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

David Suich, 291 W. Thruston Boulevard

There were no Zoom visitors in attendance.

Mrs. Jackson advised Council she had read the meeting minutes of the May 6, 2024 regular session, work session and executive session, the May 13, 2024 executive session, and the May 29, 2024 executive session. Mrs. Jackson reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Jackson and seconded by Mrs. Turben 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 – NONE

LEGISLATION

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 5003  
AN ORDINANCE PROHIBITING ADULT USE CANNABIS  
OPERATORS, AS DEFINED BY SECTION 3780.01 OF THE OHIO  
REVISED CODE, FROM OPERATING WITHIN THE CITY OF  
OAKWOOD, OHIO; 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 at the November 7, 2023 election, Ohio voters passed State Issue 2, which effectively legalizes recreational marijuana. The new law took effect on December 7<sup>th</sup> and Council expects the state will begin issuing business licenses in mid- to late-summer.

In January, Council adopted a temporary moratorium on the issuance or processing of any permits relating to commercial cannabis operations, to allow time for the state's new Division of Cannabis Control to roll out standards, rules, and regulations for these businesses. Council was also hopeful that the state legislature might act to modify or amend some provisions of this voter-initiated law, possibly in ways that could be beneficial to our community. To date, this has not happened, and Council is not optimistic that it will.

The legalization of marijuana is a major change in the law, particularly when it comes to the potential impact of marijuana business operations on a small residential community. It is important for Council to carefully consider appropriate regulations to preserve the public health, safety, and welfare, as well as the community character we value in Oakwood.

Council takes no position on the adult use or possession of marijuana, which is legal under state law. However, Council believes that marijuana business operations are not compatible with the dense, residential character of Oakwood, and we are authorized by state law and by the city's own home rule authority to prohibit these kinds of businesses from operating in Oakwood.

Again, this ordinance only affects what state law refers to as "adult use cannabis operators," meaning businesses that cultivate, process, or sell marijuana. The ordinance has no effect on adult marijuana use and possession, including limited home growing, all of which are now legal as provided by state law.

Vice Mayor Byington introduced this ordinance as an emergency measure to ensure that it takes effect before the issuance of state licenses for adult use cannabis operators.

Mrs. Jackson asked if this ordinance would affect medical marijuana use.

Vice Mayor Byington answered no.

Mr. Jacques explained that use of medical marijuana is permitted, but there is an existing section in the Oakwood Zoning Code that prohibits medical marijuana dispensaries. Medical marijuana and recreational marijuana are regulated in separate sections of the Ohio Revised Code.

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. LEIGH TURBEN .....      | YEA |
| MRS. HEALY JACKSON.....      | 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 4999  
AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 12,  
SIGNS, OF THE OAKWOOD ZONING ORDINANCE, SO AS TO  
CLARIFY THE REGULATORY EXEMPTION FOR CERTAIN FLAGS  
AND TO SPECIFY A METHOD FOR CALCULATING THE SIGN  
FACE AREA OF TEMPORARY SIGNS INSTALLED AS LAWN  
SIGNS.

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 third reading of an ordinance to amend the Zoning Code. It was introduced with a first reading at the April meeting and had its second reading and a public hearing at the May meeting.

Initial proposed changes were reviewed by the Planning Commission at a public hearing on March 6. The Planning Commission unanimously recommended approval by Council. Council conducted a public hearing at its May 6 meeting, but there was some concern about the size of flags that would be exempt from regulation. Specifically, there may be situations where a property might want to display a flag larger than what is permitted under the ordinance, which currently limits the maximum size to 60 square feet. To address this concern, the Law Director suggested that a provision be added to allow for Planning Commission review and approval of a larger flag as a Special Use, as long as it meets the Special Use standards for neighborhood compatibility.

Council opted to table the ordinance, and adopted a motion directing the Law Director to clarify the draft ordinance by adding a Special Use provision. Tonight, Council will conduct a public hearing on this clarification, and then proceed to a vote.

Public Hearing. Mayor Duncan introduced the public hearing for Application 24-1. He explained the public hearing process and shared that Mr. Jacques will present a staff report on the clarifications to the proposed ordinance, which add a provision to allow for special approval of larger flags. He further explained that this is a quasi-judicial hearing, so Mr. Jacques will be administering an oath to those in the audience wishing to testify.

Mr. Jacques administered an oath to Mr. Suich.

Mr. Jacques shared that his report will focus on the flag exemption since that is the only update from his report last month. Government flags are currently not regulated in the Oakwood Zoning Code. As currently written, the exemption could be interpreted as a content-based regulation with potential constitutional ramifications. The proposed amendment avoids classifying the exempt flags as “governmental” flags because that is a content-based restriction. The code amendment is content neutral. It only addresses time, place, manner, size and the physical characteristics of the flag, without getting into the content of the flag.

The amendment presented in May allowed up to two flags totaling 60 square feet of signage without being subject to regulation. If not mounted on a flagpole, no one flag could exceed 30 square feet, nor more than 6 feet on its longest dimension. The updated amendment still retains those dimensions, but a provision was added to allow a flag larger than 60 square feet, on a flagpole, with special use approval from the Oakwood Planning Commission. The special use request would be subject to the special use decision standards, which generally ensure neighborhood compatibility. The Planning Commission would deliberate on how the larger flag will fit in the proposed neighborhood and determine if the request would qualify for special use approval.

Mayor Duncan opened the public hearing.

David Suich, 291 W. Thruston Boulevard, said that he is grateful that City Council is considering the allowance of larger flags through an approved special use permit. He understands the need for the amendment in terms of being neutral with content and freedom of speech, but he is puzzled as to why the American flag should be regulated at all. There is a lot of understandable pride in the United States of America and the American flag. He shared that he has a prominent flagpole in his front yard that is approximately 35 feet tall. He asked Council to give special consideration to exemptions for American flags.

Mayor Duncan closed the public hearing.

Mr. Stephens understands that an exemption cannot be made specifically for the American flag. He then asked if the Planning Commission would consider content when evaluating and rendering a decision on a special use request.

Mr. Jacques explained that the Planning Commission would only consider measurements, not content. He added that he is patriotic as well, but if an exemption is made for the American flag an exemption would also need to be given to other flags, such as those that have political significance. Either they all are permitted or they all are prohibited. There is no constitutional basis to regulate based on content.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben that the text amendment to the Zoning Code that would update the sign regulations to clarify the regulatory exemption for certain flags and specify a method for calculating sign face area of temporary signs installed as lawn signs be approved.

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. LEIGH TURBEN .....      | YEA |
| MRS. HEALY JACKSON.....      | YEA |

There being five (5) yea votes and no (0) nay votes thereon, said ordinance will be edited and presented to Council.

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 5004  
AN ORDINANCE 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 \$450,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR ADDITIONAL COSTS FOR CONCRETE ROAD REPAIRS ON RALEIGH, WOODSTOCK, DEVEREUX AND ASHRIDGE; AND
2. AN AMOUNT OF \$450,000 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, 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 first reading of a supplemental appropriation ordinance that will allow the city to perform additional concrete street work in two areas.

First, competitively bid prices for concrete street repair were received through the 2024 Sidewalk, Curb and Driveway Apron project. Work is underway and is progressing well, which provides an opportunity to schedule additional repairs under 2024 pricing that would otherwise be planned for 2025. Supplemental funding would allow for repairs to be made to the entire lengths of Raleigh Road, Woodstock Drive and Ashridge Road, and to the northern half of Devereux Drive in one project year, rather than portions of those roadways in multiple years, minimizing neighborhood disruption.

The second area is along Devereux Drive, where the 2023 Far Hills Storm Sewer Reconstruction Project has been ongoing. Current plans call for the use of asphalt to restore pavement in the project area, which is the southern half of Devereux Drive, but the City Manager has recommended completing it with concrete. This is a deviation from the project plans, but would retain Devereux's existing material and character, consistent with other streets in the immediately surrounding neighborhood.

This supplemental appropriation will authorize an additional amount of \$450,000 to be expended from the Capital Improvement Fund, and the transfer of \$450,000 from the city's General Fund to the Capital Improvement Fund, which will be utilized to fund this additional project.

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 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. LEIGH TURBEN .....      | YEA |
| MRS. HEALY JACKSON.....      | YEA |

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

Leisure Services Report: Ms. Carol Collins, Leisure Services Director, delivered the following report:

Gardner Pool opened over Memorial Day weekend. There have been 500 family pool memberships, 62 single memberships and 117 senior memberships purchased so far this season. The Oakwood Community Center (OCC) has three "Summer Fun at the Pool" family nights planned on the following Sunday dates: June 23, July 21 and August 11. The pool will close at 9 p.m. on all three nights, one hour later than normal.

The Oakwood Dolphins continue to dominate their league with over 181 swimmers. The registration deadline for the OCC and “Swimtopia” is Sunday, June 2.

Gardner Pool staff offers swim lessons that are certified by the American Red Cross. The lessons are available for kids of all ages, from toddlers with parents to advanced Level V and VI.

Gardner Pool offers two different types of water workouts. A “Deep Water Workout” is offered on Monday, Wednesday and Friday mornings, and “Water Aerobics” is available on Tuesday and Thursday evenings.

A new pool liner was installed in the entirety of the large pool and baby pool this spring. The cost was approximately \$107,000.

The Oakwood Community Center will be offering the following summer camps and activities: Bicycle Safety Class, Irish Dance Camp, Camp Shafor, Kiddie Kamp, Skyhawks Sports Camps, Girls Field Hockey Camp, Camp Hodge Podge, Kidz Home Alone, Better Babysitters, Super Kids Study Skills, Kids Trivia, Friday Fun Night, Brixilated Builders Academy Camps and Youth Theatre Camp. The following adult classes will also be offered: Tennis, Over 50 Fitness, Tai Chi, Upper Body Conditioning, PiYo, Core Strength and Stretch, Dancercize and Indoor Spinning.

The city of Oakwood took possession of the Hollinger Memorial Tennis Club in late 2016. The Oakwood Community Center is responsible for collecting all monetary donations and membership revenue for the club. To date, there have been 33 memberships renewed this year, including two new summer memberships.

For the 42<sup>nd</sup> consecutive year, Ohio was recognized as the nation’s leader in Tree City USA communities, with 237 participating cities, villages and townships. In 2023, Ohioans planted more than 24,000 trees, pruned more than 77,000 trees, volunteered more than 42,000 hours in urban forestry programs, and invested a combined total of \$40 million toward urban forestry efforts. Oakwood has been recognized for 42 years as a Tree City USA city.

In 43 consecutive years, a total of 3,323 trees have been planted through the Johnny Appleseed Street Tree Planting Project at a total cost of \$482,416. The program is offered each year and includes a 50% discount to homeowners for trees that are planted in the city rights-of-way.

This year’s annual “Arbor Day Celebration” included a “Treasure Hunt” to find different species of trees in Oakwood for kids from both Smith School and Harman School.

The OCC, in conjunction with Wright Memorial Public Library, is presenting another fun season of “Pre-School Story Hour at Shafor Park”. The events offer a magical morning in the Gardens as the Children’s Librarian reads enchanting stories at 10:30 a.m. on the following Friday dates: June 28, July 26 and August 30.

The 2024 Friends of Smith Gardens Perennial Sale raised approximately \$7,666. During the sale, around 25 children participated in the Garden Workshop for Kids.

Ms. Collins recognized the Oakwood Beautification Committee for doing a beautiful job with the Far Hills boulevard planting between Aberdeen Avenue and Telford Avenue.

The 2024 Smith Gardens Blanket Concerts began last Sunday with Madcap Puppets – “Annie Oakley’s Wild West Show.” The remaining concerts are scheduled for Sunday, July 14 at 7 p.m. – Honey & Houston and Sunday, August 18 at 7 p.m. – Puzzle of Light. Hundreds of people enjoy these free concerts every summer by bringing their families, blankets and chairs to relax in the beauty of Smith Gardens. In case of rain, the concerts will be held at the OCC.

The Oakwood Beautification Committee is now in charge of the property beautification awards program. Awards are presented to single-family residences, a business property and/or to an apartment/condominium property each month during May, June, July and August. Up to two awards are presented in each of the eight property maintenance districts. The winners for May 2024 have already been chosen and notified. There are 15 residence winners and 1 business winner.

Mrs. Jackson asked how many trees the City maintains in Oakwood.

Ms. Collins said that there are over 8,000 known or recorded trees that are maintained by the city.

Mrs. Turben suggested a “Treasure Hunt” for adults.

Ms. Collins said that they would certainly consider it.

Council thanked Mrs. Collins for her presentation.

CITY MANAGER’S COMMENTS: Mr. Klopsch reported on the following:

There are several different ways that trees are added to public rights-of-way in Oakwood, one of which is trees that are dedicated by a person, family, or group of people in honor of someone. Last Friday, there was a ceremony at the center median of Far Hills Avenue near Wiltshire Boulevard for Dorothy (Dottie) Pultz. There is a beautiful plaque at the base of the tree in remembrance of her. There is a list of commemorative plaques on the city’s website.

The Leisure Services Department, under the leadership of Ms. Collins, accomplishes a lot with a very small staff. They do a remarkable job maintaining the parks and recreation infrastructure throughout the city.

The Citizen Police Academy continues to be a successful program. A press release was distributed this week with information about the 2024 program.

Mr. Klopsch thanked Council for approving the additional funds for the concrete work on Raleigh Road, Woodstock Drive and Ashridge Road, and on the northern half of Devereux Drive. Work is underway on Raleigh Road and will then move to Woodstock Drive, Ashridge Road and Devereux Drive.

