

CITY MANAGER'S NEWSLETTER
APRIL 15, 2022

IMPORTANT COUNCIL DATES:

April 18, Monday, 5 p.m. – Work Session (30 Park)
May 2, Monday, 6:30 p.m. – Regular Session (30 Park)
May 14, Saturday, 1:30 p.m. – “Town of Oakwood” Marker Unveiling (30 Park)
May 16, Monday, 5 p.m. – Work Session (30 Park)
May 21, Saturday – That Day in May
June 6, Monday, 6:30 p.m. – Regular Session (30 Park)
June 20, Monday, 5 p.m. – Work Session (30 Park)
July 18, Monday, 6:30 p.m. – Regular Session (30 Park)

BUSINESS UPDATE:

- **April 18 Work Session:** We meet at 5 p.m. on Monday in the second-floor training room. Enclosed is the agenda. We will start with the presentation from Mark Flannery, our IT consultant, on cybersecurity. After Mark’s presentation, we will discuss designated natural areas/native gardens. From there, we will have an executive session for conference with attorney and property matters. Thereafter, Rob Jacques, with assistance from Jennifer Wilder, will make a presentation on land-use and zoning law. After that, we will discuss several other things. Carol, Cindy, Jennifer and Ethan will join Rob Jacques and me from staff. I anticipate a 2 – 3 hour meeting.
- **Le Vésinet Letter:** Enclosed is a letter (in English and French) that we mailed today responding to the invitation to the June 24-27 twinning celebration in Le Vésinet.
- **Oakwood FOP Egg-cellent Easter Parade:** The FOP’s 32nd annual “Egg-cellent Easter Parade” begins at noon this Saturday. The Easter Bunny will be riding in a fire engine, and Oakwood Safety Officers, along with Boy Scout Troop 101, will be tossing 4,000 eggs to the children along the parade route. The parade will begin on Shafor Boulevard at Spirea Drive. The parade will continue south on Shafor Boulevard to Corona Avenue. The fire engine will turn around and continue north on Shafor Boulevard and conclude back at Spirea Drive. Enclosed is a *Register* article with photos.
- **Perennial Sale:** The big event is next Friday and Saturday, April 22 – 23. Enclosed is a *Register* article.
- **Committee Needs:** We are still waiting to confirm Penny Boosalis for the PMB, and are still seeking a member from Precinct G for the BRC.
- **Electric Scooters:** Enclosed is a *DDN* article about Beaver Creek moving toward banning the use of dockless electric scooters.
- **Styrofoam Recycling:** Enclosed is another *DDN* article about the April 23 event.
- **150th Anniversary:** Enclosed is a *DDN* article about an April 24 Far Hills Speaker Series event at Wright Library. It runs from 2-3 p.m.
- **That Day in May:** Enclosed is a *Register* article about the May 21 TDIM.

- OIC Annual Report: Enclosed is a *DDN* article about the OIC annual meeting and the organization's activities over the last year. The annual meeting was Wednesday evening at Wright Library. There were about 50 people in attendance... about 35 in person and 15 via Zoom. The meeting went well... all positive. Chief Hill joined me. Enclosed are the meeting handouts, including PowerPoint. I will share a few details in our work session next Monday. The OIC general membership confirmed five new Leadership Team members... Sam Davis, Lisa Wagner, Mike Miller, Jacqueline Housel, and Brandy Mariani (see photo below). Brandy is the new OIC Treasurer, replacing Jeremy Newport. The other four are members-at-large.



- Rotary Hazmat Pick-up: Enclosed is a *Register* article about the quarterly event set for Saturday, April 23.
- Email Address: Enclosed is a *Register* article about our email address change.
- Local Health District: Enclosed is information about Sub H.B. 110 and how it impacts our health district. We will discuss it in work session on Monday.
- Hawthorn Hill: Enclosed is a March 23 *Register* article about proposed changes to the US National Park System's General Management Plan that includes Hawthorn Hill. Also enclosed is an email from Rob Jacques summarizing information he received from Alex Heckman, Vice President of Museum Operations for Dayton History. We will touch on this in work session on Monday.
- Safety Department Report: Enclosed is the March report.
- Orchardly Park Play Structure: We removed the damaged play structure this week.
- Admin Policies/Procedures: Enclosed is Policy 29 – Fuel Inventory and Usage. Also enclosed is an updated Table of Contents.

- OneOhio Regional Board: Montgomery County is requesting that all government entities adopt a resolution accepting the proposal to create a OneOhio Regional Board to address the disbursement of Opioid settlement funds. Trotwood Mayor Mary McDonald was recently appointed by the Greater Dayton Mayors & Managers Association to serve on the Board. We plan to include this resolution on the May 2 council agenda.
- Cable Franchise Fees: Enclosed is a *DDN* article about a number of cities in numerous states attempting to get video streaming service providers (e.g., Netflix, Hulu) to pay local cable franchise fees. Below are reactions from Rob Jacques and Greg Dunn, an attorney at Ice Miller, LLP. We will discuss this briefly in work session on Monday.

From: Jacques, Robert

Sent: Wednesday, April 13, 2022 9:07 PM

To: Klopsch, Norbert S. <Klopsch@oakwood.oh.us>

Subject: Re: FW:

It's a cutting-edge issue right now. Several states have laws like Ohio's Video Service Authorization (VSA) law so similar battles are being fought on multiple fronts, so to speak.

In Ohio, the argument is that streaming services should be treated like cable companies because they make use of wires, conduits, and other facilities located in public R/W to deliver video content to subscribers. But it's also true that today's streaming technology is different from what existed when Ohio's VSA law was enacted in 2007, which undermines the argument that the General Assembly intended to regulate streaming services.

The legal issues are novel and the answer is not clear-cut or obvious. And it may involve political as well as legal considerations. Legally, it's a case about statutory interpretation and any admissible indications of legislative intent. Politically, I can only imagine companies like Netflix and Hulu have the resources to engage in sophisticated lobbying, which could potentially have some kind of effect on the outcome.

Robert F. Jacques, Esq. | Law Director

City of Oakwood | 30 Park Avenue | Oakwood, Ohio 45419

T: (937) 298-0600

F: (937) 297-2940

Jacques@oakwood.oh.us | www.oakwoodohio.gov

-----Original Message-----

From: Gregory.Dunn@icemiller.com [<mailto:Gregory.Dunn@icemiller.com>]

Sent: Thursday, April 14, 2022 10:07 AM

To: Jay Weiskircher <jweiskircher@mvcc.net>

Cc: JEFF GAMRATH <jgamrathibs@gmail.com>

Subject: Re: [EXT] Maple Heights Pleading

Chances are very doubtful. I'd be shocked. Wouldn't put it at zero though, as courts struggle with tech issues.

Best regards, Greg Dunn

- Sidewalk, Curb and Apron Project: We are still negotiating with RA Miller to finalize a contract to complete the northern half of the project (see yellow highlight on enclosed map). I will update you in work session on Monday.

- Inflated Construction Costs: Enclosed is a *DDN* article reporting that Kettering is dealing with a 29% increase in constructions costs on two roadway projects.
- Natural Areas/Native Gardens: Upon closer review of Section 551.02 DESIGNATION OF NATURE AREAS of our General Offenses Code, we determined that this “nature area” subsection of Chapter 551 Weeds does not sufficiently address the topic of natural areas and native gardens. The enclosed draft of an amended Chapter 551 Weeds encompasses changes to address a few recent topics – the definition of weeds, managed natural landscape areas, and recurring violations of grass-cutting at vacant properties. We reviewed codes from a number of cities and assembled what we believe is an appropriate version for Oakwood. This draft includes suggestions from the Green Oakwood subcommittee in a manner that still allows for efficient code enforcement. Of note, we created a new subsection for managed natural landscape areas rather than modify the existing section on nature areas. We will discuss this in work session on Monday.
- Tax Day: Monday, April 18 is Tax Day. Below is an explanation from the IRS website on why it was not today. Needless to say, our tax department has been abuzz lately, particularly this week. Big kudos to Linda Merker and her staff for their excellent work.

April 18 tax filing deadline for most

The filing deadline to submit 2021 tax returns or an extension to file and pay tax owed is Monday, April 18, 2022, for most taxpayers. By law, Washington, D.C., holidays impact tax deadlines for everyone in the same way federal holidays do. The due date is April 18, instead of April 15, because of the Emancipation Day holiday in the District of Columbia for everyone except taxpayers who live in Maine or Massachusetts. Taxpayers in Maine or Massachusetts have until April 19, 2022, to file their returns due to the Patriots' Day holiday in those states. Taxpayers requesting an extension will have until Monday, October 17, 2022, to file.

HAVE A GREAT WEEKEND!

TRANSMITTALS NOTED WITHIN NEWSLETTER

April 18 Work Session Agenda

Le Vésinet Letters

Register Article re: Oakwood FOP Egg-cellent Easter Parade

Register Article re: Perennial Sale

DDN Article re: Electric Scooters

DDN Article re: Styrofoam Recycling

DDN Article re: 150th Anniversary Event

Register Article re: TDIM

DDN Article re: OIC

OIC Meeting Handouts & PowerPoint

Register Article re: Oakwood Rotary Hazmat Pickup

Register Article re: City Email Addresses

Local Health District Information

Register Article & Email re: Hawthorn Hill

March Safety Report

Policy 29 & TOC

DDN Article re: Cable Franchise Fees

Sidewalk, Curb and Apron Project Map

DDN Article re: Inflated Construction Costs

Draft Chapter 551 Weeds

COUNCIL WORK SESSION AGENDA
APRIL 18, 2022

CYBERSECURITY PRESENTATION

- COUNCIL COMMITTEES
 - Court Liaison, Mrs. Hilton
 - Finance, Vice Mayor Byington
 - Spring BRC Meeting
 - OneOhio Regional Board
 - Law & Minutes, Mrs. Hilton
 - Open Meetings Law
 - Planning & Zoning, Vice Mayor Byington
 - Designated Natural Areas/Native Gardens
 - Land-use and Zoning Law
 - Hawthorn Hill
 - Public Properties, Mrs. Turben
 - Public Utilities/Waterworks/Sewer, Mrs. Turben
 - Safety & Traffic, Mr. Stephens
 - Fireworks
 - Streets & Alleys, Mr. Stephens
 - Sidewalk, Curb and Driveway Apron Project
 - Far Hills Curb Project
 - Far Hills Stormwater Inlet Project
 - Community Relations/Promotion/Appointments, Mayor Duncan
- REGIONAL AGENCIES
 - MVCC, Mr. Stephens
 - Cable Franchise Fees
 - MVRPC, Vice Mayor Byington
 - Mayors & Managers, Mayor Duncan
 - First Suburbs, Vice Mayor Byington
 - Oakwood Inclusion Coalition, Mr. Klopsch
 - April 13 Annual Meeting
- BOARDS & COMMISSIONS
 - Planning Commission, Vice Mayor Byington
 - Beautification Committee, Mr. Stephens
 - Sister City Association, Mrs. Hilton
 - 2022 Celebration Events
 - Historical Society, Mrs. Turben
 - May 14 “Town of Oakwood” Marker Unveiling
 - Board of Health, Mayor Duncan
 - Local Health Districts
- MISCELLANEOUS
 - Committee Appointments

EXECUTIVE SESSION FOR CONFERENCE WITH ATTORNEY AND FOR PROPERTY MATTERS



City of Oakwood

Government Administration

Mayor

April 15, 2022

Monsieur Bruno Coradetti
Mairie du Vésinet
60 boulevard Carnot
78110 Le Vésinet

Dear Mayor Coradetti,

Thank you very much for the warm invitation to the June 24-27 twinning celebration in Le Vésinet. It is indeed a special event as we have reached the 50th year of our deep friendship. I have spoken with Mr. Charles Simms on numerous occasions about the history of our relationship with Le Vésinet and the enormous value of it, particularly during these challenging times. You may know Charles. He and his wife, Ann, (sadly, now deceased) were instrumental in establishing our Sister City bond in 1972.

Unfortunately, I am unable to make the trip to Le Vésinet. However, I am very pleased to inform you that Council Member Leigh Turben and her husband Dan will join the group from Oakwood, representing our five member Oakwood City Council. Leigh has lived in Oakwood for 32 years and has served our city in several ways. She has been a member of the Advisory Council for Wright Memorial Public Library, a member of our Oakwood Citizen Budget Review Committee, and has held several positions on the Oakwood Historical Society Board of Directors, including two years as President. She has served on city council since February 2021.

Leigh and Dan will bring well wishes to you and your wonderful community, and will thoroughly enjoy the days in Le Vésinet. In the meantime, I and the rest of Oakwood City Council will look forward to the visit to Oakwood planned for October.

Thank you again for the invitation and all the very best.

Sincerely,

A handwritten signature in black ink that reads "William D. Duncan".

William D. Duncan
Mayor

WDD:ls

cc: Oakwood City Council



City of Oakwood

Government Administration

Mayor

April 15, 2022

Monsieur Bruno Coradetti
Mairie du Vésinet
60 boulevard Carnot
78110 Le Vésinet

Cher Monsieur le Maire du Vésinet,

Je vous remercie de votre chaleureuse invitation aux célébrations de jumelage avec votre belle ville. C'est, en effet, une occasion exceptionnelle où nous marquons cinquante années d'amitié profonde. J'ai eu l'opportunité de parler plusieurs fois à Monsieur Charles Simms de l'histoire et de la grande valeur de notre rapport avec Le Vésinet, qui est d'une importance encore plus particulière pendant ces temps éprouvants. Vous connaissez peut-être Charles qui, avec sa femme Ann (tristement décédée), a contribué grandement à l'établissement de notre jumelage en 1972.

Malheureusement, je ne pourrai pas faire le voyage au Vésinet, cet été. Par contre, je suis très heureux de vous annoncer qu'un des cinq membres de notre Conseil municipal, Leigh Turben et son mari Dan se joindront à la délégation d'Oakwood pour représenter officiellement notre ville. Leigh habite à Oakwood depuis 32 ans et a servi notre ville dans plusieurs rôles. Elle a été membre du Conseil de la Bibliothèque Wright Mémorial, membre de notre Panel citoyen de supervision des finances publiques, et membre du Conseil d'administration de la Société d'histoire d'Oakwood dont elle est finalement devenue Présidente (pendant 2 ans). Elle est membre du Conseil municipal depuis février 2021.

Leigh et Dan sont très contents de pouvoir transmettre – à votre communauté et à vous – tous nos souhaits chaleureux. Pour notre part, les membres du Conseil municipal d'Oakwood se joignent à moi pour vous exprimer notre espoir de vous voir, avec votre délégation vésigondaise, ici à Oakwood en octobre. Nous vous enverrons une invitation formelle quand tous les détails seront en place.

En vous remerciant pour votre invitation cordiale, je vous prie, Monsieur le Maire, d'accepter mes sincères amitiés

Sincerely,

A handwritten signature in blue ink that reads "William D. Duncan".

William D. Duncan
Mayor

WDD:ls

cc: Oakwood City Council

30 Park Avenue, Oakwood, Ohio 45419
(937) 298-0600 ~ Fax (937) 297-2940
www.oakwoodohio.gov

Oakwood Easter Egg-cellent Parade will treat toddlers April 16

The Oakwood Fraternal Order of Police Lodge 107 Egg-cellent Parade will be held starting at 12 noon on Saturday, April 16.

