

CITY MANAGER'S NEWSLETTER
JULY 5, 2024

IMPORTANT COUNCIL DATES:

July 15, Monday, 6:30 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 50th 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:

- Far Hills Resurfacing: Enclosed are *DDN* and *Register* articles about the resurfacing work on Far Hills. Roadway base repair was completed this week. Asphalt milling starts next Tuesday.
- Planning Commission: On Wednesday, the Planning Commission met to consider two applications. The first was for extended hours and to permit additional uses of the Long-Romspert Homestead/House Museum. The PC tabled the application and requested additional information such as specific uses envisioned on the property, transportation and parking plans, noise restrictions, and interior and exterior occupancy limits. The second was for a major improvement to the stadium lighting at Mack Hummon. By a vote of 3-0, with Kevin Hill excused absent and Harrison Gowdy recused since she works for the Oakwood School District, the application was approved.
- Historical Marker: Enclosed is another *DDN* article about the Four Mile Tavern historical marker.
- Mayor Jeff Sanner: Enclosed is a *DDN* article about West Carrollton's former longtime Mayor and councilmember Jeff Sanner passing away. Also enclosed is his obituary. Mayor Sanner was a very nice man and highly regarded among regional leaders. Bill and I were present this afternoon when the funeral procession passed by the West Carrollton Civic Center.
- Permissive Tax: Enclosed is a *DDN* article about the city of Dayton approving an increase starting next year in its permissive tax on motor vehicle registrations to help fund road and infrastructure improvements.
- Home Sales: Enclosed is the list of June sales showing that 93% sold above appraised value.
- Codification Update: Enclosed are updated pages for our Zoning Code.
- Opioid Settlement with Kroger: We were recently notified of an opioid settlement with Kroger and will have legislation on the July 15 council agenda authorizing me to sign a document confirming our participation. At present, we do not know the monetary amount of the settlement.
- First Suburbs Networking Event: The event at the Rose Music Center is next Tuesday evening. I believe that Steve (and Beth) and Healy (and Tom) plan to attend. Debbie and I had planned to attend, but now have a conflicting event that day.

- Far Hills Storm Sewer: Concrete roadway replacement on Devereux was completed this week. The street will be reopened to traffic early next week. Asphalt roadway patching on Forrer Boulevard was also completed this week.



Below are photos of the stormwater outlet on the west side of Devereux, just north of Forrer Road. This is the outlet point for all of the stormwater that flows through our new sewer.



- 2024 CPA: We now have 10 of the 12 slots filled. Below is a list of the current attendees:

Douglas Hammer	1916 Far Hills Ave
Harry Bourne	216 Corona Ave
Joseph Scott	249 Claranna Ave
Georgiana Nye	16 Ashridge Rd
Graham Bailey	112 Far Hills Ave
Donald Balduf	1611 Shroyer Rd
Karen Schnee	2416 Fairmont Ave
Carol Holm	223 Hilltop Ave
Kathy Bolmida	215 Triangle Ave
Vicki Brown	329 Telford Ave Unit A

- MVCC: Joe MacKenzie, Government Producer at MVCC and 25-year MVCC employee, is leaving to accept a newly created teaching position with the Springboro Schools. You may not know Joe because most of his work was done behind the scenes. He did an outstanding job during his time at MVCC and assisted us many times over the years with monthly council meeting televising/recording, and with making technological improvements. He will be sorely missed. I plan to say a few words about Joe during my city manager's report at our July 15 council meeting. I also plan to comment on the service of MVCC Chief Engineer Nick Evert. Nick was with MVCC from June 2017 until November 2022. He also was very helpful to us with technical support, particularly on our big 2021 project that gave us the Zoom capabilities at city hall and the OCC.
- May 7 BRC Meeting: Enclosed are draft minutes from our May 7 BRC meeting.
- Huntington Bank: Enclosed is a *DDN* article about the bank robbery that occurred last Tuesday morning at Huntington National Bank in our Far Hills business district. No leads, so far.
- Property Taxes: Enclosed is another *DDN* article about property tax increases in the Miami Valley.
- Senator Antani: Enclosed is a *DDN* column written by State Senator Niraj Antani defending his public service.
- Sidewalk, Curb and Driveway Apron Program: The contractor is now scheduled to begin work next week.

HAVE A GREAT WEEKEND!

TRANSMITTALS NOTED WITHIN NEWSLETTER

DDN & Register articles re: Far Hills Resurfacing

DDN article re: Historical Marker

DDN article & Obituary re: Mayor Jeff Sanner

DDN article re: Permissive Tax

June Home Sales

Codification Update

May 7 BRC Meeting Draft Minutes

DDN article re: Huntington Bank

DDN article re: Property Taxes

DDN article re: Senator Antani

OAKWOOD

Far Hills Avenue resurfacing to continue for 3 weeks

Construction work on the Far Hills Avenue resurfacing project began Monday. The project involves repaving the entire 2-mile length of Far Hills Avenue (Ohio 48) through Oakwood.

It will take about three weeks to complete, weather permitting, and includes milling of the existing asphalt pavement surface and placing a new asphalt roadway. Prior to the milling operation, the contractor will perform roadway base repairs in select areas along the length of the project.

Barrett Paving Materials, Inc. was awarded the project, which has a total estimated cost of \$1.75 million. The project is being managed by the Ohio Department of Transportation, with 80% of the cost being paid by ODOT and 20% by the city of Oakwood. Far Hills Avenue was last resurfaced in 2011.

Over the past three years, several construction projects were completed on Far Hills Avenue in advance of and in preparation for the roadway resurfacing.

This included extensive gas line replacement by Center-Point Energy, installation of a \$2.1 million storm sewer, water line repairs, stormwater inlet replacements along both sides of Far Hills Avenue, and roadway curb renewal. It also includes removal of the RTA overhead trolley infrastructure, some of which remains to be done.

Repaving works begins on Far Hills; project will take 3 weeks

Construction work began on Monday, July 1, on the Far Hills Avenue Resurfacing project. The project involves resurfacing the entire 2-mile length of Far Hills Avenue (State Route 48) through Oakwood.

The project will take about three weeks to complete and includes milling of the existing asphalt pavement surface and placing a new asphalt roadway. Prior to the milling operation, the contractor will perform roadway base repairs in select areas along the length of the project, city officials said.

Barrett Paving Materials, Inc., was awarded the project which has a total estimated cost of \$1.75 million. The project is being managed by the Ohio Department of Transportation (ODOT), with 80 percent of the cost being paid by ODOT and 20 percent by the city of Oakwood. Far Hills Avenue was last resurfaced in 2011.

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"We have worked hard over the past few years to prepare for this roadway improvement project and know that it



A work crew on Far Hills Avenue.

will be well-received by our residents and all who use Far Hills Avenue," said Oakwood City Manager Norbert Klopsch. "It is exciting to finally see the project unfold."

OAKWOOD

New historical marker for Four Mile Tavern installed

Oakwood's newest historical marker, the fifth in the series developed by the Oakwood Historical Society, commemorates the Four Mile Tavern, a storied building that dated to the early 1800s. The marker was installed with the assistance of the city of Oakwood in the sidewalk near the corner of Far Hills and Hilltop avenues.

The marker is the third historical marker the society has unveiled thanks to a generous grant from the Rotary Club of Oakwood.

The Four Mile Tavern served as a place of respite for travelers and a gathering place for those living in the nearby rural area. It was named for the 4-mile journey from downtown Dayton along Lebanon Pike. It was demolished circa 1912.

The Rotary Club of Oakwood grant also funded the markers for the Kramer's Wine & Pleasure Gardens and the Schantz Park Historic District, both installed in 2023.

The three newest historical markers join existing historical markers commemorating the Town of Oakwood and Oakwood's first library. Both are on Park Avenue.

For more information, contact Debra Edwards at 937-299-3793 or info@oakwoodhistory.org.

JEFF SANNER, 68

Longtime West Carrollton mayor, councilman's work 'shaped the city'

By Eric Schwartzberg
Staff Writer

A longtime West Carrollton City Council member, mayor and business owner is being remembered for his lifelong commitment to the community.

Jeff Sanner served on city council from 1988 until 2007 and as mayor of West Carrollton from 2008 until he stepped down in December.

Sanner died Sunday, according to the city. He was 68 years old. A cause of death was not immediately available.

Sanner, the son of the late Wade and Doris Sanner, opened Sanner Funeral Home in 1980.

He joined the West Carrollton council in 1988 to fill a seat vacated by council member Maxine Gilman, who had been elected mayor.

Sanner told the Dayton Daily News last December that he "just felt that it was time to step aside and not run again after 36 years."



Jeff Sanner served on the West Carrollton City Council from 1988 to 2007 and as the city's mayor from 2008 until December 2023. Sanner died Sunday, according to a city spokeswoman.

CONTRIBUTED

"I was on council 20 years, and then was mayor 16 years, so I think that's long enough," he said.

Angie Fryman, the city's deputy mayor, served with Sanner for 21 years, the longest of any current council member. She said she had known Sanner since high school and remembered him as "extremely well liked," trusted and respected.

"He was friends and social

with people from all walks of life," Fryman said. "He remembered and knew everybody."

Sanner also was "totally committed to the community," provided guidance to council members on what they could or could not do and served as a kind of de facto historian for West Carrollton, Fryman said. "It was like, 'Go ask Jeff. He'll remember'," she said. "He remembered everything."

Fryman said she cannot think of another person who has been a symbol of West Carrollton like Sanner was, partially due to his family being so heavily rooted in the community and the school system.

"It's been a lifelong commitment for him," she said. "It's just such a loss and so unexpected."

Mayor Rick Barnhart, who was West Carrollton police chief from 1982 to 2013, served with Sanner on city council from 2014 to 2023. He said Sanner's 36 years of service "shaped

the city of West Carrollton."