Concrete repair work will begin soon in the Far Hills business district. The city is cognizant that the work will be disruptive to the businesses.

The Far Hills Storm Sewer project is complete and now the focus is on site restoration. The circular island at Forrer Boulevard and Far Hills Avenue is in the process of being rebuilt.

Far Hills Avenue will soon be resurfaced. Work is tentatively scheduled for the middle of June and will take about three weeks.

COUNCIL COMMENTS

Mrs. Jackson congratulated the Oakwood High School graduating class of 2024. She asked for the cooperation of parents in ensuring that their children are using electric scooters safely.

Mrs. Turben congratulated the Oakwood Rotary Club for another successful “That Day in May.”

Mayor Duncan shared that Thursday, June 6 is the 80<sup>th</sup> anniversary of D-Day, the invasion of Normandy. He read orders delivered by General Dwight D. Eisenhower.

The public meeting concluded at 8:20 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL



**MINUTES**  
**OAKWOOD CITY COUNCIL WORK SESSION**  
**JUNE 17, 2024**

The Council of the city of Oakwood, Ohio met in a work session on Monday, June 17, 2024 in the conference room at the city building, 30 Park Avenue. The Mayor of the City, William Duncan, presided.

Council members in attendance were Mayor William Duncan, Vice Mayor Steve Byington, Rob Stephens, Leigh Turben and Healy Jackson. Staff in attendance were City Manager Norbert Klopsch and City Attorney Rob Jacques.

Mayor Duncan called the work session to order at 5 p.m. and led a discussion on the following agenda items:

- COUNCIL COMMITTEES
  - Planning & Zoning, Vice Mayor Byington
    - Property Maintenance/Overgrown Vegetation/Managed Natural Landscape Areas: Mr. Klopsch commented on the status of the city property maintenance program and the challenges in obtaining compliance with city regulations. He also commented on actions underway to address overgrown vegetation and on a letter from Oakwood resident Nancy Bain, 444 Acorn Drive, regarding a property maintenance violation letter she received. A discussion ensued about the city regulations that address Managed Natural Landscape Areas.
    - BZA: Mr. Klopsch shared that Linda Weprin resigned from the BZA citing a busy schedule as the reason for leaving. She served on the BZA since 2014.
  - Public Properties, Mrs. Turben
    - 19-25 Wonderly Avenue: Mr. Klopsch mentioned that staff recommends that the city proceed with demolishing the 4-unit apartment at 19-25 Wonderly Avenue. Staff will obtain competitive quotes for completing the work.
    - 1313 Far Hills Avenue: Mr. Klopsch shared that details about the sale of the city-owned property at 1313 Far Hills Avenue and how to submit a bid are available on the city website.
  - Public Utilities/Waterworks/Sewer, Mrs. Turben
    - Food Waste Recycling: Mr. Klopsch commented on the new Food Waste Recovery and Resource Program proposed as a joint venture led by Montgomery County Environmental Services and the Dayton Food Bank. Mr. Klopsch will send a letter of support for the program to Montgomery County Environmental Services. The program is expected to launch in 2025.
  - Safety & Traffic, Mr. Stephens
    - E-Scooter and E-Bike Safety Training: Mr. Klopsch reported that staff is working on a new educational program to be offered at the OCC addressing E-scooter and E-bike safety.
    - Mental Health Crisis Center: Mr. Klopsch commented on the failed ADAMHS crisis care center. Mayor Duncan provided some history on the center and cited reasons why it failed.

- Streets & Alleys, Mr. Stephens
  - Far Hills Resurfacing: Mr. Klopsch mentioned the upcoming removal and replacement of the entire asphalt roadway surface on Far Hills Avenue. Barrett Paving will likely begin work on resurfacing Far Hills in early July and the project will take about three weeks to complete.
- BOARDS & COMMISSIONS
  - Historical Society, Mrs. Jackson
    - E. Schantz Pillars & Long-Romspert: Mr. Klopsch shared that city staff is beginning the process of refurbishing the historic entry gate pillars at E. Schantz and Oakwood Avenue. He shared the history of the pillars provided by Debra Edwards with The Oakwood Historical Society.
    - Long-Romspert Property: Mr. Jacques commented on an application to be heard at the July 3 Planning Commission meeting to expand operating hours and permitted uses of the Long-Romspert property.
- MISCELLANEOUS
  - Property Maintenance Board (PMB): Mr. Klopsch noted that Dan Gentry agreed to serve on the PMB representing Precinct G. He will fill the vacancy created with the resignation of Amy Honaker.

At 6:28 p.m., Council moved to an executive session for property matters.

At 6:42 p.m., Council moved to an executive session for personnel matters. Mr. Jacques departed the meeting at this time.

At 7:13 p.m., Mayor Duncan concluded the executive session and adjourned the meeting.

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Mayor

ATTEST:

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Clerk of Council

A RESOLUTION

BY: \_\_\_\_\_

NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR CUTTING NOXIOUS WEEDS TO THE COUNTY AUDITOR FOR COLLECTION.

WHEREAS, after notice, as required by law, the owners of the property hereinafter described failed to cut the noxious weeds growing upon such property, and this Council heretofore caused such noxious weeds to be cut and destroyed; and

WHEREAS, such owners have heretofore been notified of the costs incurred in connection therewith with a request for payment and have refused or failed to pay such costs; and

WHEREAS, Section 731.54 of the Ohio Revised Code and Section 551.05 of the Codified Ordinances of the city of Oakwood authorize the City to make written return to the County Auditor of a statement of charges for its services in cutting such noxious weeds and provides further that such amount shall be collected as other taxes and returned to the municipal corporation with the general fund; and

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

SECTION I:

That the charges for cutting noxious weeds, an aggregate amount of \$ 1,679.34, as specified in Exhibit A, are hereby found and determined to have not been paid and are hereby returned to the County Auditor in accordance with Section 731.54 of the Revised Code and Section 551.05 of the Codified Ordinances of the city of Oakwood.

SECTION II:

That the Director of Finance is hereby authorized and directed to certify such delinquent charges, together with a certified copy of this resolution, to the Auditor of Montgomery County who shall enter the same on the tax duplicate to be collected as other taxes are collected.

SECTION III:

That 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 action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor William D. Duncan

ATTEST:

\_\_\_\_\_  
Clerk of Council

TO THE CLERK:  
Publication is not required.

\_\_\_\_\_  
City Attorney Robert F. Jacques

EXHIBIT A  
CITY OF OAKWOOD  
2024 NOXIOUS WEEDS CERTIFICATION

| ACCOUNT                           | PARCEL ID      | LEGACY ACCOUNT    | CERTIFIED AMOUNT               |
|-----------------------------------|----------------|-------------------|--------------------------------|
| 05149-002 (POLETE, SEAN)          | Q71 00603 0004 | 410 RUBICON RD    | 168.08                         |
| 03191-002 (SKIPTON, DALE R)       | Q71 01403 0012 | 358 LONSDALE AVE  | 186.83                         |
| 06594-003 (HUMMEL, JOAN & MARTIN) | Q71 00404 0002 | 436 IRVING AVE    | 201.04                         |
| 04232-002 (MUMFORD, CHIP)         | Q71 00208 0023 | 674 GARDEN RD     | 215.24                         |
| 08204-002 (MCLATCHEY, GEOFFREY)   | Q71 01308 0044 | 252 MONTERAY AVE  | 357.32                         |
| 08079-002 (SCHANTZ, EDWARD)       | Q71 00708 0002 | 825 FAR HILLS AVE | 550.83                         |
|                                   |                |                   | <hr/> <b>\$ 1,679.34</b> <hr/> |

A RESOLUTION

BY: \_\_\_\_\_ NO. \_\_\_\_\_

AMENDING RESOLUTION NO. 1870 SO AS TO CONSENT TO COUNTYWIDE EXPANSION OF THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT (ESID)

WHEREAS, on March 2, 2020, City Council (the “Council”) of the city of Oakwood (the “City”) adopted Resolution No. 1870 (the “ESID Approval Legislation”); and

WHEREAS, the ESID Approval Legislation approved the Articles of Incorporation of the Dayton Regional Energy Special Improvement District, Inc. (the “Articles of Incorporation”) and the *Dayton Regional Energy Special Improvement District Program Plan* (the “Plan”), all in accordance with Ohio Revised Code Chapter 1710; and

WHEREAS, the ESID Approval Legislation further provided the Council’s consent to (i) any addition of real property to the territory of the Dayton Regional Energy Special Improvement District (the “District”) within the boundaries of any municipal corporation or any township which is contiguous to a Participating Political Subdivision of the District under law; (ii) the addition of the municipal corporation or township in which such real property is located as a Participating Political Subdivision of the District, as defined in Ohio Revised Code Section 1710.01(E); and (iii) any amendment to the Amended Articles of Incorporation necessary to recognize or effect such addition; and

WHEREAS, Ohio Revised Code Chapter 1710 has been amended to enable political subdivisions within a single county or within counties that adjoin one another to become participating political subdivisions of a single Energy Special Improvement District regardless of whether such political subdivisions are contiguous; and

WHEREAS, in order to enable the District to expand to include any political subdivision which may become a participating political subdivision of the District under law, this Council desires to amend the ESID Approval Legislation in order to consent to any such addition, as set forth in this Resolution;

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

SECTION I.

Amendment to Section III of the ESID Approval Legislation. Section III of the ESID Approval Legislation is hereby amended by deleting the current Section III and replacing it with the following:

This Council hereby approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is or may become a Participating Political Subdivision of the District under law; (ii) the addition of the municipal corporation or township in which such real property is located as a Participating Political Subdivision of the District, as defined in Ohio Revised Code Section 1710.01(E); and (iii) any amendment to the Amended Articles of Incorporation necessary to recognize or effect such addition.

SECTION II.

No Other Amendment. Except as expressly amended by this Resolution, the ESID Approval Legislation shall remain unchanged and in full force and effect.

SECTION III.

Compliance with Open Meetings Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this legislative resolution were taken in an open meeting of this Council or any of its committees, 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 in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

SECTION IV.

That this resolution shall become effective immediately upon 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 ITEMIZE AND LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO:

SECTION I.

That the assessment of costs and expenses of constructing or reconstructing sidewalks, as set forth in Ordinance No. 5002 adopted May 6, 2024, is hereby restated and confirmed.

SECTION II.

That this Council finds and determines that notice of the filing of the foregoing assessments has been given as required by law, and no objections have been filed.

SECTION III.

That of the aggregate amount set forth in Ordinance No. 5002, an unpaid balance of \$21,194.62 remains due and owing to the city of Oakwood, and the same shall be and is hereby levied and assessed upon the lots and lands provided for in Resolution No. 1893 adopted April 4, 2022. The individual amounts comprising said unpaid balance, which amounts and the description of said lots and lands are set forth on the attached Exhibit A, are not in excess of any statutory limitation.

SECTION IV.

That all remaining unpaid assessments and installments thereof, as shown on the attached Exhibit A, shall be certified by the Clerk of this Council to the County Auditor as provided by law for collection with other taxes in five (5) or fewer annual installments with interest thereon at the same rate as shall be borne by the bonds issued in anticipation of the collection of such assessments.

SECTION V.

That the Clerk of this Council shall cause a notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City within ten (10) days after its passage and to continue on file in this office said assessments.

SECTION VI.

The Clerk of this Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its passage.

SECTION VII.

That this ordinance be and remain in force from and after the earliest period allowed by law.

PASSED BY COUNCIL, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor William D. Duncan

ATTEST:

\_\_\_\_\_  
Clerk of Council

TO THE CLERK:

Please publish the following in summary form.

\_\_\_\_\_  
City Attorney Robert Jacques

NOTICE OF ASSESSING ORDINANCE

Notice is hereby given that on \_\_\_\_\_, 2024 the Council of the City of Oakwood, Ohio, passed Ordinance No. \_\_\_\_\_ entitled, "TO ITEMIZE AND LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO." Said Ordinance provides for the assessment of certain unpaid costs relating to the 2022 Sidewalk, Curb, and Driveway Apron Project, which has already concluded.

By Order of the Council of the City of Oakwood.

