

**CITY MANAGER'S NEWSLETTER**  
**MAY 13, 2022**

**IMPORTANT COUNCIL DATES:**

- 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 17, Tuesday, 5:30 p.m. – BRC Meeting (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:**

- May 16 Work Session: We meet at 5 p.m. on Monday in the conference room. We will start with an executive session for property matters. Enclosed is the agenda.
- Historical Marker Unveiling Ceremony: The event is tomorrow at 1:30 p.m. in front of the city building. Enclosed are *DDN* and *Register* articles. MVCC is assisting us with a PA system and will film the ceremony.



- BRC Meeting: We meet at 5:30 p.m. next Tuesday in council chambers or via Zoom. Enclosed is the email sent this week to the BRC, along with the meeting packet.

- “That Day in May”: The big event is Saturday, May 21. Enclosed is a *Register* article with the activity schedule.
- City Manager Photo Wall: We restored the city manager photo wall that once existed in our city building... many years ago.



- HB 563: Enclosed is the letter of opposition to HB 563 that we sent to Representatives White, Plummer, Creech and Lampton, and to Senator Antani this week. Representative Andrea White told me yesterday that she plans to vote against the bill.
- City Meetings: Enclosed is a *DDN* article announcing our upcoming public meetings.
- PC: We have no applications so the June 1 meeting is cancelled. Enclosed is the cancellation memo.
- EV Charging Station: The charging unit was installed this week. All that remains is the pavement marking, installation of the Oakwood logo and signage, and final electrical connection and testing, which will be done next week. We will discuss how much to charge for use of the system in work session next Monday. We will schedule a ribbon cutting in the week of May 23.



- Springboro Solicitation: Enclosed is a *DDN* article about Springboro City Council passing an ordinance to regulate door-to-door solicitation in Springboro. It is similar to the ordinance that we adopted in 2013.
- 2022 CARE Walk: The event is Saturday, May 14. Enclosed are *DDN* and *Register* articles.
- Wright Library Arrest: Enclosed is a *DDN* article about a Dayton man arrested at Wright Library.
- Traffic Counts: Each year, MVRPC requests traffic counts on streets to obtain traffic data that populates a regional database available to the public. Enclosed is a list of our 2022 count locations. The database is typically used by transportation planners, civil engineers and developers.
- Asphalt Repaving Program: Enclosed are letters sent this week to selected property owners that will be impacted by our asphalt resurfacing program scheduled for the latter half of July.
- Energy Aggregation: Joe Fulford contacted me last week and asked for a meeting to discuss electricity costs... and energy aggregation. I am set to meet with him on May 27. I will comment on this in work session.
- Gardner Pool: We filled the pool this week and continue prep work for the May 28 opening.
- Tall Grass: We have 16 “noxious weed” properties with mowing deadlines early next week. This is the most at any one time that we have ever encountered.

HAVE A GREAT WEEKEND!

TRANSMITTALS NOTED WITHIN NEWSLETTER

May 16 Work Session Agenda

*DDN* & *Register* Articles re: Historical Marker

BRC Email & Meeting Packet

*Register* Article re: “That Day in May”

HB 563 Letter

*DDN* Article re: City Meetings

PC Cancellation Memo

*DDN* Article re: Springboro Solicitation

*DDN* & *Register* Articles re: 2022 CARE Walk

*DDN* Article re: Wright Library Arrest

2022 Traffic Count Locations

Asphalt Repaving Program Letters

COUNCIL WORK SESSION AGENDA  
MAY 16, 2022

EXECUTIVE SESSION FOR PROPERTY MATTERS

- COUNCIL COMMITTEES
  - Court Liaison, Mrs. Hilton
  - Finance, Vice Mayor Byington
  - Law & Minutes, Mrs. Hilton
  - Planning & Zoning, Vice Mayor Byington
    - Insomnia Cookies Application
    - H.B. 563... Short-term Rentals
    - Natural Areas/Native Landscaping
  - Public Properties, Mrs. Turben
  - Public Utilities/Waterworks/Sewer, Mrs. Turben
  - Safety & Traffic, Mr. Stephens
    - Regulating Fireworks
    - Irving Avenue
    - Oakwood/Dayton Mutual Aid Agreements
  - Streets & Alleys, Mr. Stephens
  - Community Relations/Promotion/Appointments, Mayor Duncan
  
- REGIONAL AGENCIES
  - MVCC, Mr. Stephens
  - MVRPC, Vice Mayor Byington
  - Mayors & Managers, Mayor Duncan
    - Regional Economic Impact Forum
  - First Suburbs, Vice Mayor Byington
  - Oakwood Inclusion Coalition, Mr. Klopsch
  
- BOARDS & COMMISSIONS
  - Planning Commission, Vice Mayor Byington
  - Beautification Committee, Mr. Stephens
  - Sister City Association, Mrs. Hilton
  - Historical Society, Mrs. Turben
  - Board of Health, Mayor Duncan
  
- MISCELLANEOUS
  - Energy Aggregation
  - EV Charging Station
  - That Day in May



## OAKWOOD

### 1st historical marker unveiling ceremony

The Oakwood Historical Society, along with Oakwood city officials, will conduct an unveiling ceremony of Oakwood's first historical marker at 1:30 p.m. Saturday in front of the Oakwood City Building, 30 Park Ave. All are invited to this community event.

The first historical marker commemorates the 150th anniversary of when the first Oakwood homes were built in an area near the Oakwood City Building on 30 Park Ave. in 1872, and the four men who first envisioned a "Town of Oakwood."

Festivities will immediately follow the unveiling, including free docent-led historical walking tours of the original "town" featuring the early homes and residents of Oakwood. Newly revised tour booklets will be available for \$5.

Wright Memorial Library will be on hand with its Book Peddler, filled with books on Oakwood and Dayton history topics – celebrating Oakwood's first public library building across from the City Building – the site of Oakwood's soon-to-be installed second historical marker.

Graeter's Ice Cream and Park Avenue shops will join in the festivities by offering specials on refreshments and displays of Oakwood-related merchandise.

For additional information, contact Debra Edwards, president of The Oakwood Historical Society, at 937-299-3793 or [info@oakwoodhistory.org](mailto:info@oakwoodhistory.org).

STAFF REPORT

DDW  
5/9/22

## Oakwood plans inaugural Historical Marker ceremony

The Oakwood Historical Society, along with Oakwood city officials, will conduct an unyeiling ceremony of Oakwood's first historical marker at 1:30 p.m. on Saturday, May 14, in front of the Oakwood City Building at 30 Park Ave. in Oakwood.