"Jeff was a pillar of our community whose leadership and vision set a strong foundation for our city's growth and development," Barnhart said in a statement. "His legacy will continue to be an inspiration to us all."

City Manager Amber Holloway echoed Fryman and Barnhart's praise of Sanner.

"Jeff's leadership, vision, and unwavering commitment to the people of West Carrollton have left an indelible mark on our city," Holloway said in a statement. "His legacy of service and dedication will be deeply missed."

Sanner is survived by his wife of 36 years, Leigh Ann, his daughter Mollie (Austin) Whitt, and three granddaughters, Evelyn, Lydia, and Vivian.

Funeral arrangements are pending and will be private and for family.

Contact this reporter at 937-503-4745 or email eric.schwartzberg@coxinc.com

Provided by Swart Funeral Home

Jeffrey W. "Jeff" Sanner

November 26, 1955 ~ June 30, 2024 (age 68)



Jeffrey W. "Jeff" Sanner, age 68 of West Carrollton, passed away peacefully on Sunday, June 30, 2024, at Kettering Health Network – Miamisburg, surrounded by his loving family. He was born on November 26, 1955, in Dayton, Ohio, the son of the late Doris (Gross) & L. Wade Sanner.

Jeff graduated from the West Carrollton High School Class of 1973 and the Cincinnati College of Mortuary Science. Mr. Sanner has been a licensed Funeral Director and Embalmer since 1977. He was the Owner & Operator of Sanner Funeral Home in West Carrollton from 1980 to present. He served on the City of West Carrollton Council from Jan. 26, 1988, and then became Mayor of the City West Carrollton from Jan. 1, 2008, to Dec. 31, 2023, with 36 years of dedicated service to the City of West Carrollton.

Jeff served as liaison on multiple boards and commissions. He served as President on the W. C. Community Improvement Corporation since 2008; served as President of the Greater Dayton Mayors and Managers Association from 2012-2013. Jeff enjoyed helping others, serving his community and being with his family. He especially enjoyed a good cigar and a glass of bourbon.

Preceded in death by his parents Doris (Gross) Sanner on Jan. 30, 2022, and by his father L. Wade Sanner on Sept. 11, 2002, and by his father-in-law Chester Winstead.

He is survived by his loving wife of 36 years Leigh Ann (Winstead) Sanner, his cherished daughter Mollie Sanner Whitt and husband Austin, and the lights of his life his 3 beautiful granddaughters Evelyn Grace Whitt, Lydia Faye Whitt and Vivian Leigh Whitt, his sister Geri (Lloyd) Pearson, his 2 brothers Josh (Lorraine Cobb) Sanner, and Sandor "Sandy" (Elizabeth) Sanner, his mother-in-law Sandra Winstead, his 2 sisters-in-law Shelly (Terry) Macduff, and Missy (Todd) Summers, his new puppies Poppy & Rosie, as well as numerous nieces, nephews, other relatives and many friends.

In keeping with Jeff's wishes, private services will be held, and final resting place will be at Evergreen Cemetery with Rev. Dr. Joel Getts officiating. In lieu of flowers memorial contributions may be made to the Center for Great Apes, 5843 Van Simmons Rd., Wachula, FL 33873 in memory of Jeff.

Arrangements entrusted to the Sanner Funeral Home, West Carrollton.

Services

A service summary is not available

Please share memories and condolences at www.swartfuneralhome.com.
Expressions of Sympathy, Love, and Thinking of You cards may be sent to The Family of Mr. Jeffrey W. "Jeff" Sanner, C/O Swart Funeral Home, 207 E. Central Ave., West Carrollton, Ohio 45449.

SANNER, Jeffrey W. "Jeff"

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Vehicle registrations to cost more starting Jan. 1

New \$5 permissive vehicle license tax approved last week.

By Cornelius Frolik
Staff Writer

Dayton has approved a new \$5 permissive motor vehicle license tax that will help pay for roadway repairs and upgrades.

“This additional funding (will) allow the city to further address its ongoing,

continuous need for roadway maintenance and roadway infrastructure improvements,” said Abbie Patel-Jones, Dayton’s director of management and budget.

The current permissive tax is \$25 per vehicle registration per year in the city of Dayton, Patel-Jones said.

But she said a state bill increased the maximum permissive tax registration to \$30 in 2019.

The Dayton City Commission approved an additional

\$5 per vehicle levy on June 26, which will take effect in Dayton on Jan. 1, 2025.

About 111,000 vehicles are registered each year in Dayton, which means the new levy is expected to generate nearly \$530,000 annually, Patel-Jones said.

Dayton will use the additional funding to help maintain the more than 500 miles of thoroughfare located across the city.

Permissive tax revenue is used to improve and repair

public roads and streets.

Dayton’s funds pay for roadway maintenance and repairs, like crack sealing, traffic signal upgrades, street sweeping, pothole filling and road resurfacing, striping and deicing.

Municipalities in Ohio are allowed to approve up to half a dozen \$5 levies – they cannot charge more than \$30 per vehicle registration per year, says the Ohio Bureau of Motor Vehicles (BMV).

Other municipalities across the region and state have upped their permissive tax rates in recent years. Urbana approved a new \$5 vehicle registration permissive tax in 2019. Springboro approved a new \$5 permissive tax in 2022, to raise its total to the maximum \$30.

According to the Ohio Taxing District Code Book for 2024, 10 of the 29 cities, townships and villages in Montgomery County are already at the \$30 maxi-

mum for permissive tax – Brookville, Englewood, Germantown, German Twp., Harrison Twp., Jefferson Twp., Oakwood, Riverside, Union and West Carrollton. All other jurisdictions in the county are at \$20 or \$25.

In Warren County, Springboro, Franklin and Carlisle are at \$30, as are four of the 11 townships. Every jurisdiction in Greene County is between \$15 and \$25. Miami County is also at \$15 to \$25, except for Piqua (\$30).

JUNE 2024 OAKWOOD PROPERTY SALES

SALES ABOVE APPRAISED VALUE					
<u>ADDRESS</u>	<u>DATE SOLD</u>	<u>SALE PRICE</u>	<u>DATE LAST SOLD</u>	<u>LAST SALE PRICE</u>	<u>COUNTY APPRAISED VALUE</u>
240 PARK RD	6/24/24	\$ 1,940,000	NOT LISTED	NOT LISTED	\$ 1,113,910
329 NORTHVIEW RD	6/3/24	\$ 635,000	10/3/06	\$ 325,000	\$ 437,990
30 HADLEY RD	6/24/24	\$ 588,811	8/4/04	\$ 365,000	\$ 433,680
333 VOLUSIA AVE	6/28/24	\$ 576,800	2/24/23	\$ 495,000	\$ 344,830
122 DELLWOOD AVE	6/3/24	\$ 574,900	10/2/96	\$ 240,000	\$ 415,410
219 VOLUSIA AVE	6/17/24	\$ 570,000	3/20/09	\$ 337,494	\$ 557,840
4 BEVERLY PL	6/17/24	\$ 565,000	1/4/05	\$ 299,500	\$ 396,540
1105 RIDGEWAY RD	6/14/24	\$ 524,900	10/10/23	\$ 320,000	\$ 437,330
339 RIDGEWOOD AVE	6/10/24	\$ 522,900	3/4/22	\$ 475,000	\$ 368,170
230 IRVING AVE	6/10/24	\$ 507,000	6/13/19	\$ 155,000	\$ 307,290
240 SCHENCK AVE	6/26/24	\$ 495,000	9/13/07	\$ 269,900	\$ 339,580
17 E THRUSTON BLVD	6/12/24	\$ 468,000	8/25/22	\$ 435,000	\$ 370,880
1121 DELAINE AVE	6/11/24	\$ 462,000	6/12/18	\$ 309,900	\$ 362,520
245 TELFORD AVE	6/25/24	\$ 445,000	3/8/22	\$ 375,000	\$ 309,840
137 SPIREA DR	6/4/24	\$ 435,600	9/15/15	\$ 298,000	\$ 363,430
347 WILTSHIRE BLVD	6/3/24	\$ 430,000	5/9/20	\$ 324,900	\$ 297,660
322 ORCHARD DR	6/12/24	\$ 415,000	6/29/22	\$ 365,000	\$ 295,300
121 FORRER BLVD	6/17/24	\$ 410,000	5/15/01	\$ 180,000	\$ 282,950
313 ORCHARD DR	6/24/24	\$ 395,000	8/23/22	\$ 349,900	\$ 229,410
306 ABERDEEN AVE	6/6/24	\$ 389,000	6/4/02	\$ 208,000	\$ 288,570
339 FORRER BLVD	6/25/24	\$ 365,000	10/5/23	\$ 210,600	\$ 266,040
242 IRVING AVE	6/26/24	\$ 365,000	1/22/21	\$ 299,900	\$ 248,210
33 SPIREA DR	6/3/24	\$ 355,000	2/6/19	\$ 258,000	\$ 301,300
437 TELFORD AVE	6/11/24	\$ 265,000	3/18/22	\$ 214,000	\$ 238,920
344 HADLEY AVE	6/5/24	\$ 250,000	12/17/20	\$ 175,000	\$ 168,680
244 POINTE OAKWOOD WAY	6/28/24	\$ 235,000	3/19/19	\$ 230,000	\$ 233,080
228 E PEACH ORCHARD AVE	6/26/24	\$ 225,000	1/31/07	\$ 156,400	\$ 213,470
93% ABOVE APPRAISED VALUE					
SALES BELOW APPRAISED VALUE					
<u>ADDRESS</u>	<u>DATE SOLD</u>	<u>SALE PRICE</u>	<u>DATE LAST SOLD</u>	<u>LAST SALE PRICE</u>	<u>COUNTY APPRAISED VALUE</u>
215 SOUTHVIEW RD	6/11/24	\$ 760,000	NOT LISTED	NOT LISTED	\$ 825,370
52 IVANHOE AVE	6/17/24	\$ 220,000	NOT LISTED	NOT LISTED	\$ 318,690
7% BELOW APPRAISED VALUE					

MEMORANDUM

TO: MEMBERS OF COUNCIL
MR. KLOPSCH
MS. COLLINS
MRS. STAFFORD
MR. JACQUES
MR. SPITLER
MR. KUZMA
MR. KROGER
MR. SANDERS (6 COPIES)
MS. CLEVER

FROM: LORI STACEL, CLERK OF COUNCIL

SUBJECT: CODIFICATION UPDATE

DATE: JULY 3, 2024

Attached are updated pages to the Oakwood Zoning Code for your Codified Ordinances binder. Legislation was adopted at the June 3, 2024 City Council meeting for amendments to the sign regulations.