The parade will travel along Shafor Boulevard between Spirea and Corona, along the grassy median used for Scarecrow Row.

Parents and children are asked to follow safety guidelines. All families and children should remain in the grass median along Shafor Boulevard.

The fire engine will be escorted by a police car and will begin on Shafor

Boulevard at Spirea. The parade will continue southbound on Shafor to Corona Avenue. The fire engine will turn around and continue northbound on Shafor Boulevard and conclude at Spirea. Families can practice social distancing by lining up on both sides of the grass median.

Oakwood Public Safety Officers along with Boy Scout Troop 101 will be tossing 4,000 eggs to the children along the parade route. Organizers are excited to announce that the Easter Bunny will be riding in the fire engine.



OR
4/13/22

Organizers also ask that only children up to the age 12 attend the event to ensure that the children will be

getting plenty of eggs as the FOP and Scouts celebrate this 32-year tradition with the Oakwood community.

The parade event is weather dependent; follow the event on Facebook for any updates.



Friends of Smith Gardens Perennial Sale April 22-23

The Friends of Smith Gardens Perennial Sale will be held on Friday, April 22, and Saturday, April 23, at the Oakwood Community Center, 105 Patterson Road in Oakwood. Sale hours are from 3 p.m. to 8 p.m. on Friday and 9 a.m. to 3 p.m. on Saturday.

Over 100 varieties of plants will be available including perennials, hostas,

ferns, herbs, ornamental grasses, wildflowers, natives, hanging baskets and some annuals.

All plant material is Ohio grown, within a 100 miles of Dayton. All of the growers are known for their excellent quality plants. Plant material will be potted in 3-inch and 4-1/2-inch pots, quarts and gallon containers and will arrive in Oakwood the day of the

sale, so all the plants are fresh from the growers and the best of quality.

A complete listing of plants is now available for pick up at the Community Center or by calling the OCC at (937) 298-0775.

This fundraising event is open to the public with proceeds going to the care and maintenance of Smith Gardens.

OR 4/13/22

Electric scooters put on path leading to a ban

By London Bishop
Staff Writer

BEAVERCREEK — The city of Beaver Creek is moving to permanently ban dockless electric scooters, bicycles and other shared transport vehicles, following the example of some other cities in the Miami Valley.

The ban on “shared mobility devices” had its first reading Monday, and would prohibit the service from being provided anywhere in the city. Shared mobility systems, which make e-scooters or bikes available for short-term rentals, have grown popular in urban areas in recent years.

The ban targets “dockless” vehicles, both powered and unpowered scooters and bicycles, in which the supplier typically picks up the scooter from wherever it is left. The scooters are “frequently abandoned by users in streets, sidewalks, and other public places, creating visual clutter and serious safety concerns,” city documents say.

Beaver Creek also does not have a continuous sidewalk system or traditional downtown, which further heightens the city’s safety concerns. City council has not yet held a formal vote.

Scooters continued on B6

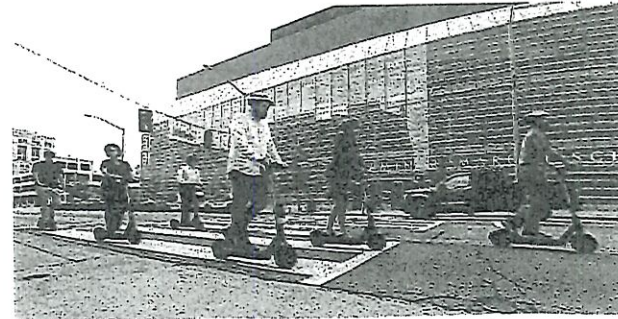
Scooters

continued from B1

“This did start originally with the traditional idea of the scooters, but in looking at the issue, we thought it appropriate to also address the electric bike or e-bikes, and nonpowered bikes also, because in theory, they can all fit the same business model,” law director Stephen McHugh told council Monday.

Violators would be considered a “public nuisance” and charged with a misdemeanor, records show.

Several local cities ban shared mobility vehicles, including Centerville and



Shared mobility devices are regulated in some local cities, including Dayton (above), while others, including Oakwood, have banned them. FILE

Oakwood. Others, including Dayton, Kettering and Columbus, regulate use.

The ban does not affect bicycle rentals in which the

vehicle must be returned to a staffed location.

Contact this reporter at london.bishop@coxinc.com.

DDN 4/13/22

OAKWOOD

Styrofoam recycling

The city of Oakwood is partnering with Green Oakwood to provide a spring Styrofoam recycling event for the Oakwood community. Styrofoam will be collected at the 24/7 public-access recycling facility located at the front entrance to the J. David

Foell Public Works Center, 210 Shafor Blvd., on Saturday, April 23 from 10:30 a.m. to 12:30 p.m.

Green Oakwood will transport the collected Styrofoam to the Montgomery County Environmental Services Styrofoam recycling event. Aside from Styrofoam recycling, the Public Works Center will be open that day for mulch pickup. No other Public Works services will be available that day.

STAFF REPORT

DDW 4/14/22

OAKWOOD

150th anniversary event

Oakwood is celebrating the 150th anniversary of the original Oakwood plats. As part of the Far Hills Speaker Series, an in-person event will be held from 2 to 3 p.m. Sunday, April 24 in the Community Room of Wright Memorial Public Library, 1776 Far Hills Ave. To keep up-to-date on any

changes, registration is requested.

The early plat maps show the initial divisions of Oakwood land as it went from settlement to platted village. The "founders" of Oakwood, Haas, Mitchell, Dixon and Harman purchased land along the Lebanon Turnpike south of Dayton and subdivided it into smaller parcels and then attempted to sell the land for housing or other uses.

In 1872 to address these subdivisions, plat maps were drawn and approved as legal documents. This process started the growth of a settlement to a village in 1908 and then a city in 1931.

This presentation will chronologically walk through the growth of the Oakwood community as houses were built and neighborhoods established. The history of each Oakwood neighborhood will be discussed starting with the original landowners to the history behind how the plats in the city were developed into

what they are today.

For more information, visit www.wrightlibrary.org.

STAFF REPORT

DDN 4/14/22

That Day In May returning in full force, organizers say

For the first time in three years, That Day In May, Oakwood's annual community festival, returns this spring with all the fun and activities that Oakwood residents have come to enjoy at this family friendly event.

The Rotary Club of Oakwood has been the host of That Day In May for more than 40 years. Unfortunately, the pandemic created challenges for many community events over the last two years. Last year, Rotarians were able to safely host a modified TDIM event, but this year marks the full return that has something for everyone.

On Saturday, May 21, the smell of pancakes will fill the Oakwood High School cafeteria as Rotarians serve up hot pancakes and all the fixin's beginning at 8 a.m.

Just outside the High School, near Mack Hummon Stadium, runners will gather for the start of the Fun Run for kids and families. at 8:30 a.m., followed by the 5K and 10K races at 9 a.m.

At noon, the Oakwood Community Parade returns along Shafor Boulevard, from Orchard Drive to the Oakwood High School.

Post-parade That Day In May festivities continue at Mack Hummon Field at 12:30 p.m. with numerous games along Schantz Avenue between Oakwood High School and the Stadium plus lots of inflatable fun inside the high school in "The Pit." Rumor has it there will also be a Dunking Booth with some of your favorite community personalities perched for the plunge!

Members of the Oakwood Safety Department will also be on hand to feature their "Smokehouse" to give instruction on fire safety preparedness.

Another community favorite is the Dog Parade and Costume Contest inside Mack Hummon Stadium as dog owners dress their dogs in their favorite "Literary Character" theme this year beginning at 1 p.m.

Auto enthusiasts will be treated to an array of classic vehicles this year lining up in the second block of Dellwood Avenue from 1-4 p.m.

Day two of That Day In May is designed for golfers as the 2nd Annual Rotary Club of Oakwood Golf Outing takes the links at Dayton Country Club on Monday, May 23. That Day In May Co-Chair Joe Scott invites everyone to enjoy this historic course. "For the weekend golfer, this is a unique opportunity to play on one of the finest golf courses in our area," Scott said. Foursomes are filling up, so be sure to sign up today!

Scott also encourages everyone to participate in the Silent Auction during the golf event. Interested bidders are invited to stop by all day long to place their bids. Attendees at the cocktail party will also have an opportunity to bid on the many unique items.

"Nearly 100 Oakwood Rotarians are excited to bring this staple of spring back in full force this year," Scott added. "Our volunteers log nearly 1,000 hours of service towards this event which affirms our commitment to give back to the Oakwood community."

Visit www.TDIM.org to secure a sponsorship, register for golf or make a reservation. Payment can be made by either check or credit card. Checks are preferred. To pay by credit card, go to the TDIM website. Run registration and payment are online only.

Applications for the parade and dog show can be found on www.TDIM.org. If paying by check, please make check payable to: Rotary Club of Oakwood and mail your payment to:

Rotary Club of Oakwood
PO Box 512
Oakwood, OH
45409-0512

Tickets for the pancake breakfast can be purchased at the Oakwood Community Center, from members of the Rotary Club of Oakwood and at the door.

TDIM proceeds go to The Oakwood Rotary Foundation, the charitable arm of the Rotary Club distributing nearly \$700,000 to assist charitable and humanitarian projects throughout the Dayton region since 1988.

OR

4/13/22

CLOSER LOOK

Oakwood inclusion group to propose outcomes strategy

By Nick Blizzard
Staff Writer

OAKWOOD — The Oakwood Inclusion Coalition has established a foundation to help foster community engagement and expand its message. The organization plans to share its proposed outcomes strategy at an event Wednesday night.

The OIC was formed in late 2020 “to study, promote, and celebrate an inclusive, equitable, diverse and welcoming environment and community for everyone who lives, works, visits, or passes through Oakwood,” documents show.

Recently, the OIC has defined its mission, gained nonprofit status and chosen a leadership team while holding and participating in events.

Oakwood continued on B10

Oakwood

continued from B1

Promoting public discussion is “one of the most important elements” of the group’s work, coalition Chair Madeline Iseli told Oakwood City Council recently.

The meeting Wednesday is set for 7 p.m. at Wright Memorial Public Library, 1776 Far Hills Ave.

“We’re going to share some thoughts and ideas with citizens of the community and get some feedback to see if what we’re proposing makes sense,” Iseli said.

The population of Oakwood, a largely residential suburb of about 9,000 bordering Dayton, is more than 95% white, according to U.S. Census data.

The group seeks to change what City Manager Norb



Madeline Iseli is chair of the Oakwood Inclusion Coalition. FILE

Klopsch, an OIC leadership team member, called a “lingering reputation” that has been “troubling.”

That mindset about the city wasn’t aided by a 2019 report – which Oakwood

officials argued was “seriously flawed” – focused on its safety department’s treatment of minorities.

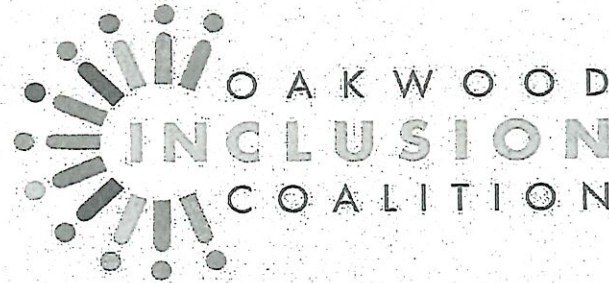
The OIC gained a 501(c)(3) designation from the Internal Revenue Service in May 2021, federal records show. It also established a fund through The Dayton Foundation, Iseli said.

A key role for the OIC is “to get citizens together to start talking about issues that are important to them,” she said. “To start envisioning the future of Oakwood and where the community is going.”

About 200 people took part in two public meetings, with about 75 attending both, showing “good, consistent participation,” Iseli said.

Discussions on two books drew 50 to 60 people each, she said.

One was “Caste: The Ori-



The Oakwood Inclusion Coalition formed more than a year ago “to study, promote and celebrate an inclusive, equitable, diverse and welcoming environment and community for everyone who lives, works, visits, or passes through” the city. FILE

gins of Our Discontents,” a book on how America today and throughout its history has been shaped by a hidden caste system, a rigid hierar-

chy of human rankings.

The other was “The Righteous Mind: Why Good People Are Divided by Politics and Religion,” which chal-

lenges conventional thinking about morality, politics and religion.

The OIC also had about 70 participating in the MLK Memorial March in Dayton in January, Iseli said.

“As we continue to develop programs and plans for the coming years, we were able to remain committed to non-partisanship,” she said.

“We remain committed to creating connections for citizens to work together constructively and collaboratively to share our diverse thinking and to build a stronger community,” Iseli added.

More information is available on the OIC’s website: <https://www.oakwoodic.org/>.

Contact this writer at 937-610-7438 or email Nick. Blizzard@coxinc.com.

DDN 4/10/22



SPEAKING ORDER AND TIMING

FIRST ANNUAL MEETING

Wednesday, April 13, 2022 | 7:00 – 8:00 p.m.
Community Room, Wright Memorial Library

1. Welcome	Madeline	7:00 (2 min.)
2. First Annual Report Overview	Madeline PowerPoint & Handout	7:02 (10 min.)
3. Proposed Outcome Strategies: Realizing the OIC Mission with Intentionality and Purpose	Madeline PowerPoint & Handout (Annual Report and Chronology)	7:12 (5 min.)
4. Group Discussion – Proposed Outcome Strategies (Virtual and in-person small groups led by Leadership Team members with Discussion Guide)	All	7:17 (15 min. Discussion) 7:32 (15 min. Report Out)
5. Leadership Team and Slate of Officers Election	All Slate on PowerPoint	7:47 (3 min.)
6. Looking Ahead... (point to website for virtual feedback or cards for in-person?)		7:50

Code of Conduct

Guiding Oakwood Inclusion Coalition Participation

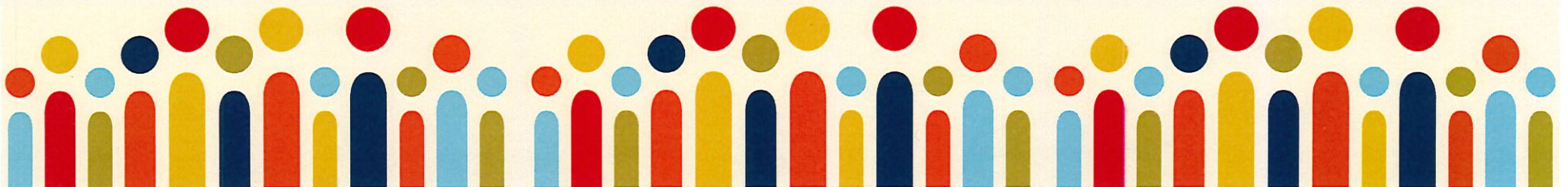
All Oakwood Inclusion Coalition (OIC) participants agree to treat one another respectfully. With a spirit of humility, we agree to exercise the following principles and attitudes in order to facilitate OIC's mission to study, promote, and celebrate an inclusive and welcoming environment.

- **Open-mindedness:** Be curious and listen to understand. Explore how others' experiences have shaped their values and perspectives.
- **Acceptance:** Listen without interruption or crosstalk. Suspend judgment so you can be open to learning from others.
- **Curiosity:** Seek to discover and understand rather than persuade. Look for areas of agreement and shared values and take an interest in others' differing beliefs and opinions.
- **Sincerity:** Speak authentically from your heart and personal experience. Welcome that from others.
- **Brevity:** Keep your comments concise and relevant. Strive for honesty and depth while being conscious of sharing airtime.