The first historical marker commemorates the 150th anniversary of when the first Oakwood homes were built in an area near the Oakwood City Building in 1872, and four men first envisioned a "Town of Oakwood."

Festivities will include free docent-led historical walking tours of the original "town" featuring the early homes and residents of Oakwood. Newly revised tour booklets will be available for \$5.

Wright Memorial Library will be on hand with their Book Peddler, filled with books on Oakwood and Dayton history topics - celebrating Oakwood's first public library building across from the City Building - the site of Oakwood's soon-to-be installed second historical marker.

OR

5/11/22

**From:** [Klopsch, Norbert S.](#)  
**To:** [Amanda Malusky Krauss \(amanda.k.krauss@gmail.com\)](#); [Beth Ritzert \(baritzert@gmail.com\)](#); [Bill Frapwell \(frapwellw@ctt.com\)](#); [Bill Meyer \(bdmeyer4@juno.com\)](#); [Bill Rieger \(rieger.bill@gmail.com\)](#); [cait.botschner@gmail.com](#); [Chas Kidwell \(kidwellc@childrensdayton.org\)](#); [Dan Ferneding \(danr@fernedinginsurance.com\)](#); [Dickerson, Dave S. \(dave.dickerson@mvg.com\)](#); [doug.kinsey@artifexfinancial.com](#); [Elizabeth Kussman \(ebiffbrown@gmail.com\)](#); [Ella Himes \(ellahimes@yahoo.com\)](#); [Ellen Fodge \(esfodge@gmail.com\)](#); [Erika Endsley \(erika.endsley@gmail.com\)](#); [Fred Dudding \(dudfl@email.msn.com\)](#); [Heidi Edwards \(edwards.heidi@oakwoodschoools.org\)](#); [Howard Boose \(hboose3@gmail.com\)](#); [Jeff Woeste \(jwoeste@fhf-cpa.com\)](#); [Jim Broz \(jabroz@prodigy.net\)](#); [John Gray \(jcg@grayamerica.com\)](#); [John Jervis \(john\\_jervis@ml.com\)](#); [Kate Halpin \(halpinmail@yahoo.com\)](#); [kemmarcus@yahoo.com](#); [maew1981@gmail.com](#); [Mark Risley](#); [Megan O'Leary \(kennedmp51@gmail.com\)](#); [Michael Hayes \(mphayes@woh.rr.com\)](#); [Michael Vanderburgh \(michaelvanderburgh@yahoo.com\)](#); [Mike Ruetschle \(mike@ruetschle.com\)](#); [Nicole Motto \(nmotto14@gmail.com\)](#); [Pete Luther \(phluther@me.com\)](#); [Sarah Waechter \(sjwaechter@yahoo.com\)](#); [Steve Brooks \(igstre@yahoo.com\)](#); [Susan Elliott \(Elliott@udayton.edu\)](#); [Yusaku Kawai \(ykawai@gmail.com\)](#)  
**Cc:** [Stacel, Lori](#); [Collins, Carol D.](#); [Spitler, Doug](#); [Hill, Alan](#); [Jacques, Robert](#); [Kuzma, Chris](#); [Stafford, Cindy](#); [Wilder, Jennifer](#); [Hilton, Anne](#); [Turben, Leigh](#); [Duncan, William](#); [Stephens, Rob](#); [Byington, Steve](#)  
**Subject:** May 17 BRC Meeting  
**Date:** Thursday, May 12, 2022 9:18:25 AM  
**Attachments:** [May 17, 2022 BRC Meeting.pdf](#)

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Greetings from City Hall!

Our spring Budget Review Committee meeting is at 5:30 pm next Tuesday, May 17. It will be held in the council chambers at the city building, 30 Park Avenue. We also offer remote attendance via Zoom.

<https://us06web.zoom.us/j/89727963670?pwd=VXBGLysyQko5dDdPT2RGMVA5MW5DQT09>

Meeting ID: 897 2796 3670

Passcode: 815531

Attached is the meeting memo and agenda that is being mailed to you today. Among other things, we will report on our successful 2021 financial audit, and will brief you on how inflation has impacted our capital improvement projects.


We hope to see you next week.

All the best, Norb

Norbert S. Klopsch  
Oakwood City Manager  
(937) 298-0600



City of Oakwood  
30 Park Avenue  
Oakwood, Ohio 45419

To: Budget Review Committee  
From: Norbert Klopsch   
Date: May 12, 2022  
Subject: May 17 BRC Meeting

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Greetings from City Hall!

Our Budget Review Committee meets at 5:30 pm next Tuesday, May 17. We will conduct the meeting in the council chambers at the city building, 30 Park Avenue.

We expect that the meeting will last about one hour. Attached are the following items:

- Meeting agenda.
- Minutes of our December 7, 2021 meeting.

We hope to see you in person, but offer a Zoom option for those preferring to participate remotely.

<https://us06web.zoom.us/j/89727963670?pwd=VXBGLysyQko5dDdPT2RGMVA5MW5DQT09>

Meeting ID: 897 2796 3670  
Passcode: 815531

Cc: Members of City Council  
Department Heads





City of Oakwood  
30 Park Avenue  
Oakwood, Ohio 45419

BUDGET REVIEW COMMITTEE  
MEETING AGENDA

5:30 p.m., Tuesday, May 17, 2022

WELCOME AND INTRODUCTIONS

APPROVE DECEMBER 7, 2021 MEETING MINUTES

2021 FINANCIAL AUDIT

2021 FINANCIAL HIGHLIGHTS

2022 FINANCIALS THROUGH APRIL

AMERICAN RESCUE PLAN ACT/LOCAL FISCAL RECOVERY FUND

2022 CAPITAL PROJECTS/EXPENSES... INFLATION

POSSIBLE 2023 CAPITAL PROJECTS/EXPENSES

OTHER

ADJOURN

Oakwood, Ohio  
December 7, 2021

The Oakwood citizen Budget Review Committee (BRC) met at 5:30 p.m. on Tuesday, December 7, 2021. The meeting took place in the council chambers at the city building, 30 Park Avenue, and was available via the Zoom.com remote teleconferencing platform.