The Codified Ordinances are also available on the city website.

Action Required: Remove and replace pages 117-118; 183-190; and 197-198 with the attached updated pages.

Please let me know if you have any questions.

attachment

c: Year-End File
Website
Desk Copy

901.4 Standards for the Placement of Flagpoles

A. Applicability

All zoning districts

B. Regulations

One flagpole may be permitted in any yard if in accordance with the following conditions:

1. The flagpole shall be used solely for the display of not more than two (2) flags so long as the combined area of one side of the flags does not exceed sixty (60) square feet.
2. The flagpole may not be used for any type of sign nor for any other purpose.
3. The flags displayed may not be used for commercial advertising purposes.
4. The flagpole may not project more than thirty-five (35) feet above the average grade of the property.
5. The flagpole must be self sustaining and may not be supported by braces, guywires or other supports.
6. The diameter of the flagpole must be similar to standard or customary flagpoles of the same height.
7. Illumination shall be so designed, placed, shielded or arranged so as illuminate the flag only, not to cause glare, light or reflection upon adjacent premises or upon the adjacent street.
8. Every flagpole must be erected sufficiently far from any power or telecommunication lines so as not to cause a hazard.
9. All flagpoles must be set back a minimum of twelve (12) feet from all property lines.

901.5 Storage of Non-Passenger Vehicles – Oversized Vehicles

A. Applicability

All residential zoning districts

B. Regulations

1. The following restrictions shall apply to any trailer, boat, camper, self-propelled vehicle, any item of construction equipment not expressly permitted as an accessory use, and to any combination of such objects (other than passenger cars and other vehicles with Ohio noncommercial truck license plates, or equivalent plates from other states), which at any point exceeds any of the dimensions set forth below. Throughout this

section, any reference to "such vehicle" shall refer not only to any single oversized trailer, boat, etc., but also to any oversized combination:

- a. Height: 7 feet (measured from ground level) plus an additional 1-1/2' for accessories, but no antenna shall be measured in determining the height.
 - b. Width: 7'.
 - c. Length: 20'.
2. It shall not constitute a permitted or accessory use or structure for any such vehicle to be parked, placed or stored upon, or to occupy, land zoned for residential purposes, except to the extent authorized by this Section.
 3. No person shall occupy such a vehicle for living purposes (nor similarly occupy any trailer, boat, camper or self-propelled vehicle, regardless of its size) upon land zoned for residential purposes unless:
 - a. The vehicle has been erected or constructed upon the land in a permanent manner as a residential building and in compliance with all requirements of building and fire codes, and other statutes, ordinances and regulations, which apply to conventional single-family residential buildings.
 - b. The vehicle so erected or constructed into a permanent residential building is the principal building and principal use on the lot, and no other such oversize object is situated upon the lot.
 4. During the day (commencing at sunrise and ending at sunset of the same day) only one such vehicle (sometimes called an "object") may be parked, placed or stored upon, or may occupy, any residential zoning lot, and such use must be on the following conditions:
 - a. Any such object shall be situated upon adequately drained material or substance having a minimum weight bearing capacity of 4,000 pounds per square foot and must be situated in a surplus or required rear yard.
 - b. This limitation to only one such object on residential land during the day shall not apply to any object within a permanent and completely enclosed structure situated on the lot in accordance with the zoning regulations of this City, which structure has transparent and/or translucent portions not exceeding 20% of its floor area.
 5. During the night, however, (commencing at sunset and ending at sunrise of the following day) no such object may be parked, placed or stored upon, or may occupy, any portion of such residential zoning lot, except as set forth below:

2. **Sign Function and Type Regulated by District.** Regulations specific to a particular district are included in Section 1201.07, Sign Regulations by District. The zoning districts regulate what sign type may be used in that district. Further limitations to height or sign area may be placed upon signs as part of a particular district's regulations.
3. **Design Characteristics Regulated by Sign Type.** Sign Types are regulated in Section 1201.08, Regulations by Sign Type. Standard requirements for height and sign area are included for each sign type. These regulations may be further altered within districts for specific applications of a particular sign type.
4. **Primary and Secondary Signs.** Window, projecting and canopy signs, where permitted, may be installed either as primary or secondary signs subject to all the other applicable regulations for such signs. Regulation of the sign and limitations upon other signage are dependent upon whether the sign owner has chosen to install the sign as primary or secondary. Such restrictions are established in Section 1201.08, Regulations by Sign Type.
5. **Additional Factors.** Certain signs are regulated on the basis of additional factors which are set forth in applicable sections of this Title.

1201.03 PROHIBITED AND EXEMPT SIGNAGE.

- A. **Prohibited Signs.** The following signs are prohibited in all districts:
 1. Signs painted directly on an exterior wall, fascia, parapet, or chimney of a building or on a fence.
 2. Signs which move, or exhibit the illusion of movement. This category includes pennants, banners (except those specifically allowed by Section 1201.04(B)(4), streamers, and all other signs which flutter, undulate, swing, rotate, oscillate or otherwise move by natural or artificial means.
 3. Signs containing flashing or running lights giving the illusion of movement, including time and temperature devices.
 4. Roof signs.
 5. Off-premises signs.
 6. Signs which imitate traffic signs. Signs which use the words "stop", "look", "danger", "go slow", "caution", or "warning", are deemed to be within this category except where such words are part of the name of the business. This category (6) does not include signs which are accessory to parking lots.
 7. Portable or wheeled signs.
 8. Signs placed on vehicles or trailers, parked and visible from any public right-of-way, where the apparent purpose is to advertise a product, business, or activity.
 9. Motor vehicles whose sole apparent purpose is to advertise business. Motor vehicles engaged in the cartage of goods or the transport of passengers are exempt from this restriction.
 10. Signs which contain matter which is untruthful or misleading.
 11. Inflatable or lighter-than-air signs situated on, attached or tethered to a premises, structure or vehicle. This category (11) does not include seasonal holiday décor or civic/family announcements.
 12. Pole signs.
 13. Billboards or other signs displayed for pay or other compensation.
 14. Advertising signs.
 15. Attention-getting devices.
 16. Home occupation signs.
 17. Signs located within any public right-of-way, other than governmental signs described in Section 1201.03(B)(4).
 18. Any sign not expressly permitted by this Title.

- B. Exempt Signs.** The following signs are hereby designated as “exempt signs” and, as such, are subject only to the regulations contained in this Section 1201.03(B).
1. Signs used for safety purposes relative to the repair or maintenance of streets, sidewalks, or utilities in a public right-of-way, provided such signs shall not exceed two (2) square feet in area, unless a greater area is mandated or recommended by state law or regulation.
 2. Nameplates, as follows:
 - a. For one, two, or three-family residential uses, one nameplate per zoning lot shall be exempt if it does not exceed one (1) square foot in area and is placed not less than ten (10) feet from any lot line.
 - b. For multi-family residential uses having four or more dwelling units and for any non-residential use, one nameplate per zoning lot shall be exempt, not to exceed 10.5 square feet in area, provided that an attached nameplate shall not project higher than the structure’s first story or fifteen (15) feet, whichever is less, and a detached nameplate shall not exceed four (4) feet in height.
 3. Address signs identifying the numeric address and/or street name of a zoning lot, not to exceed two (2) square feet in area. The combined total surface area of all address signs shall be no greater than six (6) square feet.
 4. Signs and public notices erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance. Such public signs may be of any type, number, area, height, location, or illumination as authorized by law, statute or ordinance.
 5. Public information signs identifying public telephones, rest rooms and similar facilities, not to exceed two (2) square feet. Advertising matter is not permitted on such signs. This category (5) does not include parking or driveway signs.
 6. “No Parking”, “Will be Towed”, “Private Parking”, parking control signs, and fire lane signs, intended to prohibit or impose conditions upon parking pursuant to the Oakwood Traffic Code or State Law not to exceed four (4) square feet.
 7. Governmental flags, subject to Section 901.4 (Standards for the Placement of Flagpoles).
 8. Memorial plaques and cornerstones not to exceed two (2) square feet in area designed, intended, or used to preserve the memory of a person, place, or event, including landmark plaques and historical plaques which must be constructed of bronze or other incombustible materials and be permanently affixed to the building or premises thereto. No memorial plaque or cornerstone shall be higher than four (4) feet above grade, nor located less than six (6) feet from any lot line.
 9. Safety and security matter appearing on or adjacent to entry doors, windows, or gates, including signs indicating “*No Solicitors*,” the presence of animals, and the presence of security cameras or alarm systems, not exceeding a cumulative total of one half (½) square foot in area per door, window, or gate.
 10. Matter appearing on gasoline pumps, newspaper vending boxes and automatic teller machines and other vending machines as purchased or installed.
 11. Matter appearing on or adjacent to entry doors including “*Push*”, “*Pull*”, “*Open*” or “*Closed*” signs, not exceeding one and one half (1 ½) square feet in area per establishment or one per entrance. Illumination of such signs is prohibited.
 12. Matter appearing on display windows or doors to retail or service establishments denoting hours of operation, credit cards accepted, and similar information, not exceeding a cumulative total of one (1) square foot in area per establishment.
 13. Temporary holiday and festival decorations, with the condition that they do not act as advertisements.