OAKWOOD
INCLUSION
COALITION

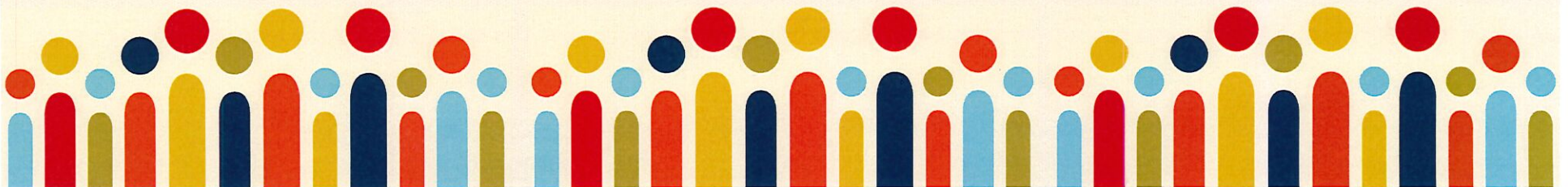
First Annual Meeting

April 13, 2022



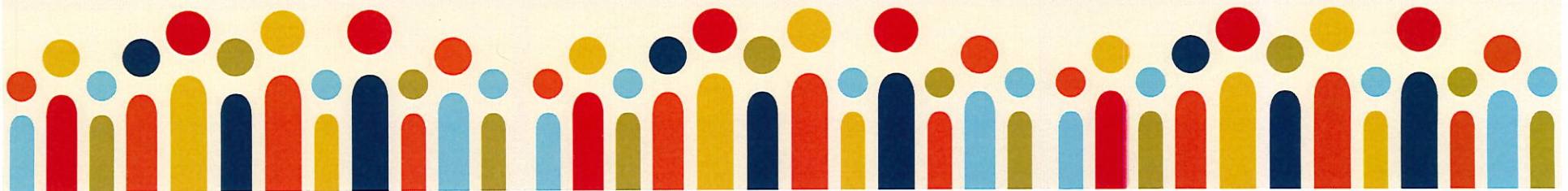
First Annual Meeting Agenda

1. Welcome!
2. Overview: First Annual Report
3. Overview: Proposed Outcome Strategies
4. Small Group Discussions: Strategic Framework Proposal
5. Small Group Report-Outs
6. 2022 Leadership Team and Officers Election
7. Looking Ahead



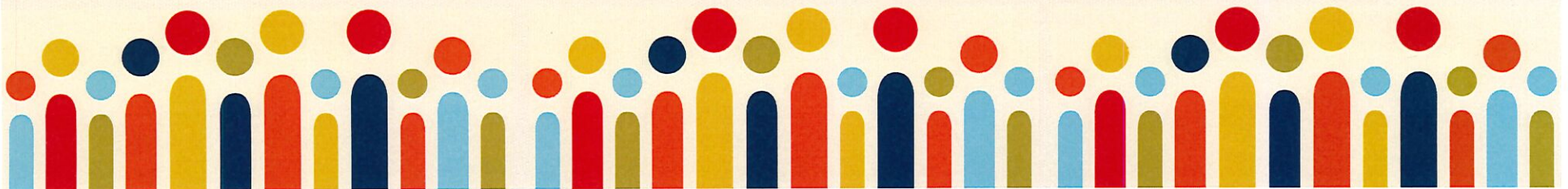
First Annual Report

- Establishing Administrative Structures
- Engaging Community Participation
- Operating with Solid Financial Standing
- Achieving Community Impact
- Realizing the OIC Mission to Study, Promote and Celebrate
- Expressing Appreciation



Establishing Administrative Structures

- **Website**
- **Leadership Team and Officers**
- **Committees**
 - Programs and Events
 - Current Issues



Establishing Administrative Structures

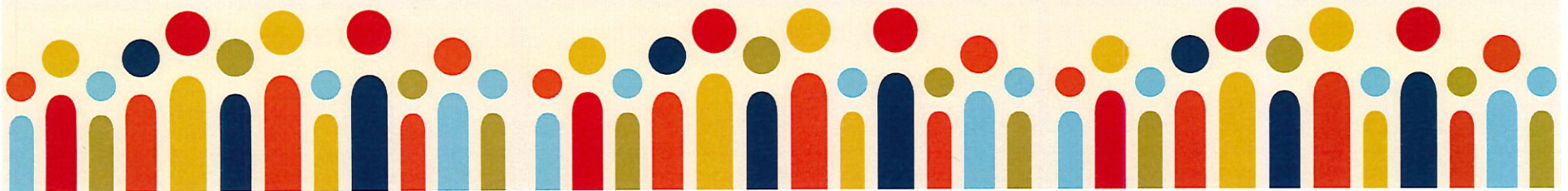
OAKWOOD INCLUSION COALITION
BRAND GUIDELINES

OIC Branding Project with UD Design Students

- Professor Jayne Whitaker
- Professor Roger Crum

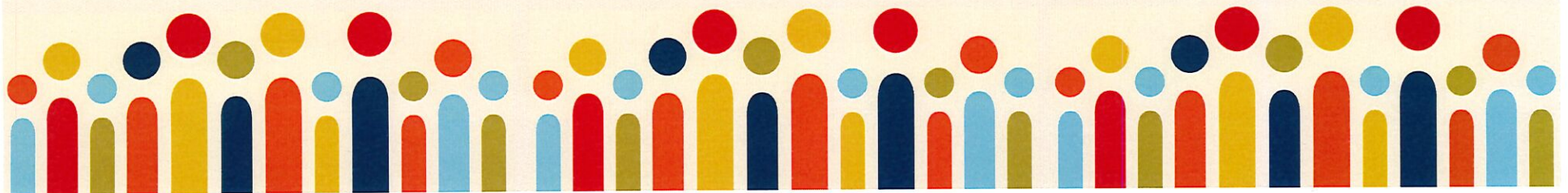


BUILDING COMMUNITY FOR ALL



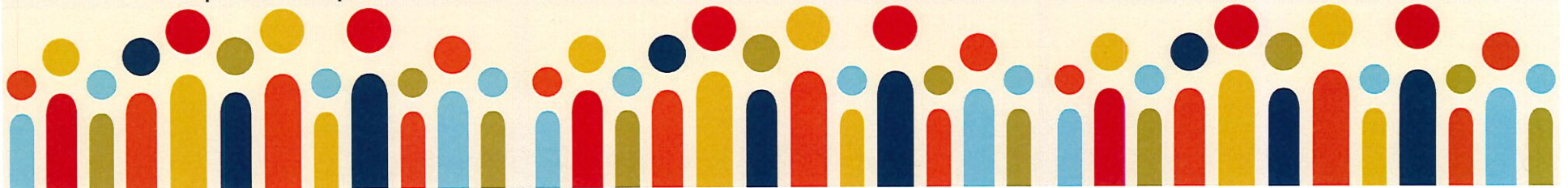
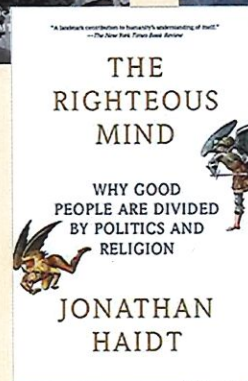
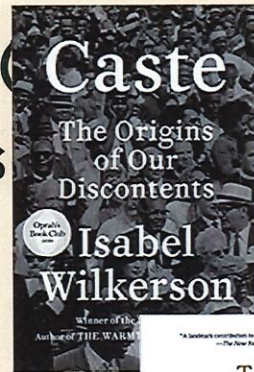
2021 Leadership Team

- **Judy Cook** (Vice Chair)
- **Roger Crum** (At-Large Member)
- **Leigh Ann Fulford** (Chair, Programs & Events)
- **Kate Furmanski** (Co-Chair, Communications)
- **Joshua Green** (Webmaster)
- **Kristi Hale** (Interim Secretary and Library Liaison)
- **Madeline Iseli** (Interim Chair)
- **Healy Jackson** (Co-Chair, Communications)
- **Norbert Klopsch** (City Liaison)
- **Jeremy Newport** (Treasurer)
- **Kyle Ramey** (Schools Liaison)
- **Dan Turben** (Fundraising Lead)



Engaging Community Participation

- **2 Public Meetings**
 - 200 participants
- **2 “Big Reads”**
 - 55 participants,
7 sessions
- **2022 Martin Luther King, Jr. Walk in Dayton**
 - Over 70 participants



Operating with Solid Financial Standing

- **IRS Granted 501(c)(3) status** (May 2021)
- **12/31/21 Balance = \$10,991.53**
- **OIC Fund #8800 at The Dayton Foundation**
- **Fundraising Underway**
 - Community Research Proposal

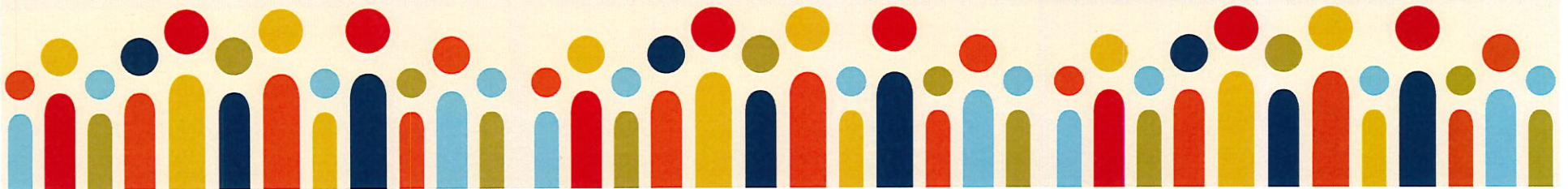
**SUPPORT
US
ONLINE**

Donate Now via the Dayton Foundation

The Oakwood Inclusion Coalition Fund #8800 is a component fund of The Dayton Foundation, and we process all gifts and donations through their website.

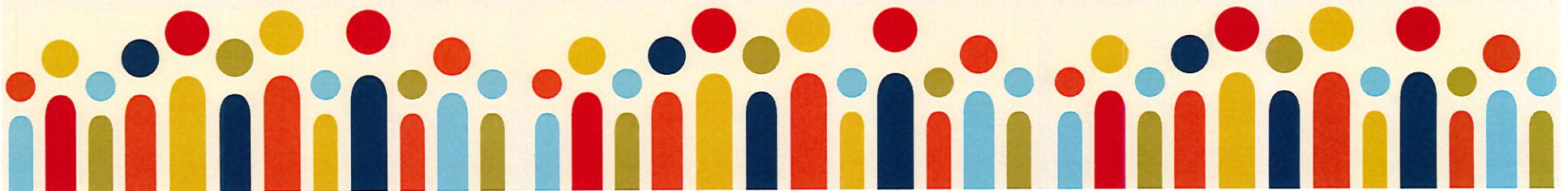
Kindly click the button above and you will be redirected to the foundation's website where you will be able to contribute to the Oakwood Inclusion Coalition Fund #8800 using your credit card.

Thank you for your support!



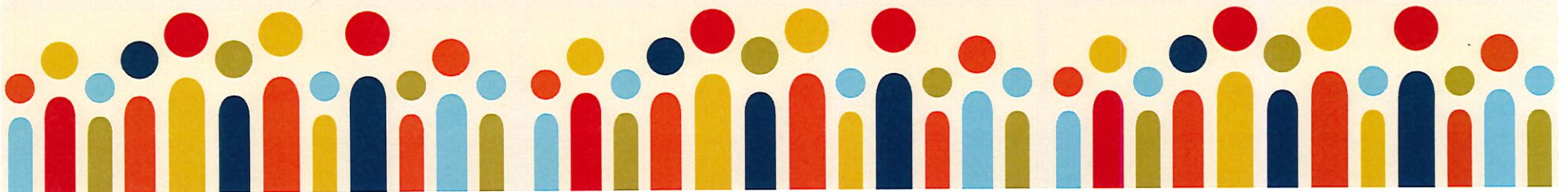
Achieving Community Impact

- NCCJ Diversity 101
- Miami Valley Environmental Justice Academy
- Gem City Market Opening
- Oakwood Historical Society Holiday Home Tour
- Response to Placement of White Supremacist Stickers
- 2022 Martin Luther King, Jr. Walk in Dayton



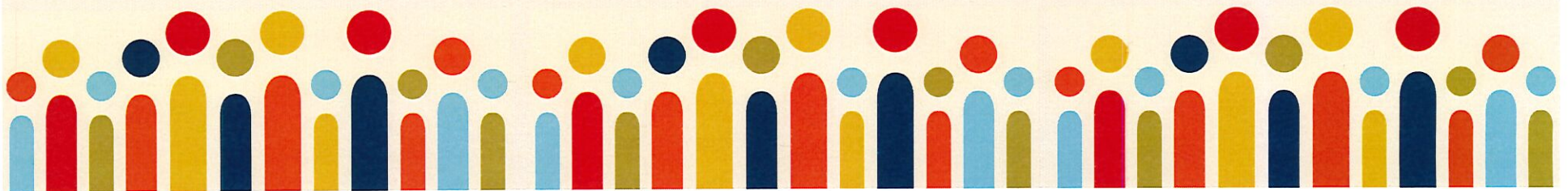
Realizing the Mission: Study, Promote, Celebrate

- **Challenges of the Pandemic**
- **Commitment to:**
 - Nonpartisanship
 - Community Connections
 - Constructive Collaborations



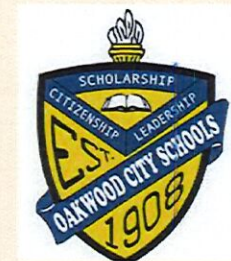
Realizing the Mission: Study, Promote, Celebrate

- **Leadership Team Planning Sessions** – Kathy Hollingsworth, Facilitator
- **Proposed Outcome Strategies** – events and programs to realize two purposes
 1. Bring citizens of Oakwood together
 2. Establish Oakwood as a welcoming community

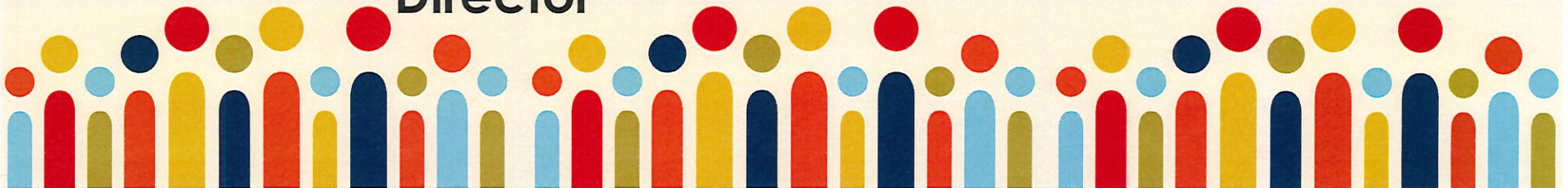


Expressing Appreciation

- **Norbert Klopsch,**
City Manager
- **Kyle Ramey,**
Superintendent
- **Kristi Hale,**
Director



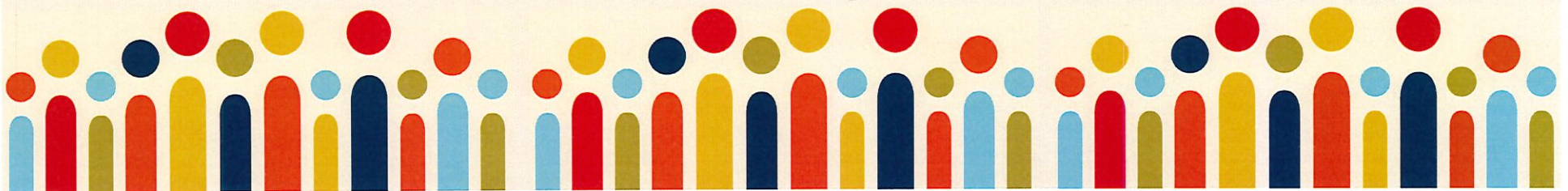
Wright Memorial
Public Library



Proposed Outcome Strategies

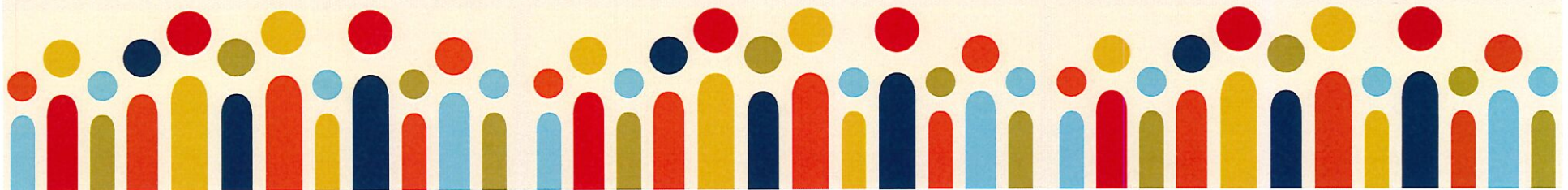
Events and programs to realize two purposes:

- A. Bring citizens of Oakwood together to develop deeper relationships of trust and understanding that lead to a culture of tolerance, while at the same time promoting the communitarianism that is central to the Oakwood experience through educational programs and convening events and activities.
- B. Establish Oakwood as a city that is welcoming to all, regardless of residency, background, or beliefs.



