

CITY MANAGER'S NEWSLETTER
APRIL 21, 2023

IMPORTANT COUNCIL DATES:

- May 1, Monday, 6 p.m. – Regular Session (30 Park)
- May 15, Monday, 5 p.m. – Work Session (OCC)
- May 16, Tuesday, 5:30 p.m. – BRC Meeting (30 Park)
- May 20, Saturday – “That Day in May”
- June 5, Monday, 6:30 p.m. – Regular Session (30 Park)
- June 26, Monday, 5 p.m. – Work Session (30 Park)
- July 17, Monday, 6:30 p.m. – Regular Session (30 Park)
- August 7, Monday, 6:30 p.m. – Regular Session (30 Park)
- August 13, Sunday, 3:30 p.m. to 7 p.m. – Ice Cream Social (Shafor Park)
- August 21, Monday, 5 p.m. – Work Session (30 Park)

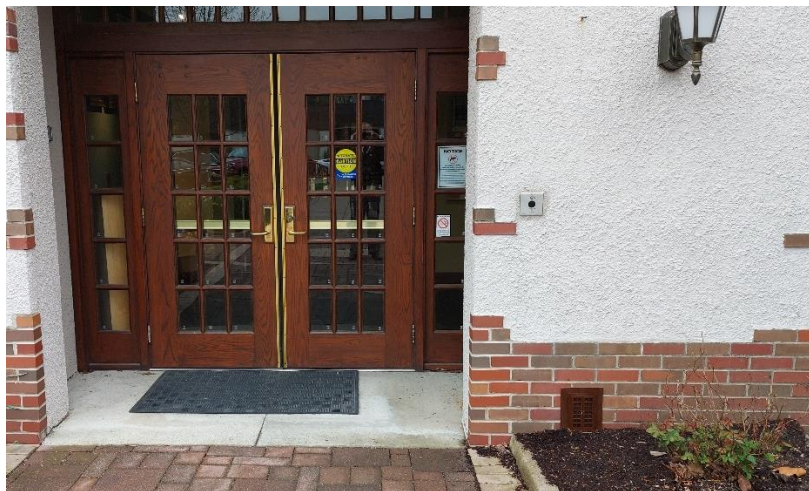
BUSINESS UPDATE:

- **Perennial Sale:** The big event is today and tomorrow. Enclosed is a *DDN* article. Carol and her staff have worked very hard to once again offer this wonderful program.
- **Income Tax:** It was a very busy week! Kudos to Linda Merker and her staff for providing excellent service. Kudos also to the rest of the finance department and admin staff for assisting with all of the front counter traffic. 😊
- **Gardner Pool:** What a difference landscaping makes. The Patterson frontage looks great.



- **BRC:** Our BRC meeting is confirmed for Tuesday, May 16. Enclosed is an email sent today to the committee members. Speaking of committee members, I will meet with Raya Whalen, Jim Vaughn and Jeanne Boozell on Monday for the new member orientation.
- **Rotary Hazardous Waste Collection:** The quarterly event is tomorrow. We have 42 properties registered for a pick up.

- BOH Orientation: I spent about an hour this week with Dr. Elizabeth Hardy giving the new member orientation.
- Tree City USA: Carol Collins and Brian Caldwell attended the Tree City USA Awards Luncheon in Fairfield yesterday. They reported that it was a very nice event. Enclosed is the program.
- That Day in May: Enclosed is a *Register* article about this year's TDIM.
- Safety Department Report: Enclosed is the March operations report.
- May 3 PC Meeting: Enclosed is the information packet for the May 3 Planning Commission meeting. Rob Jacques will deliver the presentation on the Zoning Code amendment addressing permitted and special uses in the business zoning districts, as well as a few minor clarification amendments.
- May 11 BZA: We have no applications so this meeting is cancelled.
- 2023 Earth Day: Enclosed is a *Register* article about the Earth Day Weekend events being held at Wright Library from today through Monday, April 24.
- Dayton VA: Enclosed is a neat *Register* article about Oakwood veterans Dr. J. Thomas Hardy and Mr. Mark Murdock and the services they provide to the Dayton VA. I've known Mark and Tom for about 20 years... two exceptional people.
- aDOORable Door: Kudos to Jennifer Wilder and Dave Shuey for their work in creating the aDOORable Door that is now prominently displayed at the entrance to the city building. Enclosed is a letter explaining the aDOORable Door project from Melody Knostman, the Smith Elementary 5th grade teacher who organized it.



- Wright at Home: The big event is from noon to 5 p.m. this Sunday, April 23. Enclosed are the brochure and a *DDN* article. Leigh reports that over 400 tickets are sold.
- Styrofoam Recycling: The quarterly drop-off event is from 9:30 to 11:30 a.m. tomorrow at our recycling facility.

- VIP Smoke Shop: Enclosed is a *DDN* article about TCSU executing a search warrant at the VIP Smoke Shop early last week.
- AES: Enclosed is a *DDN* article reporting that AES's "standard service" rates will not change after the results of the electricity auction.

HAVE A GREAT WEEKEND!

TRANSMITTALS NOTED WITHIN NEWSLETTER

DDN Article re: Perennial Sale

Tree City USA Program

Register Article re: That Day in May

March Safety Department Report

May 3 PC Meeting Packet

May 11 BZA Cancellation Memo

Register Article re: 2023 Earth Day

Register Article re: Dayton VA

aDOORable Door Letter

DDN Article and Brochure re: Wright at Home

DDN Article re: VIP Smoke Shop

DDN Article re: AES

OAKWOOD

Smith Garden group hosting sale

The Friends of Smith Gardens perennial sale will be April 21-22 at the Oakwood Community Center, 105 Patterson Road.

The hours are 3 to 8 p.m. Friday and 9 a.m. to 3 p.m. Saturday. A complete listing of plants for sale is available at the Oakwood Community Center, or by calling the OCC at 937-298-0775.

Volunteers are needed to help with the sale. Contact Carol Collins at 937-298-0775 to help. All proceeds go toward the care and maintenance of Smith Gardens.

STAFF REPORT

SUNDAY, APRIL 16, 2023

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 \(hboose3@gmail.com\)](#); [Jeanne Boozell \(cjbooze@yahoo.com\)](#); [Jeff Woeste \(jwoeste@fhf-cpa.com\)](#); [Jim Vaughn \(jim.vaughn@taylor.com\)](#); [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 \(mike@ruetschle.com\)](#); [Raya Whalen \(raya.whelen@gmail.com\)](#); [Sarah Waechter \(sjwaechter@yahoo.com\)](#); [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: Budget Review Committee Meeting
Date: Friday, April 21, 2023 11:49:22 AM
Attachments: [2023 E. Schantz Notification Letter.docx](#)

Greetings from City Hall!

Our first budget committee meeting for the year is scheduled for 5:30 pm on Tuesday, May 16. We will meet in the council chambers here at the city building. I will send you the agenda packet a week or so before the meeting.

All is going well so far this year.

The Gardener Pool project at the OCC is nearly completed and we are very pleased with the work.

We have successfully bid the four major 2023 construction projects: Far Hills Storm Sewer Reconstruction; Far Hills Concrete Curb and Stormwater Inlet Repairs; 2023 Sidewalk, Curb and Driveway Apron Repairs; and 2023 Asphalt Resurfacing Project. The 2023 Asphalt Resurfacing Project includes converting the concrete roadway along E. Schantz between Lookout and Far Hills to asphalt. Attached is a letter we sent on April 3 to all E. Schantz property owners that will be impacted by the work.

We will provide details about each of these projects at the meeting, and will update you on several other important items, most notably the Traffic Signal System Study. We will also brief you on several major capital expenses currently planned for 2024.

All the best, Norb

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



City of Oakwood

Department of Engineering & Public Works

April 3, 2023

Dear Oakwood Resident,

A mill and overlay project to create a smoother ride for vehicular and bike traffic along East Schantz Avenue is planned for this summer. The project will take place along the portion of East Schantz from Far Hills Avenue to Lookout Drive.

Several years ago, the city completed extensive roadway repair work on the concrete portions of East Schantz Avenue between Lookout Drive and Springgrove Avenue, and between Far Hills Avenue and Oakwood Avenue, in preparation for the mill and overlay project this summer. As part of the upcoming project, the top surface of the entire asphalt and concrete sections of the roadway will be milled down an inch or two to create a smooth pavement base and then the entire stretch from Far Hills to Lookout will be overlaid with new asphalt, drastically improving its rideability.

The project is expected to take place between June and August. We will inform you of the more specific time period via a construction notification postcard a week or two before the start of work. If you have any questions about this pending roadway improvement project, please contact me at 937-298-0777 or kuzma@oakwoodohio.gov.

Sincerely,

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

Chris Kuzma, PE
Staff Engineer

NSK:ls

cc: Norbert S. Klopsch, City Manager
Doug Spitler, PE, Engineering and Public Works Director
Tom Long, Engineering Technician/Foreman

FAIRFIELD
OHIO

Proudly hosts

**Tree City USA
2023 Awards Program**

**Thursday, April 20
Fairfield Community Arts Center
411 Wessel Dr., Fairfield, OH 45014**



TREE CITY USA®
An Arbor Day Foundation Program

EVENT SCHEDULE

- 10:30 - 11:00** **Registration**
- 11:00 - 11:30** **Welcome and Opening Remarks**
Mitch Rhodus, *Mayor*
Wendi Van Buren, *Urban Forester for ODNR*
- 11:30 - 12:00** **Lunch and Networking**
Catered by Hammann's Catering
- 12:00 - 1:00** **Keynote Speakers**
Tanner Meyers, *Fairfield Environmental Commission*
- Citywide Sustainability**
Scott Timmer, *City Manager*
- Woody Invasive Plant Species:
A Cautionary Tale**
Dr. Michael Vincent, *Curator Emeritus,
Miami University Department of Biology*
- 1:00 - 2:15** **Tree City USA Awards**
- 2:15 - 2:30** **Closing Remarks &
Passing of the Golden Shovel**
Wendi Van Buren, *Urban Forester for ODNR*

