

CITY MANAGER'S NEWSLETTER
JUNE 24, 2022

IMPORTANT COUNCIL DATES:

July 18, Monday, 6:00 p.m. – Regular Session (30 Park)
August 1, Monday, 6:30 p.m. – Regular Session (30 Park)
August 14, Sunday, 5:30 – 7:30 p.m. – Ice Cream Social (Shafor Park)
August 15, Monday, 5 p.m. – Work Session (30 Park)
September 19, Monday, 6:30 p.m. – Regular Session (30 Park)
October 3, Monday, 6:30 p.m. – Regular Session (30 Park)
October 17, Monday, 5 p.m. – Work Session (30 Park)

BUSINESS UPDATE:

- **PFAS Chemicals:** Enclosed is another *DDN* article about the new USEPA non-binding health advisory.
- **Library Incident:** Enclosed are *DDN* and *Register* articles about indictments issued on the child pornography case.
- **Guns:** Enclosed is a letter from the Oakwood Schools announcing the decision to retain current policies prohibiting guns in Oakwood school buildings.
- **Insomnia Cookies Ribbon Cutting:** Enclosed is a *Register* photo from the June 16 Insomnia Cookies ribbon cutting ceremony.
- **Michael Hoecht:** Enclosed is a *Register* article about Oakwood grad and LA Rams defensive lineman Michael Hoecht inspiring young Lumberjacks at an Oakwood football camp.
- **Police Academy:** Enclosed is a *DDN* article about our 2022 CPA. We already have 14 applications.
- **Electricity Costs:** Enclosed is a *DDN* article about electricity costs. I continue to believe that Ohio made a mistake in deregulating electricity and natural gas. I believe the state legislature should have fixed the problems with the Public Utilities Commission of Ohio, rather than deregulate energy.
- **Oakwood Club:** Enclosed is a *Register* article about the Stewart family selling The Oakwood Club to The One ESCA Group, a Dallas-based restaurant management group.
- **City Meetings:** Enclosed is a *DDN* article announcing our upcoming public meetings.

- Special Olympics Torch Run: Yesterday, Chief Hill and Detective Ballinger, along with law enforcement personnel from Kettering, Centerville, Montgomery County Sheriff's Office, and Moraine participated in the 2022 Law Enforcement Torch Run for Special Olympics. Officers participating in this leg carried the "Flame of Hope" from the Centerville Police Department to the Dayton Police Department Headquarters Building, a distance of just under 12 miles. The Torch Run travels through 150 Ohio communities creating awareness and raising funds for the Special Olympics program.



HAVE A GREAT WEEKEND!

TRANSMITTALS NOTED WITHIN NEWSLETTER

DDN Article re: PFAS Chemicals

DDN & Register Articles re: Library Incident

Oakwood Schools Letter re: Guns

Register Photo re: Insomnia Cookies Ribbon Cutting

Register Article re: Michael Hoecht

DDN Article re: Police Academy

DDN Article re: Electricity Costs

Register Article re: Oakwood Club

DDN Article re: City Meetings

Locals studying huge EPA change on 'forever chemicals' in water

Expert says issue 'not a trivial matter,' as it affects health of many.

By Thomas Gnau
and Jeremy P. Kelley
Staff Writers

A new Environmental Protection Agency (EPA) standard for safer levels of so-called "forever chemicals" in drinking water is forcing state and local governments charged with protecting water to look anew at what has been a vexing issue in the Miami Valley.

The EPA this week issued non-binding health advisories that set health risk thresholds for PFOA and PFOS in drinking water near zero – no more than 0.02 parts per trillion, replacing 2016 guidelines that had set them at 70 parts per trillion, the Associated Press reported.

An EPA spokesman said the agency is no longer confident that PFAS levels allowed under the 2016 guidelines "do not have adverse health impacts," according to the AP.

Abinash Agrawal, a Wright State University professor and



Wright Patterson Force Base crews collect drinking water samples from a field in Fairborn where a jet crashed in 1997. CONTRIBUTED

drinking water quality expert, called the change in the proposed guidelines "dramatic" and questioned whether Ohio labs are prepared to detect PFAS levels this low without a significant upgrade in their analytical capabilities.