Lori Stacel, Clerk of Council

PROOF OF PUBLICATION

I certify that I have caused the foregoing Legal Notice to be published one (1) time in the Oakwood Register, a newspaper of general circulation in the City of Oakwood, such publication occurring on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lori Stacel, Clerk of Council



**EXHIBIT A  
CITY OF OAKWOOD**

**2022 SIDEWALK CERTIFICATIONS**

| ACCOUNT                                       | PARCEL ID      | LEGACY ACCOUNT      | CERTIFIED AMOUNT    |
|---|----------------|---------------------|---------------------|
| 00116-003 (BLANKENSHIP, AMY)                  | Q71 00507 0004 | 201 MAYSFIELD RD    | 1,722.96            |
| 01916-002 (TURNER, MEGAN )                    | Q71 00506 0022 | 284 SCHANTZ AVE W   | 680.66              |
| 04783-003 (KEYTON , AARON, &<br>ALBERTA )     | Q71 00603 0019 | 15 THRUSTON BLVD W  | 1,131.82            |
| 04946-003 (ADDISON, JEFF & LEIGH)             | Q71 00102 0003 | 700 OAKWOOD AVE     | 677.10              |
| 04964-002 (LAUTERBACH, BRADLEY)               | Q71 00101 0006 | 709 OAKWOOD AVE     | 236.45              |
| 04966-002 (WALLER, PAUL & JENNIFER)           | Q71 00101 0008 | 703 OAKWOOD AVE     | 265.44              |
| 05125-002 (MORRIS, CHRISTOPHER &<br>KATHRYN)  | Q71 00601 0008 | 324 SOUTHVIEW RD    | 1,070.73            |
| 05136-002 (RUBINO , LESLIE)                   | Q71 00602 0001 | 201 SOUTHVIEW RD    | 1,534.25            |
| 05174-002 (CONRATH , JEFFERY &<br>HELENE)     | Q71 00508 0020 | 217 NORTHVIEW RD    | 563.28              |
| 05203-002 (KING, SAMUEL & GYN)                | Q71 00508 0004 | 205 HAVER RD        | 1,051.40            |
| 05215-002 (MACDONALD , MOLLY)                 | Q71 00509 0005 | 326 MAYSFIELD RD    | 1,639.92            |
| 05220-002 (SCHNELL, PHILLIP)                  | Q71 00601 0019 | 501 MAYSFIELD RD    | 899.64              |
| 05229-002 (REICHERT, THOMAS &<br>JENNIFER)    | Q71 00507 0018 | 200 MAYSFIELD RD    | 733.94              |
| 06448-002 (GWIN, LILA)                        | Q71 00604 0003 | 235 THRUSTON BLVD W | 1,960.69            |
| 06469-004 (TRIBBLE, JOHN & KATHRYN)           | Q71 00104 0002 | 620 HARMAN AVE      | 227.36              |
| 06738-003 (BIESER, SIDNEY)                    | Q71 00601 0004 | 310 SOUTHVIEW RD    | 1,372.82            |
| 06840-002 (BALDWIN, WILLIAM)                  | Q71 00709 0008 | 1145 HARMAN AVE     | 913.99              |
| 07248-002 (RUSSELL, TAYLOR)                   | Q71 00509 0028 | 420 KRAMER RD       | 1,699.58            |
| 07310-003 (SORAH, ROXANN & JAMES)             | Q71 00706 0002 | 999 HARMAN AVE      | 1,951.32            |
| 07530-002 (FOURMAN, CHRISTOPHER &<br>ANNIKA ) | Q71 00507 0002 | 120 SCHANTZ AVE W   | 861.27              |
| <b>TOTAL 2022 SIDEWALK CERTIFICATIONS</b>     |                |                     | <b>\$ 21,194.62</b> |

AN ORDINANCE

BY \_\_\_\_\_

NO. \_\_\_\_\_

TO ITEMIZE AND LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO:

SECTION I.

That the assessment of costs and expenses of constructing or reconstructing sidewalks, as set forth in Ordinance No. 4997 adopted May 6, 2024, is hereby restated and confirmed.

SECTION II.

That this Council finds and determines that notice of the filing of the foregoing assessments has been given as required by law, and no objections have been filed.

SECTION III.

That of the aggregate amount set forth in Ordinance No. 4997, an unpaid balance of \$13,493.91 remains due and owing to the city of Oakwood, and the same shall be and is hereby levied and assessed upon the lots and lands provided for in Resolution No. 1906 adopted March 6, 2023. The individual amounts comprising said unpaid balance, which amounts and the description of said lots and lands are set forth on the attached Exhibit A, are not in excess of any statutory limitation.

SECTION IV.

That all remaining unpaid assessments and installments thereof, as shown on the attached Exhibit A, shall be certified by the Clerk of this Council to the County Auditor as provided by law for collection with other taxes in five (5) or fewer annual installments with interest thereon at the same rate as shall be borne by the bonds issued in anticipation of the collection of such assessments.

SECTION V.

That the Clerk of this Council shall cause a notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City within ten (10) days after its passage and to continue on file in this office said assessments.

SECTION VI.

The Clerk of this Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its passage.

SECTION VII.

That this ordinance be and remain in force from and after the earliest period allowed by law.

PASSED BY COUNCIL, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor William D. Duncan

ATTEST:

\_\_\_\_\_  
Clerk of Council

TO THE CLERK:

Please publish the following in summary form.

\_\_\_\_\_  
City Attorney Robert Jacques

NOTICE OF ASSESSING ORDINANCE

Notice is hereby given that on \_\_\_\_\_, 2024 the Council of the City of Oakwood, Ohio, passed Ordinance No. \_\_\_\_\_ entitled, "TO ITEMIZE AND LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO." Said Ordinance provides for the assessment of certain unpaid costs relating to the 2023 Sidewalk, Curb, and Driveway Apron Project, which has already concluded.

By Order of the Council of the City of Oakwood.

Lori Stacel, Clerk of Council

PROOF OF PUBLICATION

I certify that I have caused the foregoing Legal Notice to be published one (1) time in the Oakwood Register, a newspaper of general circulation in the City of Oakwood, such publication occurring on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lori Stacel, Clerk of Council

**EXHIBIT A  
CITY OF OAKWOOD**

**2023 SIDEWALK CERTIFICATION**

| ACCOUNT                                    | PARCEL ID      | LEGACY ACCOUNT       | CERTIFIED AMOUNT    |
|--|----------------|----------------------|---------------------|
| 00177-002 (FIFTH THIRD BANK - OH10058Q)    | Q71 01108 0001 | 2601 FAR HILLS AVE   | 1,458.48            |
| 02026-002 (BAGGOTT, THOMAS)                | Q71 01007 0007 | 2415 FAIRMONT AVE    | 404.81              |
| 02041-002 (BAILEY, KRISTIN)                | Q71 01107 0036 | 132 OAK KNOLL DR     | 1,063.87            |
| 02074-002 (POCISK, JEFFREY)                | Q71 01107 0027 | 215 OAK KNOLL DR     | 449.62              |
| 02088-002 (RAMSEY, JENNIFER)               | Q71 01105 0008 | 2524 ROANOKE AVE     | 386.53              |
| 02122-002 (BERENSON, SARAH)                | Q71 01107 0013 | 100 DELL PARK AVE    | 736.23              |
| 02160-002 (KOLLER, CHRISTOPHER)            | Q71 01006 0019 | 2412 HILLVIEW AVE    | 744.80              |
| 02175-004 (BRISBANE, WILLIAM)              | Q71 01105 0049 | 2520-22 HILLVIEW AVE | 960.89              |
| 06118-002 (WOMELDORFF, KRISTINA & JOSEPHS) | Q71 01006 0027 | 2408 ROANOKE AVE     | 803.67              |
| 06416-002 (ROLLER, DAVID)                  | Q71 01105 0052 | 2536 HILLVIEW AVE    | 411.19              |
| 06660-002 (CIARLARIELLO, PAUL DAVID)       | Q71 01105 0012 | 2537 ROANOKE AVE     | 329.44              |
| 06858-002 (EIDEMILLER, KATHRYN)            | Q71 01105 0050 | 2526 HILLVIEW AVE    | 1,305.36            |
| 07349-002 (POWELL, JOELLEN & ROB)          | Q71 01105 0011 | 2533 ROANOKE AVE     | 743.33              |
| 07736-002 (CONLEY, DEBORAH)                | Q71 01107 0008 | 128 DELL PARK AVE    | 435.12              |
| 07771-002 (WILTSHIRE, KYLE)                | Q71 01105 0037 | 2525 HILLVIEW AVE    | 1,381.01            |
| 07890-002 (CONNOR, JEFFERY & LINDA)        | Q71 01107 0001 | 2600 FAIRMONT AVE    | 1,093.01            |
| 08109-002 (HIGGINSON, SARA)                | Q71 01107 0009 | 124 DELL PARK AVE    | 786.55              |
| <b>TOTAL 2023 SIDEWALK CERTIFICATIONS</b>  |                |                      | <b>\$ 13,493.91</b> |

AN ORDINANCE

BY: \_\_\_\_\_ NO. \_\_\_\_\_

AMENDING PROVISIONS OF THE OAKWOOD ZONING ORDINANCE TO INCLUDE A DEFINITION OF TEMPORARY OUTDOOR RESTROOM FACILITIES AND TO AMEND THE ACCESSORY STRUCTURE REGULATIONS TO EXPRESSLY ADDRESS THE PLACEMENT THEREOF.

WHEREAS, a proposed text amendment to the Oakwood Zoning Ordinance was presented to the Planning Commission in a duly-noticed public hearing held on June 5, 2024, and the Planning Commission by a vote of 4-0 recommended approval thereof; and

WHEREAS, the proposed amendment has been presented to Council in a duly-noticed public hearing held on July 15, 2024, and as required by Section 1003.6(B) of the Zoning Code, Council has reviewed the proposed amendment and finds that it is consistent with the purposes of the Zoning Code, the Comprehensive Plan, and the interests of the city of Oakwood as a whole;

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

SECTION I.

Section 301, *Terms Defined*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text in **bold** font and deleted text in ~~strike-through~~ font. For purposes of this ordinance, only the definitions being modified or added are set forth below, and the remainder of Section 301 shall remain in full force and effect without modification.

Sec. 301       TERMS DEFINED

\* \* \*

**Restroom Facilities, Temporary Outdoor means a portable structure that is manufactured, designed, marketed, and proportioned for fully-enclosed, temporary, outdoor bathroom use by one person at a time. Such structures are typically mounted on runners or skids, or placed directly on the land without footers, and used on construction sites or for temporary outdoor events.**

\* \* \*

SECTION II.

Existing Section 402.1(H), *Permitted Accessory Uses*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font:

H.       Permitted Accessory Uses

1.       Residential Districts

The following are accessory uses and structures permitted within all residential zoning districts, subject to applicable requirements of the zoning district and Title 9, Design and Performance Standards.

- a)       Air conditioning/heat pump/generator or similar mechanical equipment
- b)       Arbor or trellises
- c)       Auction sales (See Section 404, *Temporary Uses*)
- d)       Convents, seminaries and, monasteries
- e)       Type B Child Day Care Home (See *Design and Performance Standards*, 901.3)
- f)       Deck
- g)       Dog house
- h)       Driveways up to twelve (12) feet width
- i)       Entrance pillars (See *Design and Performance Standards*, 901.9)
- j)       Earth satellite stations and electronic antenna
- k)       Fences and walls in accord with Title 4, *General Provisions*

- l) Firewood storage
- m) Flag poles (See *Design and Performance Standards*, 901.4)
- n) Garden, greenhouse, conservatory, private
- o) Garage
- p) Garage sales
- q) Gazebo
- r) Home occupations
- s) Hot tub
- t) Mail box
- u) Patio
- v) Play houses and summer houses
- w) Retaining walls
- x) Service walks (See *Design and Performance Standards*, 901.8)
- y) Sheds for storage of common household items
- z) Signs, in accord with Title 12, *Signs*
- aa) Steps and ramps
- bb) Storage of non-passenger vehicles (See *Design and Performance Standards*, 901.5)
- cc) Swimming pools, private
- dd) Temporary Outdoor Restroom Facilities (See *Design and Performance Standards*, 901.20)**
- ~~dd~~ee) Terrace
- ~~ee~~ff) Yard lamp/light
- ~~ff~~(gg) Vertical Projections
- ~~gg~~(hh) Parking pads

2. Business Districts

The following are accessory uses and structures permitted within all business districts, subject to applicable requirements of the zoning district and Title 9, *Design and Performance Standards*.

- a) Air conditioning/heat pump/generator or similar mechanical equipment
- b) Arbor or trellises
- c) Auction sales (See Section 404, *Temporary Uses*)
- d) Deck
- e) ~~Dumpsters and~~, garbage receptacles, **and Temporary Outdoor Restroom Facilities (See *Design and Performance Standards*, 901.20)**
- f) Earth satellite stations and electronic antenna
- g) Fences and walls in accord with Title 4, *General Provisions*
- h) Garden, greenhouse, conservatory, private
- i) Garage
- j) Gazebo
- k) Patio
- l) Service walks (See *Design and Performance Standards*, 901.8)
- m) Sheds for storage
- n) Signs, in accord with Title 12, *Signs*
- o) Steps and ramps
- p) Terrace

SECTION III.

Existing Section 402.2, *Permitted Obstructions in Yards*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font. For purposes of this ordinance, only the items being modified or added are set forth below, and the remainder of Section 402.2 shall remain in full force and effect without modification.

402.2 Permitted Obstructions in Yards

Subject to all other requirements of this section, accessory buildings, structures or uses shall be permitted in designated yards of a zoning lot as follows:

F = Front Yard

CS = Corner Side Yard  
S = Interior Side Yards  
R = Rear Yards

\*\*\*

**Temporary Outdoor Restroom Facilities**

S R

\*\*\*

**SECTION IV.**

New Section 901.20, *Temporary Outdoor Restroom Facilities*, of the Oakwood Zoning Ordinance, is hereby enacted to read as follows:

**901.20 Temporary Outdoor Restroom Facilities**

**A. Applicability**

All zoning districts

**B. Regulations**

1. **Temporary Outdoor Restroom Facilities may only be permitted for installation in connection with ongoing, permitted construction occurring on the same zoning lot. They may not be installed more than three (3) business days prior to the commencement of such construction, and they must be removed no more than three (3) business days after the completion of such construction. Not more than one (1) Temporary Outdoor Restroom Facilities unit may be permitted at any given time on any zoning lot used for residential purposes other than Multi-Family uses having more than four (4) dwelling units. This section shall not apply to any Temporary Outdoor Restroom Facilities placed at a public athletic facility operated by a governmental entity, or to any Temporary Outdoor Restroom Facilities that may be approved as part of any Special Use, Planned Development, or Temporary Use permit.**
2. **While installed, any Temporary Outdoor Restroom Facilities must be regularly serviced and maintained so as to ensure that they do not create a nuisance or otherwise threaten or injure the public health, safety, and/or general welfare. During that time, the Building Commissioner may request, and a permittee shall furnish upon such request, satisfactory maintenance records demonstrating compliance with this provision.**
3. **Temporary Outdoor Restroom Facilities must be removed and discontinued during any period of construction inactivity lasting more than seven (7) consecutive days. The Building Commissioner may waive this provision if, in the Building Commissioner's discretion, the Facilities are located and/or appropriately screened in a manner that ensures they are not visible from any public right-of-way or do not otherwise threaten or injure the public health, safety, and/or general welfare. Any waiver shall be ineffective unless made expressly in writing to the permittee; no waiver may be implied under this section.**
4. **The Building Commissioner may waive the provisions of Section 402.2, allowing placement in a yard that is otherwise not permitted, if, in the Building Commissioner's discretion, the Facilities are located and/or appropriately screened in a manner that ensures they are not visible from any public right-of-way or do not otherwise threaten or injure the public health, safety, and/or general welfare. Any waiver shall be ineffective unless**

made expressly in writing to the permittee; no waiver may be implied under this section.

