

**CITY MANAGER'S NEWSLETTER**  
**AUGUST 4, 2023**

Monday Council Meeting/Work Session: Our executive session on Monday begins at 2 p.m. and will be conducted in the second-floor training room. That executive session will adjourn at or before 5 p.m. We will convene again at 6:30 p.m. in the second-floor training room for our work session. Our 7:30 p.m. regular session will take place in the council chamber and will be conducted in person and via Zoom. The agenda is as follows:

PRE-COUNCIL WORK SESSION

COUNCIL MEETING

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF JULY 17 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
- VI. VISITORS
- VII. LEGISLATION
  - A Resolution to participate on an opt-in basis in a municipal electric supply aggregation program, Mrs. Turben
  - A Resolution to authorize and direct the city manager to submit a grant application to the Ohio Department of Transportation for construction of a roundabout at the intersection of Far Hills Avenue (SR 48), Oakwood Avenue and Thruston Boulevard, often referred to as Five Points, Mr. Stephens
  - A Resolution to approve extended operating hours for Insomnia Cookies, Vice Mayor Byington
- VIII. AN OAKWOOD MOMENT
- IX. CITY MANAGER'S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

Status Reports:

Visitors: None scheduled.

Legislation:

- A Resolution to participate on an opt-in basis in a municipal electric supply aggregation program. We are working with Palmer Energy to decide upon the best method in which to inform our citizens and small business owners of the opportunity to opt-in to the MVCC aggregation program. Enclosed is a press release that we plan to distribute after the council meeting on Monday. Also enclosed is an email from MVCC, along with a memo from Palmer Energy, addressing the natural gas aggregation effort.
- A Resolution to authorize and direct the city manager to submit a grant application to the Ohio Department of Transportation for construction of a roundabout at the intersection of Far Hills Avenue (SR 48), Oakwood Avenue and Thruston Boulevard, often referred to as Five Points. If you approve this resolution, we will see that the grant application is submitted by the August 31 deadline.
- A Resolution to approve extended operating hours for Insomnia Cookies. We have not received any complaints regarding the extended hours, which were approved on a trial basis last year.

Enclosed are suggested “Introductions for Legislation.”

An Oakwood Moment: Anne will present “An Oakwood Moment” during the regular session on Monday. It will highlight RTA.

#### IMPORTANT COUNCIL DATES:

August 7, Monday, 2 p.m. – Executive 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)  
September 12, Tuesday, 5:30 p.m. – BRC (30 Park)  
September 18, Monday, 6:30 p.m. – Regular Session (30 Park)  
October 2, Monday, 6:30 p.m. – Regular Session (30 Park)  
October 16, Monday, 5 p.m. – Work Session (30 Park)  
October 17, Tuesday, 5:30 p.m. – BRC (30 Park)

#### BUSINESS UPDATE:

##### CITY MANAGER

- Monday Work Session: I, along with several staff members, will meet with Scott Knebel and Mark Johnson from 10 a.m. until the start of the 2 p.m. executive session. After the executive session, we will break and then meet again for the 6:30 work session and 7:30 regular session. Enclosed are the agendas. The executive session and work session will be in the second-floor training room.
- Dr. Neil Gupta: Enclosed is a nice *Register* article about Dr. Gupta.
- Runnymede Playhouse: Enclosed is a *DDN* article about the Oppenheimer movie... and the Manhattan Project work that was done in the Dayton Area. It mentions the Runnymede Playhouse.

##### FINANCE

- Income Tax Receipts: Enclosed is the July report showing that gross receipts are 1.69% ahead of July 2022 and net receipts are 1.55% ahead.
- July Finance Report: Enclosed are the July finance report and Cindy’s highlights memo.
- Tax Renewal: Enclosed is another *DDN* article about our 3.75 mill renewal issue.

##### PUBLIC SAFETY

- Parking Citation: Enclosed is a *Register* letter to the editor expressing a complaint about a parking ticket. We looked at the area and confirmed that it is adequately signed and the citation was warranted. Captain Tanner will attend our work session on Monday and will address this matter.

##### LEISURE SERVICES

- Blanket Concert: The third and final Smith Gardens summer blanket concert is at 7 p.m. on Sunday. Enclosed is a *Register* article.

## ENGINEERING & PUBLIC WORKS

- Five Points Roundabout: Enclosed are the following:
  - the citizen comments that we received this week.
  - a press release that we distributed this week.
  - an article and letter to the editor published in this week's *Register*.
  - an article published in the *DDN*.
  - the draft question and response white paper posted today to our website.
- 210 Shafor Building: The new building constructed last year is proving to be very beneficial. It provides very useful and much needed work and storage space for all those employees that are engaged in community beautification. It also freed up much needed space in the primary vehicle and equipment storage building.



- Asphalt Resurfacing: The repaving work was completed today. All that remains is applying asphalt sealant along the curb and gutter lines.
- Sidewalk, Curb & Apron Program: Adleta is engaged in major concrete work around Harman School. It will continue through next week.



- Far Hills Storm Sewer Replacement: The home at 1313 Far Hills was removed this week. Installation of storm sewer pipe will begin next week.



- Private Fire Hydrants: When we started the project two years ago to address annual testing and upgrading of private fire hydrants, we had 16 connected to our public water system. Through the process, seven private hydrants were removed. Enclosed is a map showing the location of the remaining nine. All nine comply with our fire hydrant standards.

#### LAW

- Teen Court: Attached is the 2022/2023 Teen Court Report. Teen Court Advisor Chris Conard will attend our September 18 council meeting and give a brief update.

#### PLANNING & ZONING/PROPERTIES

- July Home Sales: Enclosed is the list of July sales showing that 96% sold above appraised value.

HAVE A GREAT WEEKEND!



ENCLOSURE LIST

TENTATIVE AGENDAS FOR MONDAY

TRANSMITTALS NOTED WITHIN NEWSLETTER

Minutes of Previous Meetings

Legislation

Introductions to Legislation

Press Release, Email & Memo re: Energy Aggregation

*Register* article re: Dr. Neil Gupta

*DDN* article re: Runnymede Playhouse

July Income Tax Receipts

July Finance Report & Highlights Memo

*DDN* article re: Tax Renewal

*Register* article re: Parking Citation

*Register* article re: Blanket Concert

Five Points Citizen Comments

Five Points Press Release

*Register* & *DDN* articles re: Five Points

Five Points White Paper

Private Fire Hydrant Map

Teen Court Report

July Home Sales

CITY OF OAKWOOD  
COUNCIL AGENDA  
AUGUST 7, 2023

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF JULY 17 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION
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- VIII. AN OAKWOOD MOMENT
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NEXT REGULAR SESSION SCHEDULED FOR SEPTEMBER 18, 2023

PRE/POST COUNCIL WORK SESSION AGENDA  
AUGUST 7, 2023

- STATUS REPORTS
- VISITORS
- LEGISLATION
  - A Resolution to participate on an opt-in basis in a municipal electric supply aggregation program, Mrs. Turben
  - A Resolution to authorize and direct the city manager to submit a grant application to the Ohio Department of Transportation for construction of a roundabout at the intersection of Far Hills Avenue (SR 48), Oakwood Avenue and Thruston Boulevard, often referred to as Five Points, Mr. Stephens
  - A Resolution to approve extended operating hours for Insomnia Cookies, Vice Mayor Byington
- AN OAKWOOD MOMENT
- COUNCIL COMMITTEES
  - Court Liaison, Mrs. Hilton
  - Finance, Vice Mayor Byington
  - Law & Minutes, Mrs. Hilton
  - Planning & Zoning, Vice Mayor Byington
  - Public Properties, Mrs. Turben
  - Public Utilities/Waterworks/Sewer, Mrs. Turben
    - Far Hills Storm Sewer Reconstruction
  - Safety & Traffic, Mr. Stephens
  - Streets & Alleys, Mr. Stephens
    - 2023 Asphalt Resurfacing
  - Community Relations/Promotion/Appointments, Mayor Duncan
- REGIONAL AGENCIES
  - MVCC, Mr. Stephens
  - MVRPC, Vice Mayor Byington
  - Mayors & Managers, Mayor Duncan
  - First Suburbs, Vice Mayor Byington
  - Oakwood Inclusion Coalition, Mr. Klopsch
- BOARDS & COMMISSIONS
  - Planning Commission, Vice Mayor Byington
  - Beautification Committee, Mr. Stephens
  - Sister City Association, Mrs. Hilton
  - Historical Society, Mrs. Turben
  - Board of Health, Mayor Duncan
- MISCELLANEOUS



**MINUTES**  
**OAKWOOD CITY COUNCIL WORK SESSION**  
**JULY 17, 2023**

The Council of the city of Oakwood, Ohio met in a work session on Monday, July 17, 2023 in the second-floor meeting room at the city building, 30 Park Avenue. The Mayor of the City, William Duncan, presided.