**Thank you for coming.
Remember your table favors as you leave.
Have a safe and healthy summer!**

2023 AWARD RECIPIENTS

SW OHIO TCUSA COMMUNITIES

Amberley	Morrow
Anderson Township	North College Hill
Beavercreek	Oakwood
Centerville	Oxford
Cincinnati	Piqua
Columbia Township	Pleasant Hill
Dayton	Ripley
Fairfield	Sidney
Forest Park	Silverton
Glendale	Spring Valley
Greenfield	Springboro
Greenhills	Springdale
Hamilton	Terrace Park
Harrison	Tipp City
Kettering	Troy
Lebanon	Vandalia
Lockland	Versailles
Loveland	West Carrollton
Madeira	Williamsburg
Mariemont	Wilmington
Miamisburg	Woodlawn
Middletown	Wright-Patterson
Milford	Air Force Base
Montgomery	Wyoming

TREE CAMPUS HIGHER EDUCATION

University of Cincinnati
Xavier University

TREE LINE USA

Duke Energy
Pioneer Electric Co-op

Special Thanks

FAIRFIELD ENVIRONMENTAL COMMISSION

Donna Faulk, *Chair*

Patricia Ott, *Vice-Chair*

Kent Ernsting

Jeremy Powell

Tanner Meyers

Lacretia Cadle

Alison Miller

Mark Mesisklis

Greg Hull, *P & R Board Representative*

FAIRFIELD CITY COUNCIL

Mitch Rhodus, *Mayor*

Tim Meyers, *Vice Mayor & At-Large Councilmember*

Leslie Besl, *1st Ward Councilmember*

Dale Paullus, *2nd Ward Councilmember*

Terry Senger, *3rd Ward Councilmember*

Adam Kraft, *4th Ward Councilmember*

Matt Davidson, *At-Large Councilmember*

Gwen Brill, *At-Large Councilmember*

FAIRFIELD PARKS & RECREATION BOARD

Douglas Meece, *Chair*

Gwen Brill

Scott Clark

Greg Hull

Mindy Muller

Dan Prior

Gwen Ritchie

With special thanks to the members of the
Fairfield Historical Society.

That Day In May returns to Oakwood with festivities, golf outing, auction May 20, 22

That Day in May, Oakwood's beloved annual community festival, returns with all the fun activities that fans have come to expect at this family friendly event.

The Rotary Club of Oakwood has been the host of That Day in May for more than 40 years. Last year, thanks to great weather and a community eager to celebrate, Rotary enjoyed one of its largest events ever.

This year, the festivities begin Saturday, May 20, with the smell of pancakes filling the Oakwood High School cafeteria as Rotarians serve up hot pancakes and all the fixin's beginning at 8 a.m.

Just outside the high school, near Mack Hummon Stadium, runners will gather for the start of the Fun Run for Kids & Families at 8:30, followed by the 5K/10K Race at 9 a.m.

At noon, Shafor Boulevard from Orchard Drive to Oakwood High School will be filled with fun-loving participants in Oakwood's Community Parade.

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

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

Another community favorite is the "Oakwoof" Dog Parade and Costume

See **TDIM** on page 2. ▶



File photo

► TDIM from page 1

Contest inside Mack Hummon Stadium as dog owners dress their dogs in their favorite K-9 costumes, beginning at 2 p.m. with \$15 day-of registration beginning at 1:45 p.m. Early registration is available through Friday, May 19, for \$10 per dog.

Dog Parade & Show Chair Peter Davies says, "It's going to be the best dog show ever as we'll recognize Best Sit, Best Ears, Best Costume and Best of Show with the winner receiving a custom leash, courtesy of Embark, Downtown Dayton."

Auto enthusiasts will be revved-up for this year's That Day in May Car Show, featuring an array of classic vehicles, lining up in the second block of Dellwood Ave. from 1-4 p.m.

Day two of That Day in May is Monday, May 22, designed for golfers as Oakwood Rotary hosts the Third Annual Rotary Club of Oakwood Golf Outing at Dayton Country Club.

That Day in May Chair, Chris MacPherson invites everyone to enjoy this historic course. "For the weekend golfer, this is a unique opportunity to play on one of the finest golf courses in our area. Established in 1897, The DCC is the oldest continuously operating Club west of the Alleghenies. Foursomes are filling up, so be sure to sign up today!"

This year's TDIM Golf Outing Chair Victoria Hix, has asked the DCC to create a signature cocktail for the event's 19th Hole Cocktail Party. "The staff promises it will be light, fun, and refreshing after a full day of golfing and at last year's TDIM Golf Outing, we had a \$1,000 prize winner at the 110-yard hole-in-one-contest and there will be other chances to win prizes at putting challenges; longest drive contests and more. The \$150 golf entry fee includes 18 holes of golf, early access to bidding on the Silent Auction, a \$10 DCC Pro Shop credit, a lunch buffet and two drink tickets to use on the course or at the Cocktail Party. "You don't have to be a golfer to enjoy our silent auction as everyone in the community is encouraged to participate in our Silent Auction during the golf event," Hix adds.



Interested bidders are invited to stop by DCC anytime during the day to place their bids on exclusive items including four hours of trout fishing, tickets to an Ohio State football game, bourbon and wine baskets, a hot air balloon ride, a bird watching tour at Germantown MetroPark, gift cards from local restaurants, as well as gift cards from Siebenthaler's and a month of Dayton Dragons tickets with parking pass. "It's important to note that nearly 100 Oakwood Rotarians along with various Oakwood High School student volunteers and various city and public safety employees, spend nearly 1,000 hours putting on our signature Oakwood community event," MacPherson says.

TDIM is the primary fundraiser for the Rotary Club of Oakwood, that has enabled Rotary members and the Oakwood Rotary Foundation to distribute nearly \$750,000 to support numerous Miami Valley area non-profits, educational groups, and service organizations over the last 30 years.

Visit www.TDIM.org for sponsorship information, to register for golf or make a reservation. Payment may be made by either check or credit card. Run registration and payment are online only. Applications for the parade and dog show can also be found at www.TDIM.org.

If paying by check, make check payable to: Rotary Club of Oakwood and mail payment to: **Rotary Club of Oakwood**, P.O. Box 512, Oakwood, OH, 45409-0512 Tickets for the pancake breakfast can be purchased at the Oakwood Community Center, from members of the Rotary Club of Oakwood and at the door.

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

MARCH 2023

Submitted by Chief Alan Hill

LAW ENFORCEMENT

PART 1 CRIMES: There were eight Part 1 crimes reported during the month of March. These included seven thefts and one domestic violence report.

TRAFFIC ENFORCEMENT: During the month of March, 129 traffic violations were cited and 65 parking citations were issued.

DETECTIVE INVESTIGATIONS:

23-000745	300 Blk Triangle	Theft	Closed
23-000913	2700 Blk Far Hills Ave	Counterfeiting	Under Investigation
23-000966	800 Blk Far Hills Ave	Vehicle Trespass	Closed
23-001053	Schantz/Dixon	Receiving Stolen Property	Referred to Federal Agency

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

TEEN COURT: There were no cases referred to the Oakwood Teen Court and no cases were referred to the Montgomery County Juvenile Court during the month of March.

FIRE

FIRE: There were nine total fire responses in March, all were in Oakwood. These included eight alarm investigations and one smell of smoke investigation.

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

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

EMERGENCY MEDICAL SERVICES

REMOVALS: There were 47 total calls for emergency medical services in February, including two mutual aid requests from the Dayton Fire Department and one aid request from the Kettering Fire Department. Seven patients refused medical treatment and/or transportation. All other patients were transported to area hospitals for treatment.

MISCELLANEOUS

DARE: The DARE Officer taught 4 classes and held a graduation ceremony at Smith Elementary School during the month of March.

TRAINING

Public Safety Officers, Lieutenants, Command Staff, and Dispatchers completed a total of 547 hours of police, fire and EMS training during the month of March.

During the month of March, Public Safety Officers and staff participated in fire training that covered Basic Fireground Communications and Basic Pump Operations through 24/7 website.

Safety department personnel also completed Montgomery County Standing Orders written and practical testing this month. KMC also presented an EMS training covering Geriatric Emergencies.

Police training consisted of our annual Defensive Tactics training and a required CPT training through OPOTA online entitled: Ohio School Threat Assessment.

The week of March 13, Lieutenant Baggett attended the final week of the Police Executive Leadership College (PELC) Leader Development course.

On March 20, Officer Green and Officer Staley attended the "Pro-Active Patrol Tactics" presented by Street Smart Cop Training.

The week of March 20, Officer Payne attended Police Bike School hosted by the Kettering Police Department.

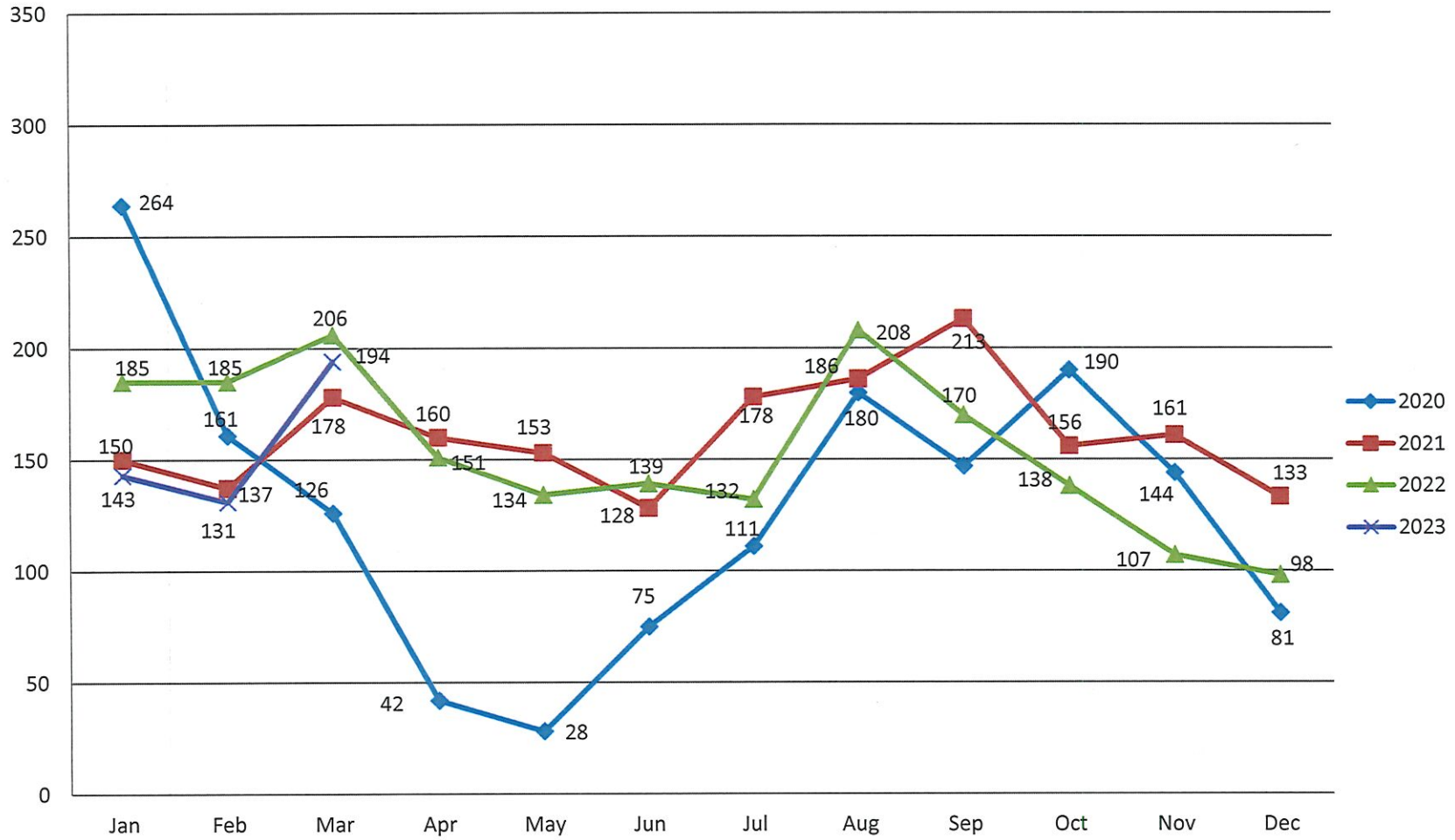
Lastly, Dispatchers Clarke and Plummer completed their Emergency Medical Dispatcher recertification course.