The following people attended:

Budget Review Committee

*In-person:*

Dave Dickerson, Chair  
Bill Frapwell, Vice Chair  
Ellen Fodge  
Pete Luther  
Steve Brooks  
Mark Risley  
Amanda Krauss  
Megan O’Leary  
Fred Dudding

*Via Zoom:*

Erika Endsley  
Elizabeth Kussman  
Ella Himes  
Cait Botschner  
Nicole Motto  
Yusaku Kawai  
Megan Kavanaugh

Oakwood City Council

*In-person:*

Mayor Bill Duncan  
Vice Mayor Steve Byington  
Councilmember Rob Stephens  
Councilmember Anne Hilton  
Councilmember Leigh Turben

City Staff

*In-person:*

City Manager Norbert Klopsch  
Leisure Services Director Carol Collins  
Finance Director Cindy Stafford  
Public Safety Director Chief Alan Hill  
Law Director Rob Jacques  
Personnel & Properties Director Jennifer Wilder  
Engineering & Public Works Director Doug Spitler  
Administrative Assistant/Clerk of Council Lori Stacel

*Via Zoom:*

Staff Engineer Chris Kuzma

Mayor Duncan opened the meeting with a welcome and word of thanks to committee members for their community service. He then asked if there were any suggested edits to the minutes of the October 19, 2021 committee meeting. There being no suggested edits, Mayor Duncan asked for a motion to approve the minutes as written. Motion by Mr. Risley; second by Mr. Dickerson. Upon viva voce vote, motion passed and the minutes were approved.

Mayor Duncan shared that City Council met at 4 p.m. today with Regional Representative Mike King from the Office of U.S. Senator Sherrod Brown. Mr. King provided an update on what Senator Brown is doing on behalf of the state of Ohio and local governments, including the Infrastructure Investment Jobs Act and the Build Back Better Act.

Mayor Duncan then invited City Manager Norbert Klopsch to deliver the meeting presentation.

Mr. Klopsch welcomed the committee members and began the meeting by sharing the city of Oakwood recently lost two dedicated public servants. Public Safety Officer Jesse Schaffer passed away on September 28, 2021. He joined the Public Safety Department in May 2018. Refuse Truck Driver Erwin Johnson passed away on November 2, 2021. He joined the Public Works Department in October 1986.

Mr. Klopsch reported on the following:

- 2021 HIGHLIGHTS:
  - SHAFOR PARK TENNIS COURTS: The Shafor Park Tennis Courts were repaired over the summer. The repair work included resurfacing all five tennis courts. The work was originally scheduled to take place last year, but was delayed due to the COVID-19 pandemic. The work was done to address court surface failures and was completed under warranty. City staff is very pleased with the repair work.
  - SAFETY DEPARTMENT IN-CAR AND BODY CAMERAS: The Oakwood Public Safety Department implemented in-car camera systems with fully integrated body cameras. Each Public Safety Officer is assigned their own body camera, and each marked patrol vehicle is equipped with a forward and rear facing camera system. The cameras represent a significant operational improvement.
  - REFUSE PACKER TRUCKS AND SCOOTERS: The Public Works Department purchased two refuse packer trucks and four refuse scooters. These major equipment replacements position the Public Works Department to continue providing comprehensive refuse collection services over the next 10-20 years.
  - RECYCLING DROP-OFF FACILITY: The new recycling facility opened on November 30, 2021. The recycling facility was moved from its original location in the parking lot of the Creager Field Dog Park at the corner of Shafor Boulevard and Irving Avenue. Mr. Klopsch showed a video of the grand opening and ribbon cutting ceremony of the new recycling facility.
  
- 2021 FINANCIALS THROUGH NOVEMBER: At the end of 2021, the City will have continued to provide comprehensive public services and, based on current projections, will have:
  - \$1,714,273 more in our General City Services funds.
  - \$46,937 more in our Refuse funds.
  - \$4,643 less in our Water funds.
  - \$177,165 more in our Sanitary Sewer funds.
  - \$115,725 more in our Stormwater funds.
  
- MUNICIPAL INCOME TAXES: Gross Income Tax collections through November are about 17% above November 2020. This increase is primarily attributed to two things:
  - Income generated by the additional people living in Oakwood in the homes and condominiums at Pointe Oakwood and the businesses at Sugar Camp.
  - Increase in Oakwood residents working from home, thereby directing their local income taxes to Oakwood rather than other jurisdictions.

- **PROPERTY TAX:** The 2021 property tax receipts are slightly above budget. The city of Oakwood has two voted property tax issues. Of the total property tax bill that Oakwood residents pay, only about 8% is received by the city to pay for city services.

The 2021 Residential Real Estate Tax breakdown consists of 70.1% to Oakwood Schools; 1.7% to Montgomery County; 0.3% to Developmental Disabilities; 1.8% to Five River MetroParks; 12% to Human Services; 3.5% to Sinclair; 8% to the city of Oakwood; and 2.6% to Wright Library.

- **3.75 Mill Property Tax:**

- The tax issue was first approved in May 2013.
- It has a five-year term and started generating revenue in 2014.
- The current effective mills is 3.33.
- The tax issue raises about \$1,060,000 annually.
- The tax on a \$200,000 value home is about \$203 annually.
- It expires in December 2023.

- **2.72 Mill Property Tax:**

- The tax issue was first approved in November 1991.
- It has a five-year term and started generating revenue in 1992.
- The current effective mills is 1.27.
- The tax issue raises about \$468,000 annually.
- The tax on a \$200,000 value home is about \$78 annually.
- It expires in December 2026.

The 2.72 Mill tax issue was renewed by Oakwood voters on November 2 by a 76.4% yes vote. This is the second highest yes vote in the seven times that the issue has been on the ballot.

- **2022 GOALS & OBJECTIVES:** The following goals and objectives will be included in the 2022 budget book:

- Promote development of the Kettering Health Network building, Sugar Camp western office building, and Randall Residence property.
- Gardner Pool improvements.
- Develop plan to implement a Water System Computer Model.
- Far Hills, Dellwood, Forrer and Devereux storm sewer improvements.
- Develop multi-year plan for rebuilding traffic signal system.
- Develop Geographical Information System (GIS).

- **2022 BUDGET OVERVIEW:** The 2022 proposed budget reflects no increases in income tax, property tax, or any increases to refuse, water, sanitary sewer, or stormwater fees. The goal is to avoid property tax increases over the next few years, after renewing the 2.72 mill issue last month, and asking for a renewal of the 3.75 mill issue in 2023. Below, in millions, are 2022 budgeted expense figures:

- General City Services: \$14.8
- Refuse Operations: \$1.6
- Water Utility: \$1.4

- Sanitary Sewer Utility: \$1.8
- Stormwater Utility: \$0.5
- Total: \$20.1 million

Mr. Klopsch commented on the line item budgets for General City Services, Refuse Operations, Water Utility, Sanitary Sewer Utility and Stormwater Utility. At the end of 2022, the City will have continued to provide comprehensive services and will, based on the proposed budget, have:

- \$831,245 more in our General City Services funds.
- \$219,317 less in our Refuse funds.
- \$184,688 less in our Water funds.
- \$87,898 more in our Sanitary Sewer funds.
- \$65,148 less in our Stormwater funds.

