

CITY OF OAKWOOD
COUNCIL AGENDA
SEPTEMBER 20, 2021

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF AUGUST 2 REGULAR SESSION & WORK SESSION, AND AUGUST 16 WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
 - Public Safety Recognition
- VI. VISITORS
 - Human Services Levy Campaign, Madeline Iseli
 - July and August Beautification Award Winners
- VII. LEGISLATION
 - A Resolution on zoning certificate extension for 1911 Ridgeway, Vice Mayor Byington
 - A Resolution to ratify signature on opioid settlement agreement, Vice Mayor Byington
 - A Resolution to approve existing Property Tax Amounts and Rates, Vice Mayor Byington
- VIII. STAFF REPORT – ENGINEERING & PUBLIC WORKS DIRECTOR DOUG SPITLER
- IX. AN OAKWOOD MOMENT
- X. CITY MANAGER’S REPORT
- XI. COUNCIL COMMENTS
- XII. ADJOURN

NEXT REGULAR SESSION SCHEDULED FOR OCTOBER 4, 2021

A RESOLUTION

BY: _____

NO. _____

PURSUANT TO SECTION 1009.1(G) OF THE OAKWOOD ZONING CODE, EXTENDING A ZONING CERTIFICATE PREVIOUSLY ISSUED FOR 1911 RIDGEWAY ROAD.

WHEREAS, on two (2) separate occasions, the owner of 1911 Ridgeway Road previously sought and was issued a zoning certificate for the construction of a detached workshop structure (“Bottega”) on said property, which was intended to be one phase of a multi-phase development of that property; and

WHEREAS, although most phases of the development of 1911 Ridgeway Road were completed, including substantial steps to install water, sewer, and electric utility lines for the Bottega, it was not constructed within the allotted time and the zoning certificate for the structure lapsed; and

WHEREAS, for reasons unrelated to the development of 1911 Ridgeway Road, the Zoning Code was subsequently amended so as to limit the height of detached accessory structures to 18’ (garages) or 12’ (all other accessory structures); and

WHEREAS, the owner of 1911 Ridgeway Road still desires to construct the Bottega, but due to its 35’ height would be prevented from doing so under the current provisions of the Zoning Code; and

WHEREAS, because the Bottega was previously approved by Council, and due to the uniquely large setting of 1911 Ridgeway Road, which exceeds 10 acres and can accommodate a larger structure without adverse impact to the surrounding neighborhood, Council wishes to exercise its authority under Section 1009.1(G) of the Zoning Code to extend the zoning certificate previously issued for the Bottega, but also wishes to establish a final deadline after which no further extensions will be granted;

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

SECTION I.

Pursuant to its authority under Section 1009.1(G) of the Oakwood Zoning Code, Council hereby extends and renews the zoning certificate previously issued to John Gray for the construction of a detached workshop “Bottega” structure at 1911 Ridgeway Road, a rendering of which is attached hereto and incorporated herein as Exhibit 1.

SECTION II.

The extension hereby granted shall become null and void, without need for further action of Council, unless a building permit has been issued and construction has commenced within one (1) year from the date of adoption of this resolution. No further extensions may be granted.

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 _____, 2021.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

No publication is required.

City Attorney Robert F. Jacques

A RESOLUTION

BY: _____

NO. _____

RATIFYING AND CONFIRMING THE CITY OF OAKWOOD'S PARTICIPATION
IN A CONSORTIUM OF LOCAL GOVERNMENTS KNOWN AS "ONE OHIO"
AND ACCEPTANCE OF A PROPOSED OPIOID DISTRIBUTOR SETTLEMENT
AGREEMENT IN CONNECTION WITH ONGOING NATIONAL LITIGATION.

WHEREAS, the city of Oakwood is a chartered municipal government formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties' Agreements, have drafted and the City Manager has signed a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU was collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; 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 distributors AmerisourceBergen, Cardinal, and McKesson (collectively the "Settling Distributors") to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, due to time sensitivity, the City Manager has signed the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the "Proposed Settlement"), which action Council desires to ratify and affirm;

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

SECTION I.

Council hereby accepts the City Manager's signature of the OneOhio MOU and the Proposed Settlement on the city of Oakwood's behalf, which actions were duly-authorized and are hereby ratified and affirmed.

SECTION II.

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 III.

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

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this ____ day of _____, 2021.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

No publication is required.

City Attorney Robert F. Jacques

Tax Year 2021/2022

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of _____, Montgomery County,
Ohio met in _____ session on the _____ day of _____ 2021, at the
office of _____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of _____
Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

City of Oakwood - Tax Year 2021/2022

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Oakwood - Tax Year 2021/2022	Column I	Column II	III	IV
General Fund.....	1,263,471		3.58	
General Fund.....		1,070,342		3.75
TOTAL	1,263,471	1,070,342	3.58	3.75

City of Oakwood - Tax Year 2021/2022

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION
 Carry to Sch A

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
GENERAL FUND:			
Current Expense Levy authorized by voters 11/08/16 not to exceed FIVE years	2.72	0	TY20 EXPIRES 12/31/2021
Current Expense Levy authorized by voters 11/06/18 not to exceed FIVE years	3.75	1,070,342	

Tax Year 2021/2022

and be it further

RESOLVED, That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____,
_____,
_____,
_____,
_____,
_____.

Adopted the _____ day of _____, 2021.

Clerk of Council

City
Montgomery County, Ohio

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County,

I, _____, Clerk of this Council of _____
City, in said County, and in whose custody the Files and Records of said Board
required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing
is taken and copied from the original minutes _____ now on file with
said Council, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

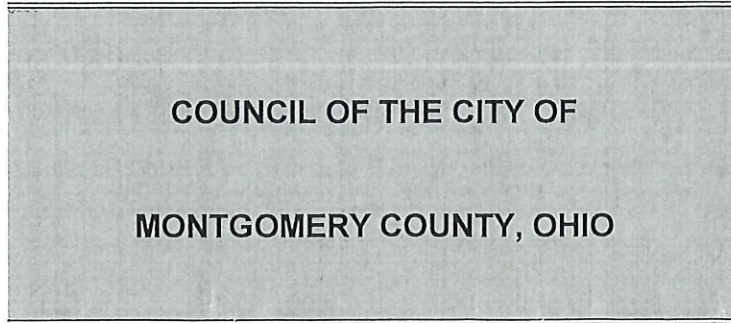
WITNESS my signature, this _____ day of _____, 2021.

Clerk of Council

City
Montgomery County, Ohio

Tax Year 2021/2022

No:



RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(City Council)

Adopted _____, 2021

Clerk of Council

Filed _____, 2021

County Auditor

By _____
Deputy