Proposed Outcome Strategies

DRAFT EXAMPLE EVENTS/ACTIVITIES			Audience Target	
Possible Event	Desired Outcomes	Potential Partners	Oakwood	Larger Community
Purpose A: Bring Oakwood Together				
1. Organized Outreach Volunteering (forming teams of Oakwood residents to provide volunteer services to regional nonprofits providing services such as food distribution, tutoring, etc.)	<ul style="list-style-type: none"> The larger Dayton region associates Oakwood with contributing strongly to social equity efforts. Oakwood residents build trust while getting to know each other and their Dayton neighbors through their collective experiences. Oakwood residents become more aware of needs in the larger region. 	Area Nonprofit Organizations	X	X
2. History Series (How Oakwood has evolved and succeeded over time, i.e. overcoming redlining)	Oakwood residents learn of the rich history of the community and understand how it has evolved and adapted, while still providing many of the same benefits that previous generations have enjoyed.	Oakwood Historical Society, Wright Library	X	
3. Convening Conversations (Bringing people together to build relationships, trust, and understanding)	Facilitated frameworks for engendering conversations “across the divide” would contribute to depolarization by enabling relationship development and sharing between Oakwood residents.	Wright Library, Braver Angels, Be the Bridge	X	
Purpose B: Establish Oakwood as Welcoming				
1. Oakwood Farmer’s Market (Promote the market to the regional community)	Attracting visitors to Oakwood in the summer helps the Market, drives foot traffic to the neighboring business district, and displays the increasing diversity of the community.	Oakwood Farmer’s Market	X	X
2. That Day in May (Promote this annual event to the regional community)	This fun annual event could provide an accessible entertainment opportunity for area families with children.	Oakwood Rotary	X	X
3. Cultural Event (New event celebrating the many traditions, faiths, and cultures of Oakwood)	As the socio-economic and racial data of the 2020 Census has documented, Oakwood’s diversity is increasing. Welcoming and celebrating that diversity in a joyous manner and in a sincere commitment to learning from others will help residents appreciate the increasing richness of the cultural heritages within the Oakwood community.	Inter-Faith Community, Oakwood Historical Society, Oakwood Schools	X	X

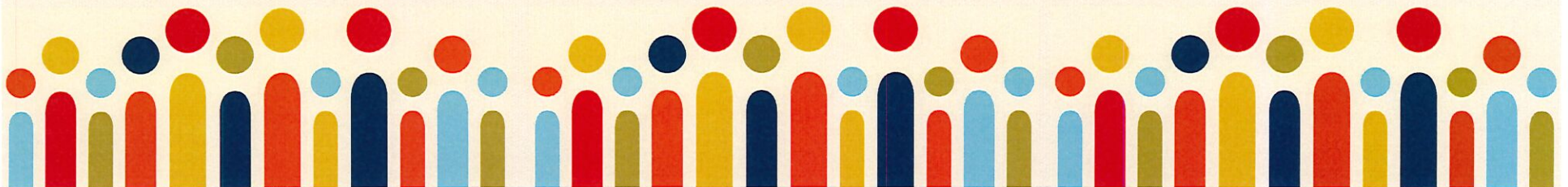


A. Bring Oakwood Together

- 1. Organized Outreach Volunteering** – forming teams of Oakwood residents to provide volunteer services to regional nonprofits providing services such as food distribution, tutoring, etc.

Desired Outcomes:

- The larger Dayton region associates Oakwood with contributing strongly to social equity efforts.
- Oakwood residents build trust while getting to know each other and their Dayton neighbors through their collective experiences.
- Oakwood residents become more aware of needs in the larger region.



A. Bring Oakwood Together

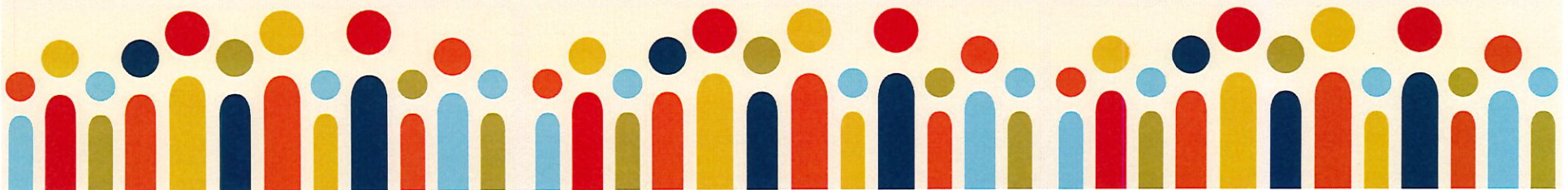
2. **History Series** – How Oakwood has evolved and succeeded over time, i.e. overcoming redlining

Desired Outcomes:

- Oakwood residents learn of the rich history of the community and understand how it has evolved and adapted, while still providing many of the same benefits that previous generations have enjoyed.

Potential Partners:

- Oakwood Historical Society
- Wright Memorial Library



A. Bring Oakwood Together

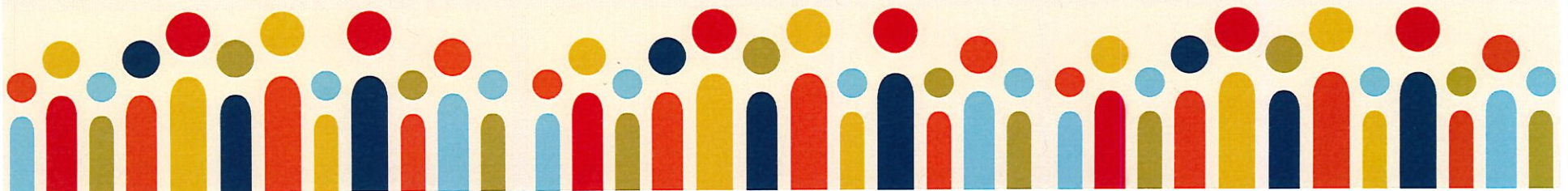
3. Convening Conversations – Bringing people together to build relationships, trust, and understanding

Desired Outcomes:

- Facilitated frameworks for engendering conversations “across the divide” would contribute to depolarization by enabling relationship development and sharing between Oakwood residents.

Potential Partners:

- Wright Memorial Library
- Braver Angels
- Be the Bridge



B. Oakwood as Welcoming

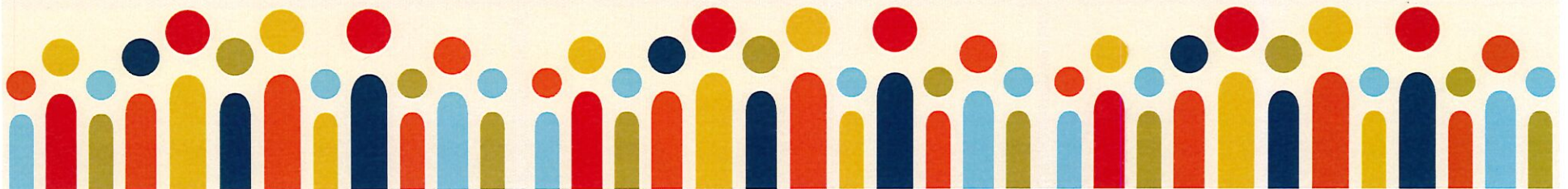
1. **Oakwood Farmers Market** – Promote the market to the regional community

Desired Outcomes:

- Attracting visitors to Oakwood in the summer helps the Market, drives foot traffic to the neighboring business district, and displays the increasing diversity of the community.

Potential Partners:

- Oakwood Farmers Market
- Far Hills Business District Merchants



B. Oakwood as Welcoming

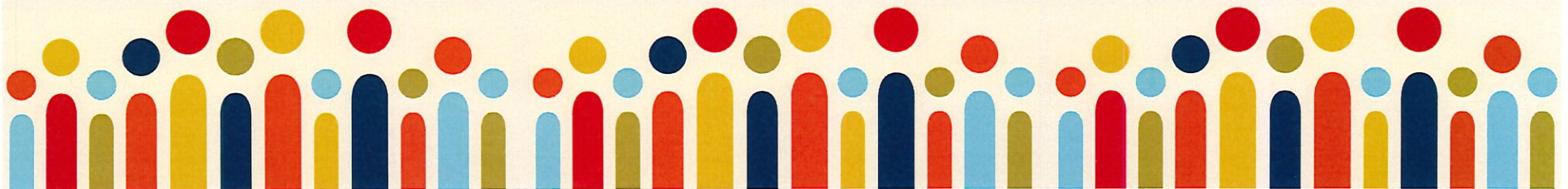
- 2. That Day in May** – Promote this annual event to families in the regional community

Desired Outcomes:

- This fun annual event could provide an accessible entertainment opportunity for area families with children.

Potential Partners:

- Oakwood Rotary
- City of Oakwood



B. Oakwood as Welcoming

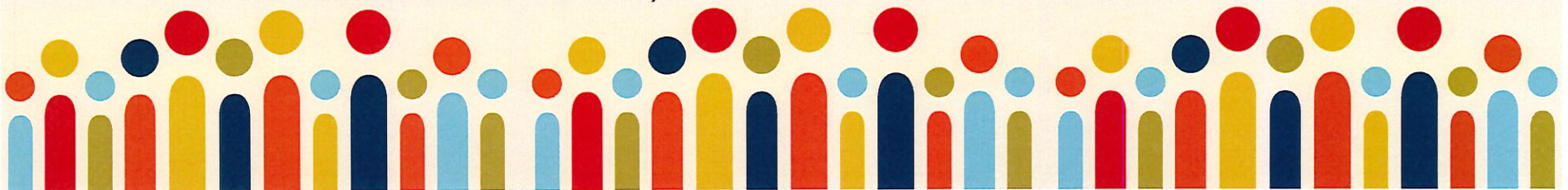
3. **Cultural Event** – New event celebrating the many traditions, faiths, and cultures of Oakwood

Desired Outcomes:

- The 2020 Census has documented that Oakwood's diversity is increasing. Welcoming and celebrating that diversity in a joyous manner and in a sincere commitment to learning from others will help residents appreciate the increasing richness of the cultural heritages within Oakwood.

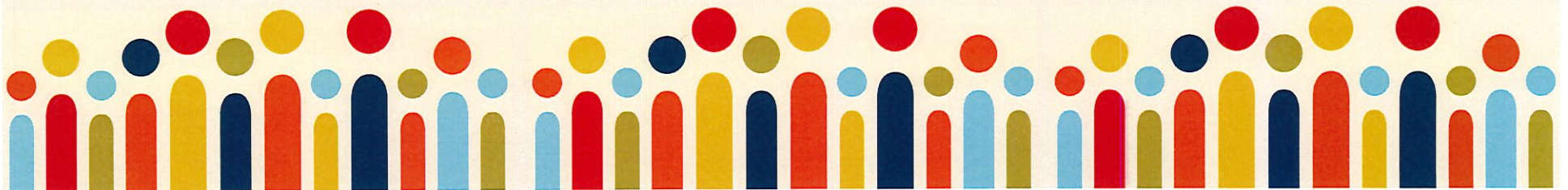
Potential Partners:

- Interfaith Community
- Oakwood Schools
- Oakwood Historical Society

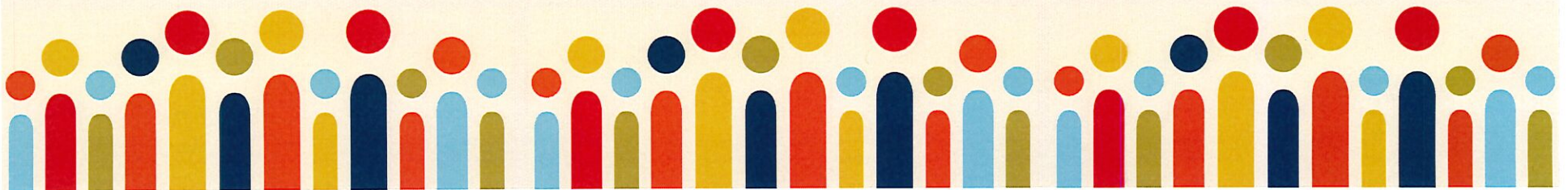


Strategic Framework Discussion

- 1. Do the identified purposes represent high priority choices?**
- 2. Are the events and programs presented as examples accomplishing the purposes?**
- 3. What strikes you as more effective/interesting/feasible?**