For General City Services, the 2022 beginning balance is estimated to be \$12,471,722 for Primary Operations. The 2022 budget includes \$1,585,250 for capital expenses.

For Refuse Operations, the 2022 beginning balance is estimated to be \$628,226. Refuse rates were last raised in January 2019 when they were increased from \$27 to \$30 per month. The 2022 budget includes \$196,000 for capital expenses.

For the Water Utility, the 2022 beginning balance is estimated to be \$1,344,043. Water rates were last increased in January 2017 and Oakwood currently has the 2<sup>nd</sup> lowest water rates of 66 Miami Valley jurisdictions. The 2022 budget includes \$141,500 for capital expenses.

For the Sanitary Sewer Utility, the 2022 beginning balance is estimated to be \$1,866,256. Sewer rates were last raised in January 2018. Oakwood currently has the 35<sup>th</sup> lowest sewer rates of 63 Miami Valley jurisdictions. The 2022 budget includes \$150,000 for capital expenses.

For the Stormwater Utility, the 2022 beginning balance is estimated to be \$507,772. Stormwater rates were last raised in January 2020. The 2022 budget includes \$205,000 for capital expenditures.

Mr. Klopsch asked for a motion to recommend approval of the 2022 budget. Motion by Fred Dudding; second by Ellen Fodge. Upon a viva voce vote, motion passed.

- LOOKING FORWARD 2022 THROUGH 2024: Mr. Klopsch reviewed major construction projects starting next year through 2024.
  - Work along Far Hills Avenue:
    - CenterPoint’s final two years of gas line construction.
    - 2022 concrete curb replacement along Far Hills from Patterson to East Drive.
    - 2022 Far Hills stormwater inlet repairs.
    - Repairs and repainting of the timber wall in the Far Hills Business District.
    - 2023 Far Hills Storm Sewer reconstruction in the Dellwood, Greenmount, Forrer and Devereux areas.



- 2024 Far Hills asphalt mill and overlay from north corporation line to south corporation line.
- Work in other areas:
  - CenterPoint’s final two years of gas line construction.
  - Concrete street repairs in miscellaneous areas.
  - Point Broadband’s city-wide fiber installation project.
  - Gardner Pool deck replacement.
  - Annual sidewalk, curb and driveway projects.

Mr. Klopsch explained the pending project by Point Broadband to install a fiber-to-the-home internet and telecommunications infrastructure throughout Oakwood. Work is expected to begin in the first quarter of 2022 and will involve installation of underground fiber optic cable; seven 7-foot tall distribution hub cabinets; around 200 18.5-inch tall ground level closure pedestals; and around 2000 flush-mounted, inground handhole fiber junction boxes. The project will be quite disruptive, but will result in the city residents and businesses having another option for purchasing internet and telecommunications service. City staff will oversee the work to ensure it complies with the city’s right-of-way use ordinance.

There being no other business, at 6:30 p.m. Mayor Duncan and Mr. Klopsch thanked the committee members for their service and the meeting was adjourned.

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Chairman



# That Day in May

## is only days away!



The Rotary Club of Oakwood is honored to host a day filled with family fun. Much of the activity will take place on the grounds of Oakwood High School.

### Saturday 5/21 activities

- **Pancake Breakfast - 8-11am** Hot pancakes and bacon! Tickets available at the door or in advance at the Oakwood Community Center.
- **Fun Run/5k & 10k Run - Starts at 8:30am** Walk-up registration available!
- **Community Parade - Starts at Noon** On Shafor Blvd. at Orchard Dr. and moves north on Shafor Blvd. to Oakwood High School.
- **Dog Parade and Costume - 1pm** See the canines dressed up as literary characters. Have you signed up your pooch yet?
- **Games, games, games... and bouncy houses - 12:30pm** Kids' games return with bouncy-house activities in "The Pit."
- **Antique Auto Show - 1pm** See your favorite cars from yesteryear on Dellwood Ave.
- **EV Car - 12:30pm** Drive Electric Dayton will have electric cars and EV 101 literature to share.
- **Dunking Booth - After the Community Parade** Take a throw and try to dunk Oakwood's personalities... get there early, lines will be long!
- **Still more...** Food trucks, lemon shake-ups, battle of the bands, and a few more surprises.

### Monday 5/23 activities

- **Silent Auction - Starts at 10:30am** Join us at the Dayton Country Club for a Bid on 40+ baskets, items, and services!
- **Golf Scramble - 12:00 (noon) tee off**
- **Cocktail Party - Around 4:30pm** After the second annual Golf Outing concludes, please join us at the DCC. Tickets online.

For details on That Day in May activities, go to [www.tdim.org](http://www.tdim.org)

That Day in May is made possible through the generosity of sponsors who support this wonderful community event and by those who also support the Oakwood Rotary Foundation.





# City of Oakwood

Government Administration

Mayor

May 10, 2022

The Hon. Andrea White  
Ohio House of Representatives  
77 South High Street, 11<sup>th</sup> Floor  
Columbus, OH 43215

The Hon. Rodney Creech  
Ohio House of Representatives  
77 South High Street, 12<sup>th</sup> Floor  
Columbus, OH 43215

The Hon. Phil Plummer  
Ohio House of Representatives  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, OH 43215

The Hon. Brian Lampton  
Ohio House of Representatives  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, OH 43215

The Hon. Niraj Antani  
Ohio Senate  
1 Capitol Square, Ground Floor  
Columbus, OH 43215

**Re: House Bill 563**

Dear Representatives White, Creech, Plummer and Lampton, and Senator Antani:

The purpose of this letter is to share Oakwood's concerns with H.B. 563, which proposes to strip local governments of the ability to regulate short-term rentals within their jurisdiction. To be perfectly clear: we view this bill as a direct assault on Oakwood's constitutional home rule authority.

Ohio is home to a variety of urban, suburban, and rural communities. They differ widely, not only in terms of the density of their development, but also as to the prevailing types of land uses. Some are heavily oriented towards business or industrial uses, or agriculture, or are predominantly residential; some enjoy a balanced mix of some or all of these. No two communities are the same.