5. **Failure to abide by the provisions of this Section 901.20 will constitute immediate grounds for denial and/or revocation of the permit for such Temporary Outdoor Restroom Facilities, and may be used as a basis to deny future Temporary Outdoor Restroom Facilities permits in connection with the same construction project. In addition, any such violation shall constitute a public nuisance and threat to the public health, safety, and/or general welfare, and the City Attorney may pursue any lawful remedy, under the Zoning Ordinance or otherwise, to abate the nuisance.**
  
6. **As part of the Major Site Development Review process, the Planning Commission shall have the authority to approve reasonable deviations from the requirements of this Section 901.20, provided that such deviations shall protect the public health, safety and/or welfare and shall be limited in duration to the time reasonably necessary for the development project at issue.**

SECTION V.

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 VI.

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

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor William D. Duncan

ATTEST:

\_\_\_\_\_  
Clerk of Council

TO THE CLERK:

Please publish by incorporating into the Codified Ordinances of the city.

\_\_\_\_\_  
City Attorney Robert F. Jacques



A RESOLUTION

BY: \_\_\_\_\_

NO. \_\_\_\_\_

CONFIRMING THE CITY OF OAKWOOD'S ACCEPTANCE OF AND PARTICIPATION IN A PROPOSED SETTLEMENT AGREEMENT IN CONNECTION WITH ONGOING NATIONAL OPIOID LITIGATION, AND AUTHORIZING FUTURE PARTICIPATION IN SIMILAR AGREEMENTS USING THE DISBURSEMENT MECHANISM SET FORTH IN THE ONEOHIO MEMORANDUM OF UNDERSTANDING.

WHEREAS, the city of Oakwood is a Local Government that has adopted The OneOhio Memorandum of Understanding (the "MOU"), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and

WHEREAS, Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal has been presented to the State of Ohio and Local Governments by one defendant, Kroger (the "Settling Defendant"), that would resolve governmental entity claims involving this party in the State of Ohio using the structure of the OneOhio MOU; and

WHEREAS, Ohio political subdivisions are required to opt in or out of this settlement proposal no later than August 12, 2024;

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

SECTION I.

Council hereby authorizes the City Manager to sign and submit, on the city's behalf, a participation agreement and such other documents as may be necessary to ensure Oakwood's participation in the above-described settlement with the Settling Defendant, consistent with the provisions of The OneOhio Memorandum of Understanding ("MOU").

SECTION II.

In the event of any future settlement with one or more defendants of opioid-related governmental entity claims, where such settlement would inure to the benefit of the city of Oakwood and is to be administered under the disbursement mechanism set forth in the OneOhio MOU, the City Manager is further authorized to sign and submit, on the city's behalf, a participation agreement and such other documents as may be necessary to ensure Oakwood's participation in such settlement, consistent with the provisions of The OneOhio MOU, without further legislative approval of this Council.

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:

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Clerk of Council

TO THE CLERK:

No publication is required.

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City Attorney Robert F. Jacques

**Introductions for Legislation  
7/15/2024 Council Meeting**

**Mr. Stephens**

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.

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 6 properties at a total outstanding dollar amount of \$1,679.34.

**Motion: I move that Council adopt this resolution.**

---

**Vice Mayor Byington**

A RESOLUTION AMENDING RESOLUTION NO. 1870 SO AS TO CONSENT TO COUNTYWIDE EXPANSION OF THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT (ESID).

In 2020, the city of Oakwood became a participating member of the Dayton Regional Energy Special Improvement District (“ESID”). This allowed Oakwood property owners to obtain Property-Assessed Clean Energy (“PACE”) financing for qualified energy-efficient property improvements. PACE funding comes in the form of a private loan that is paid via special assessments against the property. Oakwood is a pass-through entity in this arrangement, receiving the assessments and forwarding them on to the lender.

The Dayton ESID currently serves a “district” that is defined to include the city of Dayton and any areas within Montgomery County that choose to participate AND that are geographically contiguous to Dayton. However, the ESID board wants to expand the district by defining it to include any jurisdictions within Montgomery County that choose to participate, regardless of whether they are geographically contiguous with Dayton. The only geographical requirement would be that they are within Montgomery County.

To implement this change, Oakwood must update its ESID legislation to define the new countywide district, and that is the purpose of this resolution.

**Motion: I move that Council adopt this resolution.**

---

**Mr. Stephens**

AN ORDINANCE TO ITEMIZE AND LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS AND APPURTENANCES THERETO IN THE CITY OF OAKWOOD, OHIO.

I am introducing two ordinances together. They have the same title and are identical, except that they relate to the same project in two different project years – 2022 and 2023.

These ordinances are the fourth and final legislative step of our 2022 and 2023 Sidewalk, Curb, and Driveway Apron projects. Each ordinance itemizes sidewalk repair costs that were not already paid directly by affected homeowners, and authorizes these costs to be assessed by the Montgomery County Auditor.

The ordinance for the 2022 project includes total assessments of \$21,194.62.

The ordinance for the 2023 project includes total assessments of \$13,493.91.

**Motion: I move that Council waive the 2<sup>nd</sup> reading and adopt these ordinances tonight, together, by a single vote.**

---

**Vice Mayor Byington**

AN ORDINANCE AMENDING PROVISIONS OF THE OAKWOOD ZONING ORDINANCE TO INCLUDE A DEFINITION OF TEMPORARY OUTDOOR RESTROOM FACILITIES AND TO AMEND THE ACCESSORY STRUCTURE REGULATIONS TO EXPRESSLY ADDRESS THE PLACEMENT THEREOF.

This is the first reading of an ordinance to amend our Zoning Code. It would create a definition and provide specific regulations for the placement and use of Temporary Outdoor Restroom Facilities, commonly known as “porta-potties.” They are already permitted under the general accessory structure regulations of the Zoning Code, but there are no specific definitions or regulations to treat them differently than any other type of accessory structure. City staff is recommending provisions that will define Temporary Outdoor Restroom Facilities and establish clear rules as to permitted locations, duration, maintenance, and public visibility.

The Planning Commission reviewed these proposed changes at a public hearing on June 5, and has recommended that they be approved by Council. Council will conduct its own public hearing tonight, and then bring the ordinance back for its second reading at our August 5 meeting.

**Motion: This is the first reading of this ordinance, so I make no motion at this time.**

*(MAYOR DUNCAN SHOULD OPEN AND CONDUCT THE PUBLIC HEARING.)*

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## **Vice Mayor Byington**

A RESOLUTION CONFIRMING THE CITY OF OAKWOOD'S ACCEPTANCE OF AND PARTICIPATION IN A PROPOSED SETTLEMENT AGREEMENT IN CONNECTION WITH ONGOING NATIONAL OPIOID LITIGATION, AND AUTHORIZING FUTURE PARTICIPATION IN SIMILAR AGREEMENTS USING THE DISBURSEMENT MECHANISM SET FORTH IN THE ONEOHIO MEMORANDUM OF UNDERSTANDING.

Ohio is included in ongoing litigation involving the national prescription opioid epidemic. This is complex, multi-district litigation occurring nationwide, and there are many defendants including opioid distributors, manufacturers, and pharmacies.

In 2021 Oakwood signed a document known as the OneOhio Memorandum of Understanding ("MOU"). In doing so, we joined with political subdivisions throughout the state to agree on a mechanism for distributing any opioid settlements that may be reached.

The OneOhio framework has already been used to distribute several opioid settlements to Oakwood and other local governments. These include state-level settlements reached in 2021 with several opioid distributors, and in late 2022 with several pharmacies and opioid manufacturers.

The resolution I am introducing tonight will authorize Oakwood to accept a new settlement with Kroger, which will likewise be distributed via the terms of the OneOhio MOU. Tonight's resolution will also authorize the City Manager to accept any future opioid settlements, provided they are structured to allow distribution according to the terms of the OneOhio MOU that is already in place and allowing efficient distribution.

As with each of these settlements, any money received by the city is restricted for use in abating the opioid epidemic.

**Motion: This resolution will constitute legislative approval of the Kroger settlement as required by the court, as well as any future opioid settlements, and I move that Council adopt this resolution tonight.**

## **MAY**

Althea Harper & Stewart Adam, 347 Schenck Avenue

Karleen & Harry Materne, III, 40 W. Schantz Avenue

Jeff & Susan Purks, 626 Garden Road

Ashley & Jon Coyne, 810 E. Schantz Avenue

Marsh & Dick Stevens, 40 Wiltshire Boulevard

Brenda & Christian Hess, 25 Aberdeen Avenue

Jeffrey & Kimber Coudron, 147 Hadley Avenue

Carol Fleck, 416 E. Peach Orchard Avenue

Laura & Robert Peterson, 2626 Delaine Avenue

Vladimir Benin, 406 Claranna Avenue

Caitlin & Joseph Deer, 310 Dellwood Avenue

Chris & Terri Jones, 145 Peach Orchard Road

Jacqueline & Joshua Gall, 1180 Harman Avenue

Sarah & Benjamin Martin, 9 Wisteria Drive

Brad & Maria Gecowets, 1201 Runnymede Road

The Little Exchange, 45 Park Avenue

## **JUNE**

Charrisa Rand, 621 Orlando Terrace

Jane Maney, 300 Southview Road

Marilyn & Gary Mitchner, 108 Patterson Road

Patty & Paul Vanderburgh, 320 Acorn Drive

Janet & Gregory Schnittger, 404 Wiltshire Boulevard

Connie Filbrun, 233 Aberdeen Avenue

Beth & Jeremy Wilson, 324 E. Peach Orchard Avenue

Karen Ciambrone, 338 Wonderly Avenue

Doug Kinsey, 315 Triangle Avenue

India & John Clarke, 112 Beverly Place

Maria & Reji John, 203 Greenmount Boulevard

Taylor & Mike Russell, 420 Kramer Road

Lorna Waters-Tellez, 1660 Ridgeway Road

Nicholas Fischio , 30-34 Wisteria Drive

Dr. Thomas Olsen & Mary Boosalis, 524 Walnut Springs Drive

Wright Library, 1776 Far Hills Avenue

## Public Hearing Procedure

We have a public hearing on tonight's agenda involving a text amendment to the Oakwood Zoning Code. Vice Mayor Byington just introduced the amendment for its first reading.

The Planning Commission has already conducted a public hearing on this amendment, and they have recommended approval. Council is now required to hold its own public hearing before making a decision.

Before we begin, I'd like to go over the procedure for the hearing, which will follow our usual format:

- We will start with a city staff report, summarizing the application and tonight's hearing. Since this is a code update, the staff report will be presented by our Law Director, Rob Jacques.
- After the staff report, we will open the "public hearing" portion of the meeting to take public testimony. We will start with anyone who wishes to speak **IN SUPPORT** of the text amendments, and then we will hear from anyone who wishes to speak **AGAINST** them.





- When the public testimony has concluded, we will close the public hearing and begin our Council deliberations.
- We will not decide the matter tonight. The ordinance will be brought back at our next regular meeting for a second reading and vote.

Before we begin, I would like to ask the Law Director to swear in those who wish to testify tonight. (LAW DIRECTOR WILL SWEAR IN WITNESSES *EN MASSE.*)

With that, Mr. Jacques, please present your staff report.

*(After the staff report, continue as follows:)*

I now open the public hearing. Is there anyone here who wishes to speak IN SUPPORT OF the text amendments?



City of Oakwood  
Law Department  
30 Park Avenue  
Oakwood, Ohio 45419

Is there anyone here who wishes to speak AGAINST the text amendments?

I now close the public hearing. Council will now deliberate.

**FINDINGS OF FACT AND DECISION**

Whereas, Application No. 24-3 sets forth a proposed text amendment to the Zoning Code that would create a definition for “Temporary Outdoor Restroom Facilities” and establish regulations therefor as to permitted locations, duration, maintenance, and public visibility; and

Whereas, on May 1, 2024, the Oakwood Planning Commission conducted a public hearing for the purpose of reviewing the same, with notice and an opportunity to present testimony as provided by law; and

Whereas, pursuant to Section 1003.6(B) of the Zoning Code, the Planning Commission has considered the evidence and has reviewed the proposal for consistency with the purposes of the Zoning Code, the 2004 Comprehensive Plan, and the interests of the city of Oakwood as a whole, and finds that the same  **IS** /  **IS NOT** consistent therewith, with any additional findings noted below:

Modify Sec. 901.20(B)(4) to allow Building Commissioner discretion  
in all zoning districts/uses.  
   