Council members in attendance were Mayor William Duncan, Vice Mayor Steve Byington, Councilmember Rob Stephens, Councilmember Anne Hilton and Councilmember Leigh Turben. Staff in attendance were City Manager Norbert Klopsch and Law Director Rob Jacques.

Mayor Duncan called the work session to order at 6:30 p.m. and moved that Council go to executive session for property matters. Vice Mayor Byington seconded the motion. Upon viva voce vote, motion passed. At 6:58 p.m., Mayor Duncan concluded the executive session and Council entered work session. Oakwood resident Michele Wilson joined the work session.

Mayor Duncan then reviewed the agenda for the regular session this evening. Thereafter, he led a discussion on the following agenda items:

- **STATUS REPORTS:** Mayor Duncan noted that there are no scheduled status reports for the regular session this evening.
- **VISITORS:**  
2023 May and June Beautification Award Winners: Mayor Duncan mentioned that he will recognize recipients of the 2023 May and June Beautification Awards.
- **LEGISLATION:** Council discussed the following items of legislation and the public hearing scheduled for the regular session this evening:
  - An Ordinance to place the 3.75 mill renewal tax levy on the November 7, 2023 ballot, Vice Mayor Byington
  - An Ordinance amending the process for appointing members to the Board of Dayton Regional Energy Special Improvement District, Vice Mayor Byington
  - A Resolution and public hearing to participate on an opt-in basis in a municipal electric supply aggregation program, Mrs. Turben
  - A Resolution to authorize and direct the Director of Finance to certify certain delinquent charges for cutting noxious weeds and nuisance plant material to the County Auditor for collection, Mr. Stephens
- **STAFF REPORT:** Mr. Klopsch noted that Public Safety Director Alan Hill will deliver a PowerPoint presentation at the regular session this evening.
- **AN OAKWOOD MOMENT:** Vice Mayor Byington shared that he will present the “Oakwood Moment” at the regular session highlighting sustainability measures in Oakwood.
- **COUNCIL COMMITTEES**
  - Planning & Zoning, Vice Mayor Byington
    - Fence Code: Mr. Klopsch commented on a request from an Oakwood property owner to allow for construction of a fence exceeding code height limits. Mr. Jacques explained that the 2000 update to the Zoning Code eliminated variances for fence heights. Staff would recommend against changing the code to again provide a procedure to request approval for a height variance.

- REGIONAL AGENCIES
  - First Suburbs, Vice Mayor Byington
    - August 9 Networking Event: Mr. Klopsch reminded Council of this event. All Council members are invited to attend.

At 7:24 p.m., Mayor Duncan concluded the work session and Council moved to regular session.

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Mayor

ATTEST:

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Clerk of Council

CITY OF OAKWOOD  
STATE OF OHIO  
JULY 17, 2023

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 6:30 p.m. in the second-floor training room of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio, 45419. Council then met in a regular session at 7:30 p.m. in the council chambers of the city of Oakwood.

The meeting was streamed live from the Oakwood city website, telecast live on Cable Access Channel 6 and was available via remote teleconferencing utilizing the Zoom platform.

The Mayor, Mr. William Duncan, presided, and the Clerk, Ms. Lori Stacel, recorded. Mayor Duncan asked all present to participate in the Pledge of Allegiance.

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

MR. WILLIAM D. DUNCAN.....PRESENT  
MR. STEVEN BYINGTON .....PRESENT  
MR. ROBERT P. STEPHENS.....PRESENT  
MRS. ANNE S. HILTON .....PRESENT  
MRS. LEIGH TURBEN .....PRESENT

Officers of the City present were the following:

Mr. Norbert S. Klopsch, City Manager  
Mr. Robert F. Jacques, City Attorney  
Ms. Carol Collins, Leisure Services Director  
Chief Alan Hill, Public Safety Director  
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

Judy Cook, 927 Far Hills Avenue #4  
Michael Kossol, 1001 Runnymede Road  
Lauren Randall, 251 Hathaway Road  
Tom & Nancy Thickett, 100 Lookout Drive  
Alison & Tim Benford, 132 Greenmount Boulevard  
Michele Wilson, 306 East Drive  
The Ellis-Barrentine Family, 420 Peach Orchard Avenue  
The Gillis Family, 800 Harman Avenue  
Amanda Malusky Krauss, 269 Volusia Avenue  
Brian Barr, *Oakwood Register*

The following Zoom visitors attended via remote teleconference:

Michael (no last name provided)

Mrs. Hilton advised Council she had read the meeting minutes of the June 5, 2023 regular session, work session and executive session. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Stephens that the minutes of the sessions of Council aforementioned be approved as written and the reading thereof at this session be dispensed with. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

STATUS REPORTS – NONE

VISITORS

2023 May and June Beautification Award Winners – Mayor Duncan explained that a video will be shown highlighting all the winners and then he will present certificates to those who are at the meeting. The following properties were recognized and shown in the video:

Shannon & Tracy Morgan, 407 Volusia Avenue; Thomas & Nancy Thickett, 100 Lookout Drive; Dr. and Mrs. William Randall, 251 Hathaway Road; Ryan & Megan Schroeder, 422 Telford Avenue; Ron & Tina Moore, 317 E. Peach Orchard Avenue; Ward & Elizabeth Barrentine, 420 E. Peach Orchard Avenue; Matt Murrell, 244 Orchard Drive; Ryan & Sarah Larman, 2424 Shroyer Road; Harriet Meehan, 4 Beverly Place; Timothy & Alison Benford, 132 Greenmount Boulevard; John & Allyson Danis, 1405 Woodstock Drive; William & Amy Martin, 1430 Raleigh Road; Dr. John & Dr. Sarah Gillis, 800 Harman Avenue; Nikolay & Maria Markov, 1120 Harman Avenue; John & Shannon Powell, 525 Maysfield Road; Michael & Kyla Guy, 337 Oak Forest Drive; Melvin Parada & Ariel Batungbacal, 144 Patterson Road; Christopher & Trisha Donaldson, 357 Forrer Boulevard; John & Jill Basom, 2222 Shafor Boulevard; Michael & Patricia Ridenour, 301 Claranna Avenue; Gary & Darcy Plunkett, 331 Fairforest Circle; and Michael & Allyson Kessel, 1001 Runnymede Road.



LEGISLATION

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 4981  
AN ORDINANCE PROVIDING FOR AN ELECTION ON THE  
QUESTION OF A RENEWAL TAX LEVY IN EXCESS OF THE TEN-  
MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL  
OPERATION OF THE CITY.

A copy of the ordinance, having been placed on the desks of each member of Council prior to introduction, was read by title.

Vice Mayor Byington explained that the city has an existing 3.75 mill property tax levy, first approved by Oakwood voters in 2013 and renewed in 2018. It is due to expire this year. At the June meeting, Council took the first legislative step to put this matter on the ballot for renewal, and this ordinance is the second and final step. It is important to note that since this is a renewal instead of a new levy, it will maintain the current level of property taxation and will not increase property taxes.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the second reading be waived and that the ordinance be passed tonight.

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

MR. WILLIAM D. DUNCAN.....YEA  
MR. STEVEN BYINGTON.....YEA  
MR. ROBERT P. STEPHENS.....YEA  
MRS. ANNE HILTON.....YEA  
MRS. LEIGH TURBEN.....YEA

There being five (5) yea votes and no (0) nay votes thereon, said ordinance was declared duly passed and it was so ordered.

AN ORDINANCE  
BY VICE MAYOR BYINGTON NO 4982  
AN ORDINANCE AMENDING ORDINANCE NO. 4907 TO  
ESTABLISH A PROCESS FOR APPOINTING MEMBERS TO THE  
BOARD OF THE DAYTON REGIONAL ENERGY SPECIAL  
IMPROVEMENT DISTRICT.

A copy of the ordinance, having been placed on the desks of each member of Council prior to introduction, was read by title.

Vice Mayor Byington explained that Ohio law allows municipalities to participate in special improvement districts that allow property owners to finance the cost of certain improvements through special assessments. Oakwood has been a participant in the Dayton Regional Energy Special Improvement District (“Dayton ESID”) since 2020.

By law, a special improvement district is overseen by a Board of Directors, and each participating jurisdiction must appoint a person to serve on that board. Council’s original appointee was Jennifer Wilder, who was the city’s Director of Personnel and Properties at the time but is no longer employed by the city of Oakwood.

The original appointing ordinance, Ordinance No. 4907, did not specify a procedure for amending the appointment from time to time. Therefore, in order to avoid having to amend Ordinance No. 4907 every time Council wishes to make a new appointment, this resolution has a single amendment that will allow future appointments to be made by resolution. This is a procedural adjustment only and does not materially change any aspect of the city’s participation in the Dayton ESID.