Accordingly, land use regulations should be uniquely crafted to meet the needs of individual communities. What works in one area will not necessarily work in another. This principle is deeply embedded in Ohio law, which has long recognized zoning and land use regulations as the local exercise of a city's police power.

In some Ohio cities, villages, and townships, short-term rentals have not been problematic and there has been no consideration given to regulating them. But other communities – like Oakwood – have had different experiences. We have found that short-term rentals can interfere with the neighborhood ambience desired by residents and the quiet enjoyment of nearby properties. When that happens, local leaders are in the best position to consider the appropriate balance for their community, and are, in fact, elected to make precisely these kinds of decisions. H.B. 563 threatens to undermine that important local governance.

On August 5, 2019, Oakwood City Council adopted Ordinance No. 4889. (Copy enclosed for your reference.) The ordinance prohibits short-term rentals in the city of Oakwood, which are rentals for a period of 25 consecutive calendar days or less.

At the time of its adoption, Oakwood's Vice Mayor Steve Byington noted:

"Council is mindful of the private property rights of each homeowner, but we are also aware that an entire neighborhood can be disrupted when a home is used to host an ever-changing cast of short-term tenants.

One of Council's highest priorities is to preserve and maintain Oakwood's character for our residents. This is why we have determined that the short-term rental of residential property is inconsistent with the permanence, established character, density, and tranquility of Oakwood's residential neighborhoods and is potentially detrimental to property values."

Oakwood residents have the right to the quiet use and enjoyment of their properties, so long as they do not negatively affect their neighbors in the process. This does *not* include the right to commercialize one's property in any manner the owner wishes, which seems to be the motivation behind H.B. 563.

Local legislative bodies, like Oakwood City Council, are elected by their fellow residents. If broad public support existed for short-term rentals here, as proponents of H.B. 563 suggest is the case, Oakwood City Council would be responsive to that. However, we have not found that to be the case and believe H.B. 563 is a solution in search of a problem. Moreover, we believe it violates Oakwood's home rule authority, which is enshrined in the Ohio Constitution and has been exercised by Oakwood since the adoption of its Charter in 1960.

Sincerely,



William D. Duncan,  
Mayor

WDD/jr

Encl: Ordinance No. 4889

cc: Norbert S. Klopsch, City Manager

AN ORDINANCE

BY: VICE MAYOR BYINGTON

NO. 4889

ADOPTING NEW SECTION 17-801, *SHORT-TERM RENTALS PROHIBITED*, OF THE PROPERTY MAINTENANCE CODE AND MAKING RELATED AMENDMENTS ELSEWHERE IN THE PROPERTY MAINTENANCE CODE TO PROVIDE FOR THE PROHIBITION OF SHORT-TERM RESIDENTIAL RENTALS THROUGHOUT THE CITY.

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

SECTION I.

The title of Chapter 17-EIGHT of the Oakwood Property Maintenance Code is hereby amended to read as follows, with new text in bold font and deleted text in ~~strike through~~ font:

CHAPTER 17-EIGHT  
RESIDENTIAL RENTALS ~~UNIT INSPECTION~~

SECTION II.

New Section 17-801, *Short-Term Rentals Prohibited*, of the Oakwood Property Maintenance Code, is hereby adopted to read as follows:

**Sec. 17-801 SHORT-TERM RENTALS PROHIBITED**

**17-801.1 PURPOSE**

Council of the city of Oakwood has determined that the short-term rental of residential property is inconsistent with the permanence, established character, density, and tranquility of Oakwood's residential neighborhoods and is potentially detrimental to property values. The purpose and intent of this ordinance is to prohibit short-term rentals to protect and preserve these qualities of Oakwood's residential neighborhoods and to provide for the comfort, safety, and welfare of Oakwood residents.

**17-801.2 DEFINITIONS**

- A. "Transient Occupancy" means the right to use, occupy or possess, or the actual use, occupancy or possession, of the following, as defined by the Oakwood Zoning Ordinance: a Dwelling Unit, Single Family Dwelling, Two Family Dwelling, or Multiple-Family Dwelling; or a portion of any of the aforementioned; for a period of twenty five (25) consecutive calendar days or less.
- B. "Transient Rental" means the renting, letting, subletting, leasing or subleasing of the following, as defined by the Oakwood Zoning Ordinance: a Dwelling Unit, Single Family Dwelling, Two Family Dwelling, or Multiple-Family Dwelling; or a portion of any of the aforementioned; for Transient Occupancy use.

**17-801.3 PROHIBITION**

On or after January 1, 2020, no person shall operate, let, list, advertise, or otherwise make available, any residential property in the city of Oakwood for Transient Rental purposes.

**17-801.4 NOTICE OF VIOLATION; TIME FOR PERFORMANCE; APPEALS; VARIANCES; INSPECTIONS AND PENALTIES ARE DEALT WITH IN OTHER SECTIONS OF THIS CODE**

Other matters regarding notice of violation, time for performance, appeals, variances, inspections, penalties, and other aspects of administration are covered in Chapter 17-ONE of this Property Maintenance Code.



SECTION III.

Existing Section 17-106.1(A) of the Oakwood Property Maintenance Code, which addresses violations of such Code, is hereby amended to read as follows, with new text in **bold** font and deleted text in ~~struckthrough~~ font:

- A. The unlawful acts described in this paragraph A- shall include:
  - 1. ~~Transfer~~ of legal or equitable ownership of premises or change of tenant without having obtained a pre-sale inspection as required by 17-107.5 and 17-107.11 or without furnishing the proposed new owner a true copy of any conditional certificate of occupancy or other notice of violation and obtaining a signed receipt for it, as required by 17-107.10.
  - 2. ~~Further, these unlawful acts described herein shall also include~~ **Occupancy** or use of any premises by a new owner or tenant without that owner having obtained from the code official (or from the previous owner) a valid certificate of occupancy for the premises, as required by 17-107.5.
  - 3. ~~These unlawful acts described herein shall also include the~~ **f** Failure to timely submit the information required by Section 17-800.4.
  - 4. **Operating, letting, listing, advertising, or otherwise making available, any residential property in the city of Oakwood for Transient Rental purposes, as prohibited by 17-801.3.**

SECTION IV.

