

CITY OF OAKWOOD  
COUNCIL AGENDA  
APRIL 3, 2023

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF MARCH 6 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION AND MARCH 27 WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
  - Oakwood Public Safety Department
  - PSO Swear-in
  - Citizen Committee Appointments
  - Proclamation recognizing April as “Fair Housing Month”.
  - Proclamation recognizing the week of April 23 as “Arbor Week”, Mayor Duncan
- VI. VISITORS
  - Judy Cook, Oakwood Inclusion Coalition 2022 Annual Report
  - Terri Jones, Pinwheels for National Child Abuse Awareness
- VII. LEGISLATION
  - An Ordinance to Proceed with the 2024 Street Lighting Program, Mr. Stephens
  - An Ordinance to levy special assessments for the 2024 Street Lighting, Mr. Stephens
  - An Ordinance to Proceed with the 2023 Sidewalk Repair Program, Mr. Stephens
  - An Ordinance adopting the 2024 tax budget, Vice Mayor Byington
  - A Resolution to ratify legislative approval on opioid settlement agreement, Vice Mayor Byington
- VIII. STAFF REPORT – ENGINEERING & PUBLIC WORKS DEPARTMENT
- IX. AN OAKWOOD MOMENT
- X. CITY MANAGER’S REPORT
- XI. COUNCIL COMMENTS
- XII. ADJOURN

NEXT REGULAR SESSION SCHEDULED FOR MAY 1, 2023

AN ORDINANCE

BY: \_\_\_\_\_

NO. \_\_\_\_\_

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO:

SECTION I.

That it is hereby determined to proceed with the improvement in the City of Oakwood of the streets designated, between certain termini set forth, in Resolution No. 1905 adopted on the 6<sup>th</sup> day of March, 2023.

SECTION II.

That said improvement shall be made in accordance with the provisions of Resolution No. 1905 adopted on the 6<sup>th</sup> day of March, 2023, and with the plans, specifications, estimate of cost and profiles heretofore approved and now on file in the office of the Clerk of Council by lighting said streets with electricity for a period from January 1, 2024 through December 31, 2024.

SECTION III.

That Council hereby finds and determines that no claims for damages resulting from said improvement have been filed.

SECTION IV.

That portion of the cost provided in that above-mentioned Resolution of Necessity to be assessed shall be assessed in the manner and the number of installments provided in said Resolution and on the lots and lands described therein.

SECTION V.

That the estimated assessments heretofore prepared and filed in the office of the Clerk of Council be and the same are hereby adopted.

SECTION VI.

The Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty days after its passage.

SECTION VII.

That 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 meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION VIII.

This ordinance shall take effect as of the earliest date permitted by law.

PASSED BY COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 2023.

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

ATTEST:

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

To the Clerk:  
Please publish in summary form set forth below.

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

LEGAL NOTICE

On April 3, 2023, Council of the City of Oakwood, passed Ordinance No. \_\_\_\_\_ entitled "DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY."

Lori Stacel  
Clerk of Council  
City of Oakwood

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing Ordinance was duly published in the Oakwood Register, a newspaper of general circulation in said City of Oakwood, that said publication occurred on the following date:

\_\_\_\_\_

\_\_\_\_\_  
Lori Stacel, Clerk of Council

AN ORDINANCE

BY: \_\_\_\_\_

NO. \_\_\_\_\_

LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO:

SECTION I.

That the revised assessments for the cost and expense of improving in the City of Oakwood, Ohio, the streets designated and between the termini set forth in Resolution No. 1905, adopted March 6, 2023, by lighting the same with electricity from the 1<sup>st</sup> day of January, 2024 through the 31<sup>st</sup> day of December, 2024, amounting in the aggregate estimated to be \$131,894.35 which were filed with the Clerk of Council the 6<sup>th</sup> day of March, 2023 and are now on file in the office of the Clerk of Council, be and the same are hereby adopted and confirmed and such revised assessments are hereby levied and assessed upon the lots and lands bounding and abutting upon said improvement in the respective amounts reported as aforesaid, which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

SECTION II.