If approved this ordinance will take effect in 30 days, and a resolution will then be introduced at the September Council meeting to make the city’s next appointment.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the second reading be waived and that the ordinance be passed tonight.

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

MR. WILLIAM D. DUNCAN.....YEA  
MR. STEVEN BYINGTON.....YEA  
MR. ROBERT P. STEPHENS.....YEA

MRS. ANNE HILTON .....YEA  
MRS. LEIGH TURBEN .....YEA

There being five (5) yea votes and no (0) nay votes thereon, said ordinance was declared duly passed and it was so ordered.

RESOLUTION

BY MRS. TURBEN

NO 1909

A RESOLUTION APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE MIAMI VALLEY COMMUNICATIONS COUNCIL RETAIL ELECTRIC SUPPLY AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING THE SAME FOR THE CITY OF OAKWOOD.

A copy of the resolution, having been placed on the desks of each member of Council prior to introduction, was read by title.

Mrs. Turben explained this is a resolution for the city of Oakwood to join the electric supply aggregation program recently launched by the Miami Valley Communications Council (“MVCC”).

With the move to deregulate public utilities in the early 2000s, which was intended to promote competition and lower costs, there have been two ways for utility customers to obtain electric or natural gas supply. The default is to pay the “standard choice offer” rate charged by the utility company that delivers electricity and natural gas in their area, which for Oakwood is AES for electricity and CenterPoint for natural gas. The alternative is to sign up with a third-party supplier, which can be done on an individual basis or via a governmental aggregation program. These programs allow cities to negotiate competitive rates with third-party suppliers who provide electricity or natural gas to retail utility customers. In 2003, Oakwood voters authorized the city to participate in utility aggregation, if a suitable program became available.

Currently, Oakwood does not have its own aggregation program but is a member of MVCC, which is in the process of developing aggregation programs for both electricity and natural gas. MVCC’s electric aggregation program is currently up and running, and the natural gas program is anticipated to begin this fall. As an MVCC member community, Oakwood is permitted to join these programs. The advantage of joining MVCC is the larger group size, which gives additional bargaining leverage due to economies of scale.

MVCC’s program is primarily offered on an OPT-OUT basis, which means residents in participating communities are automatically enrolled in the program unless they take affirmative steps to opt-out. However, communities may also join on an OPT-IN basis, meaning that no one is enrolled automatically; they must enroll themselves. Oakwood City Council has discussed this extensively in work sessions and believes that the best approach for our city is to join on an OPT-IN basis. In this way, individual residents will make their own deliberate choice on whether to: 1) opt into the MVCC program; 2) stay with the “standard choice offer”; or 3) choose their own third-party supplier.

In order to join the MVCC program, state law requires Council to hold two public hearings and approve the Plan of Operation and Governance for the MVCC electric aggregation program. This resolution is being introduced tonight and will then hold the first public hearing. The second public hearing and vote on the resolution will be held at Council’s August 7 meeting.

Mayor Duncan explained the public hearing procedure. He then asked Law Director Rob Jacques to comment on the MVCC aggregation program.

Mr. Jacques shared that electric deregulation happened in the early 2000s. Before the deregulation, a single payment for delivery and supply (infrastructure) was made to local monopolies, such as Dayton Power & Light. Deregulation allowed consumers to unbundle their services and pay for delivery (hardware) and supply (electricity) separately. Even though aggregation has been available, many communities determined that there was not a need for aggregation until recently when the supply costs rose substantially. Energy consumers have the option to choose where they purchase their electricity. They can continue with their current service provider, choose a new provider, or participate in a government aggregation program. The Public Utilities Commission of Ohio’s “Apples to Apples” website tool provides a comparison of current natural gas and electric supplier price options and contract terms from a variety of third-party natural gas and electricity sellers. A governmental aggregation program can be an effective way for a large group of consumers to get exclusive pricing on their utility services. The Ohio Municipal League (OML) and MVCC partnered with Palmer Energy Company to build and manage a governmental electric aggregation program. The program will initially be a two-year contract period, including the remainder of this year and then 2024 and 2025 with a locked-in rate. The provider chosen for this

program, based on a competitive RFP process, is a company called “Energy Harbor.” The program will cover more than 80,000 customers to save approximately \$30 per month on electric bills on average, in comparison to the current AES standard offer. It is important to note that the average residential household considers very small and very large households so the savings could vary. All residential and most commercial businesses in Oakwood would be able to participate in the program. Oakwood would be joining on an “OPT-IN” basis, meaning that no one is enrolled automatically or forced to participate.

Mayor Duncan opened the public hearing.

There were no visitors wishing to testify.

Mayor Duncan closed the public hearing.

RESOLUTION  
BY MR. STEPHENS NO 1910  
A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF  
FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR  
CUTTING NOXIOUS WEEDS AND NUISANCE PLANT MATERIAL  
TO THE COUNTY AUDITOR FOR COLLECTION.

A copy of the resolution, having been placed on the desks of each member of Council prior to introduction, was read by title.

Mr. Stephens explained that each year, the city incurs costs for mowing and clearing overgrown yards and removing nuisance plant material when owners do not take care of their property. The city bills property owners for those costs and most of them pay. For those who do not pay, this is our annual resolution to certify the costs to the County Auditor so they can be added to the tax bill for each property. This certification includes six properties at a total outstanding dollar amount of \$1,925.07.

Thereupon, it was moved by Mr. Stephens and seconded by Mrs. Hilton that the resolution be passed.

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

MR. WILLIAM D. DUNCAN.....	YEA
MR. STEVEN BYINGTON.....	YEA
MR. ROBERT P. STEPHENS.....	YEA
MRS. ANNE HILTON.....	YEA
MRS. LEIGH TURBEN.....	YEA

There being five (5) yea votes and no (0) nay votes thereon, said resolution was declared duly passed and it was so ordered.

STAFF REPORT

Public Safety Department Presentation: Chief Alan Hill, Public Safety Director, referenced a PowerPoint presentation and updated Council on the following topics: Crisis Now; Capital Improvements; Personnel Changes; PSAP Compliance; Use of Force Stats; Recent City of Dayton Incident; ISO Rating; Good Choice Tickets; Fraud/Identify Theft; ACORN Program and the Citizen Police Academy.

Crisis Now is a resource that launched last year and is available to the community. Crisis Now is a 24/7 local call center designed to help anyone in the community who is experiencing a mental health or substance abuse crisis. The call center provides immediate services to anyone in need and if deemed appropriate, Crisis Now has the ability to dispatch a mobile response team with a licensed clinician to assist any person in need. Undiagnosed and untreated mental illness is a huge concern not just for our region, but for the nation. It can lead to many other issues such as drug abuse, domestic violence, suicide or attempted suicide and criminal activity.

Chief Hill highlighted capital improvements planned for this year and next year. The Public Safety Department will be purchasing a 2024 Chevy EV Blazer and entering into the all-electric police vehicle market. The vehicles are available for order this summer and are scheduled for production during the first quarter of 2024. Medic 26 will be replaced after nearly 20 years of service life. Over the past several years, the medic is starting to experience periodic and ongoing maintenance issues that can result in the medic unit being out of service for extended periods of time while being repaired. The current lead time for ordering and taking delivery of a new medic is approximately 18 months, so the plan is to order a replacement unit in early 2024 with anticipation of summer/fall 2025 delivery.



Public Safety Officer Glen Evans retired after 16 years of service with the city of Oakwood. Public Safety Officer Joe Dues was hired on March 20. He arrived as a fully certified public safety officer with significant experience in police/fire/EMS.

In May 2016, the state of Ohio implemented 19 standards for all Public Safety Answering Points (PSAP). All dispatch centers were required to achieve compliance within two years from the date of adoption. Some standards were put into place to challenge the viability of individual dispatch centers and to promote regional dispatch centers. Montgomery County PSAPs are audited for compliance and Oakwood continues to be in full compliance with the standards required for operating a PSAP. In May 2019, Montgomery County PSAPs were audited for initial compliance by the Ohio Department of Administrative Services Ohio 9-1-1 Program Office. Oakwood was found to be in full compliance with the standards required for operating a PSAP. This process is ongoing. In early 2023, compliance documents were again submitted, and Oakwood remains in full PSAP compliance.

Year-to-date, there has been only one incident where the use of force was required. The low number of use of force incidents in Oakwood is a testament to the professionalism and de-escalation skills of Oakwood's Public Safety Officers patrolling streets every day.

On June 17, police responded to the Davis-Linden Building in the city of Dayton on what was initially reported as a fight. The call was then upgraded to a shooting, and then an active shooter. Oakwood responded on a mutual aid basis with multiple units. Chief Hill commended Public Safety Officer Jeff Watkins and Public Safety Officer Rob Wilson for their response to this incident. The Oakwood officers were one of the first responding units from an outside agency on the scene immediately after the shooting.