Existing Section 17-106.4 of the Oakwood Property Maintenance Code, which addresses penalties for violations of such Code, is hereby amended to read as follows, with new text in **bold** font and deleted text in ~~struckthrough~~ font:

- A. Whoever commits an unlawful act as described in paragraph A of 17-106.1 shall be guilty of a ~~minor~~ **an unclassified** misdemeanor.
- B. Whoever commits an unlawful act as described in paragraph B of 17-106.1 shall be guilty of a fourth degree misdemeanor.
- C. Whoever commits an unlawful act as described in paragraph C of 17-106.1 shall be guilty of a third degree misdemeanor.
- D. Whoever commits an unlawful act as described in paragraph D of 17-106.1 shall be guilty of a fourth degree misdemeanor.
- E. Whoever commits an unlawful act as described in paragraph E of 17-106.1 shall be guilty of a third degree misdemeanor.

SECTION V.

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

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this 5<sup>th</sup> day of August, 2019.

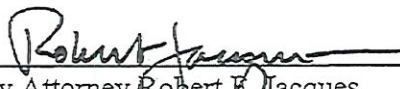
  
\_\_\_\_\_  
Mayor William D. Duncan


ATTEST:

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

TO THE CLERK:

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

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

**CERTIFIED:** This is a true and accurate copy of Ordinance/Resolution No. 4889, adopted by the Council of the City of Oakwood, Montgomery County, Ohio, on: August 5, 2019; and kept on file in the office of the Clerk of Council.  
  
CLERK OF COUNCIL

**OAKWOOD**

**Meetings schedule**

**Oakwood City Council Meetings:** Unless otherwise noted, Regular Sessions are held the first Monday of the month at 7:30 p.m. and Work Sessions are held the third Monday of the month at 5 p.m. at 30 Park Ave.

■ Monday, May 16 - Work Session 5 p.m. - Conference Room

**Records Commission Meetings:** Unless otherwise noted, Records Commission meetings are held the 4th Tuesday at 2 p.m. in January and July each year at 30 Park Ave.

■ Tuesday, July 26, 2 p.m. - Council Chambers

**Board of Health Meetings:** Unless other noted, Board of Health meetings are held the fourth Tuesday at 5:30 p.m. every other month at 30 Park Ave. (January, March, May, July, September, November)

■ Tuesday, May 24, 5:30 p.m. - Council Chambers

■ Tuesday, July 26, 5:30 p.m. - Council Chambers

**Planning Commission Meetings:** Unless otherwise noted, Planning Commission

meetings are held the first Wednesday of each month at 4:30 p.m. at 30 Park Ave.

■ Wednesday, June 1, 4:30 p.m. - Council Chambers

**Board of Zoning Appeals Meetings:** Unless otherwise noted, Board of Zoning Appeals meetings are held the second Thursday of each month at 4:30 p.m. at 30 Park Ave.

■ Thursday, May 12 - CANCELED

■ Thursday, June 9, 4:30 p.m. - Council Chambers

For additional information, contact Lori Stacel, Clerk of Council, at 937-298-0600.  
STAFF REPORT

DDN  
5/10/22

MEMORANDUM

TO: PLANNING COMMISSION MEMBERS  
FROM: ETHAN KROGER  
SUBJECT: CANCELLATION OF JUNE 1 MEETING  
DATE: MAY 11, 2022

---

The Planning Commission meeting on Wednesday, June 1, 2022 has been cancelled due to lack of agenda items. The next regularly scheduled meeting is at 4:30 p.m. on Wednesday, July 6, 2022.

EK:ls

cc: Members of City Council  
Norbert Klopsch, City Manager  
Robert Jacques, Law Director  
Jennifer Wilder, Personnel and Properties Director



# City Council adopts new solicitation ordinance

Contributed

City Council passed a solicitation ordinance during its April 7 meeting that establishes rules and regulations for canvassers, peddlers and solicitors conducting business within the City of Springboro.

A previous ordinance – that most area communities had adopted – was ruled unconstitutional almost 20 years ago, leaving cities with no recourse to manage solicitors. Since that time, the city has determined that some regulation is necessary to provide for the proper vetting of persons engaged in door-to-door sales activity and also allow for residents the option not to be solicited for products and services, should they so choose.

Residents who choose to be a part of the Do Not Solicit List, can register on the city website, [www.ci.springboro.oh.us](http://www.ci.springboro.oh.us), Do Not Solicit List. The registration is valid until a resident changes addresses. This is for Springboro residents only. Clearcreek Township is not covered by this ordinance and therefore should not register for the Springboro Do Not Solicit list.

Beginning May 7, solicitors are required to obtain a license subject to a background check, pay a \$25 fee and restrict hours for door-to-door sales from 9 a.m. to 7 p.m. In addition, the ordinance establishes a

“Do Not Solicit List” that will be maintained by the city, which prohibits solicitors from making door-to-door contact with any addresses on the list. Solicitors are required to carry the list, the required license and a photo ID when making door-to-door calls.

The ordinance will not affect youth fundraising activities like school, sport or scout sales. It also doesn't affect door-to-door political campaigns, collection of signatures or distribution of brochures or other literature. It does affect peddlers and solicitors selling for a profit; for example door-to-door salespersons for landscaping, pest control and roofing companies would all need to have a solicitor's license.

No individuals or groups should approach any property with a “No Solicitation” or similar signage without the property owner's permission. The city does not provide such signs, but the ordinance does allow homeowners and apartment complexes to post signs indicating no solicitation on their property.

The ordinance is effective now. Should a resident have a solicitor at the door without the required license or if a solicitor comes to your door and your address is included on the Do Not Solicit list, please call the Springboro Police Department, 937-748-0611.

DDN  
5/11/22

**REGION**

**CARE Walk Saturday**

Hundreds of individuals and families will hit the pavement on Saturday when the Breast

Cancer 5K CARE Walk returns for its 20th and final year. This annual event has raised nearly \$300,000 since 2001, with 100% of the proceeds helping organizations that support underserved and uninsured Miami Valley residents who are inflicted with cancer. All proceeds will go towards the CARE Walk Fund, a component of The Dayton Foundation, with grants advised by a committee of longtime, dedicated community volunteers.

Walkers and runners of all ages are encouraged to participate. The event starts at Oakwood High School's Mack Hummon Football Stadium

located behind the high school at 1200 Far Hills Ave. Opening events, including registration and refreshments, begins at 8 a.m. with the walk starting promptly at 9 a.m. Registration is \$15 per student, \$25 per adult or \$55 per family.