That this Council hereby finds and determines that the revised assessments as now on file in the office of said Clerk of Council are in the same proportion to the estimated assessments as originally filed as the actual costs of the above described improvement is to the estimated cost of the improvement as originally filed.

SECTION III.

That the assessment against each lot or parcel of land shall be payable in cash within thirty (30) days after passage of this Ordinance. All cash payments shall be made to the Director of Finance of this City. All assessments and installments thereof remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

SECTION IV.

That the Clerk of Council shall cause a notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City and to continue on file in her office said revised assessments.

SECTION V.

That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty days after its passage.

SECTION VI.

That 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 meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION VII.

This ordinance shall take effect as of the earliest date permitted by law.

PASSED BY COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

ATTEST:

---

Clerk of Council

To the Clerk:  
Please publish in summary form below.

---

City Attorney Robert F. Jacques

LEGAL NOTICE

The Council of the City of Oakwood, Montgomery County, Ohio adopted Ordinance No. \_\_\_\_\_ entitled "LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY."

Lori Stacel  
Clerk of Council  
City of Oakwood

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing Ordinance was duly published in the Oakwood Register, a newspaper of general circulation in the said City of Oakwood, that said publication occurred on the following date:

---

Lori Stacel, Clerk of Council

AN ORDINANCE

BY: \_\_\_\_\_

NO. \_\_\_\_\_

DETERMINING TO PROCEED WITH THE REPAIRING OF SIDEWALKS AND APPURTENANCES THERETO ON CERTAIN STREETS BETWEEN CERTAIN TERMINI, IN THE CITY OF OAKWOOD, OHIO, AND PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE SAME.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD IN MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

It is hereby determined to proceed with the improvement referred to in the title of this ordinance in accordance with the Resolution of Necessity adopted as No. 1906 on the 6<sup>th</sup> day of March, 2023.

SECTION II.

That improvement shall be made in accordance with the provisions of said Resolution of Necessity and the plans, specifications, estimates of cost and profiles previously approved and now on file in the office of the Clerk of Council.

SECTION III.

The Council finds and determines that no claims for damages resulting from the proposed improvement have been filed.

SECTION IV.

The portion of the cost provided in said Resolution of Necessity to be assessed shall be assessed in the manner and the number of installments provided in that resolution against the lots and lands described or referred to in that resolution.

SECTION V.

The estimated assessments previously prepared and filed in the office of the Clerk of Council are hereby approved.

SECTION VI.

The Clerk of Council is directed to deliver a certified copy of this ordinance to the Montgomery County Auditor within twenty days after its passage.

SECTION VII.

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 that formal action were in meetings open to the public, to the extent required by the city charter, by the ordinances of this city, and by any applicable state law.

SECTION VIII.

This Ordinance shall take effect as of the earliest date permitted by law.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

ATTEST:

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

TO THE CLERK:

Please publish in summary form set forth below.

---

City Attorney Robert F. Jacques

LEGAL NOTICE

The Council of the City of Oakwood, Montgomery County, Ohio, adopted Ordinance No. \_\_\_\_\_ entitled "AN ORDINANCE DETERMINING TO PROCEED WITH THE REPAIRING OF SIDEWALKS AND APPURTENANCES THERETO ON CERTAIN STREETS BETWEEN CERTAIN TERMINI, IN THE CITY OF OAKWOOD, OHIO, AND PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE SAME."

Lori Stacel, Clerk of Council, City of Oakwood

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing ordinance was duly published in the Oakwood Register, a newspaper of general circulation in said city and that the publication occurred on the following date: \_\_\_\_\_

---

Clerk of Council

AN ORDINANCE

BY: \_\_\_\_\_

NO. \_\_\_\_\_

ADOPTING THE 2024 TAX BUDGET FOR THE CITY OF OAKWOOD, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 2024.