14. Headstones and gravesite monuments, in the Cemetery (C) Zoning District only.

1201.04 TEMPORARY SIGNS.

A temporary sign is a sign which is intended to be displayed for a limited time only, and/or which is constructed of fabric, paper, cardboard, or other non-durable material(s). Such signs include real estate availability signs, special events signs, holiday decorations, signs and banners announcing grand opening events, political/campaign signs, and other temporary signs as described herein. Temporary Signs may be permitted in Residential Districts subject only to the provisions contained in Section 1201.04(A), below. Temporary Signs may be permitted in Non-Residential Districts subject only to the provisions contained in Section 1201.04(B), below.

- A. Residential Districts.** Temporary signs in residential districts, and for residential uses in non-residential districts, may be installed as window signs or lawn signs, pursuant to the following:

1. **Window Signs.** Temporary signs installed as window signs shall be no greater than six (6) square feet in area. The combined total surface area of all temporary window signs shall be no greater than twelve (12) square feet. Window signs installed for more than forty five (45) days shall be deemed to be permanent window signs rather than temporary.
2. **Lawn Signs.**
 - a. **Size.** Temporary signs installed as lawn signs shall be no greater than six (6) square feet in area and no greater than four (4) feet in height. The combined total surface area of all temporary lawn signs shall be no greater than twelve (12) square feet.
 - b. **Exceptions.** If, due to the topography, existing foliage, or other similar condition existing as to a particular property, conformance with the size regulations set forth herein would impair the visibility of a temporary lawn sign as observed from the street, then the Building Commissioner may grant exceptions to the height and area requirements above, be increased by a factor no greater than fifty percent (50%).

In determining whether to grant an exception under this section, the sole standard to be used by the Building Commissioner is the visibility of the sign and no sign shall exceed that height or area which is reasonably necessary to render the sign visible when observed from the street.

- B. Non-Residential Districts.**

1. **Availability Signs.** Availability signs such as “*For sale*,” “*Vacancy*,” or “*For rent*” may be permitted to announce the current sale, rental, or lease availability of the lot where the sign is displayed or to announce the sale, rental or lease of one or more structures or a portion thereof, located on the lot. Such signs may indicate the owner, realty agent, telephone numbers, or “*open house*” information. Such signs:
 - a. Shall not exceed twelve (12) square feet in area.
 - b. Shall be located upon or within any building or premises, or portion of building or premises, occupied or to be occupied by any single business enterprise.
 - c. Shall only advertise the rental, lease, or sale of such building or portion thereof.
 - d. Shall also meet or exceed the front yard setback established within the zoning district, regardless of whether a building is present on the lot.

2. **Event Signs.** Event signs may not exceed a maximum size of six (6) square feet in area, or covering all portions of an existing permitted sign, whichever is greater, and must be located on the premises of the event, excluding any residential use, announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization.
3. **Holiday Decorations.** Holiday decorations displayed in connection with civic, patriotic or religious holidays.
4. **Grand Opening Signs.** Grand opening signs or banners announce the opening of a business on the premises located in a non-residential zoning district. Such a sign may be displayed for not more than thirty (30) days from the date on which the activity commences, and shall not exceed the requirements applicable for an identification wall sign at the location. Grand opening signs may be installed on the premises only to identify a business which is newly established, is newly located on the premises, or has had a change of ownership or management.
5. **Temporary Window Signs.**
 - a. **Area of Temporary Signs.** Except as otherwise provided above, one (1) or more temporary window signs may be displayed on each window of the premises, but the total area of all window signs in any one (1) window shall not exceed ten percent (10%) of the area of that window.
 - b. **Area of all Temporary and Permanent Signs.** The combined area of all temporary and permanent window signs in any one (1) window shall not exceed twenty percent (20%) of the area of that window.
 - c. **Time Limit.** Temporary window signs in business zoning districts shall be displayed no more than thirty (30) days after placement, after which time they must either be removed or replaced.

1201.05 SIGNS REQUIRING PERMITS.

Except as otherwise regulated by 1201.03, Prohibited and Exempt Signs, permits are required for the erection of all permanent signs, including identification signs, directory signs, and auxiliary entry signs as permitted by Section 1201.07, Sign Regulations by District. Permits shall be applied for pursuant to all the requirements of this section.

- A. **Sign Permits Required.**
 1. From and after the effective date of this Zoning Ordinance, no person may erect, alter or relocate any of the signs listed in Section 1201.07, Sign Regulations by District, except for Temporary Signs, without first obtaining a zoning permit from the Building Commissioner, an electrical permit from the Building Official (if required), and paying the required fee(s).
 2. Routine maintenance or changing parts of a sign shall not be considered an alteration of a sign, provided that the maintenance or change of parts does not alter the type of installation, surface area, height, or otherwise make the sign non-conforming or enlarge an existing non-conformity.
 3. Signs not listed in Section 1201.03(B), Exempt Signs, Section 1201.04, Temporary Signs, or Section 1201.07, Sign Regulations by District, shall be considered prohibited.
- B. **Electrical Permit Required.** In addition to complying with the provisions of this Zoning Ordinance, all signs in which electrical wiring and connections are to be used shall be regulated pursuant to the Oakwood Building Code.
- C. **Permit Applications.** Applications for sign permits shall be made upon forms provided by the Building Commissioner, and must include the following:
 1. Applicant and related party information: Name, address, telephone number, and email address for the applicant, the sign owner, and the person, firm, corporation, or other entity erecting the sign.

2. Location: The location of the building, structure, or parcel of property to which, or upon which, the sign is to be attached or erected.
 3. Plat of Survey: A Plat of Survey showing the position of the sign on the lot in relation to nearby buildings, structures, and street grade.
 4. Structural drawings: Plans and specifications showing method(s) of construction, location, and support.
 5. Elevation drawings: An elevation drawing showing sign faces, exposed surfaces, and proposed message accurately represented in scale as to area, size, proportion, and color.
 6. Removal upon abandonment: A statement signed by the sign owner(s) agreeing to remove the sign at the owner(s)'s expense in the event the sign is not properly maintained or is abandoned. For purposes of this Title, a sign shall be deemed to be abandoned if it is located on property which becomes vacant, or if it pertains to a use or activity no longer conducted on the premises where such sign is located, or if other factual circumstances exist that would cause a reasonable person to conclude that the sign has been abandoned.
- D. Issuance of Permits.** Permit applications shall be reviewed, and permits shall be issued, as provided in Section 1009 of the Zoning Ordinance. If additional zoning approvals are necessary before a permit can be issued, the following shall apply:
1. If a Special Use Permit is needed, the applicant shall submit an application for such special use permit as provided in Section 1004 of the Zoning Ordinance. No further action on the sign permit shall be taken unless and until such special use permit is approved by the Planning Commission or City Council, as appropriate.
 2. If a Conditional Use Permit is needed, the applicant shall submit an application for such permit as provided in Section 1005 of the Zoning Ordinance. No further action on the sign permit shall be taken unless and until such Conditional Use Permit is approved by the City Manager or Board of Zoning Appeals, as appropriate.
 3. If a Variance is needed, the applicant shall submit an application for such variance as provided in Section 1006 of the Zoning Ordinance. No further action on the sign permit shall be taken unless and until such variance is approved by the Board of Zoning Appeals or Planning Commission, as appropriate.
- E. Validity of Permit.** If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.
- F. Permit Fee.** A fee shall be paid with each application for a sign permit in accordance with the current fee schedule maintained by the City Manager. If an electrical permit is required, an additional fee shall be paid for the cost of the electrical permit according to the established fee schedule maintained by the City Manager.
- G. Revocation.** All rights and privileges acquired under the provisions of this Zoning Ordinance are mere licenses, revocable at any time by the authority which granted the permit. If the sign permit was granted pursuant to a Special Use Permit, then the Planning Commission or City Council, as appropriate, may revoke such permit for just cause. If the sign permit was granted pursuant to a Conditional Use Permit, then the City Manager or Board of Zoning Appeals, as appropriate, may revoke such permit for just cause. If the sign permit was granted pursuant to a Variance, then the Planning Commission or Board of Zoning Appeals, as appropriate, may revoke such permit for just cause. If just cause for revocation is shown for any other sign permit, the sign permit may be revoked by the Building Commissioner.

- H. Failure to Obtain Permit.** Any person who erects, alters or moves a permanent sign after the effective date of this Zoning Ordinance without obtaining a permit as required by Section 1201.05(A), Sign Permits Required, shall be subject to enforcement actions, penalties, and/or remedies as provided by Section 1010 of the Zoning Ordinance.