PFAS is short for per- and polyfluoroalkyl substances, which were once used in nonstick

Chemicals continued on A8



The Mad River flows past the City of Dayton's Ottawa water treatment plant on the east side of Dayton. The city says it is in the final stages of "deciding on the most cost-effective and safest steps to getting to our goal of no PFAS in our drinking water."

STAFF FILE

Chemicals

continued from A1

frying pans, water-repellent sports gear, stain-resistant rugs, firefighting foam and elsewhere. The substance was voluntarily phased out in the U.S., but it remains in some products and in the environment.

Many states have already lowered their own drinking water advisories for these chemicals, Agrawal said.

"We didn't do much in Ohio," he said. "We just followed the highest screening level, requiring no actions."

Agrawal said previous studies of public drinking water supply systems in Ohio found more than 100 systems with PFOA and PFOS present – all but one of them below 70 parts per trillion, but many well above the new standard. He said this is "not a trivial matter," as it affects the health of thousands of people locally.

The EPA said it expects to propose national drinking water regulations for the chemicals this year, with a final rule expected in 2023.

"It is a much improved, much researched health advisory that has been in the pipeline for years," Agrawal said.

City of Dayton officials said Friday that they were "still studying the EPA's new more aggressive health advisory levels for PFAS in drinking water, but we know we share the same goal: Make

these contaminants a non-issue by completely removing them from our water."

The city said in a statement that it has performed water sampling, using over 500 monitoring wells. The city said it has also closed potentially contaminated wells.

"We've taken legal action against organizations that we know are the source of the contamination," the city statement also said, an apparent reference to Wright-Patterson Air Force Base and the Department of Defense. "We've also made it clear that we want to work with them to move as quickly as possible to fix the problem."

Dayton government sued Wright-Patterson and the Defense Department in May 2021 for failing (the city charged) to stop water contaminants from entering a source of the city's drinking water. The case was moved to federal court in South Carolina last year, where it has been classified with other causes of action and claims relating to PFAS substances.

The city said its water "meets all regulatory requirements."

Dayton also said it is in the final stages of "deciding on the most cost-effective and safest steps to getting to our goal of no PFAS in our drinking water."

A spokeswoman for the Ohio EPA said her agency is helping municipal systems

weigh their options, such as water treatment or connecting with other municipal water systems.

"Forthcoming federal infrastructure allocations include funding for public water systems to address PFAS," Ohio EPA spokeswoman Heidi Griesmer said. "Ohio EPA anticipates public water systems will be able to submit projects for funding assistance later this calendar year."

Montgomery County released a statement Friday noting that the county does not treat drinking water. But in 2019, county leaders were concerned enough about the matter to issue a statement expressing some alarm about the quality of the region's drinking water.

"If we felt our community was immediately threatened, we would absolutely advise citizens to cease water consumption. That isn't the case, but it has raised enough flags for us to involve the Ohio (Environmental Protection Agency)," county administrator Michael Colbert in the statement at that time.

In its new statement Friday, county officials said they would "continue to collaborate with the city of Dayton and Ohio EPA to ensure our residents receive the best quality water possible." statement Friday.

Contact this reporter at (937) 681-5610 or email tom.gnau@coxinc.com.

DDW
6/18/22

MONTGOMERY COUNTY

Man accused of printing child porn at Oakwood library gets more indictments

By Daniel Susco
and Jen Balduf
Staff Writer

A Dayton man accused of printing explicit images of girls in Oakwood's Wright Memorial Library was indicted Friday on 120 additional charges for creating and possessing child pornography.

Octavious Davidson VIII, 59, is scheduled to be arraigned Thursday in Montgomery County Common Pleas Court for 88 counts of pandering obscenity involv-



Octavious Davidson

May for 30 child pornography-related charges, including 24 counts of use of a minor in nudity-oriented material or performance, two counts of pandering sexually-oriented material involving a minor and four

ing a minor and 32 counts of pandering sexually-oriented material involving a minor.

He already had been indicted in

counts of pandering obscenity involving a minor.

"Incredibly, this defendant has been downloading and printing sexually explicit images of children while at the library," Montgomery County Prosecutor Mat Heck Jr. stated in a release. "This conduct is wrong on so many levels, including printing these pictures at the public library where children are present."

Library staff spotted a patron, later identified as Davidson, printing sexually explicit images of girls May 2 at the library, 1776 Far Hills

Ave., and notified the Oakwood Public Safety Department. He was detained May 5 when staff reported to police that he had returned to the library.