On May 29, the city received its updated ISO (Insurance Services Office) rating. The city's rating improved from a Class 3 to a Class 2 rating. Class 1 represents superior property fire protection capability, and Class 10 would indicate the fire suppression program does not meet ISO's minimum criteria. This Class 2 rating places our city inside the top 7% of all agencies in the state of Ohio.

The Oakwood Public Safety Department is once again issuing "Good Choice Tickets." The program is designed to recognize Oakwood's youth for making good choices such as using a crosswalk, wearing a bicycle helmet, or looking both ways before crossing the street. This is a good way for the officers to interact and acknowledge youths for making good choices.

Fraud continues to be a major problem. The Federal Trade Commission's 2022 snapshot review reports 2.4 million fraud reports in 2022 totaling almost 9 billion in total loss. Although the number of reports was down from 2021 to 2022, the amount of total loss increased by 2.7 billion from 6.1 to 8.88. Chief Hill shared some tips to help prevent fraudulent activity: lock your financial documents and records in a safe place at home and lock your wallet or purse in a safe place at work. Keep your information secure from workers and contractors; before you share information at your workplace, a business, your child's school, or a doctor's office, ask why they need it, how they will safeguard it, and the consequences of not sharing it; shred receipts, credit offers, credit applications, insurance forms, physician statements, checks, bank statements, expired charge cards, and similar documents when no longer needed and consider placing a "credit freeze" on your credit report with the major credit bureaus. Also known as a security freeze, this tool lets you restrict access to your credit report, which in turn makes it more difficult for identity thieves to open new accounts in your name. If you are a victim or suspect you are a victim of identity theft, contact the Oakwood Safety Department as soon as possible to speak with an officer. The city's website has a lot of information to help prevent, recognize, and report scams and fraud.

At a recent Global Fraud Conference, the Association of Certified Fraud Examiners (ACFE) presented the annual Chapter of the Year Award (Small Market) to the Southwest Ohio Chapter. Founded in 1993, the Southwest Ohio ACFE Chapter is one of 196 ACFE global chapters.

The Southwest Ohio Chapter consists of about 100 members with many being Certified Fraud Examiners (CFEs), which is the ACFE's highest credential. These trained professionals often specialize in various types of fraud including individual fraud, fraud internal to organizations, or fraud external to organizations. The current chapter president is Oakwood resident Amanda Malusky-Krauss, who was in attendance tonight. Chief Hill congratulated Ms. Malusky-Krauss and her team. He shared that she will be invited to share a few words about the program after his report.

Mayor Duncan noted that Ms. Malusky-Krauss is also a member of the Oakwood Budget Review Committee and is a Certified Public Accountant.

On March 1, 2019, the Safety Department implemented the ACORN (Assisting and Contributing to Oakwood Resident Needs) program. The program is designed to assist residents in times of emergency and provide peace of mind through proactive community outreach, implementing safety plans, and advocating for the well-being of Oakwood's senior and at-risk population. Over the next several months, the Safety Department will make a significant effort to grow the ACORN program. Chief Hill noted that former Mayor Judy Cook was in attendance to say a few words about the program after his presentation.

The Oakwood Public Safety Department will host its sixth Citizen Police Academy (CPA) in September 2023. The CPA is a 10-week program that meets for two hours, one night per week, covering the following topics: Safety Department Introduction/Orientation; Patrol Operations; Traffic Enforcement; Use of Force; Active Shooter Training; Evidence Collection and Processing; and Fire Prevention / Education. The CPA is free of charge and is open to any Oakwood resident or individual working within the city of Oakwood. The September program is already full.

Chief Hill invited Ms. Malusky-Krauss to share some information about the Association of Certified Fraud Examiners (ACFE.)

Ms. Malusky Krauss shared that she is in her fifth year as President of the Southwest Ohio Chapter. She shared that her career of conducting fraud investigations is how she became president of the ACFE. ACFE is a global entity with 90,000 members located in almost every country around the world. The members are essentially fraud fighters helping to stop frauds of all kinds. The Southwest Ohio Chapter is one of 196 Chapters, so it was very exciting to compete with chapters all around the world and then be presented with the Chapter of the Year Award.

Mrs. Cook shared that she has lived in Oakwood for many years and has total respect for and trust of the Oakwood Public Safety Department. When she found out that the Public Safety Department created and was overseeing the ACORN program, she happily signed up to be a member. She said that as an independent senior resident, it is reassuring to know that the Public Safety Department can access her home in case of an emergency. She explained that the program supports seniors and at-risk citizens, and is a significant addition to the Oakwood community.

Mrs. Hilton asked if Mrs. Cook was also referring to the Key File Program.

Chief Hill answered yes. He said that the Public Safety Department maintains a secure key file in the dispatch office for residential property owners that wish to provide a key in case they are locked out or have other emergencies that require quick entry into the home.

Mrs. Hilton asked how many residents participate in the program.

Chief Hill shared that they have around 300 keys on file.

Mayor Duncan thanked the Public Safety Department for the extensive research on electric vehicles. He then thanked Chief Hill for his presentation.

#### AN OAKWOOD MOMENT

Vice Mayor Byington highlighted sustainability measures in Oakwood.

#### CITY MANAGER REPORT – Mr. Klopsch reported on the following:

Mr. Klopsch shared some recent personnel changes. Code Enforcement Officer Ethan Kroger was promoted to the position of Planning and Zoning Manager. Sangita Anand was hired as the Human Resources Manager. They will be invited to a future council meeting for introductions.

There are approximately 50 residential solar power generating systems installed in Oakwood. The Planning and Zoning Department welcomes anyone who is interested in obtaining a permit for solar power systems.

The Public Works Department is engaged in resurfacing roadways in the north end of Oakwood, most notably E. Schantz Avenue from Lookout Drive to Far Hills Avenue. Barring any unforeseen inclement weather, the project should be done by the end of this week.

Mr. Klopsch thanked the community for their compliance with the yard debris disposal regulations. There are noticeably fewer incidents of yard debris being improperly placed in the roadway.

The annual Sidewalk, Curb and Driveway Apron project began last week. Work is being done around Harman School and will be completed before school begins in the fall. Work will also be done in the southwest corner of Oakwood.

The work on Far Hills Avenue will continue with the repair of stormwater inlets and the replacement of numerous sections of concrete roadway curbing. This work will take place over the next few months in advance of the 2024 Far Hills Avenue resurfacing.

A large storm sewer replacement project is underway on Far Hills Avenue. The home at 1313 Far Hills Avenue will be demolished next week and the lot will then serve as a materials and equipment staging area for the contractor while they complete the storm sewer replacement. There are no current plans for the reuse of this property, but the new sewer is being aligned along the south property line so that the majority of land could be used for a new home or greenspace.

Mr. Klopsch estimated that around 200 people attended the Five Points intersection open house events. He thanked everyone that attended. The feedback that has been received so far is mixed regarding the potential roundabout at the Five Points intersection.

Mr. Klopsch noted that he was told when he started working in Oakwood that people move to Oakwood for the schools, and stay in Oakwood for public safety. He said that this still remains true today. He complimented Chief Hill and the Public Safety Department for their service.

#### COUNCIL COMMENTS

Mrs. Turben shared that The Oakwood Historical Society has been selected as one of two of the 2023 Wick Wright recipients by the National Aviation Heritage Alliance. The Wick Wright Award honors an individual or organization for outstanding support of a National Aviation Heritage area partner and The Oakwood Historical Society was nominated by Dayton History for its support for the Wright at Home program. The award ceremony is on August 8 at Wright State University. Mrs. Turben congratulated The Oakwood Historical Society board members and volunteers.

Vice Mayor Byington congratulated the beautification award winners. He shared that he moved to Oakwood because of the diversity and uniqueness of the architectural styles. The pride that everyone has in their property ownership is truly amazing. He shared that Mr. Klopsch and Mr. Jacques planned to participate in a “Native Garden Event” at Wright Library before it was cancelled due to inclement weather. Mr. Jacques explained that the City was to host a table at the event to share information about the sustainability efforts in Oakwood. The event will be rescheduled. Vice Mayor Byington encouraged people to vote early for the August special election.

Mayor Duncan noted that Oakwood celebrated its centennial 15 years ago. He congratulated Mr. Klopsch and his staff for taking a long-term view of all the infrastructure needs in the community both above ground and below ground.