1201.06 GENERAL SIGN REGULATIONS.

- A. Limitations on Location of Signs.** All permanent and temporary signs requiring a permit shall be located on the premises they are intended to serve. Such signs shall be located pursuant to the following:
1. No sign shall be located within or shall obstruct the public right-of-way. However, as a limited exception to this general rule, awning signs and canopy signs may extend over public sidewalks, provided that they afford at least eight and one half (8 ½) feet of unobstructed height clearance above the sidewalk, do not interfere with pedestrian traffic in any manner, and are lawful in all other respects.
 2. No sign shall be erected or placed so as to prevent free ingress and egress from any door, window, fire escape, or other required access way, nor shall such sign be attached to any standpipe or fire escape.
 3. No sign shall be erected or placed so as to cover or extend across the architectural elements of the building upon which it is located. Such elements include building cornices, sills, windows, doors, portals, projections or recesses greater than six (6) inches in depth; or piers, pilasters, columns, arches, and fascia.
 4. No sign shall project over, occupy, or obstruct any window surface required for light or ventilation by any applicable ordinance or code.
- B. Calculating Sign Area.** Sign area is defined as the area within any perimeter enclosing the limits of lettering, emblems, or other figures on a sign, together with any material or color forming an integral part of the display or used to differentiate the sign from the background on which it is placed. Structural members bearing no sign copy shall not be included in its surface area. In the case of a multifaced sign all sides shall be included in the calculation of surface area.
- C. Changeable Copy.** Changeable copy may be installed pursuant to all the provisions and restrictions set forth below.
1. **As Part of a Directory Sign.** A directory sign may contain changeable copy, if located within the signable area of the building wall and within six (6) feet of the building entrance door. Letters within the sign shall be no more than four (4) inches in height.
 2. **As Part of a Place of Worship Identification Sign.** Changeable copy may be permitted as part of a place of worship identification sign whether installed as a monument or wall sign. Letters within the sign shall be no more than four (4) inches in height.
 3. **As Part of an Educational Institution Identification Sign.** Changeable copy may be permitted as part of an educational institution identification sign whether installed as a monument or wall sign. Letters within the sign shall be no more than four (4) inches in height.
 4. **As Part of a Governmental Facility Identification Sign.** Changeable copy may be permitted as part of a governmental facility identification sign whether installed as a monument or wall sign. Letters within the sign shall be no more than four (4) inches in height.

- D. Illumination of Signs.**
- 1. External Illumination of Signs.**
 - a.** Illuminated signs shall be limited to the use of white or daylight spectrum bulbs in any of the following configurations: external illumination using enclosed gooseneck-type lamps or floodlight fixtures; wash lighting; or shadow lighting. The surface of the sign shall be opaque and shall not emit light. Internal illumination is prohibited except as may be permitted under the Oakwood Business District Design Guidelines set forth in Section 1016 of the Zoning Ordinance.
 - b.** Whenever external illumination is used for a sign, the source of light shall be located, shielded and directed in such a manner that the light does not shine or cause glare onto any surrounding public street or private residence.
 - c.** No receptacle or device housing a permitted light source for a sign shall protrude more than eighteen (18) inches from the face of the sign or building to which it is attached, unless such light source is ground mounted, locked in place, and cannot be redirected.
 - d.** Illumination that flashes, blinks, operates intermittently, or creates the appearance of movement is prohibited.
 - 2. Brightness Limitations.** In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed seventy-five (75) foot candles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign..
 - 3. Hours of Illumination.** For non-residential uses located within residential zoning districts, no sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m., unless and to the extent that the building displaying the sign is open for business during those hours. The Building Commissioner, upon the recommendation or concurrence of the Safety Director, is authorized to grant an exemption from the provisions of this section to any activity in which illumination of signs during the hours otherwise proscribed is necessary or desirable for the security and safety of the activity or for property in the custody of the activity.
 - 4. Backlit Canopies and Awnings.** Backlit canopies or awnings are prohibited.
 - 5. Voltage Plate.** All signs in which electrical wiring and connections are to be used shall have affixed thereon a plate showing the voltage of the electrical apparatus used in connection with the sign. This voltage plate shall face away from public view and right-of-way.
- E. General Construction and Maintenance Requirements.**
- 1. Construction.** All lawn signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and to receive dead loads as required in the Oakwood Building Code.
 - 2. (Deleted.)**
 - 3. Sharp Projections Restricted.** All signs, canopies and awnings which are constructed on, over, or within five (5) feet of a public right-of-way or other pedestrian sidewalk shall have no nails, tacks, or wires or other hazardous projections protruding therefrom.
 - 4. Use of Glass.** Any glass forming a part of any sign shall be safety glass. If any single piece or pane of glass exceeds three (3) square feet, such piece or pane shall be wired glass.
 - 5. Maintenance.** All signs, canopies and awnings shall be kept and maintained in a safe, clean and orderly condition and appearance, and shall be repainted or otherwise maintained periodically by the owner to prevent corrosion or

deterioration caused by weather, age or any other conditions, and to keep the same in a safe, clean, neat and orderly condition and appearance.

1201.07 SIGN REGULATIONS BY DISTRICT.

A. Sign Regulations in Residential Districts.

1. **Purpose.** Permitted signs in the residential zoning districts are intended to provide legible information regarding the location of residences, businesses, and institutions located within the district, their availability for purchase or lease, to inform the public as to the ownership and access limitations of property, and to describe the activities of places of worship, educational institutions, and governmental facilities.
2. **Applicability to Zoning Districts.** The following regulations pertain to signs located in the R1, R2, R3, R4, R5, R6, and R7 Zoning Districts.
3. **Primary Signs.** Primary signs shall be permitted in residential zoning districts pursuant to the following:
 - a. **Permitted.** The following primary signs are permitted by right, pursuant to this Title.
 - (1) Permanent signs serving residential uses, installed as a window or lawn sign.
 - (a) Permanent signs serving residential uses, when installed as a window sign, shall be no greater than one (1) square foot in area.
 - (b) Permanent signs serving residential uses, when installed as a lawn sign, shall be no greater than one and one half (1 ½) square foot in area and no greater than four (4) feet in height. Such signs shall be located a minimum of eight (8) feet from the nearest edge of the sidewalk (or public right-of-way, if there is no sidewalk), unless the front yard measured from the building to the edge of the sidewalk (or public right-of-way, if there is no sidewalk) is less than eight (8) feet in which case such signs shall be located within five (5) feet of the front of the building, and such signs shall be positioned within three (3) feet in front of shrubbery of at least equal height as the sign. No more than two (2) permanent lawn signs are permitted on a property.
 - (2) Directory signs, used to identify non-residential uses and installed as a wall sign. Such signs shall not exceed sixteen (16) square feet in sign face area, and shall be installed pursuant to Section 1201.08(A), Regulations Affecting Wall Signs.
 - (3) Identification signs, used to identify non-residential uses and installed as a monument sign. Such signs shall not exceed sixteen (16) square feet in sign face area, and shall be installed pursuant to Section 1201.08(B), Regulations Affecting Monument Signs.
4. **Temporary Signs.** Temporary Signs shall be permitted pursuant to Section 1201.04(A), Residential Districts.
5. **Signs Approved as Part of a Planned Development.** Signs which vary from the regulations of this Title may be approved as part of a Planned Development or a Special Use Master Plan.

3. **Maximum Projection of Projecting Signs.** Projecting signs shall extend no more than three (3) feet from the facade of the building.
4. **Maximum Area of Projecting Signs.** The maximum area of projecting signs shall be no more than six (6) square feet.

1201.09 NON-CONFORMING AND UNSAFE SIGNS AND NUISANCES.

A. Non-Conforming Signs Erected With a Permit Are Deemed Conforming. All signs which were installed with a permit prior to the effective date of this Zoning Ordinance shall be deemed conforming with the requirements of this Zoning Ordinance until they become nuisances or unsafe signs as described in subsections E and F below.

B. Special Regulations Regarding Pole Signs. Pole signs in existence on the effective date of this Zoning Ordinance may continue to be displayed for a period of ten (10) years from the effective date of this Zoning Ordinance, or until the sign is damaged or destroyed in excess of twenty percent (20%) of its replacement value.

C. Removal of Signs Erected Without a Permit. Any sign erected without a permit shall be removed within forty-eight (48) hours of receipt of a notice of violation from the Building Commissioner. If such sign is not removed within such forty-eight (48) hour period, the Building Commissioner is authorized to cause the sign to be removed. Any expense incident thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises on which the sign is found.

D. Maintenance of Signs Deemed Conforming. Normal maintenance of signs subject to this section, including necessary nonstructural repairs and incidental alterations which do not extend or intensify the non-conforming features of the sign, is permitted. However, no structural alterations, enlargement or extensions shall be made in a sign subject to this Section unless the alteration will result in eliminating the nonconforming features of the sign. If a sign subject to this Section is damaged or destroyed by any means to an extent equal to or exceeding sixty percent (60%) of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this Zoning Ordinance.

E. Signs Deemed Nuisances. Any sign, retractable canopy or awning, whether existing on or erected after the effective date of this Zoning Ordinance, which advertises a business no longer being conducted or a product no longer being sold in or from the premises to which the sign relates, is hereby declared to be a public nuisance and such sign shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or premises upon which such sign is found. Removal shall be effected within thirty (30) days after written notice from the Building Commissioner. If such a sign is not removed after such thirty (30) day period, the Building Commissioner is authorized to cause the sign to be removed forthwith. Any expense incident thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises on which such sign is found.

F. Temporary Signs Deemed Nuisances. Any temporary sign, whether existing on or placed after the effective date of this Zoning Ordinance, which has become neglected, dilapidated, unsightly, or in disrepair, is hereby declared to be a public nuisance and such sign shall be replaced or removed by the owner, agent or person having the beneficial use of the building, structure or premises upon which such sign is found. Replacement or removal shall be effected within ten (10) days after written notice from the Building Commissioner. If such a sign is not removed after such ten (10) day period, the Building Commissioner is authorized to cause the sign to be removed forthwith. Any expense incident thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises on which such sign is found.

F. Unsafe Signs. If the Building Commissioner or designee finds that any sign, retractable canopy or awning is unsafe or insecure, or is a menace to the public, he or she shall give written notice to the person displaying such sign. Correction of the condition shall be effected within

ten (10) days after receipt of the notice. If such condition is not corrected after such ten (10) day period, the Building Commissioner is authorized to cause the sign to be removed forthwith at the expense of the person displaying the sign. Notwithstanding the foregoing provisions, the Building Commissioner is authorized to cause any sign, retractable canopy or awning to be removed summarily and without notice whenever he or she finds that such a sign, canopy or awning is an immediate peril to persons or property.

G. Other Remedies. The remedies set forth in this section are not exclusive, and are available in addition to any other remedy provided by law.

1201.10 CONFLICTS AND SEVERABILITY.

A. Conflict of Laws. In the event of any conflict between the provisions of this Chapter and other provisions of the Zoning Ordinance, including but not limited to Title 13, Non-Conforming Lots, Structures and Uses, the stricter provision shall control.