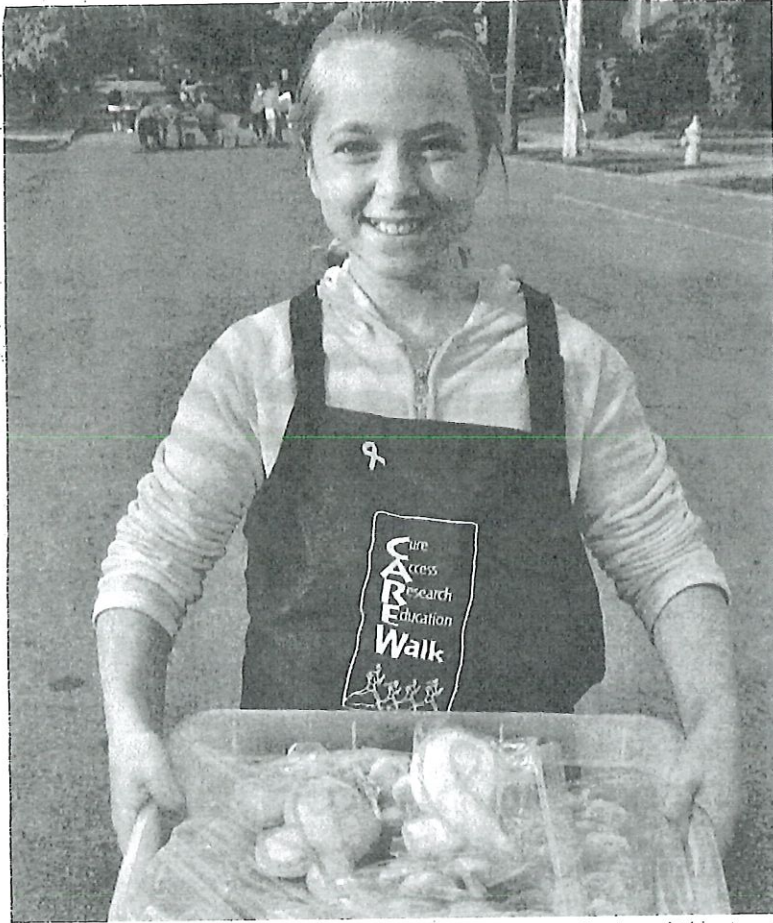
Leigh Ann Fulford, co-founder of CARE Walk, said, "All funds raised support individuals in the Greater Dayton area and are tax deductible, thanks to having a fund through The Dayton Foundation."

For more information or to register, visit [www.carewalk.org](http://www.carewalk.org) or contact [contactcarewalk@gmail.com](mailto:contactcarewalk@gmail.com).

STAFF REPORT

DDN  
5/11/22





## Pink Ribbon Cookies at CARE Walk

Laura's Cookies will be sold at the 20th Annual Breast Cancer 5K CARE Walk with 100 percent of the proceeds going to breast cancer survivors in the Dayton area.

Laura has donated more than 700 pink ribbon cookies that will be available only at the event and will sell for \$3 each with cash or check on a first-come, first-served basis.

CARE Walk will begin and end at the Oakwood High School Mack Hummon football stadium (Schantz Ave.) on Saturday, May 14. The event is for walkers and runners of all ages. Registration, coffee, pastries, and opening events begin at 8 a.m., and the walk begins promptly at 9 a.m.

CARE Walk has raised approximately \$300,000 for breast cancer awareness and services since its beginning in 2001, and 100 percent of the proceeds help the underserved and uninsured in the Miami Valley. Registration is \$15 per student, \$25 per adult, or \$55 per family. Information and registration are available at [www.carewalk.org](http://www.carewalk.org).

OAKWOOD

# Library patron accused of printing child pornography

By Jen Balduf  
Staff Writer

OAKWOOD — A 59-year-old Dayton man was caught by staff printing child pornography at Wright Memorial Library in Oakwood, police say.

Thirty charges are filed against Octavious Davidson VIII in Oakwood Municipal Court, including 24 counts of illegal use of a minor in nudity-oriented material or performance; four counts of pandering sexually oriented material involving a minor; and two counts of pandering obscenity involving a minor.



Octavious Davidson VIII

Library officials last Monday notified the Oakwood Public Safety Department a patron had been printing images of suspected child exploitation at the library, 1776 Far Hills Ave. The library provided police with copies of 11 images, including several that appeared to show nude or partially nude girls. The following day the library provided copies of nine additional images printed after the officer left, according to

the criminal complaint filed against Davidson.

The library patron was identified as Davidson through print logs, and police said he also had been seen by staff printing the images.

Davidson was detained Thursday after library staff notified police that he had returned to the library. He was taken for questioning to the Oakwood Public Safety Department.

"During his interview, Davidson admitted to having 50 to 100 images of underage females at his home. Davidson further stated he prints off the child sexual exploita-

tion material at the library," the court record stated.

Officers reported seizing a "significant amount" of pornographic material in addition to VHS tapes and a computer during a search of Davidson's Huron Avenue home in Dayton.

"Over 200 obvious child sexual exploitation images were presented to the prosecutor for charges," the criminal complaint stated.