OFFICER ACTIVITY

	ARRESTS	TRAFFIC VIOLATIONS CITED	OVI	FIELD REPORTS	REPORTS TAKEN	PARKING	WARNINGS	VHC	COMMUNITY MAINTENANCE
Staff	0	10	0	0	16	22	12	8	0
1	7	66	1	3	45	4	56	111	6
2	2	24	0	4	34	14	37	99	5
3	2	29	0	4	17	25	45	55	2

TRAFFIC VIOLATIONS CITED		WARNINGS	
White	65	White	70
Black	43	Black	33
Indian	1	Indian	2
Asian	5	Asian	3
Hispanic	3	Hispanic	4
Middle Eastern	3	Middle Eastern	1
Unoccupied Vehicle/Other/Unknown	9	Unoccupied Vehicle/Other/Unknown	37
TOTAL	129	TOTAL	150
FIELD INVESTIGATIONS		ARRESTS	
White	8	White	6
Black	3	Black	3
Indian	0	Indian	0
Asian	0	Asian	2
Hispanic	0	Hispanic	0
Middle Eastern	0	Middle Eastern	0
Other/Unknown	0	Other/Unknown	0
TOTAL	11	TOTAL	11

CITATIONS 2020-2023



MEMORANDUM

TO: PLANNING COMMISSION MEMBERS
FROM: ROB JACQUES
SUBJECT: MAY 3, 2023 MEETING
DATE: APRIL 21, 2023

One matter is scheduled to be heard at your May 3rd meeting, as described below.

APPLICATION #23-2

ADDRESS: N/A – Text amendment to the Zoning Ordinance

APPLICANT: City of Oakwood

Application 23-2 consists of proposed text amendments to the Zoning Code. Specifically, it is an update to the list of permitted uses within both the Community Business (CB) and Neighborhood Business (NB) zoning districts (Title 7 of the Zoning Code), as well as minor updates to clarify certain provisions. City staff has provided these updates in the form of three separate ordinances: One to update permitted uses in the CB district; one to make similar updates in the NB district; and one to make a few miscellaneous clarifications.

ZONING DISTRICT

The permitted use amendments only affect the CB and NB districts. The clarifications of Sections 402.1 *Accessory Uses*, 402.2 *Permitted Obstructions in Yards*, and 1010.5 *Penalties*, affect all zoning districts.

STANDARD OF REVIEW – TEXT AMENDMENT

Pursuant to Section 1003.6(B) of the Zoning Code, proposed text amendments to the Zoning Code “shall be reviewed for consistency with the purposes of (the Zoning Code), the Comprehensive Plan, and the interests of the city of Oakwood as a whole.”

A copy of Section 200, which sets forth the purposes of the Zoning Code, is attached for your reference. The city’s 2004 Comprehensive Plan is available for review on the city website (<http://www.oakwoodohio.gov>).

The Planning Commission is required to hold a public hearing on the proposed amendment, and, using the standard above, to make a recommendation to City Council as to whether the amendment should be approved or denied. (Note: For text amendments, the Planning Commission’s recommendation to Council must include findings of fact. A sample form for that purpose is attached with this memo, and will be provided to you at the May 3rd meeting.)

SUMMARY OF PROPOSED AMENDMENT

The remainder of this memorandum is intended to summarize the proposed text amendments, which are specific changes to existing rules and regulations and/or changes that are consistent with state law.

1. The Oakwood Zoning Code sets forth a list permitted uses in the regulations governing the NB and CB business districts. The list is exclusive, meaning that if a particular use is not listed, it is not permitted. While this list has generally served the community well since its inception, staff has turned away potential businesses that may have served the community well simply because their proposed use is not listed.

The following uses have been amended or added as permitted uses:

- a. “Salon/spa” has been added to the “Beauty parlor” permitted use. Current trends in cosmetology and beauty care lead establishments to offer a more holistic approach to beauty, not just haircuts, perms and coloring. Successful establishments typically offer a full suite of services including medical-level options like dermatology and medical skin care, permanent and everyday makeup, nutrition analysis and IV therapies, etc. Some of these have been approved in Oakwood under the “Beauty parlor” use, but staff believes the code language should be clarified to recognize that current business trends have moved away from traditional beauty parlors to encompass a broader array of services.
 - b. “Fitness/health/wellness service” has been added as a permitted use. This category is intended to include establishments such as gyms, fitness studios, group exercise classes, personal training and coaching, etc.
 - c. “Personal services” has been added as a permitted use. This category is intended to include businesses that provide a non-medical personal service as a primary use, and may include accessory retail sales of products related to the services. Examples might include computer or digital device repair, or studios for art, photography, tattooing, or piercing. Some of these have been approved in Oakwood under the “Offices, service and business” use, but staff believes the code emphasis on “offices” is limiting.
 - d. A provision that makes a Special Use permit available for “Retail or service uses of scale and intensity similar to uses (already) permitted.” This is a catch-all designed to create an administrative review process for proposed uses that may not be listed, but might otherwise be a good fit for Oakwood. Instead of simply rejecting a non-listed use, this would give staff the ability to direct applications to the Planning Commission to be considered under the Special Use standards set forth in the Code. This allows for flexibility, while ensuring that any new use is only approved if the Planning Commission determines that it can be operated in a manner that is compatible with its surroundings.
 - e. Consistent with amendments a – d, the off-street parking requirements in Title 11 have been updated to include the new uses.
2. Miscellaneous clarification: Current language in Sections 402.1 and 402.2 permits “air conditioning condensers and heat pumps” as accessory structures and uses, and designates in which yards they may be placed. Staff recommends expanding this to include generators and similar mechanical equipment.

3. Miscellaneous clarification: Current language in Section 402.2 allows window wells to encroach two feet “into the yard.” Staff has always interpreted this to mean “into the *required* yard,” meaning that the provision is intended to allow a window well to exist within the setback area as long as the main structure is not in the setback area. Staff requests that the language be clarified accordingly.
4. Miscellaneous clarification: Current state law caps the fine for a minor misdemeanor zoning violation at \$150. Oakwood’s Zoning Code currently caps the fine at \$100. Staff is recommending that the Code be updated from \$100 to \$150 to remain consistent with the provisions of state law.

RFJ/jsw

cc w/enc: Members of Council
 Norbert Klopsch, City Manager
 Jennifer Wilder, Personnel and Properties Director
 Ethan Kroger, Code Enforcement Officer

Enclosures

Proposed Ordinances amending the Oakwood Zoning Code
Section 200, Purpose
Sample “Findings of Fact and Decision” form
May 3 PC Meeting Agenda
Draft March 1, 2023 PC Minutes

AN ORDINANCE

BY: _____ NO. _____

AMENDING SECTIONS 702.2, *PERMITTED USES*, AND 702.3, *SPECIAL USES*, OF THE OAKWOOD ZONING ORDINANCE TO AUTHORIZE ADDITIONAL USES WITHIN THE COMMUNITY BUSINESS (CB) ZONING DISTRICT.

WHEREAS, proposed text amendments to the Oakwood Zoning Ordinance were presented to the Planning Commission in a duly-noticed public hearing held on May 3, 2023, and the Planning Commission by a vote of _____ recommended approval thereof; and

WHEREAS, the proposed amendments have been presented to Council in a duly-noticed public hearing held on June 1, 2023, and as required by Section 1003.6(B) of the Zoning Code, Council has reviewed the proposed amendments and finds that they are consistent with the purposes of the Zoning Code, the Comprehensive Plan, and the interests of the city of Oakwood as a whole;

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

SECTION I.

Existing Section 702.2, *Permitted Uses*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font:

702.2 Permitted Uses

The following uses are permitted in the CB District:

- Antique store
- Art/school supply
- Appliance store
- Bakeries
- Banks/financial institutions
- Barber shops
- Beauty parlor/**salon/spa**
- Book/stationary store
- Brokerage firm
- Business/office machine
- Camera/photography
- Candy/ice-cream
- Carpet/rug
- Catering services
- China/glassware
- City of Oakwood uses and structures
- Coffee shop
- Consumer electronics
- Copy center - retail printing services
- Custom dressmaking
- Delicatessens*
- Department store
- Drug store/pharmacy
- Dry cleaning
- Electronics store
- Fitness/health/wellness service**
- Florist
- Food/grocery/supermarket
- Furniture store
- Furrier shop
- Garden supply
- Gift shop
- Hardware store
- Hobby shop
- Houseware and Kitchen
- Interior decorating

Interior furnishing
Jewelry store
Leather goods
Medical/dental office
Medical/dental laboratory
Music store
Musical instrument sales
Newspaper distribution agency
Offices, service and business
Office supply
Optical sales
Pet Grooming Studio
Personal services
Photographic studio
Post Office
Restaurants*
Shoe stores
Shoe/clothing/hat repair
Sporting goods
Tailor shop
Tanning booth
Temporary Uses and Events**
Tobacco shop
Travel bureau
Undertaking/funeral parlor
Veterinary hospital or clinic
Wearing apparel
Wine shop

*** See Section 404, Temporary Uses and Events.*

**Subject to Title 9, Design and Performance Standards.*

SECTION II.