The public meeting concluded at 8:58 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL





# **Miami Valley Communications Council**

## **Electric Power Aggregation Operation and Governance Plan**

**For additional information contact Miami Valley Communications Council:**

**Jay Weiskircher, Executive Director**

**Phone: 937-424-1660**

**Email: [jweiskircher@mvcc.net](mailto:jweiskircher@mvcc.net)**

## **Introduction**

The Miami Valley Communications Council ("MVCC") has developed this Plan of Operation and Governance on behalf of its member and affiliate communities regarding government aggregation of firm, full requirements power supply electric for its consumers (the "Plan" or "Aggregation Program"). The Plan contains information on the structure, governance, operations, management, funding, and policies of the Aggregation Program to be utilized for participating consumers.

MVCC was formed in 1975 as a council of governments according to chapter 167 of the Ohio Revised Code. MVCC has acted as an agent for its members and affiliate communities to monitor, regulate and administer common cable television franchise agreements, manage the operation of the council's cable access television channels, and develop and implement intergovernmental projects. The council is governed by a policy-making body consisting of delegates representing member cities. The council also has affiliate agreements with 24 other Miami Valley cities.

Now MVCC communities wish to proceed jointly to authorize MVCC to perform as their agent for development and administration of the Aggregation Program. Current Program members are the municipalities of Centerville, Germantown, Kettering, West Carrollton, Trotwood, Brookville, Englewood, Xenia, and Miamisburg. The Program may add other communities and thereby combine additional residential and small commercial customers into a buying pool that will be attractive to third party suppliers (Suppliers). Participation in the Program is voluntary. Any individual customer can decline to be a member of the aggregation program and remain with the AES (Local Utility) standard offer of service or to enter into a service contract with any competitive retail electric supplier.

The MVCC communities have passed the necessary ordinances to place the issue of electric governmental aggregation on the ballot. Voters in each community approved electric aggregation and the community decided to utilize MVCC and the following Plan outlined below. This Plan will not be adopted until two public hearings are held in accordance with Section 4928.20(C) of the Ohio Revised Code.

## **Process**

This Plan allows municipalities to join as either an opt-in municipality ("OIM") or an opt-out municipality ("OOM").

If a community joins the Program as an OIM, that community's eligible residential and small business customers in the authorized areas shall receive an offer letter setting forth the rates, terms, and conditions of the program. To participate the eligible residential and



small business customers must affirmatively enroll in the Program by a specific deadline described in the offer letter.

If a community elects to become an OOM, all eligible residential and small business customers in the authorized areas of MVCC are automatically included as participants in the Aggregation Program unless they opt-out of the program by providing written notice of their intention not to participate. As required by Ohio Law, the various communities jointly participating in the MVCC electric governmental aggregation passed a Resolution or Ordinance, which authorized submitting the selection of opt-out aggregation to the community's voters. The voters approved opt-out aggregation in each community and the community decided to join the MVCC Program.

In addition to each community joining the MVCC program, it is also required to comply with various PUCO regulations. As required by PUCO regulations MVCC will file an application with the PUCO for certification as a Government Aggregator after MVCC approves this Plan. As required by regulations, MVCC advertised public hearing dates to discuss the Plan and held two hearings on the Plan.

MVCC anticipates selection of a Provider after receiving approval from the PUCO as a governmental aggregator. Upon Provider selection an opt-out notice for the MVCC Program will be sent to all eligible electric customers in MVCC's OOM communities setting forth the rates, terms, and conditions of the program. This notice will provide potential Aggregation participants at least 21 days to return an opt-out card or other similar notice.

### Contract

The focus of the MVCC Aggregation Program, as noted above, will be the acquisition of competitive prices and terms for power supply. The prices will be set through a competitive process and fully disclosed in either opt-in or opt-out consumer material provided to the potential consumer participants. Each Aggregation consumer shall be individually bound by the terms and conditions found in either the opt-out notice or opt-in letter and the Contract. Each Aggregation participant shall be solely responsible for payment and performance. Said charges shall take the form of either a fixed price or a price representing a percentage or price below the electric distribution utility's ("EDU") avoidable costs ("Avoidable") or Price to compare ("PTC"). These charges will also be available by calling the Provider's toll-free customer service telephone number.

MVCC Program's Retail Electric Generation Provider shall meet each of the following requirements:

- Has sufficient power supplies arranged and structure in place to provide retail firm power to the Members.



- Has a Federal Power Marketer license with the Federal Energy Regulatory Commission.
- Is certified as a CRES by the PUCO.
- Registered as a generation supplier with the EDU prior to flowing power to Members.
- Has appropriate Transmission Service agreement(s) in place to serve the Members.
- Has or has arranged for an Electronic Data Interchange computer network that is capable of handling MVCC's Members requirements with the EDU.
- Has the ability to educate Members on the MVCC Aggregation Program.
- Has or has arranged for a call center capable of handling MVCC's Aggregation Group customer calls.
- Has a toll-free number as required by the PUCO for customer service inquiries and potential complaints related to the MVCC Program.
- Will hold MVCC financially harmless from any financial obligations arising from supplying power to the Members.
- Satisfies the EDU's and MVCC's credit requirements.
- Will assist the MVCC group and its consultant in filing reports required by the PUCO and Sections 4805.10(A), 4911.18(A) and 4928.06(F) of the Ohio Revised Code.

## **Definitions**

To clarify certain terminology, the following terms shall have the meanings set forth below:

“Aggregation Program” or “Program” means the program developed by MVCC, as a Government Aggregator under Section 4928.20 Ohio Revised Code, to provide eligible residential and small business consumers with retail electric generation services.

“Government Aggregator” means Miami Valley Communications Council using its legislative authority to act as an aggregator for the provision of a competitive retail electric service under the authority conferred under Section 4928.20 of the Ohio Revised Code.

“Member” or “Aggregation Participant” means a person or consumer enrolled in the MVCC Program for competitive retail electric services.

“Retail Electric Generation Provider” (“Provider”) means an entity certified by the Public Utilities Commission of Ohio (“PUCO”) to provide competitive retail electric service(s), and which is chosen by MVCC to be the entity responsible to provide the required service related to Government Aggregation as defined in Section 4928.20 of the Ohio Revised Code and applicable provisions of the rules of the PUCO.

“Competitive Retail Electric Service” (“CRES”) means a component of electric retail service that is deemed competitive pursuant to the Ohio Revised Code or pursuant to an order of the PUCO.



## **Governmental Aggregation Services**

The Aggregation Program is designed to reduce the amount participating consumers pay for electric energy, and to gain other favorable economic and non-economic benefits from Ohio's competitive retail electric market. The Aggregation Program achieves the favorable benefits by combining the electric loads of residential customers and small commercial consumers into a buying group ("Aggregation Group"). MVCC will not buy and resell power but will represent consumers interests as a purchasing agent ("Purchasing Agent") for the Aggregation Group. This means that MVCC will be a Governmental Aggregator, as defined by Ohio law and the rules established by the PUCO, and shall act on behalf of eligible residential and small commercial consumers in the MVCC municipalities to: 1) select a Retail Electric Generation Provider ("Provider") to supply the Aggregation Group; 2) negotiate the terms of supply between the Provider and each Aggregation participant; and 3) oversee the enrollment procedures administered by the Provider.

### **Provider**

MVCC will use its Provider to perform and manage aggregation services for its Members. The Provider shall provide adequate, accurate, and understandable pricing terms and conditions of service, including any switching fees and the conditions under which a Member may rescind a contract without penalty. The Provider must provide MVCC or its authorized consultant, if requested, an electronic file containing the Members usage, and charges. Upon request this information shall be sent to MVCC or its authorized consultant within 30 days. The Provider must have local and/or a toll-free number for Members to call.

### **Database**

The MVCC will provide a letter to the Provider authorizing the Provider to obtain the list of eligible customers from the local utility and will be relying on the EDU to provide an accurate list of eligible customers. The consultant and Provider will use that list and remove customer records that have returned opt-out forms, are Percentage of Income Payment Plan (PIPP) customers or are ineligible due to being a mercantile customer.

The Provider will build and maintain a database of all Members. The database will include all necessary information for the Provider and MVCC to serve the Aggregation. This information includes but is not limited to the name, address, account number or other EDU identifying number(s), and Retail Electric Generation Provider's account number of the Member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage and demand, and meter read cycle. This database will be updated



and provided to MVCC and/or its consultant at least every quarter. Accordingly, the Provider will implement a process to accommodate at Members that: 1) leave the program due to relocation, opting out, etc.; 2) decide to enter or opt-into the Program; 3) relocate within eligible areas within the boundaries of MVCC member communities; and 4) move into the MVCC member communities boundaries and desire to enter or opt-in to the Program. This database shall also be capable of removing PIPP customers from the Program, should that be necessary, and those who have opted out. The Provider will use this database to perform bill audits for clerical and mathematical accuracy of Member generation supply bills.