   
   
   
 

**IT IS HEREBY MOVED:**

1. Pursuant to Section 1003.6 of the Zoning Code, the foregoing recitals are hereby adopted as the factual findings of the Oakwood Planning Commission.
2. The Oakwood Planning Commission hereby recommends  **APPROVAL** /  **DENIAL** of the proposed text amendment and directs City Staff to forward a copy of this recommendation to Oakwood City Council. The original shall be appended to the approved minutes of the Commission’s June 5, 2024 meeting.

Adopted by a vote of 4-0, on June 5, 2024.

**OAKWOOD PLANNING COMMISSION**  
By:   
Vice Chair

# Hello, NEIGHBOR

'24/'25 Academic Year

## IMPORTANT DATES 2024-25

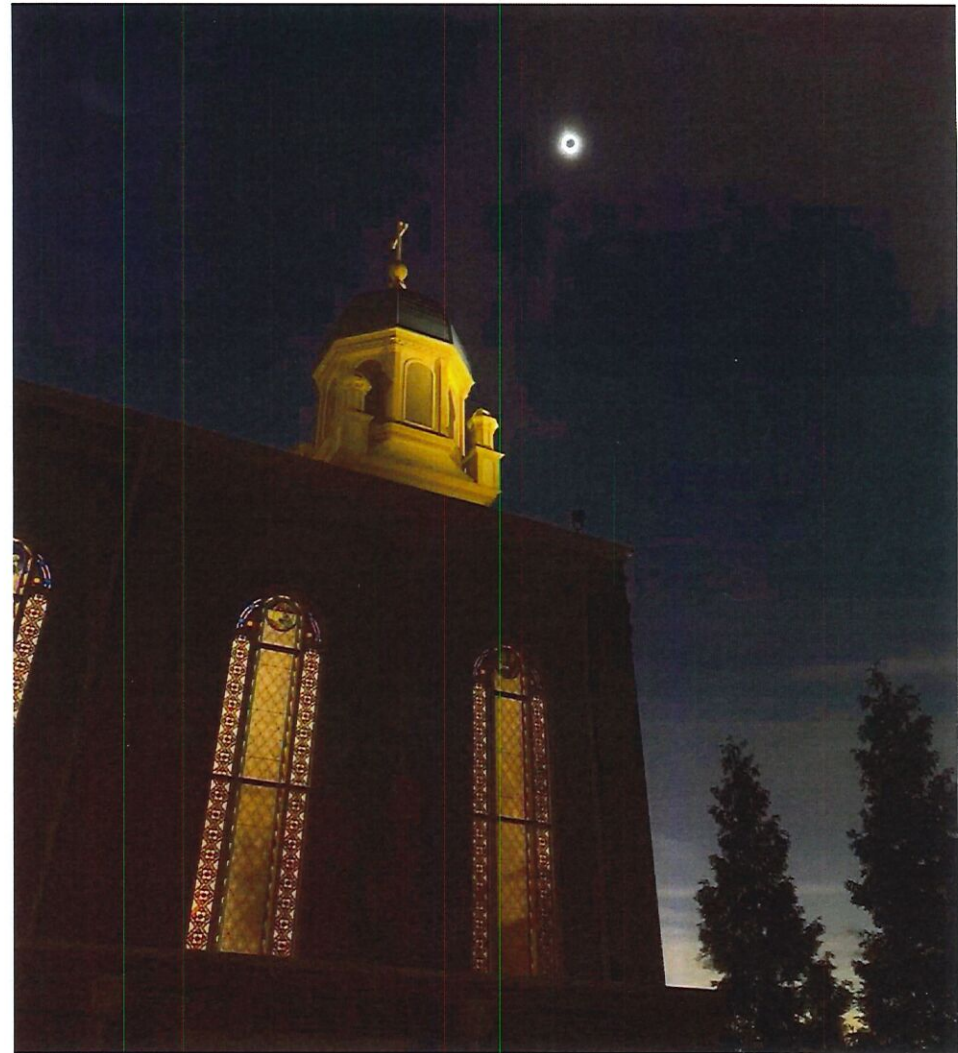
|  |                 |
|--|-----------------|
| Early Arrival Move-in .....                  | Aug. 10-11      |
| First-Year Student Move-in .....             | Aug. 16         |
| New Student Welcome Weekend .....            | Aug. 16-18      |
| Upperclass Move-In .....                     | Aug. 17-18      |
| Classes Begin.....                           | Aug. 19         |
| Family Weekend .....                         | Sept. 20-22     |
| Midterm Break .....                          | Oct. 5-8        |
| Thanksgiving Break .....                     | Nov. 27-Dec.1   |
| Last Day of Classes .....                    | Dec. 5          |
| Finals Week.....                             | Dec. 9-13       |
| December Graduation .....                    | Dec. 14         |
| University Housing Closes .....              | Dec. 14 at noon |
| Christmas Break Begins .....                 | Dec. 15         |
| University Housing Opens .....               | Jan. 12         |
| Spring Term Begins .....                     | Jan. 13         |
| Spring Break/University Housing Closes ..    | March 13-23     |
| Easter Recess .....                          | April 17 - 21   |
| <small>(classes resume at 4:30 p.m.)</small> |                 |
| Last Day of Classes .....                    | May 2           |
| Finals Week.....                             | May 5 - 9       |
| University Housing Closes .....              | May 10 at noon  |
| Undergraduate Commencement.....              | May 11          |
| Alumni Reunion Weekend '25 .....             | June 6-8        |

## UNIVERSITY CONTACTS

|                                |                                  |
|--------------------------------|----------------------------------|
| Public Safety .....            | 937-229-2121                     |
| Housing & Residence Life ..... | 937-229-3317                     |
| Dean of Students .....         | 937-229-1212                     |
| Information Desk.....          | 937-229-1000                     |
| Athletic Events .....          | daytonflyers.com                 |
| Visual & Performing Arts ..... | go.udayton.edu/arts              |
| UD Speaker Series .....        | go.udayton.edu/<br>speakerseries |



University  
of Dayton



**“The light shines in the darkness, and the darkness has not overcome it.” —John 1:5**

Photo by Ellis Dunn



Jack Kuntz

### BROOKVILLE

This eastern city started the new year with a new city manager. Jack Kuntz moved from a role in nearby Clayton to become city manager of Brookville. His joined the city as a result of Sonja Keaton retiring from the role. He had been director of development at Clayton.

Kuntz said the city is in a good position for future growth and economic development with new housing under construction and a large expansion underway by DMAX. The city is currently updating its comprehensive land use plan for strategic future development.

"With all of this new construction comes a lot of opportunity to determine what our future is going to look like," Kuntz said previously.

Brookville's 2022 population was about 6,000, according to the Census.



Mark Schwieterman

### VANDALIA

A familiar face accepted an interim leadership role within a Dayton-area community. Mark Schwieterman, longtime city manager for the city of Kettering, is now interim city manager for the city of Vandalia as of mid-June.

This comes on the heels of the resignation of previous city manager Dan Wendt.

Schwieterman — with Dayton-based Shared Resource Center — will serve in the role until a permanent city manager is appointed.

Vandalia had a population of 15,000 in the 2022 Census.



Dan Wendt

#### COVER STORY

# MUNICIPAL MOVES

## Dozens of leadership changes at Dayton region cities

BY HANNAH POTURALSKI | hpoturalski@bizjournals.com

**E**very calendar year comes with its usual number of retirement announcements and new leaders being introduced. ¶ But a flurry of activity in the first half of 2024, has placed a lot of change in the hands of government and city leaders across the Miami Valley. And with a summer full of planned vacations, the DBJ provides a round-up of the leadership changes at cities and government posts around the region since the start of the year. New leaders can provide different insights and plans for these communities dotting the region.



Mike Lucking

### WEST CARROLLTON

Mike Lucking, the economic development director for the city of West Carrollton, recently announced his plans to retire following a 40-year career in public service.

Lucking's public career began in Montgomery County and then with the United States Air Force. His public service career was expanded to include significant accomplishments in Dayton, where he served as acting development manager of economic development. He further distinguished himself as city manager for the city of Trotwood, a position from which he retired in 2015. Later that year, Lucking joined the city of West Carrollton part-time under former city manager Brad Townsend.

Townsend retired in 2023 and the city's top leader now is Amber Holloway, who came from an assistant role in Vandalia.

West Carrollton has a population of just under 13,000 residents, according to the Census.



Eric Mack

### TIPP CITY

This northern city in Miami County has a new city manager after a long-time retirement. Tim Eggleston, Tipp City's top manager, retired after about a decade in the position. The city manager position is now filled by the promotion of Eric Mack. Mack has been the city's director of municipal services and engineering for the last six years. He's been with the city for a total of 12 years.

Mack said he will be prioritizing continued infrastructure upgrades and succession planning for various staff retirements in the future, including finance director.

Tipp City had a population of 10,400 in the 2022 Census.



Tim Eggleston



Richard Dzik

### HUBER HEIGHTS

Two prominent changes have happened in city leadership in Huber Heights.

In early June, Richard Dzik was placed on administrative leave from his post as city manager. This happened after he was stopped by Mount Vernon police for allegedly driving while intoxicated. He had only been city manager for nine months, and an investigation is ongoing.

Interim city manager John Russell is known to the city and its 43,000 residents. He is administrative battalion chief at Huber's Fire Division.

Around the same time, Bryan Chodkowski, who was assistant city manager for Huber Heights, left to take on a similar role with the city of Kettering.

Huber Heights had a population of 43,300 in the 2022 Census.



John Russell

### FAIRBORN

Mike Gebhart was promoted to Fairborn city manager on Jan. 2. The appointment comes after previous city manager, Rob Anderson, resigned at the end of 2023. Gebhart was previously assistant city manager and economic development director.

Fairborn's 2022 population was around 35,000, according to the Census.



Mike Gebhart



Norbert Klopsch

### OAKWOOD

The city of Oakwood will be looking for its next city manager later this year.

Norbert Klopsch, city manager, will retire this November after 32 years in public service. Klopsch began his career in Oakwood in November 1992 when he served as city engineer before transitioning to engineering and public works director in 2000.

"Fairly early on in my tenure, we saw the reuse of the Sugar Camp property, which was a real big deal as that was the single largest piece of land in Oakwood that was in large part undeveloped. That land has now turned into a beautiful business park and residential area," Klopsch said.

Oakwood's 2022 population was around 9,500, according to the Census.

### DAYTON



Bryan Chodkowski

### KETTERING

Bryan Chodkowski, who comes from a similar role in Huber Heights, has filled an open assistant city manager position in Kettering. He is one of two assistants, along with Steven Bergstresser. They report to city manager Matt Greeson.

Kettering has a population of 57,000, according to the Census.



Eric Henry

### XENIA

Eric Henry, the former director of development for Greene County, is moving on to Xenia, where he is transitioning to the role of assistant city manager. He began in the new role in mid-June.

"It is a tremendous opportunity to be on the ground-level of monumental improvements and change," Henry said of Xenia, which is not far from the massive investment being made by Honda and LG in Fayette County.

Henry has been with Greene County for eight years - four of which were spent as the economic development coordinator.

Xenia's population is around 25,600, according to the Census.

From the Dayton Business Journal:

<https://www.bizjournals.com/dayton/news/2024/07/05/municipal-movements-dayton-region.html>



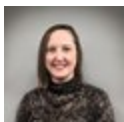
GOVERNMENT & REGULATIONS

## MUNICIPAL MOVES

Dozens of leadership changes at Dayton region cities

Around a dozen leadership changes have occurred in city management and economic development around the Dayton region.

KRISTINA WALSER/ACBJ



By [Hannah Poturalski](#) – Managing Editor, Dayton Business Journal

Jul 5, 2024

Every calendar year comes with its usual number of retirement announcements and new leaders being introduced.

But a flurry of activity in the first half of 2024, has placed a lot of change in the hands of government and city leaders across the Miami Valley. And with a summer full of planned vacations, the DBJ provides a round-up of the leadership changes at cities and government posts around the region since the start of the year. New leaders can provide different insights and plans for these communities dotting the region.

### **Starting from the north:**

#### **Tipp City**

This northern city in Miami County has a new city manager after the retirement of Tim Eggleston after about a decade in the position. The city manager position is now filled by the promotion of Eric Mack. Mack has been the city's director of municipal services and engineering for the last six years. He's been with the city for a total of 12 years.

Mack said he will be prioritizing continued infrastructure upgrades and succession planning for various staff retirements in the future, including finance director.

Eric Mack is the new city manager for Tipp City.

TIPP CITY

Tipp City had a population of 10,400 in the 2022 Census.





Tim Eggleston retired as city manager of Tipp City in June.

TIPP CITY

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## **Vandalia**

A familiar face accepted an interim leadership role within a Dayton-area community. Mark Schwieterman, longtime city manager for the city of Kettering, is now interim city manager for the city of Vandalia as of mid-June.





Mark Schwieterman is interim city manager in Vandalia.

CITY OF VANDALIA

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This comes on the heels of the [resignation of previous city manager Dan Wendt](#).

Schwieterman – with Dayton-based Shared Resource Center – will serve in the role until a permanent city manager is appointed.



Dan Wendt resigned in June as Vandalia city manager.

CITY OF VANDALIA

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Vandalia had a population of 15,000 in the 2022 Census.

### **Brookville**

This eastern city started its new year with a new city manager. Jack Kuntz moved from a role in nearby Clayton to become city manager of Brookville. He joined the city as a result of Sonja Keaton retiring from the role. He was director of development at Clayton.