Existing Section 702.3, *Special Uses*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font:

702.3 Special Uses subject to the requirements of Title 10, Section 1004, *Special Use Permits*, as follows:

Child day care centers*
Coffee shops and delicatessens selling beer and wine*
Commercial parking lots and structures
Dwelling units above first floor*
Museums owned by the City of Oakwood
Off-site, off-street parking
Outdoor sales
Outdoor Seating
Planned development – business
Printing and publishing establishments
Public libraries
Public utility and service uses
Restaurants/coffee shops (not meeting standards)*
Shared parking**
Structured parking (integrated w/principal use)
Theaters
Uses operating before 7:00 am/ after 9:00 pm
Retail or service uses of scale and intensity similar to uses permitted under Section 702.2 but not permitted as of right

**Subject to Title 9, Design and Performance Standards.*

***Subject to Title 11, Off-Street Parking and Loading.*

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all

deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, if required, in compliance with all legal requirements including Ohio R.C. 121.22.

SECTION IV.

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 by incorporating into the Codified Ordinances of the city.

City Attorney Robert F. Jacques

AN ORDINANCE

BY: _____ NO. _____

AMENDING SECTIONS 701.2, *PERMITTED USES*, AND 701.3, *SPECIAL USES*, OF THE OAKWOOD ZONING ORDINANCE TO AUTHORIZE ADDITIONAL USES WITHIN THE NEIGHBORHOOD BUSINESS (NB) ZONING DISTRICT.

WHEREAS, proposed text amendments to the Oakwood Zoning Ordinance were presented to the Planning Commission in a duly-noticed public hearing held on May 3, 2023, and the Planning Commission by a vote of _____ recommended approval thereof; and

WHEREAS, the proposed amendments have been presented to Council in a duly-noticed public hearing held on June 1, 2023, and as required by Section 1003.6(B) of the Zoning Code, Council has reviewed the proposed amendments and finds that they are consistent with the purposes of the Zoning Code, the Comprehensive Plan, and the interests of the city of Oakwood as a whole;

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

SECTION I.

Existing Section 701.2, *Permitted Uses*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font:

701.2 Permitted Uses

The following uses are permitted in the NB District:

- Art/school supply
- Antique Store
- Bakeries
- Banks/financial institutions
- Barber shops
- Beauty parlor/**salon/spa**
- Book/stationary store
- Brokerage firm
- Candy/ice-cream
- China/glassware
- City of Oakwood uses and structures
- Coffee shop
- Custom dressmaking
- Dry cleaning
- Fitness/health/wellness service**
- Florist
- Furrier shop
- Gift shop
- Hobby shop
- Interior decorating
- Jewelry store
- Leather goods
- Music store
- Offices, service and business
- Office supply
- Personal services**
- Shoe stores
- Shoe/clothing/hat repair
- Tailor shop
- Tanning booth
- Temporary uses and events*
- Tobacco shop
- Travel bureau
- Wearing apparel

* See Section 404, *Temporary Uses and Events*

SECTION II.

Existing Section 701.3, *Special Uses*, of the Oakwood Zoning Ordinance, is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-through~~ font:

701.3 Special Uses subject to the requirements of Title 10, Section 1004, *Special Use Permits*, as follows:

- Catering services
- Child Day Care Center*
- Delicatessens*
- Dwelling units above first floor*
- Museums owned by the City of Oakwood
- Outdoor seating
- Planned development – business
- Public libraries
- Public utility and service uses
- Shared parking**
- Structured Parking (integrated w/principal use)
- Uses operating before 7:00 am/ after 9:00 pm
- Retail or service uses of scale and intensity similar to uses permitted under Section 701.2 but not permitted as of right**

**Subject to Title 9, Design and Performance Standards.*

***Subject to Title 11, Off-Street Parking and Loading.*

SECTION III.

Consistent with the amendments set forth above, the new permitted uses shall be and are hereby added to the list of Off-Street Parking Requirements set forth as Table 1 within Section 1102 of the Zoning Code, as follows:

- a. The reference to “Beauty shop” as a business retail use shall be amended to read “Beauty shop/salon/spa,” requiring 4 parking spaces per 1,000 sq.ft. of gross floor area.
- b. “Fitness/health/wellness service” and “Personal services” shall be added to the list of business service uses, requiring 3 parking spaces per 1,000 sq.ft. of gross floor area.

SECTION IV.

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 any of its committees that resulted in such formal action were in meetings open to the public, if required, in compliance with all legal requirements including Ohio R.C. 121.22.

SECTION V.

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 by incorporating into the Codified Ordinances of the city.

City Attorney Robert F. Jacques

AN ORDINANCE

BY: _____ NO. _____

AMENDING SECTION 402.1, *ACCESSORY STRUCTURES AND USES*; SECTION 402.2, *PERMITTED OBSTRUCTIONS IN YARDS*; AND SECTION 1010.5, *PENALTIES*, OF THE OAKWOOD ZONING ORDINANCE; TO CLARIFY CERTAIN PROVISIONS AND TO ENSURE CONSISTENCY WITH STATE LAW.

WHEREAS, proposed text amendments to the Oakwood Zoning Ordinance were presented to the Planning Commission in a duly-noticed public hearing held on May 3, 2023, and the Planning Commission by a vote of _____ recommended approval thereof; and

WHEREAS, the proposed amendments have been presented to Council in a duly-noticed public hearing held on June 1, 2023, and as required by Section 1003.6(B) of the Zoning Code, Council has reviewed the proposed amendments and finds that they are consistent with the purposes of the Zoning Code, the Comprehensive Plan, and the interests of the city of Oakwood as a whole;

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

SECTION I.

Subsections (H)(1) and (H)(2) of existing Section 402.1, *Accessory Structures and Uses*, of the Oakwood Zoning Ordinance, are hereby amended so that all references to “air conditioning/heat pump equipment” shall be expanded to read “air conditioning/heat pump/**generator or similar mechanical equipment**,” with new text appearing in **bold** font for illustrative purposes.

SECTION II.

Existing Section 402.2, *Permitted Obstructions in Yards*, of the Oakwood Zoning Ordinance, is hereby amended so that the reference to “air conditioning condenser/heat pump” shall be expanded to read “air conditioning condenser/heat pump/**generator or similar mechanical equipment**,” with new text appearing in **bold** font for illustrative purposes.

SECTION III.

Existing Section 402.2, *Permitted Obstructions in Yards*, of the Oakwood Zoning Ordinance, is hereby amended so that the reference to “Window Wells (not more than two (2) feet into the yard)” shall be clarified to read “Window Wells (not more than two (2) feet into the **required** yard),” with new text appearing in **bold** font for illustrative purposes.

SECTION IV.

Existing Section 1010.5, *Penalties*, of the Oakwood Zoning Ordinance, is hereby amended so that the reference to a fine of “not more than one hundred (100) dollars per offense” is hereby increased and shall read “not more than one hundred **fifty** (~~100~~) (**150**) dollars per offense,” with new text appearing in **bold** font for illustrative purposes, thereby keeping the fine amount consistent with the provisions of state law.

SECTION V.

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 any of its committees that resulted in such formal action were in meetings open to the public, if required, in compliance with all legal requirements including Ohio R.C. 121.22.

SECTION VI.

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 by incorporating into the Codified Ordinances of the city.

City Attorney Robert F. Jacques

TITLE 2. PURPOSE

Sec. 200 Purpose

The Oakwood Zoning Ordinance is adopted with the purpose of protecting and promoting the public, health, safety, morals, comfort and general welfare. The fulfillment of this purpose is accomplished by seeking:

- A. To implement the objectives of the Oakwood Comprehensive Plan.
- B. To improve and enhance the overall physical environment of the City of Oakwood as generally set forth as part of the Oakwood Comprehensive Plan.
- C. To protect residential, business, and commercial areas alike from harmful encroachment by incompatible uses and to ensure that land allocated to a class of uses must not be negatively impacted by other inappropriate uses.
- D. To encourage functionally adequate commercial, business and residential structures, and avoid functional obsolescence of the same.
- E. To ensure the proper design of buildings and structures in relation to one another recognizing that the aesthetic attraction of Oakwood's human-made environment significantly contributes to community quality of life.
- F. To establish adequate standards for the provision of light, air, and open space.
- G. To zone all properties with the intent to conserve the value of buildings and land and encouraging the most appropriate use of land throughout the City.
- H. To protect local ground water and well resources from contamination due to human development activity.
- I. To minimize congestion on public streets.
- J. To facilitate the provision of adequate transportation and of other public requirements and services such as water, sewerage, schools, and parks.
- K. To avoid hazards to persons and damage to property from inappropriate development of lands and provide for adequate drainage, curbing of erosion, and reduction of flood damage.
- L. To avoid undue concentration of population.
- M. To prevent the overcrowding of land, thereby ensuring proper living and working conditions.
- N. To foster compatible relationships between residential, business, and commercial uses for the mutual benefit of all.
- O. To isolate or control the location of unavoidable nuisance-producing uses.

- P. To establish reasonable standards to which buildings and structures must conform, and to encourage reasonable flexibility of development design through appropriate innovation.
- Q. To provide for the regulation of nonconforming buildings, structures and uses.
- R. To ensure that additions to, and alterations or remodeling of, existing buildings or structures will comply with the restrictions and limitations imposed herein.
- S. To define the powers and duties of the administrative and enforcement officers and bodies.
- T. To prescribe penalties for any violation of the provisions of this Ordinance, or of any amendment thereto.