### **Member Education**

The Provider will develop, with the assistance of MVCC and its authorized consultant, a retail electric competition consumer educational program that generally explains the Aggregation Program to its Members. The program will, when practical, provide consumer education messages that are consistent with the Aggregation Program designed purpose, provide updates and disclosures mandated by Ohio law and PUCO rules, and implements a process to deal with allowing any person enrolled in the Aggregation Program the opportunity to opt out of the program at least every three years, without paying a switching fee to MVCC or the Provider.

### **Customer Service**

The Provider will provide the customer service process that, at a minimum, will accommodate: 1) Member inquiries and complaints about billing; and 2) answer questions regarding the Program in general. This process will, at a minimum, include a description of how telephone inquiries will be overseen (either internally or externally), how invoices will be prepared, how remittance of payment will be dealt with, and how collections for delinquent accounts will be addressed. See Appendix B for a detailed description of the Customer Service Plan.

### **Billing**

MVCC will use the Provider, or its designated agent, to provide billing services to each Member for the Competitive Retail Electric Services, with no additional administrative fee. At this time, the EDU will render the billing statement, which should be consistent with all applicable guidelines issued by the PUCO. As this market develops, MVCC may, at its option and in consultation with the Provider, change this function to the Retail Electric Generation Provider or a billing agency.

### **Credit and Deposit Policies**

Collection and credit procedures remain the responsibility of the EDU, the Provider, and the individual Member. Members are required to remit and comply with the payment terms



of the Local Utility. This Program will not be responsible for late or no payment on the part of any of its members. MVCC will have no separate credit or deposit policy.

### **Customer Service Procedures & Dispute Resolution**

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability and billing should be directed to the EDU. The EDU continues to read meters, handle billing, and generally have the most information about a customer's account. Questions regarding the Program administration should go to the consultant, and any unresolved disputes should be directed to the Public Utilities Commission of Ohio. Listed below is a table of toll-free numbers for members to call for assistance.

### **Compliance Process**

The Provider will have internal controls and processes that ensure the MVCC remains in good standing as a Government Aggregator and that it complies with all laws, rules and regulations surrounding the same, as they may be amended from time to time. The Provider will deliver periodic reports to MVCC and its consultant that will include at a minimum (i) the number of Members participating in the Program; and (ii) savings estimates or increase from the previous year's baseline. The Provider will also develop a process to monitor and provide notification to MVCC of any changes in laws, rules, or regulations.

### **Notification to EDU**

In MVCC's OOM potential Aggregation participants that do not opt-out of the Aggregation Group will be enrolled automatically in the Aggregation Program. Such Members in the Aggregation Group will not be asked to take other affirmative steps to be included in the Group. In MVCC's OIM, potential Aggregation participants must affirmatively enroll in the Program to join the Aggregation Program. To the extent that the EDU requires notification of participation, MVCC will coordinate with its Provider to provide such notice to the EDU. The Provider will inform the EDU of any individuals who may have been permitted to join the Aggregation Group after the expiration of the enrollment period.

### **Opt-Out Activation of Service**

In an MVCC OOM, all eligible electric customers in the MVCC Program shall be sent a notice that provides 21 days to opt out of the Program. All eligible customers who do not opt out will be automatically enrolled in the Program. During this opt-out period eligible consumers may opt-out of MVCC's Aggregation Group without fees charged by the Provider or MVCC. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.



## **Opt-In Municipalities Activation of Service**

After an offer letter is sent to eligible electric customers in the OIM the potential Aggregation Participant shall have 21 days to affirmatively enroll in the Program. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.

## **Changes, Extension or Renewal of Service**

At least every three years all consumers eligible to participate in MVCC's Program in an OOM will be given an opportunity to opt into or out of the Program, and reasonable notice will be provided as required by law and PUCO rules. Participants will also be notified of their right to select an alternate generation supplier and of their ability to return to EDU's Standard Service Offer. At least every three years consumers eligible to participate in MVCC's Program in an OIM will be given an opportunity to re-enroll, and reasonable notice will be provided as required by law and PUCO rules.

## **Termination of Service**

If the Contract is terminated prior to the end of the term, each individual Member of the Aggregation Group will receive written notification of the termination of the Program at least sixty (60) days prior to termination of service. If the Contract is not extended or renewed, Members will be notified as required by law and the CRES rules of the PUCO in advance of the end of service. Members will also be notified of their right to select an alternate generation supplier and of their ability to return to the EDU's Standard Service Offer upon termination.

## **Opt-In Procedures**

Eligible consumers may request to join the Aggregation Group after the expiration of any enrollment period by contacting the Provider. The Contract shall determine whether the Provider accepts them into the Program, and, if so, at what rate. The agreed upon policy in the Contract shall be consistent with the EDU's service activation requirements. Aggregation Group participants who move from one location to another within eligible areas of MVCC shall retain their participant status.

## **Opt-out Outside Enrollment Period**



Members who switch to a different generation supplier after the expiration of the Opt-out period or affirmatively enrolling will be allowed to do so in correlation with the consumer's next scheduled meter read date but may be charged a switching fee in an amount and method determined by the Contract. Switching to a different generation supplier on the next meter read date, however, will occur when the next meter read date is twelve (12) business days or more from the date of the consumer's notice of intent to opt-out of the Aggregation Group. Notification of intent to opt-out of the Aggregation Group may be made by contacting the Provider by telephone or in writing. Members who opt-out of the Aggregation Group will default to the EDU's Standard Service Offer, until the consumer selects an alternate generation supplier.

### **MISCELLANEOUS GOVERNANCE GUIDELINES**

- A. The MVCC municipalities shall approve through Resolution or Ordinance the Plan of Operation and Governance for the Aggregation program and any Amendments thereto.
- B. MVCC shall contract with only Retail Electric Generation Providers certified by the Public Utilities Commission of Ohio for the provision of Competitive Retail Electric Service to the Aggregation Program Members.
- C. MVCC will require any Provider to disclose any subcontractors that it uses in fulfillment of the services described above.
- D. MVCC will require the Provider to maintain either a toll-free telephone number, or a telephone number that is local to MVCC Program Members.

### **Liability**

MVCC shall not be liable to Members in the Aggregation Group for any claims whatsoever arising out of the aggregation program or the provision of aggregation services by MVCC or the Provider. Aggregation Group members shall assert any such claims solely against the Provider pursuant to the Power Supply Agreement, under which such participants are express third-party beneficiaries.

### **Availability of Plan of Operation and Governance**

Copies of this plan are available from MVCC free of charge. Contact the MVCC office at 937-438-8887, for a copy or for more information.

### **Consumer Right to Contact PUCO and Ohio Consumers Counsel**

Any electric customer, including any participant in the MVCC Electric Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or make a complaint against the Program, the Provider. The PUCO may be reached toll free at 1-800-686-7826. The PUCO may be reached at 1-800-686-1570 for all TDD/TYY calls. The Ohio Consumers' Counsel may be reached at 1-877-742-5622.



## Appendix A -- Education Process

The Provider will develop an educational program in conjunction with MVCC. Its purpose will be to explain the aggregation program to MVCC Members, provide updates and disclosures as mandated by State law and the rules of the PUCO, and provide the opportunity for the members to opt out of the program. The following are the program components:

1. Each eligible consumer within the MVCC OOM limits will receive via U.S. Mail notification of: what government aggregation means, their membership in the government aggregation program, the procedure which must be followed in order to opt out of the program, the price that they can expect to receive as a member of the program, and the deadline for returning the opt out form. See the attached letter.
2. The Provider will work with MVCC to provide opportunities for educating eligible MVCC consumers about the Program and their rights under the law, PUCO rules and this Program. In addition, the Provider and MVCC will work to provide education about and other opportunities for energy efficiency measures to help consumers reduce energy consumption.
3. The Provider will provide updates and disclosures as mandated by State law and rules of the PUCO.
4. For MVCC OOM, the opt-out opportunity will be provided to the Members of the program at least every three years. Should conditions, suppliers, price, or any other component of the program change within the three-year period, participants will be given a notice of their opportunity to opt out of, or into the program.



Nov \_\_, 2022

DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

After researching competitive electricity pricing options for you, MVCC has chosen \_\_\_\_\_ to provide you with electric generation through \_\_\_\_\_. There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.

As a member of this aggregation, your electricity supplies will be priced at \_\_\_\_\_ or approximately \_\_\_\_\_ below your Price to Compare. Your Price to Compare is essentially the price you pay for electric generation from the utility and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.

To estimate what your savings per kilowatt-hour (KWH) will be through this program, locate your Price to Compare on your electric bill. Divide your Price to Compare by 100 then \_\_\_\_\_ to estimate your savings per KWH. Multiply that number by your total monthly usage to determine how much you can expect to save each month you use the same amount of electricity.