WHEREAS, the City Manager has prepared the attached tax budget for the city of Oakwood, Ohio, for fiscal year beginning January 1, 2024, in conformance with the requirements of law and in accordance with Section 6.01 of Article VI of the Charter of the city of Oakwood, which tax budget sets forth all revenues expected to be received for such fiscal year; including but not limited to all general and special taxes, fees, costs, percentages, penalties, allowances and prerequisites; and

WHEREAS, based on preliminary estimates, 2024 operating expenditures are not expected to exceed the 2023 operating expenditure appropriations by more than 3%; and

WHEREAS, based on preliminary estimates, 2024 capital expenditures are not expected to exceed \$4,744,000;

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

SECTION I.

The budget described in the above recital paragraph, shall be and is hereby adopted as the official tax budget of the city of Oakwood, Ohio, for the fiscal year beginning January 1, 2024.

SECTION II.

That this ordinance be and remain in force from and after the earliest date allowed by law.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 1st day of May, 2023.

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

ATTEST:

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

To the Clerk:

Please publish in summary form set forth below.

LEGAL NOTICE

Ordinance \_\_\_\_\_ of the City of Oakwood was passed on \_\_\_\_\_, to adopt the 2024 Tax Budget.

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

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing Ordinance was duly published in the Oakwood Register, a newspaper of general circulation in said City of Oakwood, that said publication occurred on the following date:

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



# Cities/Villages Tax Budget

Council of the City of Oakwood,

May 1, 2023

To Karl L. Keith, Montgomery County Auditor:

The Council of the City of Oakwood hereby submits its annual Budget for the year commencing January 1st, 2024 for consideration of the Montgomery County Budget Commission pursuant to Section 6.01 of the Oakwood City Charter.

Director of Finance

Fund	Estimated Unencumbered Balance January 1st, 2024	Other Sources	Total
<b>GENERAL FUND</b>	8,700,528	11,394,036	20,094,564
<b>MAJOR OPERATING FUNDS</b>			
Street Maintenance and Repair	500,000	1,499,988	1,999,988
Leisure Activity	500,000	1,322,705	1,822,705
Health	163,594	184,940	348,534
Equipment Replacement	1,143,320	1,149,000	2,292,320
Capital Improvement	982,274	2,043,000	3,025,274
Sidewalk, Curb & Apron	200,000	226,700	426,700
Service Center	100,000	769,975	869,975
<b>OTHER FUNDS</b>			
Bullock Endowment Trust	50,652	300	50,952
MLK Community Recognition	0	0	0
Special Improvement District Assessment	0	117,306	117,306
Smith Memorial Gardens	400,000	142,115	542,115
Indigent Drivers Alcohol Treatment	40,748	2,600	43,348
Enforcement and Education	8,575	200	8,775
Law Enforcement	15,272	0	15,272
Drug Law Enforcement	0	0	0
Police Pension	0	0	0
Court Clerk Computerization	45,414	8,000	53,414
Court Computerization	36,625	4,200	40,825
Court Special Projects	51,942	7,000	58,942
<b>Sub-Total, Page 1</b>	<b>12,938,944</b>	<b>18,872,065</b>	<b>31,811,009</b>

## Cities/Villages Tax Budget

Fund	Estimated Unencumbered Balance January 1st, 2024	Other Sources	Total
<b>OTHER FUNDS (continued)</b>			
OneOhio	11,500	5,750	17,250
State Highway Improvement	156,252	47,250	203,502
Public Safety Endowment	161,984	1,300	163,284
Special Projects	4,527,598	0	4,527,598
Issue 2 Projects	0	0	0
Public Facilities	0	0	0
Local Coronavirus Relief	0	0	0
Local Fiscal Recovery	0	0	0
Bond Retirement	0	0	0
Electric Street Lighting	100,000	172,400	272,400
Self-Funded Insurance Trust	25,000	17,500	42,500
Fire Insurance Trust	0	0	0
Contractor's Permit Fee	0	2,000	2,000
<b>REFUSE</b>			
Refuse	303,248	1,387,100	1,690,348
Refuse Improve/Equip Replacement	53,713	175,000	228,713
<b>ENTERPRISE FUNDS</b>			
Water Operating	515,142	1,134,600	1,649,742
Water Improve/Equip Replacement	112,654	677,000	789,654
Sanitary Sewer Operating	1,057,076	1,883,200	2,940,276
Sanitary Sewer Improve/Equip Replace	318,748	275,000	593,748
Stormwater Operating	322,103	466,600	788,703
Stormwater Improve/Equip Replacement	30,789	250,000	280,789
Sub-Total, Page 2	7,695,807	6,494,700	14,190,507
<b>Grand Total</b>	<b>20,634,751</b>	<b>25,366,765</b>	<b>46,001,516</b>