Jack Kuntz is city manager for Brookville.

INNOVATIVE IMPRESSIONS

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Kuntz said the city is in a good position for future growth and economic development with new housing under construction and a large expansion underway by DMAX. The city is currently updating its comprehensive land use plan for strategic future development.

"With all of this new construction comes a lot of opportunity to determine what our future is going to look like," [Kuntz said previously](#).

Brookville's 2022 population was about 6,000, according to the Census.

## Huber Heights

Two prominent changes have happened in city leadership in Huber Heights.

In early June, Richard Dzik was placed on administrative leave from his post as city manager. This happened after he was stopped by Mount Vernon police for allegedly driving while intoxicated. He had only been city manager for nine months, and an investigation is ongoing. He is still on paid administrative leave.



Image: Cleary Creative Photo

Rick Dzik is on paid administrative leave, as of June, from his role as city manager of Huber Heights.

DAN CLEARY

Interim city manager John Russell is known to the city and its 43,000 residents. He is administrative battalion chief at Huber's Fire Division.

Around the same time, Bryan Chodkowski, who was assistant city manager for Huber Heights, left to take on a similar role with the city of Kettering.

Huber Heights had a population of 43,300 in the 2022 Census.



John Russell is interim city manager of Huber Heights.

DAN CLEARY

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## **And heading south:**

### **Fairborn**

[Mike Gebhart was promoted to Fairborn city manager](#) on Jan. 2. The appointment comes after previous city manager, Rob Anderson, resigned at the end of 2023. Gebhart was previously assistant city manager and economic development director.

Fairborn's 2022 population was around 35,000, according to the Census.

## Oakwood

The City of Oakwood will be looking for its next city manager later this year.

[Norbert Klopsch, city manager, will retire](#) this November after 32 years in public service. Klopsch began his career in Oakwood in November 1992 when he served as city engineer before transitioning to engineering and public works director in 2000.

"Fairly early on in my tenure, we saw the reuse of the Sugar Camp property, which was a real big deal as that was the single largest piece of land in Oakwood that was in large part undeveloped. That land has now turned into a beautiful business park and residential area



After 32 years in public service, Oakwood City Manager, Norbert Klopsch, has announced his retirement.

DOUG SANDERS

Oakwood's 2022 population was around 9,500, according to the Census.

## Kettering

Bryan Chodkowski, who comes from a similar role in Huber Heights, has filled an [open assistant city manager position in Kettering](#). He is one of two assistants, along with Steven Bergstresser. They report to city manager Matt Greeson.



Bryan Chodkowski left his role as assistant city manager of Huber Heights, to take the same role at City of Kettering.

DAN CLEARY

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Kettering has a population of 57,000, according to the Census.



Eric Henry is now assistant city manager for Xenia.

GREENE COUNTY

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## **Xenia**

Eric Henry, the former director of development for Greene County, is moving on to Xenia, where he is transitioning to the [role of assistant city manager](#). He began in the new role in mid-June.

"It is a tremendous opportunity to be on the ground-level of monumental improvements and change," Henry said of Xenia, which is not far from the massive investment being made by Honda and LG in Fayette County.

Henry has been with Greene County for eight years - four of which were spent as the economic development coordinator.

Xenia's population is around 25,600, according to the Census.





Mike Lucking has retired as West Carrollton's economic development manager.

WEST CARROLLTON

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## **West Carrollton**

Mike Lucking, the economic development director for the city of West Carrollton, [recently announced his plans to retire](#) following a 40-year career in public service.

Lucking's public career began in Montgomery County and then with the United States Air Force. His public service career was expanded to include significant accomplishments in Dayton, where he served as acting development manager of economic development. He further distinguished himself as city manager for the city of Trotwood, a position from which he retired in 2015. Later that year, Lucking joined the city of West Carrollton part-time under former city manager Brad Townsend.

Townsend retired in 2023 and the city's top leader now is Amber Holloway, who came from an assistant role in Vandalia.

West Carrollton has a population of just under 13,000 residents, according to the Census.

# Fairborn passes 6-month pot sales moratorium

City joins more than 50 across the state that have temporary or permanent bans.

**By London Bishop**  
Staff Writer

The city of Fairborn on Monday passed a six-month moratorium on the “issuance and processing” of any adult use cannabis permits and sales of marijuana within the city.

Fairborn City Council initially discussed imposing a marijuana moratorium in January, city communications manager Emily Gay said, but it was brought up again on Monday because the city received a request to sell marijuana related products and seeds at the Fairborn Farmer’s Market.



**A cultivation room at Pure Ohio Wellness’ marijuana grow facility in Clark County. Three of the roughly 20 dispensaries in Montgomery, Greene, Butler, Warren, Clark and Miami counties have been issued licenses for medicinal and recreational pot.** BILL LACKEY / STAFF

The farmer’s market happens every Wednesday, 10 a.m. to 2 p.m. from May to November.

“Due to this request, and the anticipation of further requests, the city believed

it was in the best interest to impose a moratorium,” Gay said, adding that the moratorium also gives the Division of Cannabis Control time to finalize regulations and licensing.

The city of Bellbrook also extended its moratorium, originally passed in January, at the end of June for the same reason.

As of July 1, there are 58 active cannabis moratoriums in the state of Ohio, including Beavercreek, Xenia, Kettering, Troy, Miamisburg, Springboro, Trotwood, Vandalia, West Carrollton, and others in the Dayton region.

Three of the roughly 20 dispensaries in Montgomery, Greene, Butler, Warren, Clark and Miami counties have been issued their dual licenses.

This includes AYR Dispensary in Riverside, the Harvest Trulieve dispensary in Beavercreek, and The Forest in Springfield.

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# Growers, processors will be first to operate in recreational pot market

More local dispensaries receive provisional dual-use licensing, await certificates.

By Sydney Dawes  
Staff Writer

Facilities that grow marijuana and create cannabis products will receive priority when the state doles out certificates of operation ahead of recreational sale in Ohio.

A total of 14 dispensaries, five cultivators and six processors in this region have received provisional dual-use licensing as of this week. A few final steps remain before any facility or business can begin working with recreational cannabis, according to the state.

“The different entities in the nonmedical sales space have different requirements to obtain their certificate of operation, and some may take a bit longer to process due to those requirements,” said Jamie Crawford, a spokesperson of the Ohio Division of Cannabis Control. “That said, to help ensure an efficient supply chain, applications from cultivators, processors and testing laboratories will receive priority.”

Cultivators operate marijuana grow facilities, while processors manufacture cannabis products like lotions, ointments, capsules, patches, edibles and oils, according to the state cannabis division.

Roughly 30 facilities in the state



Pure Ohio Wellness employee Korinne Kirkmeyer tends to cannabis plants in the company's Clark County facility. The company is waiting for approval for recreational operations. BILL LACKEY / STAFF

are licensed to legally grow marijuana.

Dayton is home to Ohio Clean Leaf, a grow facility off Valley Street. Another facility, under the company Paragon Development Group, is north of Huber Heights. In Greene County, Cresco Labs operates in Yellow Springs. All three facilities have received dual-use provisional licenses but await certificates of operation.

In Butler County, a company

called Marichron Pharma operates a grow facility. Five miles away in Middletown is a cultivation and processing location owned by Hemma LLC. Both have received dual-use provisional licenses, according to state records.

Pure Ohio Wellness, a cannabis business that has a grow facility and processing location in Springfield, says it's ready to roll as soon as the state passes down its approval.

“We have submitted all of the documentation they have requested,” said Tracey McMillin, the chief operating officer at Pure Ohio Wellness. “So we're just waiting. For us as a cultivator, or processor, there's nothing different that we'll be doing.”

The company is in the process of completing its vertical growing system and should be finished by September.

**Marijuana** continued on A7

**After the recreational marijuana initiated statute went into effect last year, many Ohioans 21 and over have been legally growing and possessing cannabis at home, although they have nowhere to legally buy it.**

### Area recreational marijuana cultivator, processor licensees

A growing number of local cultivators and processors have received provisional licensing for recreational sales. No entity in Ohio has received a certificate of operation, which is a necessary step for recreational sales to begin.



|   | Cultivator | Processor | Company Name              | Address  |
|---|------------|-----------|---------------------------|--|
| 1 | Y          |           | Paragon Development Group | 9292 State Route 201, Tipp City, 45371         |
| 2 | Y          | Y         | Pure Ohio Wellness        | 4020 Dayton Springfield Rd, Springfield, 45502 |
| 3 |            | Y         | Purpose Leaf, LLC         | 6913 Dayton Springfield Rd, Enon, 45323        |
| 4 | Y          | Y         | Cresco Labs Ohio, LLC     | 1130 Springs Way, Yellow Springs, 45387        |
| 5 |            | Y         | Noohra Labs, LLC          | 3700 Inpark Cir, Dayton, 45414                 |
| 6 | Y          |           | Ohio Clean Leaf           | 2046 Valley Street, Dayton, 45404              |
| 7 |            | Y         | Marichron Pharma LLC      | 1011 Baker Dr, Monroe, 45050                   |
| 8 | Y          | Y         | Hemma, LLC                | 100 Edison Dr, Middletown, 45044               |

## Marijuana

continued from A1

“From the regard of being able to grow more flower, we’re able to do that. We’ve already prepared for that,” McMillin said. “We’re also in the planning stages to add on to our building to add more cultivation space, and we have been approved by the state to do so.”

A dual-use provisional license is issued as a placeholder while the provisional licensee works to meet the necessary requirements to obtain a certificate of operation from the Division of Cannabis Control.

The Division of Cannabis Control has not awarded any certificates of operation to dispensaries to begin selling nonmedical cannabis as of this week, according to Crawford.

After the recreational marijuana initiated statute went into effect last year, many Ohioans 21 and over have been legally growing and possessing cannabis at home. Although adults

can legally possess marijuana, they have nowhere to legally buy it.

Cultivators, processors and testing laboratories will likely be first to receive final approval for operation by the state because they have fewer requirements to meet compared to dispensaries, Crawford said.

“In order to receive their certificate of operation, dispensaries will be required to show they are able to properly process adult use and medical sales, as well as provide proof of training, which could take a little longer to process than the other types of operators,” Crawford said.

No testing labs exist in the Miami Valley, according to Division of Cannabis Control records.

Officials say there isn’t a day selected as the first day of recreational sale. Dual-license applications opened in June, and the state must approve or deny by Sept. 7.

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# Military families choosing schools throughout region

By Eileen McClory  
Staff Writer

Beavercreek and Mad River schools have the largest enrollment of students who are children of military personnel, but a Dayton Daily New examination found military families are choosing districts throughout the region.

An analysis of Ohio Department of Education and Workforce data shows Beavercreek counted 905 of the roughly 7,803 students enrolled in the 2022-23 school year from military families, or about 12%. About 16% of Mad River's 3,731 students that same year were from military families, or 479 students.

Districts like Springboro or Centerville, more than 30 miles away from Wright-Patterson Air Force Base, and Northmont, nearly 25 miles away, have several hundred children from military families.

Education officials say military families are much like other families transferring for job reasons when it comes to deciding on a school district: They're looking for schools with good academic programs and are willing to drive farther to get to work.

Beavercreek and Mad River schools are close to Wright-Patterson and have been top choices for years among transferring military families.

Beavercreek's military student population is more evenly distributed around the district, while Mad River's is heavily concentrated in Beverly Gardens Elementary. More than half of Beverly Garden's students, 55%, were military connected in the 2022-23 school year, according to the ODEW data.

Chad Wyen, Mad River's

## BY THE NUMBERS

10 local school districts with the highest number of enrolled military-connected students in 2022-2023

**Beavercreek** – 905

**Mad River** – 479

**Fairborn** – 271

**Springboro** – 270

**Centerville** – 268

**Oakwood** – 251

**Bellbrook** – 194

**Bethel Local** – 183

**Huber Heights** – 159

**Northmont** – 129

SOURCE: OHIO DEPARTMENT OF EDUCATION AND WORKFORCE

superintendent, noted that there are many Beverly Gardens families who are military-connected because that elementary school serves The Prairies at Wright Field, a military housing community.

"Beverly Gardens serves all K-4 students who live in base housing in (Mad River Local Schools), which is why they have so many connected students – well over 50%," he said.

Beavercreek attracts many military families because it is close to Wright-Patt but also has a strong academic reputation, said Jeff Madden, director of student services at Beavercreek. Part of Madden's job is helping military families find their footing in the district.

Starting this year, all Beavercreek schools are Purple Star schools, a designation from the state that indicates military-friendly schools.

"We have points of contact in all of our buildings where families can ask questions to that person, get quick responses, get put in contact with resources, learn

the different clubs and activities that are in that school," he said.

"Having that visible on our website, accessible to families, puts them at ease as they transition to a new school system."

Other districts that have a high percentage of military kids include Oakwood, Bellbrook, Bethel Local, Fairborn, Springboro, Huber Heights, Northmont and Centerville.

Centerville, Fairborn and Springboro all have around 270 military students, according to the data, but Centerville and Springboro have higher student populations overall compared to Fairborn.

Mad River and Beavercreek both have military family life counselors who can help families transitioning to the new school. They are employed by Wright-Patt and work in the schools.

Wright Patterson's school liaison works closely with all the schools in the area, Wyen said, and assists military families.

Wyen noted that Beverly Gardens has a club called Anchored4Life Peer to Peer club, which is meant to support military students transitioning into the school, with family members leaving for military missions, and with feeling connected to the school.