B. Severability. In the event that any provision of this Chapter is found unconstitutional or otherwise invalid by a court of competent jurisdiction, for any reason, such provision shall be individually severable and shall not be construed as a basis to invalidate either the remainder of this Title or the Zoning Ordinance as a whole.

LEGISLATIVE HISTORY: Repealed Ord. 4884, passed 5/6/19; Amended Ord. 4657, passed 10/06/08.

Oakwood, Ohio
May 7, 2024

The Oakwood citizen Budget Review Committee (BRC) met at 5:30 p.m. on Tuesday, May 7, 2024. The meeting took place in the council chambers at the city building, 30 Park Avenue, and was available via the Zoom remote teleconferencing platform.

The following people attended:

Budget Review Committee

In-person:

Howard Boose
Ellen Fodge
Bill Frapwell, Vice Chair
John Gray
Kate Halpin
Donetta Johnson
Megan Kavanaugh
Amanda Malusky Krauss
William Meyer
Bill Rieger
Mark Risley
Jim Vaughn
Raya Whalen

Via Zoom:

Cait Botschner
Dave Dickerson
Fred Dudding
Erika Endsley
Yusaku Kawai
Kristina Marcus

Oakwood City Council

In-person:

Mayor William Duncan
Vice Mayor Steve Byington
Council Member Rob Stephens
Council Member Leigh Turben
Council Member Healy Jackson

City Staff

In-person:

City Manager Norbert Klopsch
Leisure Services Director Carol Collins
Finance Director Cindy Stafford
Law Director Rob Jacques
Engineering & Public Works Director Doug Spitler
Public Safety Director Alan Hill
Human Resources Manager Sangita Anand

Mayor Bill Duncan opened the meeting with a welcome. He introduced Donetta Johnson as a new member of the committee and then asked the committee members to do self-introductions. He asked if there were any suggested edits to the minutes of the November 28, 2023 meeting. There being no edits, Mayor Duncan asked for a motion to approve those minutes. Motion to approve by Howard Boose; second by Mark Risley. Upon viva voce vote, motion passed and the minutes were approved.

Mayor Duncan commented on his and Vice Mayor Byington's recent meeting with the Smith Elementary fourth graders who toured City Hall and Public Safety.

Mayor Duncan invited Mr. Klopsch to make opening comments and deliver the meeting presentation.

Mr. Klopsch began the meeting by discussing the following city projects:

- Chevy Blazer EV PPV: Chief Hill shared that a software issue identified last December suspended production for three months on the all-electric police pursuit vehicle.
- RTA Trolley System Removal: Mr. Klopsch reported that by the latter part of this year, RTA will have removed the bus trolley system infrastructure in Oakwood along Far Hills Avenue between East Drive and Five Points and along Oakwood Avenue between Five Points and Irving Avenue. This includes removing most of the steel poles supporting the trolley wiring.
- Master Plan for Undeveloped City Properties: Mr. Klopsch shared that the city is looking at the smaller undeveloped city-owned land in Oakwood to create a master plan for future improvement projects.
- Food Waste Recycling – Foodbank and Montgomery County: Mr. Spitler shared that city staff is looking to partner with the Montgomery County Solid Waste District in a campaign with the Dayton Food Bank to start recycling food waste. The campaign is in the early stages, but the city would collect food waste in sealed buckets that would then go to the foodbank for composting.
- Hard-to-recycle Plastics – Hefty ReNew Program: Mr. Spitler shared information about the Hefty ReNew Program now offered in several counties, including Montgomery County. The program provides a way to dispose of hard-to-recycle plastics.
- Income Tax Filing: Mrs. Stafford reported that using Fifth Third Bank for our tax filing/payment processing center in 2024 is going very well. Tax payments and returns are no longer sent directly to the Oakwood city building. They are directed to Fifth Third's tax processing center in Cincinnati where the payments are then opened, sorted and directly deposited into the city's account.
- Far Hills Storm Sewer Reconstruction: Mr. Klopsch shared that the project is about 99% complete. He displayed a map showing the drainage areas flowing into the new sewer.

Mr. Klopsch then invited Finance Director Cindy Stafford to present the following financial data:

- 2.41 MILL PROPERTY TAX LEVY:
 - The tax issue was approved in March 2024 by a 56% yes vote.
 - It replaces the 3.75 mill tax levy that was first approved in May 2013.
 - It has a five-year term and will start generating revenue in 2025.
 - The current effective mills is 2.41.
 - The tax issue raises about \$1.1 million annually.
 - The tax on a \$100,000 value home is about \$84 annually.
- 2023 YEAR-END FINANCIALS:
 - Total 2023 spending for General City Services was \$16.34 million. A review of city spending over the past 16 years shows tight cost controls. The increase in 2023

compared to 2022 is attributed to capital projects, the Far Hills Storm Sewer Reconstruction project and an increase in fuel and motor part costs.

- General City Services receipts were 103.21% for the year and disbursements were 94.66% of budget. Receipts were higher because the city's investments did much better last year. City staff is careful about investing and preserves principle. The year finished in a strong financial position.
 - Refuse Fund receipts were 99.93% for the year and disbursements were 91.86% of budget. Fee increases may need to be looked into in the next few years.
 - Enterprise Funds receipts were 103.40% for the year and disbursements were 93.53% of budget. The Enterprise Funds include Water, Sanitary Sewer and Stormwater. The budget included planned capital expenditures, including the Far Hills Storm Sewer Project.
- 2023 FINANCIAL AUDIT: Mr. Klopsch reported that the audit of the 2023 city finances was recently completed. No items were noted and an unqualified "Clean" opinion is expected. He thanked Finance Director Cindy Stafford and the finance department for their diligence.
 - 2024 FINANCIALS THROUGH APRIL
 - General City Services receipts through April are at 41.21% of budget, while disbursements and encumbrances are at 41.58% of budget. The first of two property tax receipts and property tax assessments are received in April and May. Blanket purchase orders are submitted for many purchases at the beginning of the year to cover expenses for the entire year.
 - Refuse Fund receipts through April are at 34.26% of budget and disbursements and encumbrances are at 49.19% of budget.
 - Water Fund receipts through April are at 26.57% of budget and disbursements and encumbrances are at 45.16% of budget. Another water rate increase will need to be considered in 2025.
 - Sanitary Sewer Fund receipts through April are at 30.05% of budget and disbursements and encumbrances are at 25.69% of budget. Like the Water Fund, we strive to have the Sanitary Sewer Fund start with a \$1 million minimum to maintain the fund. If the year goes as planned, the fund will be below \$1 million at the end of 2024. Most of the Sanitary Sewer Fund expenses relate to wastewater treatment, the cost of which is about 63% of our budget. Montgomery County and Dayton's wastewater treatment rates increased by about 29%. These increases have been factored into the 2024 budget. A sanitary sewer rate increase may need to be considered in 2025 to cover the Montgomery County and Dayton rate hikes. There are also planned capital expenditures over the next few years.
 - Stormwater Fund receipts through April are at 35.59% of budget and disbursements and encumbrances are at 86.78% of budget. This includes \$985,000 for the Far Hills Storm Sewer Reconstruction Project.

Mr. Klopsch then delivered the following presentation:

- 2024 CONSTRUCTION PROJECTS/CAPITAL EXPENSES: The following capital expenses are in the 2024 Budget. Mr. Klopsch provided a brief overview of some of the items.
 - General City Services
 - Computer Equipment: \$50,000

- Street Banner Replacement: \$15,000
- Cameras... In-car and Body Worn: \$15,000
- 911 Vesta Equipment Upgrade: \$30,000
- Hanging Baskets: \$35,000
- S-29 2000 Air Compressor Replacement: \$30,000
- Pre-wet Deicing System: \$20,000
- Seal and Stripe City Parking Lots: \$12,500
- OCC Carpet Replacement: \$24,000
- Gardner Pool Liner: \$100,000
- Leisure Service Building Insulation and Shelving: \$20,000
- Salt Storage and Public Works Yard Improvements: \$300,000
- Med-26 2006 Ford Ambulance Replacement: \$300,000
- S-75 2016 Pick-up Truck Replacement: \$65,000
- A-8 2008 Ford Escape Replacement: \$25,000
- A-5 Public Works Director Truck: \$57,000
- Asphalt Street Program: \$100,000
- Concrete Street Program: \$200,000
- 2024 Far Hills Resurfacing: \$1,206,400
- Harman Boulevard Center Median: \$175,000
- Orchardly Park Fences: \$38,000
- Old River Parking Lot Sealing and Striping: \$15,000
- Sidewalk, Curb & Driveway Apron Program: \$200,000
- Refuse Services
 - S-79 2008 Crane Refuse Packer Refurbishment: \$55,000
 - S-89 2002 Kramer Allrad Loader Replacement: \$115,000
- Water Utility
 - EZ Underground Water Main Valves: \$50,000
 - Caton/Far Hills Water Main Improvement: \$215,000
 - Iron and Manganese Water Plant Filter Rebuild: \$50,000
 - Oakwood/Briar Hill/Far Hills Water Mains: \$150,000
 - Peach Orchard Vault Removal: \$30,000
 - Well #6 Underground Electric Feed: \$52,000
 - Water Line Repairs: \$50,000

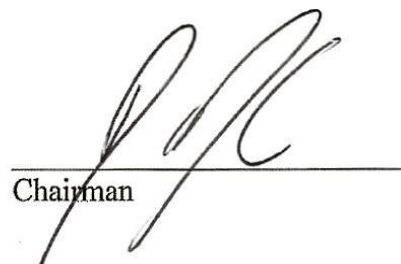
Mr. Klopsch commented on the 13-year history of water main breaks in Oakwood and the 2021 national and Ohio infrastructure report card issued by the American Society of Civil Engineers.