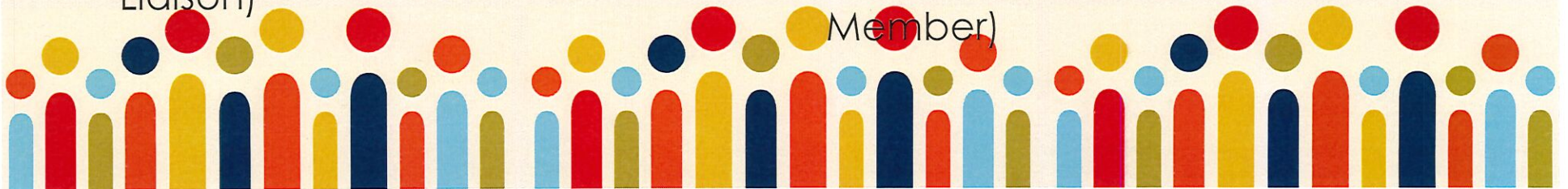


Strategic Framework Report Out



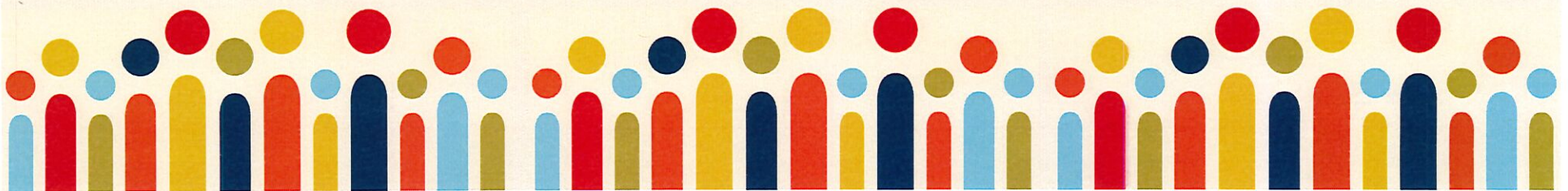
2022 Leadership Team and Officers

- **Judy Cook** (Vice Chair)
- **Roger Crum** (At-Large Member and Poet Laureate)
- **Sam Davis** (At-Large Member)
- **Leigh Ann Fulford** (Chair, Programs & Events)
- **Kate Furmanski** (Co-Chair, Communications)
- **Joshua Green** (Webmaster)
- **Kristi Hale** (Secretary, Library Liaison)
- **Jacqueline Housel** (At-Large Member)
- **Madeline Iseli** (Chair)
- **Healy Jackson** (Co-Chair, Communications)
- **Norbert Klopsch** (City Liaison)
- **Brandy Mariani** (Treasurer)
- **Mike Miller** (At-Large Member)
- **Kyle Ramey** (Schools Liaison)
- **Dan Turben** (Fundraising Lead)
- **Lisa Wagner** (At-Large Member)

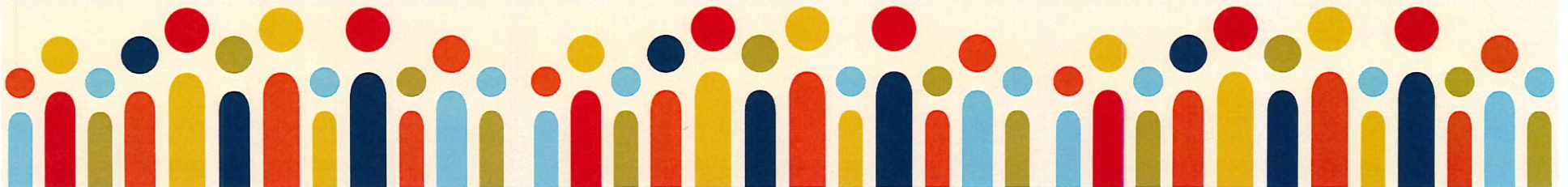


Looking Ahead...

- **Become a member of the OIC**
- **Tell us how you'd like to get involved**
- **Donate**
- **Share your ideas with the OIC Leadership Team**
- **Spread the word**



Thank You!



Oakwood Rotary schedules hazmat pickup April 23

Oakwood Rotary volunteers will come to your home on Saturday, April 23, to collect materials that cannot be picked up by weekly trash and recycling routes. Those items include paint cans, stains, thinners, pesticides, and batteries. Please ensure containers are easily accessible, not

leaking, with secure lids. If you have pick-up items, please call 296-5155 and leave your name/address before noon on Friday, April 22. Items to be collected need to be ready for pickup by 9 a.m. on April 23.

While there's no charge for the pick up, we encourage you to make

a tax-deductible donation to the "Oakwood Rotary Club Foundation" and leave that with the items in a well-marked envelope. You may also mail a check to P.O. Box 512, Dayton, OH 45409. All donations support Oakwood Rotary charitable projects and community events.

OR 4/13/22

City email addresses change in Oakwood

Email addresses for Oakwood City Council, city employees and city offices have changed from the @oakwood.oh.us suffix to

the @oakwoodohio.gov suffix. This change matches the city website which is found at www.oakwoodohio.gov.

While emails sent to the old addresses will continue to be automatically forwarded to the appropriate person or city depart-

ment, the city recommends that the new address suffix be used for all correspondence going forward.

OR 4/13/22

MEMORANDUM

To: Norbert S. Klopsch

From: Robert F. Jacques

Date: June 18, 2021

RE: *Functional changes to the Oakwood Board of Health if the State of Ohio eliminates local health districts*

(2021 biennial budget bill, Sub. H.B. 110, 134th General Assembly)

Provisions have been included in the state's pending biennial budget bill that will eliminate small local health districts, forcing them to merge with larger county health districts. The bill is currently in conference committee, but is anticipated to pass in the next two weeks.

Oakwood's Board of Health is created by the City Charter, which means the bill would not eliminate the board itself. Instead, Oakwood would no longer constitute its own health district, and the bill would strip away "all the power and authority conferred upon city boards of health by State law and such other duties as may be imposed upon it by the State sanitary code," leaving a body whose duties are imposed by city ordinances only. (See Charter, Sec. 7.03.) City ordinances would need to be adjusted to ensure that they are not inconsistent with state law pertaining to health districts.

Under this arrangement, the following table lists functions currently performed by the Board that would cease, as well as functions that may continue or begin. (Note that Public Health Dayton-Montgomery County will take over responsibility for functions that cease at the local level. Also, PHDMC's fees for inspections and licenses will be somewhat higher than what Oakwood has historically charged, but that is beyond the city's control.)

Functions that must cease	Functions that may continue or begin
Providing for prompt diagnosis and control of communicable diseases	Advising Council on legislation that may impact public health
Studying and recording the prevalence of disease	Advising city staff on policies and facility rules that may impact public health
State-mandated inspections (restaurants/food service, pools, school facilities, salons, barber shops, tattoo/piercing, jails, etc.)	Advising the Oakwood City School District on general health matters not addressed by the county health district
Issuing licenses and approvals (restaurants/food service, pools, school facilities, salons, barber shops, tattoo/piercing, jails, etc.)	Serving as a liaison between the county health district and city staff, as well as other Oakwood stakeholders (i.e., schools, library)



Quarantining, containment, and closure orders	Advising city staff in public nuisance abatement matters
All vital statistics functions	Recommending and/or conducting public education events, community health-related activities, etc.
State-mandated reporting, audits, etc.	Collaboration with Safety Dept medical director to ensure best EMS practices
	Recommending and/or conducting health-related training for city staff and other Oakwood stakeholders (<i>i.e.</i> , schools, library)



MEMORANDUM

ROBERT F. JACQUES

To: Norbert S. Klopsch

Date: July 12, 2021

RE: *Impact of Sub.H.B. 110 on the Oakwood Board of Health*

Sub.H.B. 110, which is the biennial budget bill just adopted by the 134th General Assembly, was signed into law by Governor DeWine on June 30, 2021. As enacted, key provisions affecting the Oakwood Board of Health include the following amendments to Ohio Revised Code Sec. 3709.012:

1. **"Efficiency and effectiveness" study required.** Cities with a population of less than 50,000 are required to complete a study of the "efficiency and effectiveness" of merging with the general county health district.
 - a. Criteria for the study will be developed by the Ohio Director of Health and the State Auditor, which "may include accreditation standards."
 - b. The Ohio Director of Health is also responsible for "oversee(ing) any efficiency and effectiveness study conducted."
2. **Mandatory merger if study so indicates.** Merger with the county health district is required by law if the study indicates that doing so would be "efficient and effective."
3. **Timing.** Timing for completing the study, and for completing a merger if so indicated, is linked to "the official announcement of the result of a federal decennial census taken in a particular census year, including the 2020 census." (Note that unlike previous versions of Sub. H.B. 110, this language is not limited to the 2020 census only. In other words, the study and possible merger are not a one-time endeavor; they must be repeated after every decennial census.)
 - a. The study must be completed within 18 months after that official announcement.
 - b. If merger is indicated, the merger must be completed within 30 months after that official announcement.
4. **Exceptions.** For cities having a population of less than 50,000, there are only two exceptions to the study and merger requirements:
 - a. If a city's health district is already accredited, and accreditation is maintained, the study and potential merger are not required; or
 - b. If a city's health district was already in the process of applying for accreditation as of the effective date of Sub. H.B. 110 (September 30, 2021), and accreditation is received by December 31, 2025 and maintained thereafter, the study and potential merger are not required.



TIMELINE for ORC 3709.012

- April 26, 2021: Official announcement of federal census results
- October 26, 2022: Deadline to complete merger study
(18 months after announcement of census results)
- October 26, 2023: Deadline for mandatory merger, if so indicated by the study
(30 months after announcement of census results)

INFO REGARDING THE MERGER STUDY

- The purpose of the study is to compare “efficiency and effectiveness” of merging vs. remaining separate
- Criteria for study to be developed by Ohio Director of Health, and may include accreditation standards
- The study must be conducted with oversight by the Ohio Director of Health
- The state is to “provide technical and financial assistance” with the study. This may include funding for the study itself, in whole or in part, but that is not clear from the statute.

EXEMPTION FROM THE MERGER STUDY

No study required if:

1. The city health district is already accredited, or
2. The city health district is in the process of applying for accreditation that will be received no later than 12/31/2025.

NPS releases Dayton Aviation Heritage National Historical Park Draft General Management Plan

Dayton Aviation Heritage National Historical Park has released a General Management Plan Amendment open for public comment through March 30. The management plan includes operations at Hawthorn Hill, the Wright family home in Oakwood operated by Dayton History, as well as the Wright Brothers National Museum in Carillon Historical Park, the Huffman Prairie Flying Field at Wright-Patterson, and the Paul Laurence Dunbar home in

Dayton. While no immediate change is proposed in terms of public access to Hawthorn Hill, the plan does note that "there is a need to determine how to best provide visitor services, visitor access and additional visitor experiences," as well as noting the need for a historic structures report, condition assessment and cultural landscape report of the property.

The park's 1997 General Management Plan and 2005 General

Management Amendment provided the park and partners with management direction in the past, but portions of that guidance require review and updating as park conditions have changed. In 2009, legislation added two new areas to the park's legislated boundary - Hawthorn Hill in Oakwood and Wright Company Factory. Copies of the Draft Dayton Aviation Heritage National Historical Park General

See **NPS** on page 17 ►



Hawthorn Hill, the Wright family home in Oakwood.

► **NPS** from page 1

Management Plan Amendment 2022 are available at the National Park Service's Planning, Environment and Public Comment site at www.parkplanning.nps.gov/daav-gmpa.

"Dayton Aviation Heritage National Historical Park is a uniquely partner-focused national park that manages multiple, scattered locations in Dayton, Oakwood and Fairborn to tell visitors

the inspirational stories of the Wright Brothers and Paul Laurence Dunbar," said Park Superintendent Kendell Thompson. "This plan reaffirms the mission, purpose, and significance of the park, while also providing important management direction for the next two decades."

Public comments will be accepted through March 30. All interested individuals are invited to share their thoughts at www.parkplanning.

nps.gov/daav-gmpa, or by sending comments to Superintendent, Dayton Aviation Heritage National Historical Park, 16 South Williams Street, Dayton, OH 45402, or by email to DAAV_Superintendent@NPS.GOV.

For general park information, including hours of operation, please contact the National Park Service at (937) 225-7705 or on Facebook at DaytonAviationNPS, and @DaytonAviationNHP on Instagram.

OR 3/23/2022

Klopsch, Norbert S.

From: Jacques, Robert
Sent: Tuesday, April 12, 2022 11:22 AM
To: Klopsch, Norbert S.
Subject: Hawthorn Hill

Norb,

I spoke to Alex Heckman about Hawthorn Hill. He explained:

- The National Park Service (NPS) is updating its long-range planning document pertaining to the "Aviation Heritage National Historic Park," which includes not only Hawthorn Hill but also the Wright Cycle Company Complex, Wright-Dunbar Interpretive Center, and the Huffman Prairie Flying Field Interpretive Center.
- The Oakwood Register article was published at the request of NPS to get the word out that they were accepting public comments on the proposed updates.
- Very few of the proposed changes affect Hawthorn Hill. Alex's understanding is that the NPS wants to have more involvement on the interpretive side of things, i.e., they want more input on how the home is described and presented to visitors.
- No immediate changes are proposed, and nothing that Alex would characterize as "fundamental" or "significant."
- Ownership will remain with Dayton History and the property will continue to be operated under the terms of the existing Special Use permit.
- A stakeholder call was held a while back to discuss the proposed changes; Steve Byington participated in the call. His role on the call was more focused on the Huffman Prairie property (since he works on base) but he also weighed in on Hawthorn Hill since he is a member of Oakwood City Council. Per Alex, Steve seemed to be satisfied that no substantive changes were being proposed for Hawthorn Hill.

Robert F. Jacques, Esq. | Law Director

City of Oakwood | 30 Park Avenue | Oakwood, Ohio 45419

T: (937) 298-0600

F: (937) 297-2940

Jacques@oakwood.oh.us | www.oakwoodohio.gov



**THE OAKWOOD PUBLIC SAFETY DEPARTMENT'S
REPORT TO THE CITY MANAGER**

MARCH 2022

Submitted by Chief Alan Hill

LAW ENFORCEMENT

PART 1 CRIMES: There were twelve Part 1 crimes reported during the month of March. These included nine thefts, one auto theft, one aggravated assault, and one domestic violence report.

TRAFFIC ENFORCEMENT: During the month of March, 130 traffic violations were cited and 76 parking citations were issued.

DETECTIVE INVESTIGATIONS:

22-000716	Mail Theft	1 Oakwood Ave	Under Investigation
22-000718	Mail Theft	1 Oakwood Ave	Under Investigation
22-000734	Mail Theft	1 Oakwood Ave	Under Investigation
22-000742	Theft-Bicycle	200 Blk Wiltshire	Under Investigation
22-000769	Theft	600 Blk Irving Ave	Under Investigation
22-000780	Theft	2400 Far Hills Ave	Under Investigation
22-000799	Assault	400 Blk Claranna	Cleared By Arrest
22-000839	Mail Theft	100 Blk Park Ave	Under Investigation
22-000864	Theft	400 Blk Dellwood	Under Investigation
22-000918	TPO Violation	300 Blk East	Cleared By Arrest
22-000966	Domestic Violence	100 Blk Aberdeen Ave	Cleared By Arrest
22-001023	Criminal Damaging	Oakwood/Schenck	Under Investigation
22-001040	Mail Theft	1 Oakwood Ave	Under Investigation
22-001069	Vehicle Theft	2200 Blk Coolidge	Under Investigation

LEADS: The LEADS validation report this month concerned warrant entries. All entries have been validated and the Safety Department remains in compliance with LEADS protocol.

TEEN COURT: There was one case referred to the Oakwood Teen Court during the month of March. Additionally, a Teen Court session was held for five juveniles.

FIRE

FIRE: There were five total fire responses in March, all were to Oakwood. All were smell of smoke investigations.

APPARATUS: There were no maintenance issues reported during the month of March.

FIRE INSPECTIONS: There were no fire inspections conducted during the month of March.

EMERGENCY MEDICAL SERVICES

REMOVALS: There were 42 total calls for emergency medical services in March including three mutual aid requests from the Dayton Fire Department. Three patients refused medical treatment and/or transportation. All other patients were transported to area hospitals for treatment.

MISCELLANEOUS

DARE: The DARE Officer taught four classes and held a graduation ceremony for Smith Elementary during the month of March.