Both Madden and Wyen said there aren't special sign-ups for military families, but both districts said they've tried to ease the sign-up process for families.

"We certainly see turnover with some of our military families and we try to support them in that transition coming in," Madden said. "We support them in that transition leaving the school as well."

# Miami Twp. trustees call for Antani to step down; state senator fires back

Trustees cite lack of representation and advocacy for projects.

**By Eric Schwartzberg**  
Staff Writer

The Miami Twp. Board of Trustees is seeking the resignation of Republican state Sen. Niraj Antani, who represents the township as well as other areas of Montgomery County.

During Tuesday's regularly scheduled township trustees meeting, the board unanimously approved a resolution calling for Antani to step down, largely citing their frustration with his role in



**State Sen. Niraj Antani, R-Miami Twp.**

the state capital budget process, including the One Time Strategic Community Investment Fund (OTSCIF).

That program was described as a way to “return taxpayers their money through community projects throughout the state which enhance our quality of life.” Miami Twp. officials said they submitted two projects to Antani's office for consideration.

**Antani** continued on **A7**

# Antani

continued from A1

Trustees said in their resolution that Miami Twp. “was not informed that our projects would not be submitted as part of the selection process due to the senator’s objection to the program and did not have an opportunity to otherwise participate in the Senate selection process.”

Trustees said Antani, who represents the 6th District in the Ohio Senate, “neglects his obligations to represent his constituents by failing to provide them an opportunity to participate in the distribution of funding” through OTSCIF and because “he publicly maintains that he will refuse to represent his constituents in future distributions of tax revenues to the benefit of his constituents.”

The board of trustees asked that Antani “immediately vacate his office so that a replacement might be named who, without regard for political ambition and personal conflicts, will competently execute the public trust to the benefit of the constituents of the Ohio 6th Senate District.”

Told by this news outlet of the board’s resolution Tuesday night, Antani said, “I strongly stand by my vote against the bill that spent \$700 million of surplus taxpayer dollars on special pet projects.”

“As a staunch conserva-



The Miami Twp. board of trustees, including Terry Posey Jr. (near), Don Culp (center) and John Morris, asked that state Sen. Niraj Antani “immediately vacate his office so that a replacement might be named.” CONTRIBUTED

tive, I vehemently oppose these liberal Miami Twp. trustees, who have voted to raise taxes multiple times, wanting \$2.6 million of surplus state taxpayer dollars for their special pet park projects,” Antani said. “No politician is entitled to taxpayer dollars for their pet projects. I want to be very clear: I don’t work for politicians. I work for the people, and I will always do everything I can to return the people’s taxpayer dollars back to them through tax cuts, and vote against spending on pork barrel projects.”

Antani said that “at any time” trustees could have called, texted or emailed him to advocate for their projects, but that he “didn’t

hear once from any of them.”

“My office received the project submission from their staff, but received no meeting or call request,” he said. “As well, I received no notice they were considering this resolution.”

Trustee President Don Culp told this news outlet that Antani “received the same period of notice that township taxpayers received when he purposefully ignored his duty and let millions of their tax dollars go to other communities outside of the 6th District.”

Culp and Trustee Vice President Terry Posey Jr. declined to provide further comment after the meeting. Trustee John Morris during the meeting read a one-page statement, criticizing Antani

for a variety of reasons.

“Niraj used to visit Miami Twp. trustee meetings, giving his report from the state capital,” Morris said. “He used to like to finish with saying, ‘I’m doing all I can for the township in Columbus.’ After hearing this multiple times in my first term as a trustee, I once openly asked him why he voted against numerous bills that would have actually helped our township and its constituents. His answer was to never come to another meeting here.”

Antani claimed Morris had conflicts between his trustee role and private sector job that were the reason their “relationship deteriorated.”

Last month, Centerville City Council had a similar measure on its agenda, calling for Antani’s resignation, but then withdrew it the day of the meeting to give the lawmaker more time to address several issues that the city has with his representation.

A Dayton Daily News investigation published in May found Antani had missed numerous Senate votes and committee hearings, had opted not to meet with local stakeholders, and had not submitted a list of priorities to Senate leadership for the strategic investment fund folded into the state’s larger capital budget. Antani told this news organization he opted not to partake on ideological grounds.

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## Honey & Houston take stage July 14 to play free Blanket Concert performance at Smith Gardens



The Friends of Smith Gardens and the City of Oakwood will present the second blanket concert of the season as Honey & Houston take the stage for a free show at 7 p.m. Sunday, July 14, at Smith Gardens.

Honey & Houston is an eclectic folk-rock quartet from

northern Kentucky. Defined by the sweet, gypsy harmonies of songwriters Heather Turner and Lauren Houston, anchored by drummer Daniel Peterson and multi-instrumentalist Mark Cretcher, the group manages to blend diverse influences into an unpretentious style that's all their own. Turner and Houston are like sisters from different mothers, who write and sing songs that jump from sweet country ballad to roadhouse rock.

The Blanket Concert Series is a community favorite and this year's schedule offers something for everyone. Bring your blanket and join friends at Smith Gardens located in the 800 block of Oakwood Avenue at the corner of Walnut Lane. Parking is available on Oakwood Avenue, side streets and around the City Building.

In case of rain, the concerts will be held at the Oakwood Community Center, 105 Patterson Road





AUGUST / SEPTEMBER 2024

# OAKWOOD SCENE

A joint publication provided by the City of Oakwood, Oakwood School District and Wright Memorial Public Library

## CITY NEWS | Smith Gardens 50th Anniversary Celebration and Blanket Concert

*Smith Gardens is a community treasure and is celebrated as: "An intimate setting and strolling place of rest...an open, green, colorful, quiet retreat on a busy street... a breathing space of green shade, and color for busy people".*

This year, we celebrate the 50th anniversary of Oakwood receiving Smith Memorial Gardens as a gift from Mr. & Mrs. Carlton W. Smith. On Sunday, August 18, the city will have a 50th anniversary event and special blanket concert at the Gardens. The event will begin at 4 p.m. and is open to the public.

*(continued on page 2 with additional event information)*

## CITY NEWS | Ice Cream Social

The annual Ice Cream Social will be held this year at Shafor Park from 3:30 to 7 p.m. on Sunday, August 11. Tickets for this event include a chicken dinner, drink and ice cream. Advance tickets are available for purchase at the OCC. Oakwood Clubs and Organizations may set up a table in the "Avenue of Organizations" by contacting Karen Earley at the OCC. Call (937) 298-0775 for additional information.



## SCHOOL NEWS | Welcome Back, Oakwood!

**A message from Superintendent Dr. Neil Gupta:**  
The start of a new school year is always one of my most favorite times. The hallways are buzzing with excitement as students and staff are re-energized from the summer break. I love reconnecting with our school community and hearing about what everyone has done throughout the summer months. Whether it was traveling, spending time with loved ones, working, or

reading a good book - I hope you enjoyed it!  
Many of our Oakwood Schools staff and students were busy this summer, working together to make the 2024-25 school year the best yet! Read more inside for an overview of our summer work, and exciting initiatives on the way!

*(continued on page 9)*



## LIBRARY NEWS | Summer Fun and Back-to-School

Whether it's soaking up the last of the summer days or prepping for the new school year, Wright Library has you covered! Join us for fun and fascinating programs for the whole family. Assure your safe and happy home using a Tool & Gauge Makerbox from the Library of Things collection. Get your Library Card and see all that Wright

Library has for teachers and students. Wright Library is also pleased to join Superintendent Neil Gupta and Oakwood City Schools for a very important Community Reads series to talk about the anxiety epidemic in today's teens.

## Smith Gardens 50th Anniversary Celebration and Blanket Concert

*(continued)*

It will start with a group from the Ohio School of Falconry in Columbus who will demonstrate the sport of falconry. Several birds of prey will be present during the program. It promises to be a great display and performance including several species of birds. Then at 5:30, Stan the Magic Man will join the celebration. Additionally, as a part of the celebration there will be a beautiful sculpture on display built by well-known local artist, Michael Bashaw. At 7 p.m. Oakwood City Council will open the celebration followed by the last blanket concert of the season performed by the popular group, the Puzzle of Light. Members of the Smith family will also be present to celebrate the 50th anniversary of the city receiving Smith Gardens. Refreshments will be served during the event.

Located at the corner of Walnut Lane and Oakwood Avenue, Smith Gardens is open to the public from sunrise to sunset, year around. It provides a spectacular splash of intense color eight months out of the year and is a favorite place for many in our community and throughout the Dayton region.

Just shy of an acre, Smith Gardens includes landscape design incorporating several rock garden areas. The rock for these gardens was transported in the 1930s from the Yellow Springs area and provides the foundation for the overall garden layout and design. Incorporated in the middle section of the Garden is a sloped rock garden with a flowing stream running into a pond stocked with an abundance of goldfish and water lilies. Perennials line the east side of the Gardens with several hundred plant varieties in irregularly shaped and curved beds. On the northwest side of the Gardens is a garden house with a patio where visitors may sit, rest and enjoy the beauty and



tranquility of the setting. The Gardens offer exceptionally beautiful views in the spring, summer and fall months with thousands of blooming bulbs, annuals and perennials.

Smith Gardens was graciously donated to the city by Mr. & Mrs. Carlton W. Smith, who lived on the south side of Walnut Lane, across the street from the Gardens. Receipt of the Gardens was accomplished through two actions of Oakwood City Council. On December 16, 1974, Council adopted Ordinance No. 2899 “to accept the donation of certain real estate from Jeannette H. Smith, and to authorize the creation of a certain trust account for the maintenance of a portion of said real estate.” The ordinance goes on to read: “This city hereby accepts two deeds of gift from Jeannette H. Smith donating certain real estate to the City of Oakwood, one parcel of which to be known as Smith Memorial Gardens and the other parcel to be sold to obtain funds for the maintenance of said Garden.” On December 30, 1974, Council adopted Ordinance No. 2901 which established the Carlton W. Smith and Jeannette H. Smith Memorial Garden Trust.

The City of Oakwood was honored to receive the gift 50 years ago and is pleased that the community continues to recognize the beautiful gardens as a tremendously valuable and singularly unique public space. It has served as a beautiful venue for countless weddings, proposal and photo shoots and has been nationally recognized in Ohio Magazine and in the book “Green ByWays” as being one of the finest public gardens in the state of Ohio. It has long been considered “a secret treasure on an ordinary street.”

The special anniversary Smith Gardens concert this year features Puzzle of Light. Puzzle of Light is a world-flavored quintet with roots reaching deep into jazz, blues, folk, African rhythms, Middle Eastern harmonies, Brazilian chords, and Old-World sounds. The band leaps nimbly from one inspiration to the next, wrapping them all in the signature Puzzle sound; in the course of one set, listeners might hear sources as varied as Van Morrison, Leonard Cohen, Duke Ellington, Sting, Stanley Turrentine, John Hyatt and Dave Brubeck, among numerous original tunes.

## Upcoming Leisure Services Department Events/Classes

### ORCHARDLY PARK CRAFT DAY

The last Orchardly Park Craft Day will be held on Monday, August 5 from 1 to 3 p.m. at Orchardly Park. Projects are most appropriate for ages 3 to 6, but all ages are welcome. A parent or guardian must be in the park with the participating child during this event. Registration is not required.

### PRESCHOOL STORY HOUR AT SHAFOR PARK

The Department of Leisure Services, in conjunction with Wright Memorial Public Library, will have the last Preschool Story Hour of the season at Shafor Park on Friday, August 30 from 10:30 a.m. to 12 noon. Spend a magical morning with Wright Library Youth Services Staff as they read enchanting stories with your preschoolers. In case of rain, story hour will not be held.

**A complete list of upcoming events is available on our online registration website at [OakwoodLeisureServices.com](http://OakwoodLeisureServices.com). Call the Oakwood Community Center at (937) 298-0775 for more information.**



## August/September Council Meetings

City Council will meet in regular sessions at 7:30 p.m. on Monday, August 5 and Monday, September 16. Both meetings will take place at the city building, 30 Park Avenue. The regular sessions are preceded by an open work session beginning at 6:30 p.m. The regular sessions are televised live on the city website at [www.oakwoodohio.gov](http://www.oakwoodohio.gov), and on cable TV (Spectrum Ch. 6, TV Tuner Ch. 5.203 and AT&T U-verse Ch. 99). The meetings are also accessible via the Zoom remote meeting platform. Links to the meeting will be posted to the city website at 4 p.m. on the meeting date. Meeting videos will be rebroadcast for a week or so afterward. Please check your cable guide or [www.mvcc.net](http://www.mvcc.net) for broadcast times. Meeting videos can also be viewed on the city website.



## Leisure Services Director Carol Collins – 50th Anniversary

In conjunction with the Smith Gardens 50th anniversary event, the city will celebrate 50 years of public service by Leisure Services Director Carol Collins. On April 11, 2024 Carol Collins became the longest serving city employee in the history of Oakwood at 49 years, seven months and 23 days, and on August 19, 2024 Carol reaches the amazing 50-year milestone. Carol joined city staff on August 19, 1974 after graduating from The Ohio State University. She served as City Horticulturist from her hire date until March 30, 1998 when Carol was promoted to Leisure Services Director.

As Horticulturist, Carol was responsible for the public landscaping and public space beautification all around Oakwood, with primary emphasis on Smith Gardens. Upon being appointed Leisure Services Director, Carol retained responsibilities for overseeing Smith Gardens and all other horticulture work around the city, and also assumed responsibility for all recreation and leisure activities offered by the city, including community festivals and celebrations, public parks, Gardner Memorial Pool, Old River Sports Complex and the all programs at the Oakwood Community Center. Congratulations to Carol!