- Sanitary Sewer Utility
 - Sewer Easement Cleaner Machine: \$125,000
 - Trench Box Trailer: \$20,000
 - Sanitary Sewer Repairs: \$50,000
 - Sanitary Sewer Lining: \$125,000
 - Sanitary Manhole Rehab: \$100,000
- Stormwater Utility
 - S-20 2002 Johnson Street Sweeper Replacement: \$280,000
- POSSIBLE 2025 CAPITAL PROJECTS/CAPITAL EXPENSES: Mr. Klopsch briefly reviewed the following possible capital projects being considered for 2025:
 - Life-Pak 15: \$30,000

- Orchardly Park Play Equipment: \$300,000
- Shafor Park Play Equipment: \$400,000
- Orchardly Park Shelter: \$65,000
- Shafor Park Shelter: \$65,000
- Two Police Patrol Vehicles: \$60,000 or \$75,000
- Several Pickup and Dump Trucks
- Asphalt Repaving Program: \$550,000
- Concrete Street Repairs: \$100,000
- Shafor Park Splash Pad: \$85,000
- Far Hills and Caton Water Main: \$215,000
- Lookout Ridge Water Main: \$100,000
- Water Tower Painting, Exterior: \$690,000

Mr. Klopsch added that the 2026 budget may include money to replace the city's 1996 model-year fire truck. The current estimated cost for the replacement fire truck is \$900,000.

There being no other business, at 6:37 p.m. Mayor Duncan and Mr. Klopsch thanked the committee members for their service and the meeting was adjourned.


Chairman



A man who was about 6 feet, 2 inches tall and dressed in dark clothing and an orange cap left the Huntington National Bank at 2401 Far Hills Ave. in Oakwood on Tuesday with an unknown amount of money. CONTRIBUTED

Can you ID man who robbed bank in Oakwood?

By Jen Baldur
Staff Writer

A middle-aged man wearing a surgical mask robbed the Huntington National Bank on Tuesday morning in Oakwood.

The robbery happened around 9:35 a.m. at the bank, 2401 Far Hills Ave., according to the Oakwood Public Safety Department.

“The subject approached the teller, presented a note stating this was a robbery

and demanded money,” the department stated.

The teller complied and the man – who stands about 6 feet, 2 inches and was dressed in dark clothing and an orange baseball cap – fled with an unknown amount of money.

Anyone with information about the man’s identity is urged to contact the Oakwood Public Safety Department at 937-298-2122.

Contact this reporter at jen.baldur@coxinc.com

Analysis: Local property taxes up 28% for some, down for others

New levies can have greater impact than rising property values, officials say.

**By Denise Callahan
and London Bishop**
Staff Writers

Property tax changes vary widely in tax bills hitting mailboxes this year in Montgomery and Greene counties, from an average increase of more than 20% in a couple of Greene County communities to taxpayers in Dayton and Jefferson Twp. seeing a decline.

This is according to a Dayton Daily News analysis of local property tax data. This analysis follows historic property value hikes during the triennial reappraisal update last year that produced average countywide value increases of 30% in Greene County and 34% in Montgomery County.

How property taxes are cal-

culated in Ohio is complicated, and a big boost in property values doesn't always trigger large tax increases. Other factors that can fuel large increases include new taxes, charter millage, and whether a school district is at its 20-mill floor.

Greene County Auditor David Graham said the highest average tax bill increase was \$1,400 in Miami Twp. in the Yellow Springs Exempted Village School District. He said the huge increase was due in part to the fact voters approved a 6.1-mill bond levy and it includes agricultural properties where increases were even higher than residential.

The Montgomery County Auditor's Office previously estimated that city of Dayton taxpayers would see taxes spike 10% to 12% because of the city's voter-approved charter millage.

Taxes continued on **A7**

ALSO INSIDE

» Chart shows local property tax changes. **A7**



Property values in Dayton, including these homes on Huron Avenue, are going up, but an adjustment in a Dayton Public Schools bond levy means bills are going down a little. **JIM NOELKER / STAFF**



How property taxes are assessed

1) The taxable value of your property is assessed by the county auditor, using factors such as home sales in your neighborhood in previous years and every six years a visual drive-by or flyover inspection of your property.

2) Let's say your home was valued at \$100,000. Only 35% of the value of your property is taxed. So you are actually only taxed on \$35,000.

3) Other exemptions are applied as well, reducing taxes for most homeowners an additional 12.5% on many levies.

4) When voters in your area approve a levy, the county auditor determines how much you will pay by spreading the cost of that levy equally across the value of all property in the jurisdiction the levy applies to.

5) This means more expensive properties pay more; less expensive properties pay less.

6) Taxes are collected in mills, which is \$1 for every \$1,000 of taxable value.

7) As the value of your home increases, the percentage of the total property that your home comprises generally stays the same (or decreases, if a lot of new construction was added in). So the tax rate — the millage rate — is lowered to collect same amount of money. This is true of most taxes.

8) Some taxes, however, do stay at the same tax rate as property values increase and they collect more money. In some places, this can be less than 10 mills. In some others, it can be well over that.

Source: Montgomery County Auditor's Office
ALEXIS LARSEN / CONTRIBUTING ARTIST

Taxes

continued from A1

But when they ran the numbers, they realized Dayton Public Schools has a bond levy to finance new buildings from 2002 that was adjusted from 12 mills to 6.37 mills.

"It just so happens that additional rate decrease coincided with a very large value increase this year," said auditor's office spokesman Mike Brill. "Overall, this is very good news for DPS property owners."

Because of this, while Dayton residents saw property values increase an average of nearly 29%, tax bills went down an average of .3%. In real dollars, this comes out to an average \$83 tax decrease.

Likewise enough of Jefferson Twp. is in the Dayton Public Schools district that taxes there went down an average 3.6% while property values went up an average of 15.6%.



State Rep. Thomas Hall (R-Madison Twp.) speaks during a meeting to discuss property taxes June 24 in Hamilton. Hall said that in November there were 1,009 property tax questions on the ballot statewide and 858 were successful, according to lobbyists from the Department of Taxation. NICK GRAHAM / STAFF

'Substantial increase'

Mike Kraus, 83, of Yellow Springs, said though his increase in property taxes are not an exceptional burden, he knows there are others who are less fortunate.

In the last triennial revaluation three years ago, Kraus said the assessed value of his home, off of Dayton Street, went up by 40%. This year, it went up again by 19%.

"I complained both times, and it didn't do me a bit of good," said the retired history teacher and former Antioch College professor.

"I'm not in any financial straits, even with the increase in the taxes, but that's not true of a lot of other people," he added. "My complaint is that you have no control over what an auditor decides the revaluation of your property ought to be."

In addition to the revaluation process, Miami Twp. is also largely within the Yellow Springs school district, which recently passed its bond issue on its third attempt. Kraus said though he voted against the first two requests, he changed his mind and voted in favor of the third.

"That's a substantial increase to pay for," he said. "That's why a lot of elderly people who live here in town weren't terribly enthusiastic about the new school construction."

20-mill floor

The smallest increase in Greene County was in Bellbrook with an average increase of 4% or \$253, largely because that is the only school district county-wide that is at the 20-mill floor.

"Those school districts that are not at the floor saw a larger percentage increase in their taxes because the floor creates this false minimum, where most levies get reduced when reappraisal increases occur," Graham explained. "If a school district is at the floor some of their levies cannot be reduced because they're already at the floor."

There are mechanisms in place to ensure taxpayers are generally protected from huge value hikes. Voted levies are capped at the amount taxpayers approved. Unvoted taxes are allowed to be collected up to a certain level, by Ohio law. That level is 10 mills for governmental bodies and 20 mills for schools.

Once a school district's total current expense millage is reduced to 20 mills, it cannot be reduced any further, so tax revenues grow as property values increase. It only applies to operating levies not bond, permanent improvement, emergency, or income tax levies.

The highest average community tax increase in Montgomery County was \$655 in Miami Twp. because of the 20-mill floor and a new police levy, according to Brill.

There are seven K-12 school districts plus the Greene County Career Center in Greene County and only one is not subject to the 20-mill floor. Entities in Greene County combined are receiving \$42.5 million due to the value explosion, and \$34.4 million of that goes to the schools.

Montgomery County has 16 school districts plus the Miami Valley Career Technology Center, only three are at the 20-mill floor, which meant tax increases weren't as extreme. County taxing bodies are receiving an estimated \$56.6 million and \$32.3 million belongs to the schools.

"No question about it, the true driver here is school funding," Montgomery County Auditor Karl Keith said. "That's what we've been saying all along, the school funding issue has not been effectively addressed by the state legislature at any time during the last decade and continues to be the fly in the ointment."

Windfalls, levies

Keith said while entities knew they'd be getting a windfall, a hefty one in some cases, there were four school districts that had tax levies on the ballot last November.

The Beavercreek City School District received an estimated \$13 million hike – the highest in Greene County – but that included voter passage of a 1-mill replacement levy last November that doubled the taxpayers' cost from \$14 to \$35 per \$100,000 of value.

There were three districts in Montgomery County nearly neck-and-neck with revenue hikes this year around \$5 million, Miamisburg, Centerville and Kettering. Miamisburg was the top with nearly \$5.3 million, an 11.6% increase.

"Even with seeing those record increases the schools are saying that is not enough to meet the expenses we have, and they still put levies on," Keith said.

In a recent summit among Butler County leaders to discuss how to address property tax increases – that county saw larger value and tax increases than Montgomery or Greene counties – state Rep. Thomas Hall, R-Madison Twp., noted that much of it is driven by people passing levies. Hall said in November there were 1,009 property tax questions on the ballot statewide and 858 were successful, according to lobbyists from the Department of Taxation.

State debate

The state is attempting to tackle the property tax issue and formed a special Joint Committee on Property Tax Review and Reform. The 10-member panel wrapped up hearings a couple weeks ago after eight sessions.