"Over 200 obvious child sexual exploitation images were presented to the prosecutor for charges," a criminal complaint filed in Oakwood Municipal Court stated.

He remains held on a \$25,000 bond in Montgomery County Jail.

Contact this reporter at 937-225-2212 or email daniel.susco@coxinc.com.

DDW 6/18/22

Man indicted for printing child porn at Oakwood library will face an additional 120 counts

Montgomery County Prosecutor Mat Heck, Jr. announced Friday that Octavious V. Davidson, III, 59, of Dayton, has been indicted on 120 additional counts for creating and possession of child pornography.

On Monday, May 2, Oakwood police were dispatched to Wright Memorial Public Library after employees located several sexually-explicit printouts of juvenile females. Further investigation identified the defendant as the library patron who had downloaded and printed the images.

On May 16, the Montgomery County Grand Jury indicted Davidson on 24 counts of illegal use of a minor in nudity-oriented material or performance, two counts of pandering sexually-oriented material involving a minor, and four counts of pandering obscenity involving a minor.

Davidson was arraigned and has been referred for a competency and sanity evaluation.

Last week, after further investigation, the Montgomery County Grand Jury indicted Davidson on additional counts, including 88 counts



Octavious V. Davidson, III

of pandering obscenity involving a minor and 32 counts of pandering sexually-oriented material involving a minor

"Incredibly, this defendant has been downloading and printing sexually explicit images of children while at the library. This conduct is wrong on so many levels, including printing these pictures at the public library where children are present," Heck said.

Davidson remains in jail since his May 5 arrest and is being held on a \$25,000 bond.

OR 6/22/22

Oakwood Schools

Dear Oakwood families,

We hope you enjoyed the first week of summer break. Our teams have been busy with maintenance projects, professional development opportunities and, of course, planning for next school year.

With the recent publicity surrounding Gov. DeWine's signing of HB 99, allowing school districts to arm employees with a reduced number of training hours, and the recent mass shootings, especially the tragedy at Robb Elementary in Uvalde, Texas, the issue of arming school staff has become an important topic we wanted to address.

Based on our particular situation, and in consultation with the Oakwood Safety Department, it is the District's position we not arm our staff at this time. The outstanding response time of OSD officers, the regular presence of those officers in and around our buildings, and the issues that come with introducing guns into school buildings are the main reasons we will continue to follow our current Board policy of prohibiting students (Policy #5772), staff (Policy #3217) and visitors (Policy #7217) from possessing guns in our schools.

Oakwood Board of Education members are unanimous in their support to maintain the current policy and not arm our staff.

We believe this decision is one school district leaders and board of education members must make based on their district's unique circumstances and resources. The safety and security of all of our students, staff and community continue to be paramount for us. School is statistically the safest place to be for our children and Oakwood Schools, in cooperation with Oakwood Safety Department, is constantly working to improve the safety of our schools.

While there is certainly no perfect solution to stop school violence, there are multiple layers of protection we can and will continue to implement to insulate our students, staff and community. The District has a confidential, comprehensive safety plan, which is reviewed and regularly updated with area agencies. In addition, Oakwood Schools has implemented a number of layers of protection which can be reviewed on the District website.

We are committed to providing safe spaces for our students and staff and will continue to evaluate and update our policies and facilities as necessary. Thank you for your continued support of Oakwood Schools and our efforts to provide safe and secure learning environments for all of our students.

Kyle



Insomnia Cookies opened their newest store at 6 Oakwood Avenue in Oakwood last week, marking the occasion with a ribbon cutting ceremony on June 16 that included city officials and council members. The Oakwood store has 14 employees.

OR 6/22/22

Super Bowl champion pays it forward at Oakwood football camp

Oakwood alum, LA Ram and Super Bowl champion Michael Hoecht returned to Mack Hummon field last week to share his experience with younger players at an Oakwood football camp for aspiring elementary and junior high athletes.

Hoecht, who played for Brown University in the Ivy League after graduating from Oakwood, was signed to a one-year contract on the Rams' practice squad before stepping onto the LA roster as a special teams player in their Super Bowl-winning season.

Oakwood Football Coach Butch Snider said Hoecht contacted him about returning to Oakwood to participate in a camp for younger players shortly after last season's Super Bowl victory. "He contacted us back in January or February and said 'Coach, I really want to come back,'" Snider said. "I said I would love that. There's a million things he could be doing right now, but he's here giving back to this community."