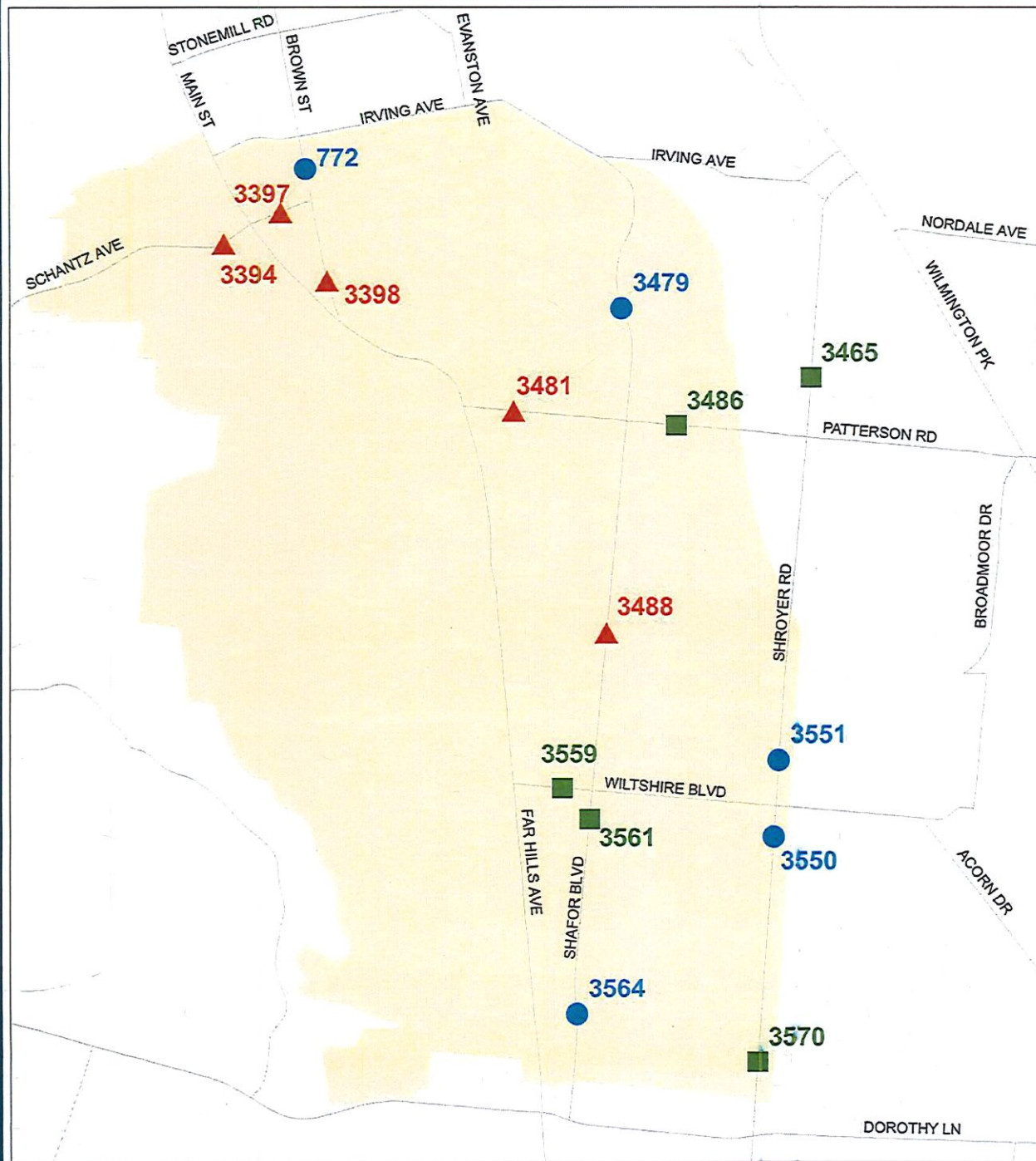
Davidson is held on \$35,000 bond in the Montgomery County Jail. He is next due in court Monday.

Contact this reporter at Jen.balduf@coxinc.com.

DDN

5/11/22





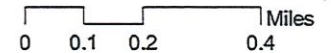
# City of Oakwood

## Program Locations by Year to Count

- 2021
- ▲ 2022
- 2023

- Major Roads
- Oakwood

Location descriptions can be found in the attached table using the ID number.



April 2022

## City of Oakwood

### Requested Traffic Count Locations

Year	ID	Road Name	Cross St	
2021	772	OAKWOOD AVE	N OF SCHANTZ AVE	X
	3479	SHAFOR BLVD	S OF IRVING AVE	X
	3550	SHROYER RD	S OF WILTSHIRE BLVD	X
	3551	SHROYER RD	N OF WILTSHIRE BLVD	
	3564	SHAFOR BLVD	N OF DOROTHY LN	X
2022	3394	SCHANTZ AVE	W OF FAR HILLS AVE	
	3397	SCHANTZ AVE	E OF FAR HILLS AVE	
	3398	OAKWOOD AVE	N OF FAR HILLS AVE	
	3481	PATTERSON RD	E OF FAR HILLS AVE	
	3488	SHAFOR BLVD	N OF WILTSHIRE BLVD	
2023	3465	SHROYER RD	N OF PATTERSON RD	X
	3486	PATTERSON RD	E OF SHAFOR BLVD	
	3559	WILTSHIRE BLVD	W OF SHAFOR BLVD	X
	3561	SHAFOR BLVD	S OF WILTSHIRE BLVD	X
	3570	SHROYER RD	N OF DOROTHY LN	

*An X in last column indicates locations that haven't been counted in the last four years.*





# City of Oakwood

## Department of Engineering and Public Works

May 6, 2022

Dear Beverly Place Resident,

The city will resurface your street this summer. The work will involve milling off the top surface of the asphalt roadway and laying new asphalt pavement. This work is tentatively scheduled to start in mid-July and will take 1-2 weeks to complete, depending on weather. Prior to the asphalt work, the city may repair some broken concrete curb and some concrete driveway aprons in a few areas.

The street will remain open during most of the construction, with temporary closing and "No Parking" only during the milling operation, and again when the asphalt paving is underway. The contractor will give you advance notice of the "No Parking" periods by placing signs along the edge of street.

You will have access to your driveway throughout construction, except during two brief periods of time when work is taking place in front of your home. While we know the work will create an inconvenience, we will ensure that the contractor does everything possible to minimize the temporary disruption to your neighborhood.

We will send you a postcard reminder a week or two before the start of the asphalt work. If you have any questions about this street improvement project, please contact Engineering Technician/Foreman Tom Long at: [long@oakwood.oh.us](mailto:long@oakwood.oh.us); 298-0777 (office); or 608-1604 (cell).

Sincerely,

A handwritten signature in blue ink that reads "Chris Kuzma".

Chris Kuzma, PE  
City of Oakwood Staff Engineer

NSK:cak

cc: K. Douglas Spitler, PE, Director of Engineering & Public Works  
Tom Long, Engineering Technician/Foreman  
Dave Shuey, Street Foreman



# City of Oakwood

## Department of Engineering and Public Works

May 6, 2022

Dear Shroyer Road Resident,

The city will resurface alleys in your neighborhood this summer. The work will involve milling off the top surface of the asphalt alley and laying new asphalt pavement. This work is tentatively scheduled to start in mid-July and will take 1-2 weeks to complete, depending on weather.

The alleys will remain open during most of the construction, with temporary closing and "No Parking" only during the milling operation, and again when the asphalt paving is underway. The contractor will give you advance notice of the "No Parking" periods by placing signs along the alleys.

You will have access to your garage throughout construction, except during two brief periods of time when work is taking place in front of your home. While we know the work will create an inconvenience, we will ensure that the contractor does everything possible to minimize the temporary disruption to your neighborhood.

We will send you a postcard reminder a week or two before the start of the asphalt work. If you have any questions about this street improvement project, please contact Engineering Technician/Foreman Tom Long at: [long@oakwood.oh.us](mailto:long@oakwood.oh.us); 298-0777 (office); or 608-1604 (cell).

Sincerely,

A handwritten signature in blue ink that reads "Chris Kuzma".

Chris Kuzma, PE  
City of Oakwood Staff Engineer

NSK:cak

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Tom Long, Engineering Technician/Foreman  
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