**Exhibit of Bonds, Notes, and Certificates of Indebtedness Outstanding January 1st of the Coming Year,  
and Bond Retirement Fund Requirements, for the coming year.**

<b>Purpose of Bonds and Notes</b>	<b>Authority for Levy Outside 10 mill Limit</b>	<b>Date of Issue</b>	<b>Date Due</b>	<b>Rate of Interest</b>	<b>Amount Outstanding</b>	<b>Amount Required for Principal &amp; Interest</b>	<b>Amount Required from Sources other than Property Tax</b>	<b>Total Required from General Property Taxes</b>
<b>INSIDE 10 MILL LIMIT:</b>	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX
	XXXXX							
	XXXXX							
	XXXXX							
	XXXXX							
	XXXXX							
	XXXXX							
	XXXXX							
	XXXXX							
<b>TOTAL</b>	<b>XXXXX</b>	<b>XXXXX</b>	<b>XXXXX</b>	<b>XXXXX</b>				
<b>OUTSIDE 10 MILL LIMIT:</b>	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX
<b>TOTAL</b>	<b>XXXXX</b>	<b>XXXXX</b>	<b>XXXXX</b>	<b>XXXXX</b>				

**SCHEDULE A**

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

Fund (Include only those funds which are requesting general property tax revenue)	Amount Approved By Budget Commission Inside 10M. Limitation  Column I	Amount To Be Derived From Levies Outside 10 M. Limitation  Column II	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit Column III	Outside 10 M. Limit Column IV
<b>GOVERNMENTAL FUNDS</b>				
GENERAL FUND	1,267,660	1,550,806		
<b>PROPRIETARY FUNDS</b>				
<b>FIDUCIARY FUNDS</b>				
<b>TOTAL ALL FUNDS</b>	<b>1,267,660</b>	<b>1,550,806</b>		



A RESOLUTION

BY: \_\_\_\_\_

NO. \_\_\_\_\_

CONFIRMING THE CITY OF OAKWOOD’S ACCEPTANCE OF AND PARTICIPATION IN PROPOSED SETTLEMENT AGREEMENTS IN CONNECTION WITH ONGOING NATIONAL OPIOID LITIGATION.

WHEREAS, the city of Oakwood is a Local Government that has adopted The OneOhio Memorandum of Understanding (the “MOU”), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio’s communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and

WHEREAS, Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS settlement proposals have been presented to the State of Ohio and Local Governments by certain pharmacy defendants including CVS, Walgreens, and Walmart (collectively the “Settling Pharmacy Defendants”), and by certain manufacturer defendants including Teva and Allergan (collectively the “Settling Manufacturer Defendants”), that would resolve governmental entity claims involving these parties in the State of Ohio using the structure of the OneOhio MOU; and

WHEREAS, Ohio political subdivisions are required to opt in or out of these settlement proposals no later than April 18, 2023;

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

SECTION I.

Council hereby authorizes the City Manager to sign and submit, on the city’s behalf, a participation agreement and such other documents as may be necessary to ensure Oakwood’s participation in the above-described settlements with the Settling Pharmacy Defendants and the Settling Manufacturer Defendants, consistent with the provisions of The OneOhio Memorandum of Understanding.

SECTION II.

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

SECTION III.

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

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this \_\_\_ day of \_\_\_\_\_, 2023.

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

ATTEST:

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

TO THE CLERK:  
No publication is required.

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