"Fifteen years ago I was in their shoes and this is the field where I learned to play," Hoecht said after running warm-ups for the players in grades 3-8 during the two-day camp last week. "It brings me so much joy to come back here and pay it forward because there have been a lot of people who were invested in me and supported me on my journey and I'm happy to give that back."

Hoecht was signed as an undrafted player in the NFL after passing as a first-round draft pick in the Canadian Football League in his native Canada.

"It's a dream come true," he said of his journey to the NFL. "Every kid has that pipe dream that he's going to be the long shot who makes it to the NFL. I knew I was going to be a long shot, especially coming from a small school like Oakwood, then going to a small college and going undrafted during a Covid year, but football is just a game I love, it's a passion I keep pursuing. I played the odds, rolled the dice and here we are."

"I never would've guessed one of my players would be back here with a



Photos by Leon Chuck, Pressbox Photo

2016 OHS alumni, Super Bowl champion and LA Rams defensive lineman Michael Hoecht and Oakwood Head Coach Butch Snider coach players at last week's Oakwood football camp.

Super Bowl ring to his name," Snider said of his former high school player. "I was so proud of him, I was almost in tears watching the Super Bowl. To watch him do that, I felt like I had won the Super Bowl. I knew he was destined for great things, whether it was on or off the field, not only was he a good football player but I knew his character and I knew he would be a success."

Over 50 players registered for the camp, which was coached by Oakwood High School football coaches assisted by this year's varsity players. "I love seeing the energy and enthusiasm that these kids are bringing," Snider said. "My varsity players were up early this morning for workouts and a majority of them are back this evening because they understand that these younger



Hoecht (back row, center) poses with Oakwood varsity football players along with youth and junior high football camp participants.

players look up to them and come out to watch them play on Friday nights. So they're paying it forward, too."

One of those coaching the camp

was Oakwood City Councilman Rob Stephens, who also served as a defensive line coach at OHS when Hoecht was on the high school roster.

"Michael was instrumental in giving back to our kids by simply

See **Camp** on page 2 ▶

► **Camp** from page 1

doing what he has always done, the extra effort. He is such a hard worker, but more important he is a wonderful young man. He wanted to give back to the football program where he started so he reached out to Coach Snider and myself and said let's make this camp bigger and better and raise some money for the program at the same time," Stephens said. "I always knew he would be successful at anything he tried. I am so proud of Michael for the commitment and effort he has put in to not only making an NFL roster, but to start on all special teams units and win a Super Bowl in his first season. He will continue to be successful, I have no doubt about that."

Organizers say they hope to make the football camp an annual event with Hoecht's ongoing participation. "It's an unbelievable turnout," Hoecht



Hoecht autographs a camp participant's t-shirt.

said, "the numbers are good and everybody's really excited about Oakwood football."

OR 4/22/22

OAKWOOD

**Apply for Citizen
Police Academy**

The Oakwood Safety Department is accepting applications for the 2022 Citizen Police Academy.

The 2022 CPA is scheduled to start Sept. 7. Applications will be accepted through Aug. 5 and are available at <https://oakwoodohio.gov/>.

The CPA is free, but class size is limited to the first 12 applicants.

The academy will include a 10-week curriculum on the functions of the city's safety department. Classes will be held from 6:30 to 8:45 p.m. every Wednesday at the Oakwood City Building, 30 Park Ave.

Weekly subjects will range from patrol operations, traffic enforcement and use of force to evidence collection and fire prevention/education.

For more information, call Lt. Chuck Balaj at 937-298-2122.

STAFF REPORT

DDW

6/19/22

Why are electric rates so high right now?

It's complicated, as electricity is traded like a commodity.

By **Thomas Gnau**
Staff Writer

Getting a simple answer to a simple question – why is electricity suddenly so expensive? – is anything but simple.

The way Ohio electric utilities arrive at the rates they charge customers is complex, to say the least. Auctions, the timing of those auctions and events across the globe conspire to make electric rates unpredictable.

But for the month of June 2022, at least, it appears that AES Ohio's generation rate, or its "price to compare" with other companies, is the highest in Ohio at 10.91 cents per kilowatt-hour of usage for residential customers.