You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility – \_\_\_\_\_ – you have until \_\_\_\_\_ to return the attached “opt-out” form. If you do not opt out at this time, you will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX--XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,





Nov \_\_, 2022

(OIM)DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

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You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility, do nothing. If you would like to join the program, you must return the attached “opt-in” form by \_\_\_\_\_, 2022. \_\_\_\_\_ You will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX--XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,





## Appendix B      Customer Service Plan

### A. Member Access:

1. Provider shall ensure Members reasonable access to their service representatives for inquiries, complaints, to discuss charges on Member bills, and transact any other business.
2. Telephone access shall be toll free and afford Members prompt answer times during normal business hours, as follows:

\_\_\_\_\_ Corporation

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_, \_\_\_\_\_

**Toll-free telephone number:** 1- \_\_\_\_\_

**Hours:** \_\_\_\_\_

3. Provider shall provide a 24-hour automated telephone message instructing callers to report any service interruptions or electrical emergencies to the EDU with appropriate phone numbers.

### B. Member Complaints:

1. Provider shall investigate Member complaints (including complaints referred by EDU) and provide a status report within five calendar days following receipt of the complaint to:
  - a. The consumer when the complaint is made directly to the Provider; or
  - b. The consumer and The PUCO Staff ("Commission Staff") when a complaint is referred to the Provider by the Commission Staff.
2. If an investigation is not completed within 14 calendar days, the Provider shall provide status reports to the consumer and MVCC, or if applicable, to the consumer, MVCC, the MVCC consultant and the Commission Staff. Such status reports shall be provided at five-day intervals until the investigation is complete, unless the action that must be taken will require more than five days and the Member has been so notified.
3. Provider shall inform the Member, or the Member, MVCC, MVCC consultant and Commission Staff, of the results of the investigation, orally or in writing, no later than five calendar days after completion of the investigation. The consumer, MVCC, the MVCC consultant, or Commission Staff may request the report in writing.



4. If a residential consumer disputes the Provider report, it shall inform the consumer that the Commission Staff is available to help resolve informal complaints. The provider shall provide the consumer with the current address, local/toll free telephone numbers, and TDD/TTY telephone numbers of the Commission's consumer services department.
5. Provider shall retain records of Member complaints, investigations, and complaint resolutions for one year after the occurrence of such complaints and shall provide such records to the Commission Staff within five calendar days of request.
6. Provider shall make good faith efforts to resolve disputes.

C. Member Billing and Payments

1. The provider shall arrange for the EDU or its agent to bill Members for such services according to a tariff approved by the commission. Residential Member bills issued by or for the Provider shall be accurate and understandable, be rendered at intervals consistent with those of the EDU and contain sufficient information for Members to compute and compare the total cost of competitive retail electric service (s). Such bills shall also include:
  - a. The Member's name, billing address, service address, the Member's EDU account number, and if applicable, Provider account number;
  - b. The dates of service covered by the bill, an itemization of each type of competitive service covered by the bill, any related billing components, the charge for each type of service, and any other information the Member would need to recalculate the bill for accuracy;
  - c. The applicable billing determinants, including beginning meter reading, ending meter reading(s), demand meter reading(s), multipliers, consumption(s), and demands;
  - d. For Member-generators with net metering contracts, a statement of the net metered generation;
  - e. The unit price per kWh charged for competitive service, as calculated by dividing current-period competitive service charges by the current-period consumption;
  - f. An identification of the provider of each service appearing on the bill;
  - g. The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the Member's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable.



2. The due date for payment to keep the account current. Such due date shall be no less than:
  - a. Fourteen days after the postmark date on the bill for residential Member and Twenty-one days after the postmark date or the bill for nonresidential Members;
  - b. Current balance of the account if a residential Member is billed according to a budget plan;
  - c. Options and instructions on how Members may make their payments;
  - d. For each provider, whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for Member billing questions or complaints;
  - e. A listing of the toll-free consumer assistance telephone numbers and available hours for applicable state agencies, such as the commission, the Ohio Consumers' Counsel, and the Ohio Attorney General's office;
  - f. The AES Ohio or other EDU 24-hour local/toll-free telephone number for reporting service emergencies;
  - g. Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
  - h. An explanation of any codes and abbreviations used.
3. If applicable, Provider will, upon request, provide Members with the name and street address/location of the nearest payment center and/or authorized payment agent.
4. If applicable, when a Member pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the Member's account as of the day such payment center or agent receives it.
5. MVCC and the Provider shall establish policies and procedures for handling billing disputes and requests for payment arrangements.

D. Collections for delinquent accounts:

The EDU's credit and collection policies will apply to Program Members and shall be administered by the EDU. Neither the Governmental Aggregator, nor Provider, will implement additional policies with respect to credit, deposits, and collections. Failure to pay for Competitive Retail Electric Services may result in cancellation of the Member's contract with the Provider and return the Member to the EDU's Standard Service Offer.



# **Miami Valley Communications Council**

## **Electric Power Aggregation Operation and Governance Plan**

**For additional information contact Miami Valley Communications Council:**

**Jay Weiskircher, Executive Director**

**Phone: 937-424-1660**

**Email: [jweiskircher@mvcc.net](mailto:jweiskircher@mvcc.net)**



## **Introduction**

The Miami Valley Communications Council (“MVCC”) has developed this Plan of Operation and Governance on behalf of its member and affiliate communities regarding government aggregation of firm, full requirements power supply electric for its consumers (the “Plan” or “Aggregation Program”). The Plan contains information on the structure, governance, operations, management, funding, and policies of the Aggregation Program to be utilized for participating consumers.

MVCC was formed in 1975 as a council of governments according to chapter 167 of the Ohio Revised Code. MVCC has acted as an agent for its members and affiliate communities to monitor, regulate and administer common cable television franchise agreements, manage the operation of the council’s cable access television channels, and develop and implement intergovernmental projects. The council is governed by a policy-making body consisting of delegates representing member cities. The council also has affiliate agreements with 24 other Miami Valley cities.

Now MVCC communities wish to proceed jointly to authorize MVCC to perform as their agent for development and administration of the Aggregation Program. Current Program members are the municipalities of Centerville, Germantown, Kettering, West Carrollton, Trotwood, Brookville, Englewood, Xenia, and Miamisburg. The Program may add other communities and thereby combine additional residential and small commercial customers into a buying pool that will be attractive to third party suppliers (Suppliers). Participation in the Program is voluntary. Any individual customer can decline to be a member of the aggregation program and remain with the AES (Local Utility) standard offer of service or to enter into a service contract with any competitive retail electric supplier.

The MVCC communities have passed the necessary ordinances to place the issue of electric governmental aggregation on the ballot. Voters in each community approved electric aggregation and the community decided to utilize MVCC and the following Plan outlined below. This Plan will not be adopted until two public hearings are held in accordance with Section 4928.20(C) of the Ohio Revised Code.

## **Process**

This Plan allows municipalities to join as either an opt-in municipality (“OIM”) or an opt-out municipality (“OOM”).

If a community joins the Program as an OIM, that community’s eligible residential and small business customers in the authorized areas shall receive an offer letter setting forth the rates, terms, and conditions of the program. To participate the eligible residential and



small business customers must affirmatively enroll in the Program by a specific deadline described in the offer letter.

If a community elects to become an OOM, all eligible residential and small business customers in the authorized areas of MVCC are automatically included as participants in the Aggregation Program unless they opt-out of the program by providing written notice of their intention not to participate. As required by Ohio Law, the various communities jointly participating in the MVCC electric governmental aggregation passed a Resolution or Ordinance, which authorized submitting the selection of opt-out aggregation to the community's voters. The voters approved opt-out aggregation in each community and the community decided to join the MVCC Program.

In addition to each community joining the MVCC program, it is also required to comply with various PUCO regulations. As required by PUCO regulations MVCC will file an application with the PUCO for certification as a Government Aggregator after MVCC approves this Plan. As required by regulations, MVCC advertised public hearing dates to discuss the Plan and held two hearings on the Plan.

MVCC anticipates selection of a Provider after receiving approval from the PUCO as a governmental aggregator. Upon Provider selection an opt-out notice for the MVCC Program will be sent to all eligible electric customers in MVCC's OOM communities setting forth the rates, terms, and conditions of the program. This notice will provide potential Aggregation participants at least 21 days to return an opt-out card or other similar notice.

### Contract

The focus of the MVCC Aggregation Program, as noted above, will be the acquisition of competitive prices and terms for power supply. The prices will be set through a competitive process and fully disclosed in either opt-in or opt-out consumer material provided to the potential consumer participants. Each Aggregation consumer shall be individually bound by the terms and conditions found in either the opt-out notice or opt-in letter and the Contract. Each Aggregation participant shall be solely responsible for payment and performance. Said charges shall take the form of either a fixed price or a price representing a percentage or price below the electric distribution utility's ("EDU") avoidable costs ("Avoidable") or Price to compare ("PTC"). These charges will also be available by calling the Provider's toll-free customer service telephone number.