FINDINGS OF FACT AND DECISION

Whereas, Oakwood City Staff initiated a proposal for text amendments to update the business district uses, and other clarifications to current regulations; and

Whereas, on May 3, 2023, the Oakwood Planning Commission conducted a public hearing thereon for the purpose of reviewing the same, with notice and an opportunity to present testimony as provided by law; and

Whereas, pursuant to Section 1003.6(B) of the Zoning Code, the Planning Commission has considered the evidence and has reviewed the proposal for consistency with the purposes of the Zoning Code, the 2004 Comprehensive Plan, and the interests of the city of Oakwood as a whole, and finds that the same IS / IS NOT consistent therewith for the following reason(s):

IT IS HEREBY MOVED:

1. Pursuant to Section 1003.6 of the Zoning Code, the foregoing recitals are hereby adopted as the factual findings of the Oakwood Planning Commission.

2. The Oakwood Planning Commission hereby recommends APPROVAL / DENIAL of the proposed text amendment, and directs City Staff to forward a copy of this recommendation to Oakwood City Council. The original shall be appended to the approved minutes of the Commission’s May 3, 2023 meeting.

Adopted by a vote of _____, on _____, 2023.

OAKWOOD PLANNING COMMISSION

By: _____
Andrew Aidt, Chair

**OAKWOOD PLANNING COMMISSION
MAY 3, 2023
AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL
- III. EXCUSE ABSENT MEMBERS
- IV. MINUTES OF MARCH 1, 2023 MEETING
- V. PUBLIC HEARING
 - APPLICATION #23-2, TO CONSIDER A PROPOSED TEXT AMENDMENT TO THE PERMITTED AND SPECIAL USES IN THE BUSINESS DISTRICT REGULATIONS OF THE ZONING CODE
- VI. ADJOURN

NEXT PUBLIC MEETING SCHEDULED FOR JUNE 7, 2023

Oakwood, Ohio
March 1, 2023

The Planning Commission of the city of Oakwood met in a regular session at 4:30 p.m. in the council chambers of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419.

The Chair, Mr. Andy Aidt, presided and the Clerk, Ms. Lori Stacel, recorded.

Upon call of the roll, the following members responded to their names:

MR. ANDREW AIDT	PRESENT
MRS. HARRISON GOWDY	PRESENT
MRS. E. HEALY JACKSON	ABSENT
MR. GREG LAUTERBACH.....	ABSENT
MR. STEVE BYINGTON.....	PRESENT

Officers of the city present were the following:

Mr. Robert F. Jacques, City Attorney
Mrs. Jennifer S. Wilder, Personnel and Properties Director
Mr. Ethan M. Kroger, Code Enforcement Officer
Ms. Lori L. Stacel, Clerk of Council

The following in-person visitors registered:

Mr. Andrew Kummerer, 417 Schenck Avenue

There were no Zoom visitors in attendance.

Mr. Aidt called the meeting to order at 4:30 p.m. He shared that Mrs. Jackson and Mr. Lauterbach were unable to attend the meeting and asked to be excused. It was moved by Mrs. Gowdy and seconded by Mr. Byington that their absences be excused; the motion was approved by viva voce vote.

Mr. Aidt conducted a brief organizational meeting to select the chair and vice chair for 2023. Mrs. Gowdy moved to retain Mr. Aidt as chair, seconded by Mr. Byington. Upon a viva voce vote on the question, the motion passed unanimously and it was so ordered. Mr. Aidt moved to retain Mrs. Gowdy as vice chair, seconded by Mr. Byington. Upon a viva voce vote on the question, the motion passed unanimously and it was so ordered.

Mr. Aidt asked if there were any questions or concerns with the minutes from the October 5, 2022 meeting. There being none, it was moved by Mrs. Gowdy and seconded by Mr. Byington that the minutes be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, the same passed unanimously and it was so ordered.

Mr. Aidt explained that the only agenda item is Application #23-1, which is the review of a preliminary and final plat of 417 Schenck Avenue. He then asked Code Enforcement Officer Ethan Kroger to provide the staff report.

Mr. Kroger shared that the property owner of 417 Schenck Avenue desires to renovate the rear yard of the property, including a new rear yard deck as well as a pool and patio. Due to the proposed rear yard improvements crossing into a second lot owned by the applicants, the three lots must be combined into one prior to approval of a zoning/building permit. No public hearing is required for this type of agenda item; therefore, no legal notice was required to be published in advance.

Mr. Kroger explained that the Planning Commission's role is to check the new parcel as to its conformity with the principles, standards, and requirements of the city's Subdivision Code. He noted that this is a simple lot consolidation that does not involve construction of new streets or public infrastructure.

Mr. Aidt asked if an additional right-of-way is needed on lot three to the east.

Mr. Jacques answered that it did not.

The Planning Commission did not have any other questions or concerns.

Therefore, it was moved by Mrs. Gowdy and seconded by Mr. Byington that application #23-1, the review of a preliminary and final plat of 417 Schenck Avenue for conformity with the principles, standards and requirements set forth in Section 1171.02(B), be approved.

Upon call of the roll on the question of the motion, the following vote was recorded:

MR. ANDREW AIDT	YEA
MRS. HARRISON GOWDY	YEA
MR. STEVE BYINGTON	YEA

There being three (3) YEA votes, thereon, said motion carried.

Mr. Jacques shared that City Staff is looking to modify special uses in the business districts to provide for general categories and to edit the existing uses that need minor adjustments. The information may be presented to the Planning Commission as early as April.

Mrs. Gowdy asked if there are any business categories that are currently prohibited.

Mr. Jacques explained that only listed business categories are permitted, and anything not listed is not permitted even though it may be perfectly compatible with the surrounding neighborhood. This is why the update is needed.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 4:40 p.m.

CHAIR

ATTEST:

CLERK

MEMORANDUM

TO: BOARD OF ZONING APPEALS MEMBERS
FROM: ETHAN KROGER
SUBJECT: CANCELLATION OF MAY 11 MEETING
DATE: APRIL 18, 2023

The Board of Zoning Appeals meeting on Thursday, May 11, 2023 has been cancelled due to lack of agenda items. The next regularly scheduled meeting is at 4:30 p.m. on Thursday, June 8, 2023.

EK:ls

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



Learn about native plants, City of Oakwood recycling as Wright Library celebrates Earth Day

This Earth Day weekend, Wright Library is hosting a series of events aimed at promoting sustainable living practices and connecting people to nature.

Friday, April 21

Earth Day events kick off at 2 p.m. Friday, April 21 with "Give Your Garden Some Ecological Clout," a workshop presented by Kathleen Tiller of Montgomery County OSU Extension Master Gardeners. Tiller will share tips on how to create a diverse ecosystem in your garden by using native plants.

Saturday, April 22

Landscape Design with Native Plants - 10:30-11:30 a.m.

Join Five Rivers MetroParks educator Betty Hoevel as she presents "Landscape Design with Native Plants" from 10:30-11:30 a.m. Learn about the design potential of native plants. Native plants are not only good for the environment, they are beautiful and come in many colors, textures, and forms that will complement existing landscaping. This workshop will focus on the aesthetics of adding these hardy,

pollinator-friendly plants to your yard.

Foster Habitat in Your Own Backyard - 12:30-1:30 p.m.

Replacing invasive species with natives and mimicking regional ecosystems can help re-establish vital habitat. Regional ecosystems like prairies, wetlands, and forests are also typically carbon sinks, meaning they accumulate and store carbon, which is good for the planet.

Join Tim Pritchard, Sustainability Manager with Five Rivers MetroParks, to learn practical steps you can take to help restore habit and make your yard not only beautiful, but wildlife and climate friendly.

Because We Love This Earth: Eco-Poetry for Earth Day - 2-3:15 p.m.

Cathryn Essinger and Betsy Hughes, both award-winning poets and lifelong nature lovers, will read poems about the natural world and environmental challenges. Bring your own earth-loving poems to share at the open mic. A book sale and signing will follow.

Recycling Update - 3:30-4:30 p.m.

Get the latest information on

Oakwood recycling news at this panel discussion featuring local experts:

- City of Oakwood Recycling Program - Doug Spitzer, Oakwood Public Works Director
- Charitable Recycling - Steve Binder, Green Oakwood
- Dorothy Lane Market & Unity Garden Project - Bruce Kidney, Green Oakwood
- Styrofoam and Wisheycling - Joleen Cook, Green Oakwood
- Smith School Eco-Action Team

Monday April 24

Earth Day events conclude on Monday, April 24, with 7-8:30 p.m. with "Climate Change: Beyond Hopelessness," from 7-8:30 p.m., a presentation and interactive workshop hosted by Citizens' Climate Education and Green Oakwood. The workshop will use the En-ROADS global climate simulator to help attendees understand the long-term effects of global climate policies and actions.

All events will take place in person at Wright Library, 1776 Far Hills Ave. in Oakwood. For more information, visit www.wrightlibrary.org.

Oakwood veterans provide leadership, play pivotal role in VA healthcare system

Two Oakwood military retirees — one Army, the other Air Force — are spending the second half of their medical careers taking a leading role in caring for their fellow veterans at the Dayton VA hospital.

Dr. J. Thomas Hardy, a retired Army colonel who served two tours in Vietnam as an advisor to Republic of Vietnam troops in the 1960s, and Mark Murdock, a retired Air Force major, play pivotal roles in providing patient care to veterans in the two-state, multi-county area served by the Dayton VA hospital. Hardy, 78, is Chief of Staff overseeing all clinical operations involving physicians, physician assistants or nurse practitioners on the VA medical staff.

Murdock, 61, is the director of the Dayton VA hospital, responsible for the administration of the medical facility which encompasses more than 2,700 employees and has an annual budget of over \$630 million.

The Dayton VA hospital serves just over 44,000 U.S. military veterans in a 17-county area in Ohio and Indiana. All told, approximately 59,000



Mark Murdock

veterans are eligible to receive care at the Dayton VA in the medical center's defined service area.

"To me the biggest difference between the VA and the private sector is the mission," Hardy, who has worked in both Army and VA hospitals, as well as in the private sector,

explains. "The mission of the VA is to care for the veteran who was borne the battle. In the private sector, medicine is a business and you've got to make enough money to keep your organization running and pay the staff, so the focus is really on the business model. The private sector has to provide good



Dr. J. Thomas Hardy

care, you have to take care of patients or they won't come back, but patient care and the business model run side-by-side in the private sector. Because we're funded by the government, we have to manage our care within the limits of our budget, but the budget in the VA has been very generous in

recent years. We are well funded, well equipped and really well staffed, so the things that keep the CEOs of Kettering Health and Premier Health up at night, don't keep us up at night."