A group of school district officials gave testimony in April including Northmont City Schools Superintendent Tony Thomas. He told the legislators while many districts did receive a windfall it was tempered by reduced state funding.

“Since we are not at the 20-mill floor, (state law) reduces the effective tax rate of our levies, and we will see no growth in funding from our voted mills. Therefore, the 36% increase in property values will increase our property tax revenue on our inside mills by \$1.5 million,” Thomas said.

“While we appreciate the increase in property tax revenue, the effect of the increase in property valuations will reduce the state funding we are projected to receive by \$1.18 million. The net effect will be less than a 1% increase in revenue. This does not keep pace with inflation and results in fewer services for our students.”

The joint committee had hoped to issue a report before

they recessed for the summer, but missed that deadline. Several solutions have been discussed including addressing the 20-mill floor, several adjustments to the homestead exemption, a “circuit breaker” approach and the latest, a constitutional amendment that would cap tax increases at 4%.

Local efforts

In Butler County, Auditor Nancy Nix issued a challenge last summer to all taxing bodies, asking them to forgo the windfall.

In Montgomery County, Keith did not do the same. He knew he had little chance of success because many school districts seem to need more money based on the recent levy requests. As for the rest of the taxing bodies.

“It really wouldn’t amount to much and I don’t like playing games with taxpayers,” Keith told this news outlet. “Telling them we’re giving them a big tax break and it ends up being five bucks, that’s silly I think.”

Graham took a shot at trying to get the schools to reduce their millage but only the Greene County Career Center – their windfall was \$2.7 million – responded.

“I pointed out to them they were the only school district that had reached out to me

and their reducing their rate alone, by themselves wasn’t going to do anything,” Graham said. “It would require the other school districts and county.”

He said he talked to the county administrator about a tax break and was told with the ongoing \$76 million jail project and volatile construction costs he didn’t “feel comfortable reducing our inside millage right now.”

The county’s estimated windfall was \$4.1 million. Assistant County Administrator Lisa Hale told this news outlet it would have been risky to forgo revenue.

“Inflation has really affected discretionary spending and that in turn affects sales tax, which is more than half of our general fund revenue,” she said. “So in general, with multimillion dollar projects like the jail and our water treatment plant upgrades and expansion, it doesn’t really make sense to cut revenues and take the risk of having to borrow money at a high interest rate if there happen to be project overruns.”

Graham suggested a tax break to the other taxing bodies as well saying “look you’re going to get a large cash windfall and you need to look out for your taxpayers,” to no avail.

LOCAL PROPERTY TAX CHANGES

Below are average property value and tax increases by community this year in Montgomery and Greene counties. These are the community-wide averages. Individual homes will see different amounts based on factors such as value, school district, and other assessments that may not apply to the whole jurisdiction.

County	Community	Average % value change	Average % tax change
Greene	Bath Twp.	35%	15%
Greene	Beavercreek	27.43%	13%
Greene	Beavercreek Twp.	24.26%	13%
Greene	Bellbrook	27.44%	4%
Greene	Bowersville	21%	7%
Greene	Caesarcreek Twp.	31%	13%
Greene	Cedarville	39.16%	19%
Greene	Cedarville Twp.	30%	11%
Greene	Clifton	31%	11%
Greene	Fairborn	35.13%	15%
Greene	Jamestown	34.70%	16%
Greene	Jefferson Twp.	23.11%	10%
Greene	Miami Twp.	31.65%	28%
Greene	New Jasper Twp.	34.88%	19%
Greene	Ross Twp.	35.71%	22%
Greene	Silvercreek Twp.	33.83%	19%
Greene	Spring Valley	34.35%	13%
Greene	Spring Valley Twp.	28%	9%
Greene	Sugarcreek Twp.	25.54%	5%
Greene	Xenia	36%	18%
Greene	Xenia Twp.	26.45%	15%
Greene	Yellow Springs	23.68%	18%
Montgomery	Brookville	34.40%	4.60%
Montgomery	Butler Twp.	33%	6%
Montgomery	Centerville	30.50%	3.50%
Montgomery	Clay Twp.	42%	9.50%
Montgomery	Clayton	37.20%	5.10%
Montgomery	Dayton	28.90%	-0.30%
Montgomery	Englewood	36.30%	5%
Montgomery	Farmersville	37.90%	13.80%
Montgomery	German Twp.	30.70%	7.40%
Montgomery	Germantown	33.20%	13.70%
Montgomery	Harrison Twp.	39.30%	2.40%
Montgomery	Huber Heights	40.60%	9.80%
Montgomery	Jackson Twp.	32%	7.90%
Montgomery	Jefferson Twp.	15.60%	-3.60%
Montgomery	Kettering	33.30%	5.40%
Montgomery	Miami Twp.	36.80%	16.20%
Montgomery	Miamisburg	33.20%	12.30%
Montgomery	Moraine	36%	6.20%
Montgomery	New Lebanon	47%	13.80%
Montgomery	Oakwood	26.60%	5.70%
Montgomery	Perry Twp.	46.10%	12.10%
Montgomery	Phillipsburg	41.00%	7.50%
Montgomery	Riverside	41.60%	6%
Montgomery	Trotwood	38.80%	8.10%
Montgomery	Union	40.00%	6.60%
Montgomery	Vandalia	35.40%	9.50%
Montgomery	Washington Twp.	32.10%	4.50%
Montgomery	West Carrollton	40.50%	10.70%

'I'll always stand up for myself, and in turn, for you'

EDITOR'S NOTE

We stand by the reporting and the editorial we have published regarding Sen. Antani. In our coverage, we have always sought and included his remarks. In the interest of fairness and transparency, we are publishing an op-ed he submitted in defense of his record.



State Sen.
Niraj Antani

The Dayton Daily News has now written four articles about me in recent weeks, a couple of them put onto the front page, about their “investigation” into my voting record, all of which are completely public record that any Ohioan can easily see. I want to set the record straight. I am extremely proud of my voting record in



State Senator Niraj Antani has been Ohio's 6th Senate District since 2021, serving as the state's youngest and its 1st Indian American state senator. He previously served as a representative in the Ohio House for six years.

the Ohio General Assembly.

For eight straight years, from December 2014 through December 2022, I never missed a vote, totaling 2,189 consecutive votes. For the 9-year, 5-month duration of my tenure so far, at the time of the Dayton Daily's writings, I have a 97.2% voting record. Of the 2,369 possible votes, I've voted 2,302 times, missing 67 votes. Yes, the Dayton Daily News has written four articles about my missing 67 votes out of 2,369. Many of these have been road naming, license plate creating, or toothless resolutions, as this past year and a half has been the least productive General Assembly in 74 years, since 1955. I certainly do not take missing votes lightly, but I have done this in protest of the Senate leadership; boycotting or protesting certain actions is a common political tact used by Democrats and Republicans alike throughout history. Let me explain.

It's no secret that I'm a conservative, even relative to my

Republican colleagues. I often buck leadership, voting against bills they put to the floor that I feel will not help Ohioans, and I speak up about my opposition. This is not looked kindly upon by the political establishment. I voted against the state spending the \$5 billion of federal dollars we received from Joe Biden's American Rescue Plan, introduced a bill to ban ballot drop boxes that they legalized, and much more. I didn't go to Columbus to get along and be a pushover for the establishment. I'm proud to be considered a conservative rabble-rouser, because I'm there to serve you, not the political ruling class or fat cat lobbyists. For this, I've paid the price.

The current Senate president is Matt Huffman, who was forced to apologize after making a lewd comment about a female legislator, and his position is incredibly powerful – he decides nearly all procedural questions in the Ohio Senate. You may have heard of

his cousin, the Dayton region's own State Senator Steve Huffman, who made national news when he was fired from his private sector job after making an incredibly racist statement. Well, the Senate president has done everything in his power to politically assassinate me. I was kicked off of the powerful Health Committee and Medicaid Oversight Committee, on which I had served for many years. They put me on the least powerful committees, such as the Transportation Committee, which mainly names roads and creates license plates. Every bill I've introduced has been killed, most not even receiving a single hearing – despite Senate rules requiring that. The Senate president regularly doesn't allow me to speak on the Senate floor, a significant violation of Senate rules and tradition. Finally, during the redistricting process, they made my district, which had leaned Republican, into a significantly Democrat district, one that Biden won by over

eight points in 2020. In order to accomplish this in the map, they had to cut through farm fields in Miami Township in order to remove Miamisburg, a base of support of mine, to put it in another Senate district. I haven't talked about these issues publicly because I am not one to complain. However, the Dayton Daily's articles have forced me to explain myself. Instead, I choose to try to solve it myself; including meeting with the Senate president twice to try to bury the hatchet – it didn't work, he just sharpened it and used it more.

For these reasons, and more, I had to do something to stand up for myself. The past year and a half of taking these hits has not been easy. But I am not one to turn the other cheek. In reflection, perhaps a boycott of 67 votes, all of which I deemed to be on bills and resolutions of little consequence, was the wrong response. If you have that belief, then I apologize. Given the few levers I had to pull, it's the decision I made.

I'll always stand up for myself, and in turn, for you. I will never waver from my beliefs or compromise my values. If I pay the price for that, then so be it. Serving this region the last decade has been the honor of my life, but my story is just beginning in public service; the establishment will never beat me, and I will always fight for you.

I've made it my business to stand steel-spined for you. I've had a governor try to strong-arm me into voting for his way. I've had lobbyists threaten me if I didn't change my vote. In the words of Marshall Mathers, "I've been protested and demonstrated against." But I will never bend or break, and that you can always count on.

State Senator Niraj Antani has served Ohio's 6th Senate District since 2021, serving as Ohio's youngest senator and the 1st Indian American state senator in Ohio. He previously served as a state representative in the Ohio House of Representatives for six years.