TRAINING

Public Safety Officers, and Staff completed a total of 380 hours of police, fire, and EMS training during the month of March.

Police training consisted of a course through OPOTA online covering Officer Wellness and Vicarious Trauma.

Fire training for March was through 24/7. The course covered Building Construction Awareness. Crews spent time identifying different building types/construction throughout the city and discussed fire tactics and potential hazards for those locations.

Additionally, during the month of March, all sworn Safety Department personnel completed mandatory Standing Orders testing, and completed two EMS online continuing education courses on 24/7 entitled "Pediatric Behavioral Emergencies" and "Geriatric Behavioral Emergencies".

On March 8 and 9, department SWAT members attended monthly training with the Kettering Regional SWAT Team.

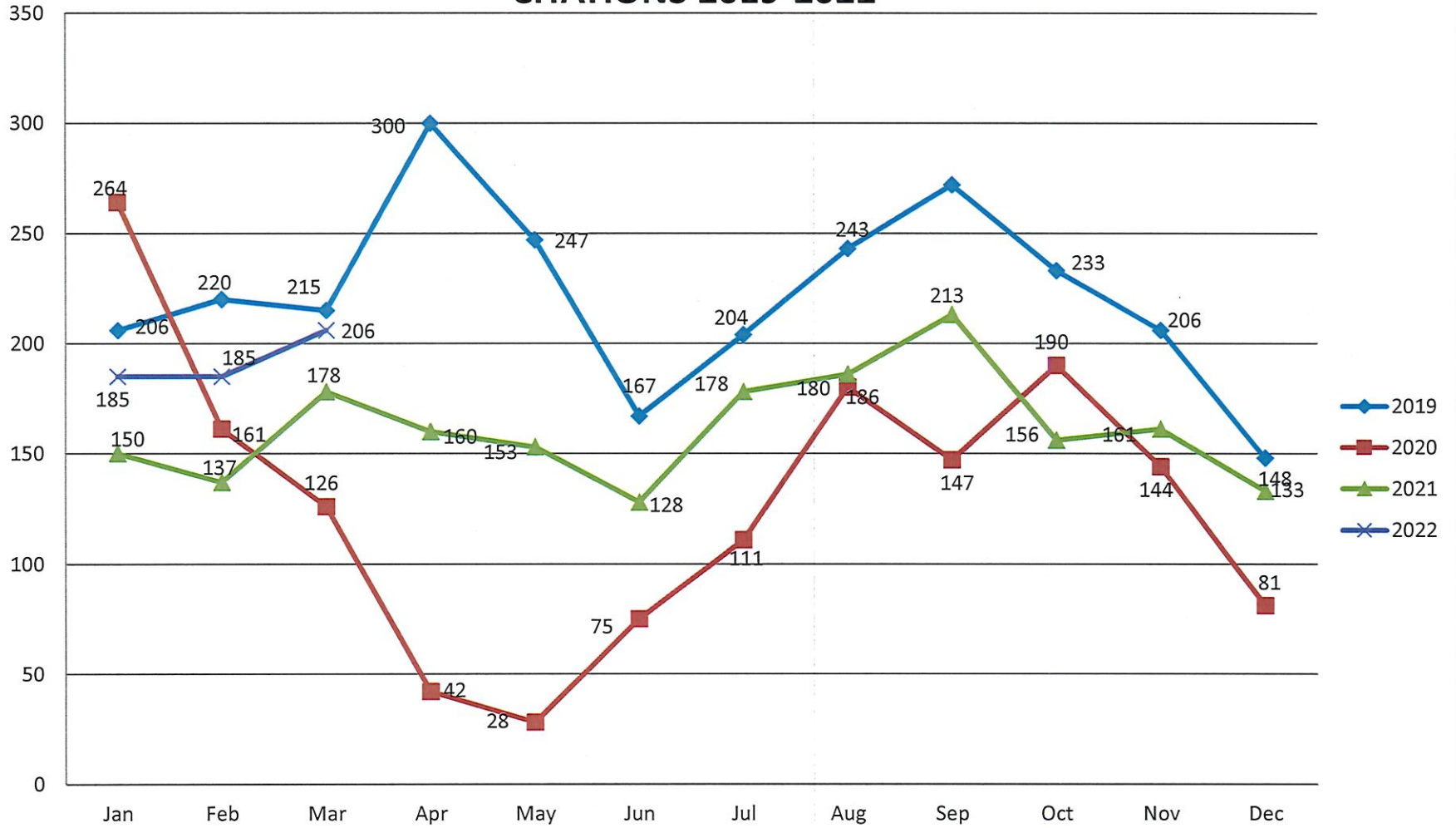
On March 15 and 16, Dispatcher Jennifer Anderson attended a Communications Training Officer class through The Public Safety Group at the Wood County Sheriff's Office. Dispatcher Anderson is now a Certified Dispatch Field Training Officer.

OFFICER ACTIVITY

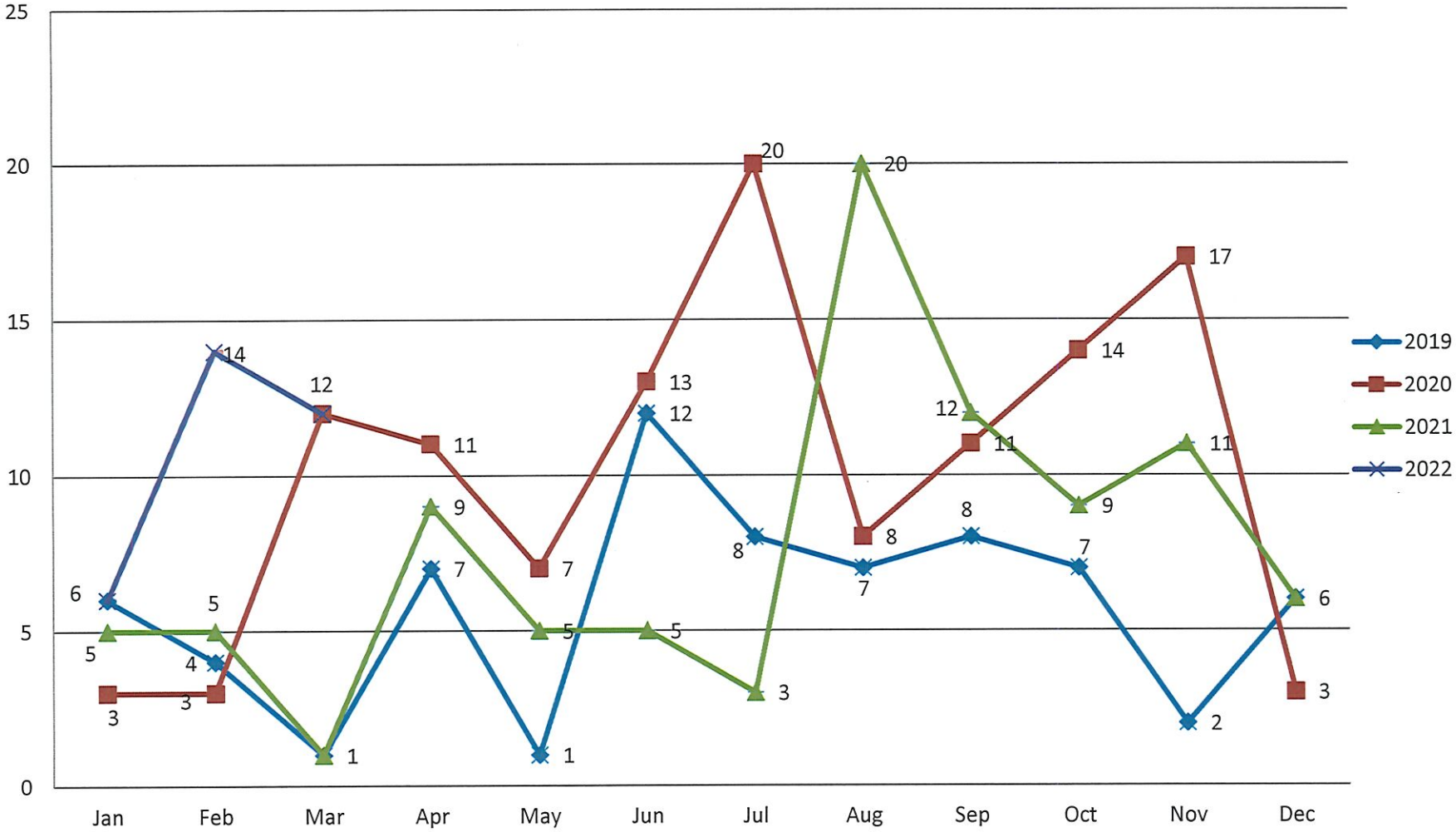
	ARRESTS	TRAFFIC VIOLATIONS CITED	OVI	FIELD REPORTS	REPORTS TAKEN	PARKING	WARNINGS	VHC	COMMUNITY MAINTENANCE
Staff	0	12	0	2	12	5	18	22	13
1	5	61	0	1	40	17	66	68	7
2	2	22	0	1	35	28	33	67	4
3	2	35	0	3	30	26	31	85	3

TRAFFIC VIOLATIONS CITED		WARNINGS	
White	72	White	79
Black	49	Black	28
Indian	0	Indian	1
Asian	4	Asian	1
Hispanic	0	Hispanic	1
Middle Eastern	0	Middle Eastern	3
Unoccupied Vehicle/Other/Unknown	5	Unoccupied Vehicle/Other/Unknown	35
TOTAL	130	TOTAL	148
FIELD INVESTIGATIONS		ARRESTS	
White	3	White	7
Black	4	Black	1
Indian	0	Indian	0
Asian	0	Asian	0
Hispanic	0	Hispanic	1
Middle Eastern	0	Middle Eastern	0
Other/Unknown	0	Other/Unknown	0
TOTAL	7	TOTAL	9

CITATIONS 2019-2022



PART 1 CRIMES 2019-2022



**CITY OF OAKWOOD
ADMINISTRATIVE POLICIES AND PROCEDURES**


POLICY NO. 29

SUBJECT: FUEL INVENTORY AND USAGE

DATE: APRIL 15, 2022

RECOMMENDED BY: 
K. Douglas Spittler, PE, Director of Engineering & Public Works

CONCURRED BY: 
Cindy S. Stafford, CPA, Finance Director

APPROVED BY: 
Norbert S. Klopsch, City Manager

POLICY: This document sets forth the City’s policy (this “Policy”) regarding the purchase and use of fuel in government vehicles and equipment. For purposes of this Policy, the term *fuel* shall mean gasoline and diesel fuel obtained in bulk and dispensed through the fueling station located at the Foell Public Works Center, 210 Shafor Boulevard.

PURPOSE: The purpose of this Policy is to set forth the internal controls for fuel purchasing, inventory and usage in government vehicles and equipment. Use of the fuel station is controlled by an access system that takes the place of a station attendant. Primary users of the system are city of Oakwood employees, and Oakwood City Schools employees allowed access as an authorized agency that is billed monthly for the school usage. This Policy addresses: who is authorized to purchase the bulk fuel; how fuel is purchased; how the bulk fuel purchases are tracked; who has access to dispense the fuel; how the fuel usage is tracked; who monitors the fuel usage; and how the fuel is secured.

GENERAL BACKGROUND: The Ohio Auditor of State issued an Advisory Memo dated September 28, 2021 to all local governments, public offices, and independent public accountants to develop and maintain internal controls to protect government funds to ensure they are used for a proper public purpose. This Policy is intended to establish an accurate and transparent fuel use procedure for use in government vehicles and equipment.

PROCEDURE:

A. Bulk Fuel Purchase

All Public Works Foremen and the Director of Public Works are familiar with the inventory of fuel in storage and are authorized to order fuel from the vendor that provides the best price and availability. Per Administrative Policy #2, informal bidding procedures may be used if the fuel purchase is less than \$50,000. A minimum of three (3) quotes from three (3) different sources shall be requested on the Vendor Fuel Price Sheet (see attachment 1). The City will purchase fuel from the vendor that provides the lowest and best price and delivery. The Vendor Fuel Price Sheets shall be attached to the approved corresponding vendor invoice sent to finance for payment.

B. Tracking Bulk Fuel Purchases

Each fuel delivery from a vendor is provided with a delivery ticket indicating the date; type of fuel; amount of fuel received; and unit cost plus applicable excise tax. All fuel deliveries are tracked on a spreadsheet that indicates the date fuel is received, gallons received and unit price of the fuel.

C. Access to the Fuel

Before being granted access to the fuel system, an authorized employee from the city of Oakwood or Oakwood City Schools must provide a four-digit personal identification number (PIN) to the Streets Foreman. The Streets Foreman enters the user name and PIN into the fuel management system. To begin the fueling process, the chip key of the corresponding vehicle or piece of equipment is inserted into the controller at the fuel vending station. The authorized user must enter their four-digit PIN when prompted. The vehicle mileage or equipment hours must be entered after the user enters their PIN. Finally, user selects the pump corresponding to the type of fuel requested – gasoline or diesel fuel – and the fuel system is ready to dispense. Only city of Oakwood or Oakwood City School employees will be assigned a PIN number so only authorized users have access to the fuel system. Problems encountered with the fuel system should be reported to the Streets Foreman or to the stand-by Foreman during non-business hours. (see attachment 2 – sample User List).

The fuel dispensing system is for official government business only, except for commuting and personal use of city vehicles as authorized by Administrative Policies #3 and #4.

D. Monitoring Fuel Usage

Management of the fuel system is accomplished with a software-based user interface. The software allows for user account maintenance and various report types. Fuel usage for Oakwood City Schools is reported monthly with an accompanying invoice sent to the Schools for reimbursement to the city. Usage reports from the fuel system software track the date of transaction; type of fuel dispensed; gallons of fuel pumped; user; vehicle or equipment serviced; and odometer or hour reading. The monthly fuel usage report – “Activity Detail

Report By Account For Product” (see attachment 3) shall be reviewed by the Public Works Director for correctness and reasonableness.

E. Securing the Fuel

Physical security of the fuel station is provided through multiple levels of control. The entire perimeter of the Public Works Center is secured with chain link fence and an access gate that requires a security code to open outside of normal work hours.

In order to dispense fuel, a user must physically insert a chip key; enter an administrator assigned four-digit PIN; enter vehicle mileage or equipment hours; and select the appropriate pump for gasoline or diesel fuel.

A security camera affixed to the adjacent water plant monitors the fuel pumps.

F. Alternate Fuel Availability

In the event the city of Oakwood’s fuel pumps are out of service, or otherwise unavailable, authorized city of Oakwood employees have access to a fuel credit card maintained in the office of the Public Safety Dispatcher.

Attachment 1

Vendor Fuel Price Sheet

The city of Oakwood, Ohio, a municipal corporation, hereinafter referred to as the City, does hereby request a proposal for supplying all labor, equipment and material necessary to deliver fuel to the storage tanks located at the City of Oakwood, Public Works Center, 210 Shafor Boulevard, Oakwood, Ohio 45419 in the type and quantity as specified. The City will furnish appropriate tax exemption certificates, if required, and will pay the Vendor in accordance with the prices and terms stated below.

MATERIAL PROVIDED:

The quantity of fuel to be delivered shall be as indicated and fuel shall be either: Unleaded Gasoline – 87 Octane minimum OR #2 Ultra-Low Sulphur Clear Diesel Fuel.