## Free Community Document Shred Event

It's time to get rid of those unneeded papers you've been saving! Bring the items to the J. D. Foell Public Works Center at 210 Shafor Blvd. on Saturday, September 28 from 8:00 to 11:00 a.m. Shred-It will be onsite providing document destruction services. In addition to paper products, they can destroy microfilm, microfiche, and other materials of a secure or confidential nature. All material will be destroyed beyond recognition on-site and, if recyclable, will be baled and shipped to paper mills to be manufactured into new paper products. Any non-recyclable material processed will be disposed of in a secure location. If you have confidential papers or other material of a private nature being stored at your home and would like to have it destroyed, please take advantage of this opportunity. There will be individuals on hand to assist you with unloading your documents. This event is free of charge. Please be prepared to present identification confirming residency.



# Ohio launches 'one-stop shop' to help police recruit and retain officers

By London Bishop  
Staff Writer

JobsOhio and the Ohio Department of Public Safety launched a new online tool this week with the goal of connecting police departments in dire need of officers with prospective job candidates.

The new tool was unveiled at an event Tuesday in Vandalia with Ohio Lt. Gov. Jon Husted and state and local law enforcement officials.

In surveying sheriffs and police chiefs in 2021 and 2022, law enforcement leadership's biggest concern was their ability – or inability – to recruit and retain new talent, said Andy Wilson, Director of the Ohio Department of Public Safety.

Additionally, many smaller departments don't have the staff to have dedicated recruiters to solve this problem, Wilson said.

The website is intended to ease the workload, particularly on local and smaller departments to recruit and retain officers, as well as "to actually help applicants better understand and better prepare for a career in law enforcement," Wilson said.

The OhioMeansJobs site creates a "one stop shop" for both applicants and Ohio police departments looking to recruit them, Wilson said. Applicants can search for jobs by town, by agency, or by geographical region, and access interview tips and other resources for becoming a law enforcement officer.

"It gives individuals one site to go to where they can look for jobs, versus going to individual departments and looking at their websites," said Vandalia Police Chief Kurt Althouse. "We're always searching for people locally, but also from other



Lieutenant Governor Jon Husted (left) and Montgomery County Sheriff Rob Streck (center) speak during Ohio Means Jobs announcement of its Law Enforcement Career portal. LONDON BISHOP / STAFF

## DAYTON DAILY NEWS INVESTIGATES: BEHIND THE BADGE



Our community needs professional, well-trained, accountable law enforcement. That's why we sent reporter London Bishop to attend the Sinclair Police Academy, where for six months she is learning alongside recruits what it takes to wear the badge, telling their stories, and helping the public understand how police are trained to do their job.

Visit the Behind the Badge page on our website for more from this project.

locations or other states that may want to come here and work."

Applicants for law enforcement jobs have decreased in the last 20 years, and at the same time, many law enforcement officers have chosen to retire or leave the profession entirely, taking with them a wealth of generational and institutional wisdom, said Althouse.

"A lot of institutional knowledge, a lot of expe-

rience, and training that's been invested in that individual," he said. "And so it's constantly looking for new, energetic, motivated young people who want to step into those roles."

Montgomery County Sheriff Rob Streck said his department has well over 500 employees, and vacancies "larger than most police departments," making the site a very welcome tool.

"Our community over-

whelmingly supports local law enforcement. I understand it's not that way everywhere. But everybody in this room, for the most part, has support from their local communities," Streck said. "Despite what some would like to think, this is still, as people have said, a very noble profession. It is a needed profession."

"Serving in the military and serving as a law enforcement official, I believe, are among the most noble things a person can do," said Husted. "Because in those jobs, they are sacrificing potentially their own lives for the protection of others. They are willing to make those kinds of sacrifices every day."

"From an economic development point of view ... if you want to have a prosperous community, you need the men and women of law enforcement to keep your community safe, and to send a message to the criminal element: go somewhere else," Husted added.

# Greene County to get roundabout on busy state route

Work to begin at Ohio 235, U.S. 68 later this month.

**By London Bishop**  
Staff Writer

Contractors for the Ohio Department of Transpor-

tation will begin construction on a roundabout at the intersection of U.S. 68 and Ohio 235 in Greene County later this month, ODOT announced.

Currently an angled T intersection, the junction will be a single-lane roundabout, located near Oldtown

in Xenia Twp.

The first phase of construction will close the Ohio 235 and U.S. 68. intersection starting July 16.

Ohio 235 will be closed for up to 160 days, ODOT said. Motorists will be detoured by way of U.S. 68, I-70 and I-675 to S.R. 235. Traffic on

U.S. 68 will be maintained through the work zone with flaggers and traffic control devices, the agency said.

The John R. Jurgensen Company was awarded a contract for approximately \$2.29 million to undertake the project, and all work is scheduled to be completed

in the fall.

The U.S. 68 and Ohio 235 intersection ranks high on ODOT's Highway Safety Improvement Program list of high rural crash locations. Constructing a roundabout was determined to provide the greatest benefit toward improving safety, ODOT said.

Site preparations began in early June, ODOT announced Friday, with preliminary work to place barrier walls and temporary pavement to maintain traffic during construction.

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## Styrofoam recycling event Saturday, July 13

The next Montgomery County Styrofoam (expanded polystyrene) recycling event is on Saturday, July 13, from 9 a.m. to 1 p.m. at University of Dayton Arena, Lot B.

Between 9-11:30 a.m. Green Oakwood volunteers will be accepting styrofoam from Oakwood residents at Foell Public Works on Shafor Boulevard and shuttling it to the MCOhio event. Please do not leave any styrofoam outside of these times, as they are not collected, nor stored, and present a litter hazard to neighboring roads and residents.

The recycle event will accept styrofoam peanuts in sealed bags, any white or colored styrofoam (not black), and clean styrofoam food containers, trays,

dishes, cups and egg cartons.

The recycle event will not accept black styrofoam, any food containers with visible food contamination, corn starch foam (if it dissolves in water it is not Styrofoam; dissolve or compost), EPE (expanded polyethylene) foam which is "squishable," or any film-like foam.

Due to limited volunteer availability, you may be asked to provide proof of Oakwood address and residents with large quantities may be invited to go direct to the MCOhio location.



## Oakwood Rotary offers residential pick up

Oakwood Rotary volunteers will come to your home on Saturday, July 20, to collect materials that cannot be picked up by weekly trash and recycling routes. Those items include paint cans, stains, thinners, pesticides, and batteries.

Please ensure containers are easily accessible, not leaking, with secure lids. If you have pick-up items, please

call (937) 296-5155 and leave your name and address before 12 noon on Friday, July 19. Items to be collected need to be ready by 9 a.m. on July 20.

Did you know that Oakwood Rotary is unique in providing this service for the community? No other Miami Valley community is afforded this service.

While there is no charge for the

pick-up, residents using the service are encouraged to make a tax-deductible donation to the Oakwood Rotary Club Foundation and leave that with the items in a well-marked envelope or mail a check to P.O. Box 512, Dayton, OH 45409. All donations support Oakwood Rotary's many charitable projects and community events.

THE OAKWOOD REGISTER July 10, 2024

## Green Oakwood supports new options for plastic recycling; city crews will collect Hefty ReNew bags

Recycling options in Montgomery County have significantly improved with the release of Hefty ReNew bags, an alternative way to dispose of hard-to-recycle plastics.

In addition to the standard plastic bottles, jugs, tubs and cups recycled by Rumpke, and collected curbside by the City of Oakwood Public Works department, Rumpke has initiated the national Hefty ReNew program. That allows residents to buy the orange Hefty ReNew bags, currently available at Kroger, Target and Meijer. The bags can be filled with a wide range of plastic items listed on the Hefty ReNew bag. Additional items, endorsed by Rumpke, which can be placed in the Hefty Renew bag include plastic straws and lids from disposable paper 'to go' cups, plastic windows on paper tissue boxes, envelopes, and pasta boxes, sleeves around yogurt containers and clean frozen food wrap, red solo cups (clear plastic cups go into regular Rumpke

recycling), clamshells (Rumpke is working towards putting clamshells in regular recycling in the future), plastic trays from microwave meals/TV dinners (no aluminum), and the plastic squares that keep bread bags closed.

Residents should place the full, closed bags out with their curbside recyclables for the city to collect.

The price of Hefty ReNew bags at Kroger is \$7.99 for 20 bags. By placing one bag at the curb every two weeks, the program will cost residents less than 80 cents per month. Given that trash costs the City of Oakwood more to dispose of than recycling, the positive buy-in of residents using Hefty ReNew bags will help to minimize city costs. Order a free starter kit at [www.hefty.com/hefty-renew-starter-kit](http://www.hefty.com/hefty-renew-starter-kit) or pick one up from the Green Oakwood stall at Oakwood Farmers Market on July 20 or Aug. 17.

"As some residents had expressed skepticism, Green Oakwood met with

Engineering and Public Works Director Doug Spitler," Green Oakwood said in announcing the recycling effort. "In a positive and fruitful meeting, Doug assured us that Public Works is collecting and recycling full Hefty ReNew bags and encouraged anyone witnessing incorrect placement of recycling to inform Public Works, with specifics, at (937) 298-0777.

"The best way to reduce plastic in the recycling stream is to not purchase plastic-wrapped items in the first place. Green Oakwood recognizes that, while buying plastic to reduce plastic is not ideal, the use of ReNew bags is a significant step forward to increase the range and quantity of items which can be collected curbside for recycling. Consider joining us at the next Green Oakwood Recycle meeting at 6:30 p.m. on Aug. 6 at Wright Memorial Library. For more information visit [www.greenoakwood.com](http://www.greenoakwood.com) or the Green Oakwood Facebook page.



# New Carlisle to vote on hen ordinance

By Brooke Spurlock  
Staff Writer

Legislation to allow chickens in New Carlisle, passed by city council in June, is now on hold, and the issue will be on the ballot in November after efforts by a former mayor.

The ordinance would allow the keeping of hens, also known as female chickens, at residential properties within city limits.

Mike Lowrey, former mayor of New Carlisle, started a petition initiative to get the issue on the ballot after he said he spoke with friends, neighbors and others who were both for and against it.

He said he felt the best course of action on the legislation, “something in my opinion that everyone has a strong opinion on,” was a referendum petition.

“It’s a great option because it gives everyone in the city a voice (and) not just every member of council. (It’s) to give citizens the opportunity to vote on it. I don’t want chickens, but this way it gives everyone a choice,” he said.

After council initially passed the original ordinance, Lowrey had 15 days to get enough signatures. He was able to turn in more than 200 signatures to the Clark County Board of Elections.

Once he got the signatures and filled out all the paperwork, he submitted the petition to the city council, which then submitted it to the Clark County Board of Elections.

Officials at the board of elections confirmed Monday they did receive the peti-



**Chickens scurry around a coop as participants in the On-The-Rise program collect eggs at the On-The-Rise farm in Springfield a few years ago. Legislation to allow New Carlisle residents to raise chickens for meat, eggs or show will be on the ballot in November. The city council passed an ordinance last month, but ex-mayor Mike Lowrey submitted a petition to allow a citizen vote on the issue.** BILL LACKEY / STAFF

tion, validated signatures and approved the measure to be on the November ballot.

Now, the ordinance to allow chickens and the amendments to those ordinances are “frozen,” Lowrey said, and will go on the ballot for people to vote on it.

“I’m not for chickens in the city of New Carlisle. I like living in a community and not next to animals ... (but) the important thing was that everyone gets a chance to vote on it,” he said.

“There were people that actually signed the petition that were for chickens, (but) they agreed everyone has the right to vote and (the) right to have your voice heard. We have people on both sides of the fence signing the petition because they understand the importance of voting,”

he said.

City council chose to table the amendments that would put restrictions on the ordinance during a June 17 city council meeting. The city’s attorney suggested that action until they know the results of the referendum.

Amy Henry, who teaches agriculture at Global Impact STEM Academy and is a 4-H volunteer through the Ohio State Extension, also spoke during the meeting about how to raise chickens – some dos and don’ts and general guidelines. She said she and her family have raised thousands of chickens over the years.

“There’s three basic things that I would break this into. One is knowing what kind of chickens you want to purchase and for what goals, selecting your birds. Two is

how to feed them. ... Three is how to care for them,” she said.

When it comes to selecting birds, there are meat chickens, egg-laying chickens, exhibition chickens such as those in shows and fairs, and pet chickens.

“The very first thing you need to ask yourself if you’re thinking about raising livestock is what are your goals? Are you wanting to put meat in your freezer or are you wanting to put eggs in your refrigerator?” she said.

Henry encourages people buying chickens to get them from a certified hatchery and start with a good stock, as well as chicken feed from feed stores or feed mills instead of a general farm store.

“If you’re new to poultry production and you don’t really know if you want to be an egg-laying family or a meat family, I would strongly encourage you to start with meat birds because they are super simple to raise, they are quick and they will give you a lot of output pretty quickly,” she said.

As for habitats, Henry said, a fully enclosed facility is necessary for any kind of chicken. Egg-laying chickens should have inside and outside space, a coop and something to roost on, since they can fly. Meat chickens can have a smaller space because they don’t need a coop or to roost, and don’t fly.

For more information, visit [newcarlisleohio.gov/city-council](http://newcarlisleohio.gov/city-council). To watch past city council meetings, visit [www.youtube.com/@cityofnewcarlisle](http://www.youtube.com/@cityofnewcarlisle).