There are reasons for that, industry observers say.

AES Ohio customers faced higher electric rates after a wholesale electric auction this spring.

Why have "auctions" for electricity? Electricity is a tradeable commodity, like

Electric continued on **A8**

Ohio electric utility rates

Price per kilowatt hour for 2022-23 year

AES Ohio

10.91 cents

AEP Ohio*

6.93 cents

Duke*

6.31 cents

Ohio Edison*

6.57 cents

Toledo Edison*

6.65 cents

The Illuminating Co.*

6.58 cents

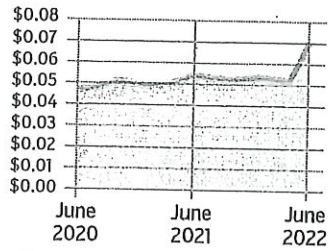
*(as of June 2022)

Source: Public Utilities Commission of Ohio

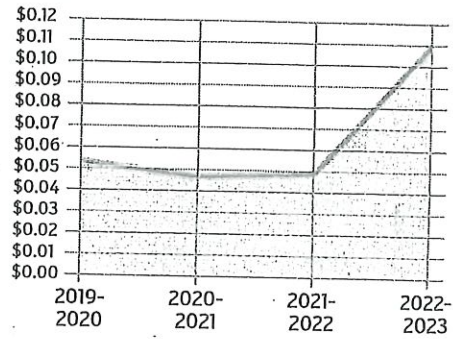
Ohio electric utility rates over time

Historical "price-to-compare" rates. Prices are per kilowatt hour.

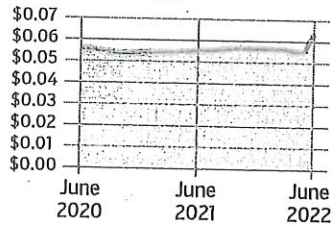
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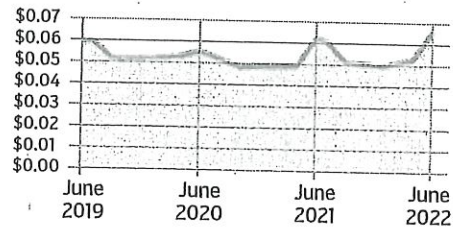
AES Ohio



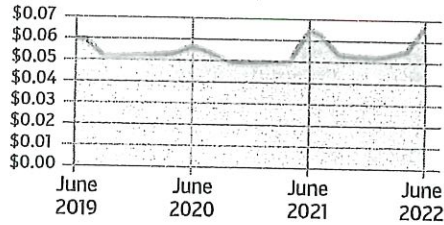
Duke Energy



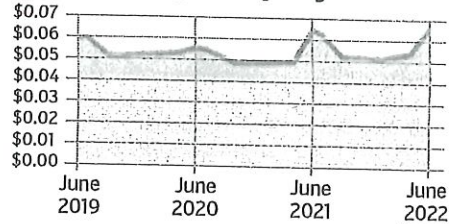
Ohio Edison



Toledo Edison



Illuminating Company



Source: Public Utilities Commission of Ohio

Electric

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corn or oil. But it can't be stored in a warehouse like tangible products.

Even so, electric companies are expected to meet demand. They do that with their own generating capacity, or with capacity purchased through market auctions.

"The alternative to auctions like these our utilities conduct is to purchase power in real-time markets, which can be volatile on a day-to-day basis," said Public Utilities Commission of Ohio (PUCO) spokesman Matt Schilling.

The Federal Energy Regulatory Commission (FERC) this year delayed capacity auctions by PJM, the regional "power pool" overseeing the electric grid of which Ohio is a part, Schilling said.

Such auctions are a major input into the price of electricity.

By the time AES held its wholesale auction April 18, it was nearly two months after Russia had invaded Ukraine. Global energy prices were escalating. The results of the auction, blended with results from earlier auctions, determined rates for June 1, 2022 through May 31, 2023.

"AES just so happened to have its auction scheduled right as global prices started spiking, while the other utilities were a bit earlier in the spring," Schilling said.

A spokeswoman for AES Ohio called the higher rates resulting from this year's auction "unavoidable."

"At the time of the auction, that was where the (price) trajectory was, and it's unfortunate that was the timing," said Mary Ann Kabel, director of corporate communication at AES Ohio.