Hardy came to the Army, and medicine, by chance encounters. As

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► VA from page 1

a student on the Gettysburg College campus in Pennsylvania he asked, "a man that I now know was a sergeant" what ROTC was. "He said, 'Son, sit down right here,'" Hardy recalls with a laugh. He was studying history and theology, and intended to become a Lutheran minister, but learned that the Reserve Officers' Training Corps, or ROTC, could lead to an Army commission — along with a \$40 per month stipend they'd pay him in college.

"This was September 1962 and no one had even heard of Vietnam," he adds. That had all changed by the time Hardy graduated with a commission as an infantry second lieutenant in June 1966. "By then, everybody knew about Vietnam."

Hardy attended Ranger school, completed jump school with the 101st Airborne Division, then went to language school at Fort Bragg to learn Vietnamese before being assigned to an American advisory team embedded with the Vietnamese army. He arrived in Vietnam on the day after Christmas 1967. "I had a very different experience in Vietnam than most veterans. When I talk to Vietnam veterans, it was like we were in a different war," Hardy says. "There were five Americans on a team: a captain, lieutenant and three sergeants. I never saw other Americans. We operated solely with the Vietnamese." After completing an initial 12-month tour, Hardy volunteered for a second, six-month tour with the same Army of the Republic of Vietnam (ARVN) unit in 1969.

Besides working alongside Vietnamese combat troops, Hardy also encountered Medical Civic Action Programs, or MEDCAPs, comprised of U.S. Army medics and physicians who provided medical care to the Vietnamese civilian population in the countryside.

"My job as an infantry officer was to clear the village and set up security, then a helicopter would come in with a doctor and dentist, and I would just watch. After a couple of these encounters I realized these guys were doing more for the Vietnamese in one day than I was doing in a month, and

it just sort of planted the seed," he remembers.

While in Vietnam he was eventually hospitalized with hepatitis, which ultimately led to his next career move. "My roommate in the hospital was a physician who had also gotten hepatitis operating on someone. He was a physician at the Cleveland Clinic, so it was just a chance encounter, but he talked to me about a medical career."

After being discharged in 1971, Hardy was determined to pursue a medical degree, but having a diploma in history meant he had to devote two years to taking additional undergrad biology and math courses before applying to med school.

Earning his medical degree in 1980, Hardy found himself again considering a military career. "A friend of mine told me they were paying twice as much for internships in the Army as they were in the private sector. I didn't want anything to do with the Army, I was a Vietnam vet, so that was the last thing I wanted to do, but I didn't have an internship set up, so I called and the Army and they said 'Sure, we'd love to have you back.' So I went back in. Actually, it was the best move I ever made."

Given his prior service, by the time Hardy completed his residency at Eisenhower Army Medical Center at Fort Ord, Ga., he had sufficient rank to be put in command of a 110-person Army clinic at Ansbach, West Germany, where he made the medical staff stand for inspections and run in formation. But his infantry tenure also gave him a certain credibility when it came to treating the men and women in uniform. "Having been a line officer, having been with soldiers, I knew how to take care of soldiers. I could connect with them," Hardy elaborates. "They saw my Ranger tab and Combat Infantryman's Badge, and it gave me a legitimacy and I certainly capitalized on it when it came to taking care of soldiers and their families."

The Army paid off in other ways, too, when Hardy married Victoria Nilles, a 1983 West Point graduate who now serves as an Assistant Prosecutor with the Montgomery County Prosecutor's Office. "So she

has the family pedigree for the military background. I'm just a mere ROTC grad," he says lightheartedly.

Hardy retired from active duty in 1998 before spending nearly 15 years in private practice in Dayton. He became Chief of Staff at the Dayton VA in 2012. "I had been a hospital commander in Fort Riley, Kansas, in a hospital that was this size, so I understood how hospitals operated," he says.

A native of Sackett's Harbor, some 60 miles north of Syracuse on Lake Ontario in upstate New York, Mark Murdock began his military career by enlisting in the Air Force in 1981. Wright-Patterson Air Force Base was his first duty assignment in 1982, and it was here that he met and married his wife, Stevie.

He was commissioned after completing MINSO, the Air Force's Medical Indoctrination for Medical Service Officers program. When it came time to retire with the rank of major in 1999 after serving at air bases in Italy, Japan and across the U.S., the couple "did some arm wrestling," Murdock says. "She wanted the journey to continue to different places, but I thought about retirement in Dayton and she reminded me that she grew up here...so the deal that we made was she said 'I'll go back if you buy me a house in Oakwood.'"

Murdock started his second career at the Dayton VA, then served as director at VA medical facilities at both Chillicothe and Cincinnati, before returning to the Gem City to lead the Dayton VA healthcare system, which includes hospice care, residential geriatric facilities, residential substance abuse programs and community-based outpatient clinics in Springfield, Lima and Richmond, Ind., in addition to the large hospital campus and surgical facilities in Dayton.

"We provide a full portfolio of health care services for veterans, so we break those down into what we call ICCs or integrated care communities," explains Murdock. "We have primary care, we have specialty services including dermatology, cardiology, etc., we have surgical services;

See VA on page 7 ►

► VA from page 6

including general surgery, orthopedic surgery, we also have podiatry and foot care, eye care, and then we have long-term care here. We call it a community living center, we try to make it as much like the veteran's own home as possible. We have a residential rehabilitation program and then we have specialty programs such as prosthetics and dental services here. We do a lot with physical and occupational therapy programs." The VA also provides mental health services and substance abuse counseling and residential rehabilitation.

Murdock is not involved in the administration of the National Cemetery on the grounds of the VA, which is a separate function under the Department of Veterans Administration, but the cemetery, which includes the graves of Civil War veterans, serves as a reminder of the place in history the Dayton VA holds.

"We are one of the first three original VAs, dating to 1867. Lincoln's second inaugural address was really the founding of the VA and that's when we really got started," he notes. "We take that mission extremely seriously. When you look at our mission over the past 155 years now, it's changed dramatically over time but here in Dayton we're very proud of the way that we deliver care to this nation's veterans."

Today, the Dayton VA works hand in hand with Department of Defense medical facilities housed at Wright-Patterson Air Force Base, as well as private sector providers for specialty care or to meet care standards set by Congress, which include specific limits on how far veterans can be required to travel for health care or mental health services. Air Force

surgeons train at the Dayton VA for their wartime mission, and the Dayton VA operates a primary care clinic at Wright-Patterson for veterans eligible for retirement benefits at the base.

"My father was a World War II veteran and he utilized VA services where I grew up in upstate New York. One of the things that I tell people all the time is that this is not my father's VA," Murdock adds. "We have really evolved over time, we are much more patient centered than ever before, and the way benefits are delivered is so much better than before. Now, we really see the whole person, and I think the driver for us has really been we focus on the veteran experience, they're no longer a military member being told what to do. The provider doesn't dictate their care to them, they are active participants in their care, it's a true partnership between our veterans and our staff as far as really trying to really optimize their health care."

Besides being taxpayer funded, the VA is distinct in that it is a health care system with defined demographics that also has to react to geopolitical pressures that defy planning. That was illustrated in the late twentieth century when planners envisioned the VA drawing down as the Cold War ended.

"At the end of the 1990s the VA was really anticipating downsizing because of the end of the Cold War and the World War II veterans were starting to die off, and then 9/11 happened and it changed everything. Our aging infrastructure got that much older, but we needed even more people to take care of the number of new veterans we have," Murdock recalls.

More than two decades after 9/11, in addition to battle wounds and injuries sustained in Afghanistan

and Iraq, Murdock says counselors and medical staff at the Dayton VA are treating more than 2,000 patients suffering from post-traumatic stress disorder (PTSD), and have expanded specialized care initiatives to include Alzheimer's treatment, military sexual trauma, drug and substance abuse, and increased programming for a growing number of female veterans.

Amid all of that, another mission which often goes unnoticed is the role the Dayton VA plays in educating the next generation of local physicians and care givers.

"What we have in southern Ohio is what we call the Buckeye Federal Health Consortium comprised of four VA facilities in South Central Ohio – Dayton, Chillicothe, Cincinnati and Columbus – and we have a relationship with the Wright-Patterson Medical Center. One of the things that we try to do is look for opportunities where we can share services and share educational opportunities, as well. We send Wright-Patt some of our orthopedic cases, and they have some specialists working in our ICU, so we look for those opportunities that we can work together. It's been a great partnership and we are always looking to expand that."

The VA also partners with the Boonshoft School of Medicine at Wright State University and local private-sector hospitals to offer four- and five-year medical residencies.

"The Boonshoft School of Medicine's first building was here on our campus," Murdock says of the partnership. "We have a great relationship with them, we have a lot of their residents here, so it's really exciting. Typically we have close to 80 residents between medical, dental and surgical. Most of our residencies are

with Boonshoft. Here in Dayton we're very unique because they rotate among the facilities, so they'll do a rotation at Premier; they'll do a rotation here at the VA, and some of them will do a rotation at Wright-Patt, so they get a perspective on three different health care systems."

The VA has also taken a cue from the private sector in recent years in quantifying its success in the marketplace, in terms of measuring how satisfied veterans are with the care the VA provides. After making national headlines in 2014 with reports of negligence and mismanaged care, retired Procter & Gamble president and board chairman – and West Point graduate – Bob McDonald stepped in as Secretary of Veterans Affairs with a mandate to improve the VA healthcare system.

"He leaned on some really smart folks from the customer service industry and we put measurement tools in place," Murdock recalls, noting that veteran trust in the VA was polling at 40 percent nationwide at the time. Now, veterans provide daily feedback to the VA, administrators review that feedback on a daily basis and implement changes to continually enhance and evolve care, and respond to veterans' concerns.

"I'm very proud to say that nationally we are now over 90 percent trust level, here in Dayton we have a 92 percent trust level, and we continue to strive to improve that every day. That's the key because when veterans trust us then we can have real conversations about the things that they can do to impact their care along with the things that we can do. We can have a constructive conversation with them about their habits, whether it is smoking or alcohol or drugs, or we

can talk to them about their nutrition, we can talk to them about exercise, we can talk to them about any number of issues, and really get to a whole deeper level of care and partnership in their care. When the veterans feel respected, and our staff feels respected by veterans and by each other, it really raises the bar."