This purchase is for ONE transaction as requested by the City.

Fuel Type	Quantity (Gallons)	Vendor Price per Gallon	Vendor Total Price
Gasoline	[city specified quantity]		
Diesel Fuel	[city specified quantity]		
Grand Total:			

Delivery Date:

VENDOR INFORMATION:

Vendor Name:

Address:

Contact Name:

Contact Phone:

Fax this proposal to: (937) 297-2919

OR

Email this proposal to: shuey@oakwoodohio.gov

FUEL SYSTEM USER LIST

Public Works	0374	STEVE STICKLE	Driver	SS
	0488	KIRBY DONOVAN	Driver	KD
	1432	VERE MASON	Driver	VM
	1567	TOM LONG	Driver	TL
	1669000001	S75 GMC TRK	Vehicle	S75
	1669000003	2014 KAWASAKI SCOOTER	Vehicle	S-1
	1669000004	2014 KAWASAKI SCOOTER	Vehicle	S-2
	1669000005	2009 CUSHMAN SCOOTER	Vehicle	S-3
	1669000006	2009 CUSHMAN SCOOTER	Vehicle	S-4
	1669000007	2004 CUSHMAN SCOOTER	Vehicle	S-5
	1669000008	INTIMADATOR	Vehicle	S-6
	1669000009	2004 CUSHMAN SCOOTER	Vehicle	S-7
	1669000010	2002 CUSHMAN SCOOTER	Vehicle	S-8
	1669000011	2002 CUSHMAN SCOOTER	Vehicle	S-9
	1669000012	2002 CUSHMAN SCOOTER	Vehicle	S-10
	1669000013	2008 INTERNATIONAL PACKER	Vehicle	S-79
	1669000014	2020 FREIGHTLINER	Vehicle	S-93
	1669000015	2000 CRANE PACKER	Vehicle	S-77
	1669000016	2016 CASE LOADER	Vehicle	S-91
	1669000017	1999 CRANE PACKER	Vehicle	S-78
	1669000018	1995 FORD PACKER	Vehicle	S-94
	1669000019	2004 INTERNATIONAL	Vehicle	S-86
	1669000020	2000 KRAMER 620	Vehicle	S-64
	1669000021	KRAMER 420	Vehicle	S-89
	1669000022	JOHNSTON SWEEPER	Vehicle	S-20
	1669000023	1990 JCB LOADALL	Vehicle	S-66
	1669000024	1992 ELGIN SWEEPER	Vehicle	S-21
	1669000025	2004 CHEVY	Vehicle	S-69
	1669000027	2009 INTERNATIONAL	Vehicle	S-87
	1669000028	2011 FORD F650	Vehicle	S-92
	1669000029	2008 FORD F550	Vehicle	S-55
	1669000030	2001 FORD	Vehicle	S-95
	1669000031	2000 KABOTA MINI	Vehicle	W-15
	1669000032	1974 CASE BACKHOE	Vehicle	S-65
	1669000033	NEW HOLLAND BACKHOE	Vehicle	S-63
	1669000034	2003 DODGE DAKOTA	Vehicle	S-76
	1669000035	2016 FORD F550	Vehicle	W-11
	1669000036	2003 INERNATIONAL	Vehicle	S-85
	1669000037	2001 VACTOR	Vehicle	W-10

City of Oakwood

Attachment 3

Activity Detail Report By Account For Product

Date Range From : 01/01/2022 12:00:00AM To : 01/31/2022 11:59:00PM

Date	Time	Trans #	Site	Vehicle	Driver	Driver Name	Odom	Pump	Price	Qty	Amount
Account :		001	Public Works Dept. Oakwood,OH								
Product :		01	Name : UNLEADED								
1/26/2022	19:37	5700	001	1669000001		David Shuey	22068	01-1	\$1.000	26.000	\$26.00
1/03/2022	12:29	5372	001	1669000003		VERE MASON	21958	01-1	\$1.000	3.000	\$3.00
1/06/2022	14:53	5427	001	1669000003		VERE MASON	21993	01-1	\$1.000	3.500	\$3.50
1/14/2022	17:36	5549	001	1669000003		VERE MASON	22029	01-1	\$1.000	3.000	\$3.00
1/21/2022	14:52	5622	001	1669000003		VERE MASON	22060	01-1	\$1.000	2.900	\$2.90
1/25/2022	17:52	5678	001	1669000003		VERE MASON	22087	01-1	\$1.000	2.500	\$2.50
1/28/2022	14:43	5723	001	1669000003		VERE MASON	22118	01-1	\$1.000	2.900	\$2.90
1/05/2022	19:14	5417	001	1669000004		Troy Gearhart	1	01-1	\$1.000	2.300	\$2.30
1/11/2022	12:12	5494	001	1669000004		LEVI MCMONICGLE	11111	01-1	\$1.000	1.900	\$1.90
1/20/2022	17:22	5611	001	1669000004		Troy Gearhart	1	01-1	\$1.000	2.000	\$2.00
1/21/2022	17:12	5626	001	1669000004		LEVI MCMONICGLE	11111	01-1	\$1.000	3.100	\$3.10
1/27/2022	12:45	5708	001	1669000004		Troy Gearhart	1	01-1	\$1.000	2.100	\$2.10
1/04/2022	12:07	5389	001	1669000005		Steve Short	3846	01-1	\$1.000	3.900	\$3.90
1/05/2022	19:20	5418	001	1669000005		Steve Short	3633	01-1	\$1.000	3.100	\$3.10
1/08/2022	17:04	5462	001	1669000005		Steve Short	333387	01-1	\$1.000	3.500	\$3.50
1/11/2022	15:53	5500	001	1669000005		Steve Short	34207	01-1	\$1.000	3.700	\$3.70
1/14/2022	13:42	5541	001	1669000005		Steve Short	35263	01-1	\$1.000	3.900	\$3.90
1/19/2022	15:59	5588	001	1669000005		Steve Short	315173	01-1	\$1.000	3.900	\$3.90
1/21/2022	18:30	5631	001	1669000005		Steve Short	37413	01-1	\$1.000	3.800	\$3.80
1/25/2022	15:58	5677	001	1669000005		Steve Short	37775	01-1	\$1.000	2.900	\$2.90
1/27/2022	18:10	5713	001	1669000005		Steve Short	38615	01-1	\$1.000	3.900	\$3.90
1/03/2022	12:14	5371	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	2.900	\$2.90
1/04/2022	18:18	5396	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	3.900	\$3.90
1/10/2022	12:12	5474	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	3.500	\$3.50
1/12/2022	12:10	5511	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	2.100	\$2.10
1/13/2022	18:22	5531	001	1669000006		LEVI MCMONICGLE	11111	01-1	\$1.000	3.200	\$3.20
1/19/2022	18:12	5589	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	3.500	\$3.50
1/24/2022	12:18	5655	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	1.900	\$1.90
1/25/2022	12:09	5674	001	1669000006		LEVI MCMONICGLE	1111	01-1	\$1.000	3.000	\$3.00
1/26/2022	18:31	5698	001	1669000006		Troy Gearhart	1	01-1	\$1.000	7.000	\$7.00
1/31/2022	12:19	5751	001	1669000006		LEVI MCMONICGLE	11111	01-1	\$1.000	2.100	\$2.10
1/21/2022	14:04	5620	001	1669000007		LEVI MCMONICGLE	11111	01-1	\$1.000	2.500	\$2.50

CITY OF OAKWOOD
ADMINISTRATIVE POLICIES & PROCEDURES
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Cities ask Netflix, Hulu, stream services to pay cable fees

By Andrew Welsh-Huggins
Associated Press

COLUMBUS — Should Netflix and other streaming services have to pay local governments the same fees levied on cable operators?

That was the question before the Ohio Supreme Court during a Wednesday hearing, as the court debates whether streaming services such as Netflix and Hulu are covered by a state law that would require them to pay to play.

The argument is similar to one in several other states, where cities are trying to force streaming service companies to pay cable operator fees.

At issue in Ohio is the state's 2007 Video Service Authorization law, which directed the state Commerce Department to determine what entities must obtain permission to physically install cables and wires in a public right-of-way. Companies deemed video service providers must pay a fee to local governments under that law.

Officials with Maple Heights in suburban Cleveland contend that streaming services are subject to the fee because their content is delivered via the internet over cables and wires.

In Tennessee, the state Supreme Court is scheduled to hear arguments next month brought by Knoxville against Netflix and Hulu. A similar case brought by the city of Creve Coeur is pending in Missouri. In 2020, four Indiana cities sued Netflix, Disney, Hulu, DirectTV and Dish Network to require them to pay the same franchise fees to local governments that cable companies must pay.

In related lawsuits brought in Arkansas, California, Nevada and Texas, Netflix and Hulu won their arguments last year that they can't be treated the same as video providers.

Streaming companies argue their distribution method is different from traditional video providers. They also say in the Ohio case, it's up to the Commerce Department to label them a video service provider, a process they say can't be done through a lawsuit.

The state is siding with the streaming companies, contending that Ohio's law only covers companies building infrastructure to carry cables.

"This is about those who dig, they must pay," Mathura Sridharan, the Ohio deputy solicitor general, told justices on the state Supreme Court during oral arguments Wednesday. "If they don't dig, then they don't pay."

A court decision isn't expected for months.

Attorneys for Maple Heights argue that nothing in the 2007 law requires a video service provider to own or physically access wireline facilities in public rights-of-way to be subject to video service provider fees.

Without that equipment, streaming services "could not deliver their video programming to their subscribers," Justin Hawal, an attorney representing Maple Heights, said in a December court filing.

The "modest 5% video service fee" is not burdensome but instead represents a small return on billions of dollars in benefits that the streaming services receive nationwide from network infrastructure, Hawal said.

Justices seemed skeptical of Maple Heights' arguments, in particular questioning whether the argument was even one for the court to decide.

"Shouldn't you be up at the Statehouse a block and a half away instead of at a courthouse trying to get the law changed?" Justice Pat Fisher asked Hawal Wednesday.

Hawal said Maple Heights is trying to apply existing law to a new technology.

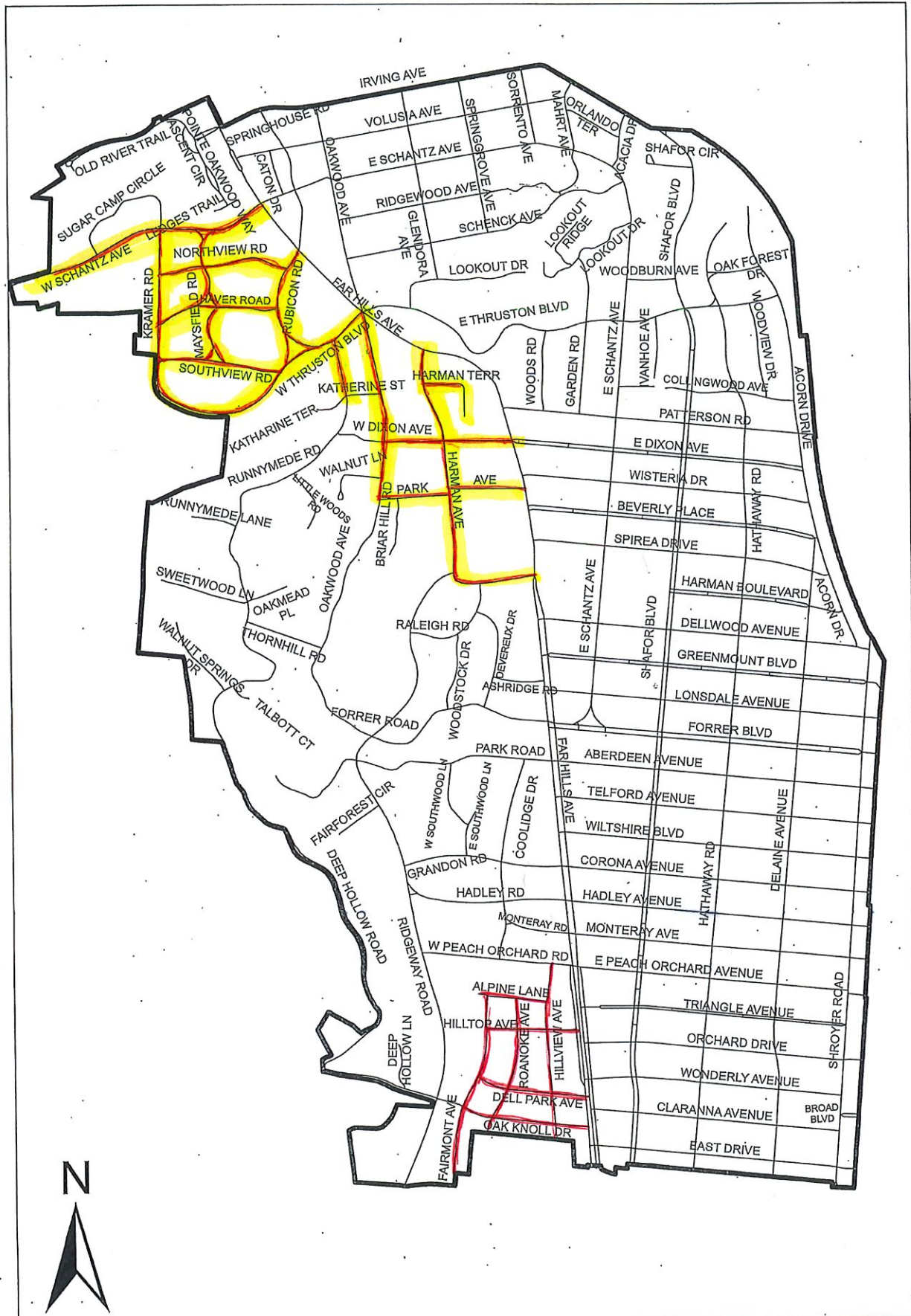
Attorneys for Netflix say the company doesn't have physical wires and cables and doesn't need them under its internet streaming business model.

Unlike broadcast TV stations, "users can watch content anywhere, anytime, and in any amount, so long as they have an internet connection," Amanda Martinsek, an attorney representing Netflix, said in a November filing.

Netflix argues a growing number of courts nationally have reached the conclusion that companies like Netflix and Hulu don't owe provider fees because they're not video service providers.

DDN 4/15/22

CITY OF OAKWOOD



Road projects come in 29% over budget

By Nick Blizzard
Staff Writer

KETTERING — Two long-term Kettering road and traffic projects this year will cost the city about \$2.81 million combined, more than a 29% increase from earlier estimates.

Contractors said higher bids for work on Forrer Boulevard and Stroop Road are due mainly to labor shortages and rises in fuel and material costs, Kettering Assistant City Manager Steve Bergstresser said.

"It kind of goes hand in hand with the across-the-board inflation we're seeing in the economy right now," he said.

Work to improve Forrer from Woodman Drive to Smithville Road was budgeted at \$1.975 million, but the lowest of four bids was \$2.473 million, records show.

A traffic signal upgrade at West Stroop and Southern Boulevard was projected to cost \$200,000, and the lone proposal came in at \$341,643.

The additional money for both projects was approved by Kettering City Council earlier this week.

Labor shortages among road contractors has "been an ongoing issue for a number of years now," Bergstresser said. "But it's made worse by the state of the job market."