She emphasized that prices resulting from the

April auction are in place for one year.

In a statement issued later, AES Ohio said that due to delays in auction scheduling, the utility has been unable to hold longer term, multi-year auctions that protect customers from market spikes.

"The timing of the auction is set by the PUCO and has been the same for the past several years," the company said. "So, when the regularly-scheduled auction was held, we had to secure generation for all of our standard offer customers for the upcoming year at a time when prices had suddenly and dramatically increased."

Ken Rose, an economist and senior fellow with the East Lansing, Mich.-based Institute of Public Utilities, said higher natural gas prices are clearly impacting wholesale electric prices.

Electric prices are tied to natural gas because natural gas-fired generation units are often the most expensive sources used to supply power, according to the U.S. Energy Information Administration (EIA).

And the EIA said June 16 that it expects the price of natural gas delivered to electric generators to average \$8.81/MMBtu (million British thermal units) this summer, up from \$3.93/MMBtu last summer.

Nationally, natural gas comprises 40% of electric generation sources.

More American-produced natural gas will likely head to Europe, where some nations are trying to wean off Russian-produced gas – further tightening natural gas supply and raising prices, Rose said.

"That's part of the reason for the spike in the natural gas prices," Rose said.

Another complication: Ohio utilities' electric rates don't change at the same

pace.

A few years ago, AES proposed to include part of its costs – its renewable portfolio standard compliance costs – into its standard service offer and only update it once a year, after auction costs change in June, Schilling said. That was supposed to make billing simpler.

Other utilities also have renewable portfolio standard compliance costs, but those costs are updated once every three months.

So while other utilities' costs will change more frequently compared to AES Ohio, far and away the largest part of the "price to compare" is the auction result, Schilling said.

He does not expect prices for other electric companies to vault over AES's price due to renewable costs alone.

So at least for the month of June 2022 and perhaps for some time beyond, AES Ohio's rates are higher than anyone else's in Ohio.

PJM spokesman Jeffrey Shields said PJM has no control over the timing of state auctions.

"We are not the authority on pricing," Shields said. He added: "It is fair to say that the price of fuel such as natural gas or coal impacts the cost of producing electricity produced with those fuels."

Are higher electric prices here to stay? Rose says history suggests they're not permanent, but that doesn't mean they'll change any time soon.

"My crystal ball is just as foggy as everyone else's," he said. "But if this has happened before, and each time of some duration, the way it looks like right now, natural gas prices could stay high for the rest of this year, maybe well into next year."

Contact this reporter at 937-681-5610 or email tom.gnau@coxinc.com.

DDW

6/20/22

Oakwood Club purchased by Dallas-based One Esca

One Esca Group, a Dallas-based restaurant management firm, announced that it has purchased The Oakwood Club at 2414 Far Hills Ave. in Oakwood.

The Oakwood Club was established by Ray and Margie Stewart in 1962 and later managed by their son Lance Stewart.

"They took a small lunch-style restaurant and turned it into a fine dining steakhouse," Stewart said in an online post. "Over the last 30 years my co-workers and I ... worked to elevate our restaurant to even greater heights. I am truly confident that The Oakwood Club will continue to thrive under the new ownership. I have been assured

that everything that you loved and enjoyed about The Oakwood Club will remain the same."

One Esca Group previously purchased the former Corner Kitchen in the Oregon District in 2021. After remodeling that restaurant reopened in February 2022. One Esca also owns the Spaghetti Warehouse in Dayton.

OR 6/22/22

OAKWOOD

Council meetings

Oakwood City Council will hold meetings Monday July 18 and Monday, Aug. 1 at 30 Park Ave. In both cases, the work session begins at 6:30 p.m. in the conference room and the regular session is at 7:30 p.m. in council chambers.

The next meeting of the Records Commission will be held at 2 p.m. July 26 in the council chambers at 30 Park Ave.

The next meetings of the city Board of Health will be held Tuesday, July 26, and Tuesday Sept. 27, both at 5:30 p.m. in council chambers.

Oakwood's Planning Commission is scheduled to meet on Wednesday, July 6 and Wednesday Aug. 3, both at 4:30 p.m. in council chambers.

The Board of Zoning Appeals will meet on Thursday, July 14, and Thursday, Aug. 11, both at 4:30 p.m. in council chambers.

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

STAFF REPORT

DDN
6/24/22