Given that, the future for the VA, both men say, is bright, with the VA poised to incorporate new electronic recordkeeping that would seamlessly integrate active duty medical records into the VA system when veterans become eligible for care, introduce emerging artificial intelligence technologies in the medical field, and utilize the VA system as a wealth of medical knowledge for researchers.

"The future is very strong for the VA," Murdock opined. "The VA is going to have a tremendous impact on medical research in our country. We're the largest health care system in the country with over 171 main facilities and over 1,200 sites of care, that's a huge database of information about people's health episodes of care and what we can do from a research perspective. And lastly, the use of artificial intelligence is going to be huge, so when providers have to make a decision based on this huge body of knowledge, they're going to have information that points them in the right direction about what are the things that they need to do for this veteran, so I'm very excited about that and I think it's a very bright future."

"Our country sends men and women to do things on the behalf of others like no other country in the world, and there's no other country in the world that has a system in place to take care of those veterans," he concludes. "I think there's no better mission."

January 2023

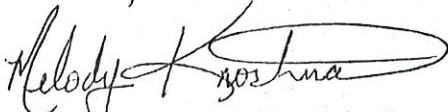
Dear Oakwood Business,

The fifth-graders at Smith Elementary School are excited to tell you about **aDOORable Oakwood**. **aDOORable Oakwood** is a community service project that we are working on to create a tiny door trail throughout Oakwood. This trail will serve as an outdoor adventure for families to go outside and explore. We plan to place 20+ doors throughout the Oakwood community, such as neighborhoods, businesses, parks and more to create a scavenger hunt trail. The tiny doors are only 6-8 inches tall and installation will occur in April. The door trail will be announced in early May 2023.

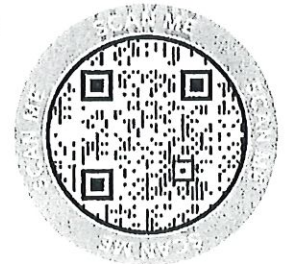
We want to include businesses throughout Oakwood to participate. We would love for your business to be involved in our project. There would be no cost and would bring in customers while families explore the trail. You can even decorate the door to represent your business. The door will be attached outside your building and the City Zoning has already approved the tiny door project. The Wright Library is partnering with us and will take over the project and house the flyers and prizes for **aDOORable Oakwood's** Scavenger Hunt. The prizes include an **aDOORable Oakwood** T-shirt for the first 20 people and all others will get stickers once they finish the hunt.

This is a great opportunity for us to advertise for you bringing attention to your business. If you decide to join our project, you will be provided with a door or have the option to buy your own off of Amazon (resin recommended). Either way, please let us know by February 3, 2023 so we can include you on the flyer. The doors we provide will be 3D printed or clay and have been created by our fifth-grade students. We hope you consider joining **aDOORable Oakwood**.

For more information or questions, please contact Melody Knostman at knostman.melody@oakwoodschoools.org or scan the QR code to fill out the link to join **aDOORable Oakwood**.

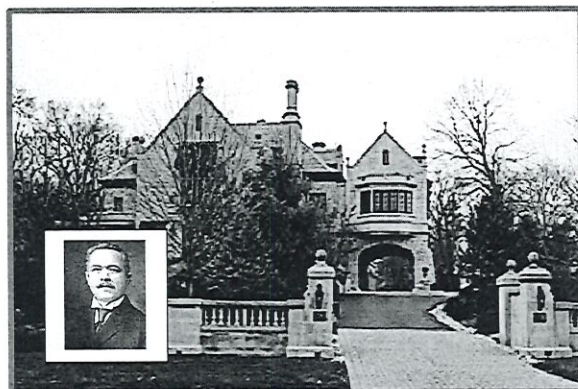


Melody Knostman and Smith Elementary 5th grade students Class of 2030
5th Grade Teacher



If we get overwhelming participation responses to join, we will choose businesses based on timestamp.

1130 Harman Avenue, circa 1917
Charles Seybold (1858-1936)

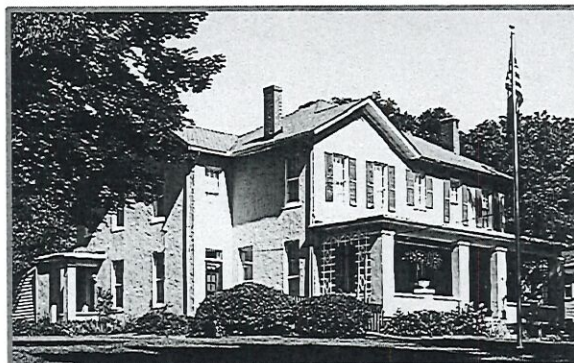


Charles Seybold was born into a working-class family in Wittenberg, Germany, but Charles always knew he wanted to come to America. At the age of 19 he reached Ellis Island, alone, unable to speak English, with only a single dollar in his pocket. Learning of a German settlement in southern Ohio, he traveled to Cincinnati. Seybold was good at fixing things, and could always find work as a handyman to support himself. At 25, he took out a loan for \$75 and opened up his own repair shop in Cincinnati. Soon the word spread that Charles Seybold could fix anything. Moreover, he could build machines to fix any problem. His first real success came when he developed a pagination and numbering machine, and sold it to several printing companies that launched his reputation as “**Manufacturer of Machines**”. In the early 1900s, Dayton was recognized as “The Invention Capital of the US”. Seeing the potential in Dayton, Seybold relocated his business to Dayton, and in 1917 he built “Waldheim”, an impressive French Renaissance-style home in Oakwood. The grandeur of this home is extraordinary, and a fitting monument to a man who came to America with only a single dollar in his pocket.

Hawthorn Hill Photo – Circa 1914
Courtesy of Wright State Special
Collections and Archives



OAKWOOD
HISTORICAL SOCIETY



The Oakwood Historical Society, founded in 1974, is dedicated to preserving and sharing the history of Oakwood, Ohio. As a 501(c)(3) nonprofit organization run entirely by volunteers, any and all proceeds from its membership and events further the research, preservation and promotion of Oakwood history.

If you enjoy history and have an interest in preserving the past, present and future of the Oakwood community, please consider becoming a member or volunteer of The Oakwood Historical Society.



Join Oakwood History

The Oakwood Historical Society

1947 Far Hills Avenue
Oakwood, Ohio 45419

Phone: (937) 299-3793

Website: OakwoodHistory.org

Email: Membership@OakwoodHistory.org



Hawthorn Hill
901 Harman Avenue

Wright at Home NEIGHBORHOOD WALKING TOUR

The year was 1911. Orville and Wilbur Wright purchased 17 acres atop the highest hill in Oakwood for their family home, and they named it **Hawthorn Hill**. Oakwood, Ohio was a village ready to unfold. It had a school, a water tower, as well as a Mayor, City Council and Town Marshall. Nearby were Dayton Country Club, and Hills and Dales Park—all the makings of a first class town. Orville, Katharine and Bishop Milton Wright lived at Hawthorn Hill. Sadly, Wilbur died from typhoid fever before it was completed. In the years following, the area around Hawthorn Hill flourished.

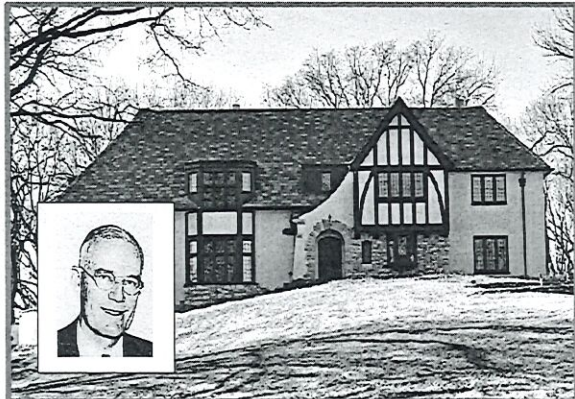
Let's meet some of the famous neighbors.

125 Park Avenue, circa 1924
Joseph W. Green (1877-1947)



Joseph Green was born in Dayton, Ohio where his father and older brother had started the Green & Green Company. The company was well known for its Edgemont Cracker, similar to a saltine cracker, and easily recognized in its green and white tin. During WWI, the company won the contract to make "Hard Bread" for the soldiers, often called hardtack, that was packaged and shipped in tin boxes. By 1921, the company had grown, expanding its product line to include a small, square, cheese cracker which became the leading selling cracker in the US. Yes, **Cheez-It® crackers** were developed over 100 years ago by the Green and Green Company in Dayton, Ohio. Joseph Green became the **President of Green & Green Company** in 1931. While the Green & Green Company has long been sold, the appearance and taste of the Cheez-It® cracker have remained the same for over a century.

999 Harman Avenue, circa 1927
William A. Chryst (1877-1959)



William Chryst was Dayton born and went to Central High School. He started his career as an office boy making \$3/week for John H. Patterson at NCR, and worked his way up to Chief Engineer and right-hand man to Charles Kettering. Chryst was a member of the famous "Barn Gang"—a group of creative thinkers including Colonel Edward Deeds and Charles Kettering. They believed that the automobile was the next "river of gold". Shortly after, they

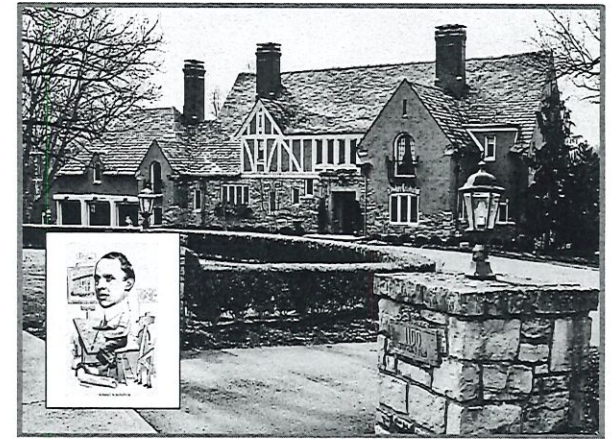
formed DELCO (Dayton Engineering Laboratories Company), where the electric car starter was invented and manufactured. As **President of DELCO**, Chryst traveled the world and loved showing home movies from his travels. Just before starting a film, Chryst would call Orville Wright, his notoriously private neighbor, so that Wright could enter through the side door to avoid the need to engage in small talk.