The Forrer work will be

Projects continued on B8

Projects

continued from B1

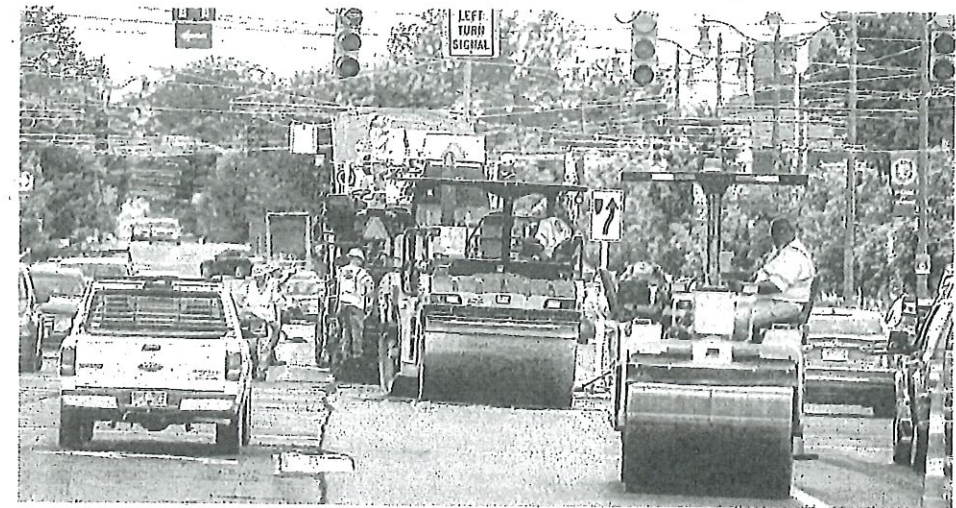
started by Barrett Paving Inc. likely in May or June, he said. Lane closures and traffic delays are expected, according to the city.

"As of right now we intend to maintain traffic," Bergstresser said. "On the east end of the project between Culver and Woodman we're going to be removing all of the underlying pavement in that area."

The work includes repairing deteriorated curbs, sidewalks and drive approaches, "full-depth pavement replacement" in sections, and asphalt resurfacing, city records show.

Work is targeted for completion by the end of this year or spring 2023, Bergstresser said.

The Stroop/Southern traffic signal work by Capital Electric may start this sum-



Much of Ohio 48 in Kettering was repaved last year. The city will be paying about \$2.81 million combined for two road and traffic projects, a more than 29% increase from earlier estimates. JIM NOELKER / STAFF

mer but is expected to take a couple of years to complete, he said.

Crews will rebuild the intersection's traffic signal, installing new arm

poles, equipment, and fiber optic cables, according to city documents.

"There will certainly be lane closures from time to time ... but no significant

traffic impact," Bergstresser said.

Contact this reporter at 937-610-7438 or email Nick. Blizzard@coxinc.com.

DDN 4/15/22

CHAPTER 551
Weeds

- 551.01 Purpose and definitions.**
- 551.02 Periodic cutting required.**
- 551.03 Notice to cut; Notice of violation.**
- 551.04 Failure to comply with notice.**
- 551.05 Collection of costs.**
- 551.06 Designation of nature areas; appeals.**
- 551.07 Managed natural landscape areas.**
- 551.99 Penalty.**

CROSS REFERENCES

Notice to cut noxious weeds - see ORC 731.51 et seq.
Destruction of weeds - see ORC 971.33 et seq.
Removal of weeds - see HSG. 1701.01 A 2, 1701.02 B.

551.01 PURPOSE AND DEFINITIONS

(a) *Purpose.* The purpose of this chapter is to encourage the use of vegetation throughout the City to maximize ecological and aesthetic benefits while respecting existing community values regarding landscaping to include well-maintained yards, preservation of sight lines, compatibility with existing structures, and public safety. Ecological benefits of “managed natural landscapes” include enhancement of pollinator support habitat, stormwater management, carbon sequestration, erosion control, and preservation of biodiversity.

(b) *Definitions.* As used in this chapter, the following definitions shall apply:

“Managed natural landscape area” means a planned, intentional, and maintained planting of native or non-native grasses, wildflowers, ferns, sedges, shrubs, or trees, including but not limited to rain gardens, and ornamental plants.

“Noxious weed” means any plant that has been identified as being harmful to the local natural environment and included in a list promulgated by the City Manager or his or her designee; or as listed in Sections 901:5-30 or 901:5-37 of the Ohio Administrative Code, which is incorporated herein by reference as the same may be amended from time to time.

“Ornamental plant” means grasses, perennials, annuals, and groundcovers purposefully planted for aesthetic reasons.

“Rain garden” means planting designed not only to aesthetically improve an area, but also to reduce the amount of stormwater and accompanying pollutants from entering the watershed.

“Turf-grass” means any variety of grass commonly used in regularly cut lawns, typically maintained at a height of no more than five (5) inches.

“Weed” includes but is not limited to any brush, vegetation rubbish or vegetation litter (including leaves, other than leaves spread or left to over-winter as a mulching treatment in prepared beds), accumulating or permitted to lie upon any property within the City; and all vegetation, including honeysuckle, that is not managed or maintained by the owner or person in control of the property on which all such vegetation is located which generally exceeds the height restrictions in this Chapter, but excluding trees, shrubs and/or cultivated flowers and gardens.

551.02 PERIODIC CUTTING REQUIRED

(a) It is hereby determined that weeds or *turf-grass* growing at a height of eight (8) inches or higher upon any property in the City are a public nuisance. The owner, occupant or other person or entity having charge or care of any lot or parcel of land within the City, whether the same is improved or unimproved, vacant or occupied, shall cut down and remove therefrom all ~~offensive or noxious weeds, vines, grasses and vegetation~~ *weeds and turf-grass* of a height of eight (8) inches or greater, ~~or~~ *and* any and all ~~weeds, vines, grasses and~~ vegetation constituting a threat to the public health, safety, comfort or welfare.

(b) The owner, occupant or other person or entity having charge or care of land adjacent to a public street or public alley shall be responsible under this Chapter 551 for the cutting or removal of ~~offensive or noxious~~ *weeds, vines, turf-grass* and vegetation located on the unpaved street or alley right-of-way adjacent to such land, to the same standard set forth in subsection 551.01(a). (*Also see 521.07, 521.17 and 1707.01.*)

~~(c) “Weed” as used in this chapter, includes but is not limited to any brush, vegetation rubbish or vegetation litter accumulating or permitted to lie upon any property within the City; and all briars, thistles, burdock, dock, cocklebur, wild mustard, jimson weed, dog's fennel, lamb's quarters, plantain, wild carrot, wild parsnip, horseweed, sweet clover (white or yellow), velvet leaf, common mallow, ironweed, poison ivy and teasel.~~

~~(d)(c)~~ The duty to cut or remove ~~offensive or noxious~~ *weeds, vines, turf-grasses* and vegetation, set forth in this section 551.01, shall not apply to the extent land has been designated by the City as a public park nature area or ~~has been designated as~~ a private lot nature area under this chapter.

551.03 NOTICE TO CUT; NOTICE OF VIOLATION.

(a) Written Notice to the Public. On or about April 15 of each calendar year, or sooner or later as warranted by weather conditions and vegetation growth, the City Manager shall cause a notice to appear in a newspaper of general circulation in the City, informing the property owners within the City of the requirements contained in Section 551.01. The notice shall contain the following information:

- (1) All properties within the City of Oakwood must be maintained in accordance with Section 551.01 of the Codified Ordinances of the City of Oakwood, which prohibits *turf*-grass or weed growth in excess of eight inches.
- (2) Should the owner of any property fail to comply with Section ~~551.01~~551.02, the City will cause the weeds or *turf*-grass to be cut at the owner's expense.
- (3) The City will invoice the owner for all costs thereof, including administrative costs, and if unpaid, will place a lien on the property for the amount owed in accordance with Ohio R.C.731.54.
- (4) Contact information for the appropriate City department.

(b) Placard. Upon verification that those weeds and/or *turf*-grasses described in Sections ~~551.01~~ or 551.02 or 551.03 exist, the City Manager or his designee shall conspicuously post a placard on the front door or in the front yard of the property for a period of five (5) calendar days. The placard shall be of a size, shape and color so as to be clearly visible and shall contain the following information:

- (1) The nature of the Code violation;
- (2) An order to cut the weeds or *turf*-grass within five (5) calendar days;
- (3) A statement indicating that should the property owner fail to comply with the order, the City will cause the weeds or *turf*-grass to be cut at the owner's expense, and the City will place a lien on the property for the amount owed in accordance with Ohio R.C. 731.54;
- (4) The penalties provided for removing the placard before bringing the property into compliance; and
- (5) Contact information of the appropriate City department.

(c) A placard, once posted, shall remain on the property until the property is brought into compliance with Section 551.02. Removal of the placard before the property complies with Section 551.02 shall constitute a minor misdemeanor.

(d) Only one written, published notice need be made per calendar year, as described in Section 551.03(a). It shall be the responsibility of each owner or any person, firm or corporation having the care of or in charge of any lot of land within the City to maintain the property thereafter in accordance with Section 551.02. *Similarly, only one placard notice per lot or parcel, need be issued per calendar year. Thereafter, if the City Manager or his or her designee determines that a subsequent violation of this chapter*

has occurred, the City may proceed with the remedies set forth in Section 551.04 without further notice.

551.04 FAILURE TO COMPLY WITH NOTICE.

(a) If the owner, occupant, or other person or entity having charge or care of any lot or land within the City fails to comply with the notice provided for in Section 551.03(a), and fails to remedy such non-compliance during the 5-day period following the posting of a placard upon such lot or land pursuant to Section 551.03(b), the City shall cut the weeds or grass to bring that lot or land into compliance with this Chapter, at the expense of the owner(s) thereof.

(b) The City may, in its sole discretion, undertake such weed removal and/or grass cutting by its own employees or through an independent contractor. In calculating the expense to be charged to an owner of property under Section 551.04(a), chargeable expenses shall include all expenses actually incurred in removing weeds and/or cutting grass at such lot or land, including, without limitation, charges for the use of direct labor and administrative City employees, charges for equipment, fuel, and the like, and any independent contractor costs that may be incurred, all of which shall be assessed against said lot or land.

551.05 COLLECTION OF COSTS.

(a) Written notice of assessment shall be served by the City Manager or his designee upon the owner(s) of the lot or land by ordinary US mail, addressed to the then-current tax mailing address of the owner(s) then on file with the Montgomery County Auditor, and shall be effective upon mailing. In the event that the notice is returned as undeliverable, a City representative may make service by posting the notice upon the assessed premises, and shall make a return thereof. The amount of the assessment shall be paid and delivered to the City within ten (10) calendar days after service of the notice is perfected by mailing or posting.

(b) If the City has not received full payment of the assessment within those ten (10) calendar days, the City shall make a written return or certification to the Montgomery County Auditor of the amount of the unpaid assessment, including with that certification a proper description of the premises. The assessed amount shall be entered upon the tax duplicate and shall be a lien upon such land from and after the date of the entry and shall be collected as other taxes and returned to the City with the General Fund.

(c) Nothing in this Section 551.05 shall be construed to require the City to make separate assessments or issue separate notices of assessment or certifications to the Montgomery County Auditor for each weed removal or grass cutting that may occur with respect to any particular property. In the case of vacant properties or other lots or lands that may incur multiple assessments within a single growing season, the City may elect to combine assessments, notices of assessment, and/or certifications to the Montgomery County Auditor with respect to any particular property, in monthly or other convenient intervals, so long as each assessment is separately itemized.

551.06 DESIGNATION OF NATURE AREAS; APPEALS.

(a) The City Manager shall designate which portions, if any, of publicly owned and privately owned land within this City are to be deemed public park nature areas and private lot nature areas. No area shall be so designated unless the City Manager shall find with regard to such area:

- (1) That the establishment and maintenance of that area will not be detrimental to or will not endanger the public health, safety, morals, comfort, convenience or general welfare;
- (2) That the nature area will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and that the nature area will not substantially diminish or impair property values within the neighborhood; and
- (3) That the establishment of the nature area will not impede the normal and orderly development and improvement of the surrounding property for uses permitted as to such property.

(b) Appeal of the City Manager's Decision. If dissatisfied with a decision of the City Manager to designate or not designate particular land as a nature area, a party may appeal the decision to the General Appeals Board established under Chapter 169 of the Codified Ordinances of the City. Standing to file such an appeal shall be limited to the owners or occupants of the subject property and the owners or occupants of any property located within 200 feet of the subject property.

Any appeal shall be made by delivering written notice of the appeal to the office of the City Manager within 14 days after issuance of the Manager's decision. The notice of appeal shall satisfy the following requirements:

- (1) It must specify the name and address of the appellant, the decision from which an appeal is taken, and the location of the subject property and prospective nature area; and
- (2) It must cite specific error by the Manager and any other grounds relied upon in support of the appeal.

Any such appeal shall be made and processed in accordance with appeal procedures set forth in Section 1007 of the ordinances of this City with regard to appeals to the Zoning Appeals Board.

Upon receipt of a timely notice of appeal, the Building Commissioner shall schedule a date for a public hearing thereon before the General Appeals Board. The Building Commissioner shall give written notice of the appeal and of public hearing on that appeal to the applicant and to each owner of real property within 200 feet of the lot on which the nature area, or the desired nature area, is or is proposed to be located. For

the applicant, notice of the public hearing shall be sent by ordinary US mail to the address set forth on the notice of appeal. For all other parties entitled to notice of the public hearing, it shall be sufficient to provide notice by ordinary US mail addressed to the party's then-current tax mailing address on file with the Montgomery County Auditor, or by any other method reasonably calculated to reach the intended recipient.

(c) Determinations by the City Manager that public or private property is or is not to be designated as public park nature area or private lot nature area shall be effective for one year at a time plus such additional number of days, weeks or months as may elapse until a new determination is made.

551.07 MANAGED NATURAL LANDSCAPE AREAS.

(a) *An owner, authorized agent, or authorized occupant of any privately owned lands may, consistent with this subsection and all other applicable laws, statutes, rules, and ordinances, install and maintain a managed natural landscape area, provided that no such area may be installed or maintained upon the right-of-way strip between the sidewalk and street.*

(b) *Height requirement. The height restrictions provided in Section 551.02 shall not apply to natural plants, other than turf-grasses or noxious weeds, on privately owned, occupied residential property and properties contiguous to the privately owned, occupied residential property provided that such contiguous properties are owned by the same individual, when such natural plants are part of a managed natural landscape area.*

(c) *Setback requirement. Managed natural landscaped areas shall be set back a minimum of five (5) feet from all property lines, sidewalks, roads, alleys and/or driveways, provided however that if the property is abutted by a fence, wall or similar barrier separating it from adjoining residential properties, then the natural landscaping may be planted up to such barrier, inside the sidewalk, with no setback requirement. The setback area shall be comprised of turf-grasses and/or low groundcover vegetation not exceeding eight (8) inches in height.*

(d) *Overhanging vegetation. Managed natural landscaped areas shall not be permitted to overhang or encroach onto any public or private properties, or public sidewalks, streets, or alleys adjacent to the lot, tract or parcel on which they are planted. With the exception of trees, all vegetation in the right-of-way strip between the sidewalk and street must be kept at a height of less than eight (8) inches.*

551.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

Legislative history: Ord. 27, passed 7-20-1908; Ord. 3203, passed 4-20-81; Ord. 3453, passed 10-15-84; Ord. 3462, passed 11-19-84; Ord. 4769, passed 5-6-2013.