1101 Ridgeway Road, circa 1927
Elmer G. Biechler (1889-1948)



Elmer Biechler was initially from Miamisburg, Ohio, where his first job was cleaning an ice plant for \$1.50/week. Later, in high school he earned money digging telephone pole holes. He joined DELCO in 1914 and eventually rose to General Manager. In 1921, General Motors moved Frigidaire to Dayton and turned it over to DELCO, one of GM's subsidiaries. After five years in Dayton the Frigidaire business had skyrocketed, making Frigidaire a new GM subsidiary in its own right, and naming Biechler as **President of Frigidaire**. Biechler was responsible for expanding Frigidaire's sales organization, developing an overseas market, and growing its manufacturing facilities. Despite the Great Depression, Frigidaire's growth accelerated in the 1930s. Biechler retired in 1943 due to health issues. He will always be remembered for his significant contribution to Frigidaire.

1100 Ridgeway Road, circa 1925
Harry I. Schenck (1880-1956)



A Dayton native, Harry Schenck was a principal in Schenck and Williams, one of Dayton's most important architectural firms. Schenck went to Cornell University's School of Architecture where he met Harry J. Williams. In 1906, the two graduates partnered and established the firm of **Schenck and Williams, Architects**. They quickly became the go-to designers for the city's most prominent businessmen, organizations and institutions. They were charter members of the Engineering Society of Dayton when Dayton was known as the "Valley of the Giants"—a city of pioneers recognized for their innovation, creativity, vision and drive. The impact of Schenck and Williams was most notable in Oakwood, where they designed many of the landmark buildings including Hawthorn Hill, the Oakwood City Building, the Wright Memorial Public Library, Oakwood Junior and Senior High School, Edwin D. Smith School, and Oakwood Manor. They also designed many of the distinctive homes in Oakwood including the Schenck home, and those of his neighbors. In Dayton, some of their works included the Engineer's Club, the YMCA, the original Rike's building, and Westminster Presbyterian Church. Schenck and Williams made an undeniable lasting impression on the beauty and character of Oakwood and Dayton.

OAKWOOD

Hawthorn Hill tour set

The Oakwood Historical Society and Dayton History have announced the return of Wright at Home. The tour is scheduled from noon to 5 p.m. Sunday.

It will feature an open-house style experience of Hawthorn Hill in which knowledgeable docents are positioned throughout the home where the Wright family – Orville, Katharine and their father, Bishop Milton – lived.

They will share stories about the Wright family and about some of the home's famous visitors – Henry Ford, Thomas Edison, and Charles Lindbergh among them.

Tickets can be purchased at www.daytonhistory.org. Proceeds from this event will directly benefit Dayton History and the Oakwood Historical Society. Call the Oakwood Historical Society at 937-299-3793 for more information.

STAFF REPORT

Police say they found illegal products in smoke-shop raids

1 manager says officers damaged store, made racially offensive comments, took personal prescriptions.

By **Cornelius Frolik**
and **Eric Schwartzberg**
Staff Writers

A law enforcement task force raided four local smoke shops earlier this month after an investigation police say found the shops were selling products that contain illegal hashish and THC.

Attorneys and managers for the stores questioned whether the raid was handled properly.

Many local smoke shops and convenience stores sell vape cartridges and candies that contain a substance called delta-8 that can produce a marijuana-like high, but police allege stores in Moraine, Oakwood, Springboro and Washington Twp. were selling items that contain illegal THC and marijuana.

Springboro Vape & Smoke Shop owner Lou Afana declined comment, referring this news outlet to attorney Ghassan Deek.

"My client had no knowledge of any products containing any controlled substances, including THC and/or hashish," Deek said.

On April 10, the Tactical Crime Suppression Unit executed search warrants at Springboro Vape & Smoke Shop, plus three VIP Smoke Shops, at 9144 Dayton-Lebanon Pike in Washington Twp.; at 6 Oakwood Ave. in Oakwood; and at 5410 N. Springboro Pike in

Smoke shops continued on B8



Delta-8 products, legal in Ohio because they are made from hemp, are sold at stores across the Dayton region. The products are sometimes called "marijuana lite" and "diet weed." CORNELIUS FROLIK PHOTOS / STAFF



Police say some delta-8 products sold locally contain illegal THC. CORNELIUS FROLIK / STAFF



The Tactical Crime Suppression Unit raided four local smoke shops on April 10. CORNELIUS FROLIK / STAFF

Smoke shops

continued from B1

Moraine.

The TCSU is a task force formed by the cities of Centerville, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Springboro and West Carrollton.

Police said they seized vape cartridges that they suspect contain illegal THC. Police also confiscated invoices, bank records, duplicate checks and ledgers, according to an affidavit for a search warrant filed in Montgomery County Common Pleas Court.

"We did seize a substantial amount of contraband, but we still need to test it to get the information of what we actually have," said Centerville police officer John Davis, the public information officer for the TCSU task force.

"I don't know if they know what they're selling, to be honest — I think they are selling something they aren't supposed to, but I don't know if they can tell you from one box to the next what it has."

Davis said police received complaints about vape and

edible products making people sick. He said the smoke shops were shut down temporarily during the execution of the search warrants.

So far, no one has been arrested or charged, and stores remain open. It's unclear what penalties they could face, Davis said.

Jeff Cornwell, attorney for VIP Smoke Shops, said all products at VIP Smoke Shops are purchased from national suppliers and "are the same products that are sold on the shelves of every other gas-station store that sell hemp-derived products."

"They have violated no law," he said.

"Unfortunately, as the Ohio attorney general said when the Ohio legislature legalized hemp-derived products, Ohio's laboratories are ill-equipped to properly differentiate between legal hemp and illegal marijuana."

A manager at one of the stores claims police did significant damage to the store during the raid, did not provide proper receipts and seized personal medication. He also accused police of making racially offensive

comments.

Davis strongly denied those allegations and said the manager is trying to divert attention from the suspected criminal activities.

The Tactical Crime Suppression Unit received information from the Ohio Bureau of Criminal Identification last fall that VIP Smoke Shops across the state and Indiana were selling illegal vape cartridges that contain the delta-9 THC found in marijuana, according to the search warrant affidavit.

The police unit opened a drug trafficking investigation into VIP Smoke Shops operating in Dayton's southern suburbs after receiving information that other smoke shops in Warren County that may have the same ownership were investigated and raided for selling illegal vape products, the affidavit states.

In January, undercover detectives with the police unit purchased vape cartridges from the VIP Smoke Shop at 5410 N. Springboro Pike, Moraine. The Hamilton County Crime Laboratory tested the items and found they contained illegal hashish in liquid form,

court records say.

Earlier this year, undercover detectives over the course of a few months purchased vape products and candies that police say later tested positive for hashish and THC from the VIP Smoke Shop at 9144 Dayton-Lebanon Pike in Washington Twp.; the VIP Smoke Shop at 6 Oakwood Ave. in Oakwood; and the Springboro Vape & Smoke Shop at 493 N. Main St. in Springboro.

In the search warrant affidavits, police said they believe Wael Sharaydeh owns the stores in Washington Twp. and Moraine. Police said Ismail Sharida is the listed owner of the Oakwood smoke shop and Lou Afana is the listed owner of the Springboro Vape & Smoke Shop.

The Dayton Daily News previously reported that many local smoke shops, gas stations and convenience stores sell vapes and edibles that contain a marijuana-like substance called Delta-8.

Delta-8 is legal in Ohio, even though it can get people high, because it is derived from hemp. Some people have called the products

"marijuana lite" and "diet weed."

A manager at the smoke shop in Washington Twp., alleges the police raid there went too far.

Ryhman Farah, 33, of Miami Twp., said more than a dozen police officers from at least three departments — Centerville, Kettering and Bellbrook — entered the store at 10 a.m. April 10 and spent four hours confiscating all of the store's inventory, worth about \$75,000.

Farah alleged police took \$12,700 cash from the register and presented him with a receipt that said "cash" but did not note the amount, and also confiscated the register.

He said police ripped through ceiling tiles and flooring, destroying parts of each. Farah also said officers also confiscated his medication, a form of chemotherapy he needs for sickle cell beta thalassemia.

He also said an officer who noticed a poetic prayer written in Arabic script across the wall behind the counter said, "Oh, this is Taliban." Farah, who said he speaks six languages, also alleges several officers mocked his accent.

"You do not need to make fun of someone because (of) his accents, his language ... his ethnicity, his color," he said. "While you're representing the government, you have to be respectful."

Davis, with Centerville police, said he was at all four locations during the raids. He said allegations of wrongdoing are bogus.

"He's just trying to turn this into something that it's not," he said. "I think he is trying to turn this into some kind of racial thing or ethnic thing, and it's not."

Davis said a worker at one of the stores asked police why they were being raided when other smoke shops are selling the same kinds of products. He said a worker also told police that if anyone is to blame it's the companies that manufacture the products.

Davis said detectives gave stores a receipt that just says "cash," but the seized cash is photographed and counted at a bank by a "disinterested third party."

Contact this reporter at Cory.

cfrolik@coxinc.com

PUBLIC UTILITIES

AES Ohio electric auction results ‘not much of a change’

By Thomas Gnau
Staff Writer

Dayton-area electric utility AES Ohio has filed the results of its recent market electric service auction with Ohio regulators – and rates won’t be budging for anyone looking for lower electric bills.

AES Ohio conducted a wholesale energy auction April 4. The results of that auction are blended with the outcome of a similar auction back in November.

“The result is not much of a change for AES Ohio’s standard

service offer customers,” Matt Schilling, a spokesman for the Public Utilities Commission of Ohio in Columbus, said Thursday.

If you’re an AES Ohio standard service offer customer, the price to compare on June 1 will go from 10.91017 cents per kWh (kilowatt-hour) to 10.80706 cents per kWh – not enough to dent a residential bill.

This applies to AES Ohio customers who do not participate in a local government aggregation program or choose a different retail supplier on their own.

Wholesale energy auction

results in April were “significantly lower” than November’s results, Schilling and other market observers have said. But those averaged to a price “pretty much in line with what the current rates are,” he said.

In Ohio, electric bills are determined by the price for generation supply and the price for the transmission and distribution of electricity.

Wholesale standard service auctions, such as the two AES Ohio had in November and April, determine the generation price.

Dayton Daily News | Friday, April 21, 2023