MVCC Program's Retail Electric Generation Provider shall meet each of the following requirements:

- Has sufficient power supplies arranged and structure in place to provide retail firm power to the Members.



- Has a Federal Power Marketer license with the Federal Energy Regulatory Commission.
- Is certified as a CRES by the PUCO.
- Registered as a generation supplier with the EDU prior to flowing power to Members.
- Has appropriate Transmission Service agreement(s) in place to serve the Members.
- Has or has arranged for an Electronic Data Interchange computer network that is capable of handling MVCC's Members requirements with the EDU.
- Has the ability to educate Members on the MVCC Aggregation Program.
- Has or has arranged for a call center capable of handling MVCC's Aggregation Group customer calls.
- Has a toll-free number as required by the PUCO for customer service inquiries and potential complaints related to the MVCC Program.
- Will hold MVCC financially harmless from any financial obligations arising from supplying power to the Members.
- Satisfies the EDU's and MVCC's credit requirements.
- Will assist the MVCC group and its consultant in filing reports required by the PUCO and Sections 4805.10(A), 4911.18(A) and 4928.06(F) of the Ohio Revised Code.

## **Definitions**

To clarify certain terminology, the following terms shall have the meanings set forth below:

“Aggregation Program” or “Program” means the program developed by MVCC, as a Government Aggregator under Section 4928.20 Ohio Revised Code, to provide eligible residential and small business consumers with retail electric generation services.

“Government Aggregator” means Miami Valley Communications Council using its legislative authority to act as an aggregator for the provision of a competitive retail electric service under the authority conferred under Section 4928.20 of the Ohio Revised Code.

“Member” or “Aggregation Participant” means a person or consumer enrolled in the MVCC Program for competitive retail electric services.

“Retail Electric Generation Provider” (“Provider”) means an entity certified by the Public Utilities Commission of Ohio (“PUCO”) to provide competitive retail electric service(s), and which is chosen by MVCC to be the entity responsible to provide the required service related to Government Aggregation as defined in Section 4928.20 of the Ohio Revised Code and applicable provisions of the rules of the PUCO.

“Competitive Retail Electric Service” (“CRES”) means a component of electric retail service that is deemed competitive pursuant to the Ohio Revised Code or pursuant to an order of the PUCO.



## **Governmental Aggregation Services**

The Aggregation Program is designed to reduce the amount participating consumers pay for electric energy, and to gain other favorable economic and non-economic benefits from Ohio's competitive retail electric market. The Aggregation Program achieves the favorable benefits by combining the electric loads of residential customers and small commercial consumers into a buying group ("Aggregation Group"). MVCC will not buy and resell power but will represent consumers interests as a purchasing agent ("Purchasing Agent") for the Aggregation Group. This means that MVCC will be a Governmental Aggregator, as defined by Ohio law and the rules established by the PUCO, and shall act on behalf of eligible residential and small commercial consumers in the MVCC municipalities to: 1) select a Retail Electric Generation Provider ("Provider") to supply the Aggregation Group; 2) negotiate the terms of supply between the Provider and each Aggregation participant; and 3) oversee the enrollment procedures administered by the Provider.

## **Provider**

MVCC will use its Provider to perform and manage aggregation services for its Members. The Provider shall provide adequate, accurate, and understandable pricing terms and conditions of service, including any switching fees and the conditions under which a Member may rescind a contract without penalty. The Provider must provide MVCC or its authorized consultant, if requested, an electronic file containing the Members usage, and charges. Upon request this information shall be sent to MVCC or its authorized consultant within 30 days. The Provider must have local and/or a toll-free number for Members to call.

## **Database**

The MVCC will provide a letter to the Provider authorizing the Provider to obtain the list of eligible customers from the local utility and will be relying on the EDU to provide an accurate list of eligible customers. The consultant and Provider will use that list and remove customer records that have returned opt-out forms, are Percentage of Income Payment Plan (PIPP) customers or are ineligible due to being a mercantile customer.

The Provider will build and maintain a database of all Members. The database will include all necessary information for the Provider and MVCC to serve the Aggregation. This information includes but is not limited to the name, address, account number or other EDU identifying number(s), and Retail Electric Generation Provider's account number of the Member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage and demand, and meter read cycle. This database will be updated



and provided to MVCC and/or its consultant at least every quarter. Accordingly, the Provider will implement a process to accommodate at Members that: 1) leave the program due to relocation, opting out, etc.; 2) decide to enter or opt-into the Program; 3) relocate within eligible areas within the boundaries of MVCC member communities; and 4) move into the MVCC member communities boundaries and desire to enter or opt-in to the Program. This database shall also be capable of removing PIPP customers from the Program, should that be necessary, and those who have opted out. The Provider will use this database to perform bill audits for clerical and mathematical accuracy of Member generation supply bills.

### **Member Education**

The Provider will develop, with the assistance of MVCC and its authorized consultant, a retail electric competition consumer educational program that generally explains the Aggregation Program to its Members. The program will, when practical, provide consumer education messages that are consistent with the Aggregation Program designed purpose, provide updates and disclosures mandated by Ohio law and PUCO rules, and implements a process to deal with allowing any person enrolled in the Aggregation Program the opportunity to opt out of the program at least every three years, without paying a switching fee to MVCC or the Provider.

### **Customer Service**

The Provider will provide the customer service process that, at a minimum, will accommodate: 1) Member inquiries and complaints about billing; and 2) answer questions regarding the Program in general. This process will, at a minimum, include a description of how telephone inquiries will be overseen (either internally or externally), how invoices will be prepared, how remittance of payment will be dealt with, and how collections for delinquent accounts will be addressed. See Appendix B for a detailed description of the Customer Service Plan.

### **Billing**

MVCC will use the Provider, or its designated agent, to provide billing services to each Member for the Competitive Retail Electric Services, with no additional administrative fee. At this time, the EDU will render the billing statement, which should be consistent with all applicable guidelines issued by the PUCO. As this market develops, MVCC may, at its option and in consultation with the Provider, change this function to the Retail Electric Generation Provider or a billing agency.

### **Credit and Deposit Policies**

Collection and credit procedures remain the responsibility of the EDU, the Provider, and the individual Member. Members are required to remit and comply with the payment terms



of the Local Utility. This Program will not be responsible for late or no payment on the part of any of its members. MVCC will have no separate credit or deposit policy.

### **Customer Service Procedures & Dispute Resolution**

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability and billing should be directed to the EDU. The EDU continues to read meters, handle billing, and generally have the most information about a customer's account. Questions regarding the Program administration should go to the consultant, and any unresolved disputes should be directed to the Public Utilities Commission of Ohio. Listed below is a table of toll-free numbers for members to call for assistance.

### **Compliance Process**

The Provider will have internal controls and processes that ensure the MVCC remains in good standing as a Government Aggregator and that it complies with all laws, rules and regulations surrounding the same, as they may be amended from time to time. The Provider will deliver periodic reports to MVCC and its consultant that will include at a minimum (i) the number of Members participating in the Program; and (ii) savings estimates or increase from the previous year's baseline. The Provider will also develop a process to monitor and provide notification to MVCC of any changes in laws, rules, or regulations.

### **Notification to EDU**

In MVCC's OOM potential Aggregation participants that do not opt-out of the Aggregation Group will be enrolled automatically in the Aggregation Program. Such Members in the Aggregation Group will not be asked to take other affirmative steps to be included in the Group. In MVCC's OIM, potential Aggregation participants must affirmatively enroll in the Program to join the Aggregation Program. To the extent that the EDU requires notification of participation, MVCC will coordinate with its Provider to provide such notice to the EDU. The Provider will inform the EDU of any individuals who may have been permitted to join the Aggregation Group after the expiration of the enrollment period.

### **Opt-Out Activation of Service**

In an MVCC OOM, all eligible electric customers in the MVCC Program shall be sent a notice that provides 21 days to opt out of the Program. All eligible customers who do not opt out will be automatically enrolled in the Program. During this opt-out period eligible consumers may opt-out of MVCC's Aggregation Group without fees charged by the Provider or MVCC. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.



## **Opt-In Municipalities Activation of Service**

After an offer letter is sent to eligible electric customers in the OIM the potential Aggregation Participant shall have 21 days to affirmatively enroll in the Program. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.

## **Changes, Extension or Renewal of Service**

At least every three years all consumers eligible to participate in MVCC's Program in an OOM will be given an opportunity to opt into or out of the Program, and reasonable notice will be provided as required by law and PUCO rules. Participants will also be notified of their right to select an alternate generation supplier and of their ability to return to EDU's Standard Service Offer. At least every three years consumers eligible to participate in MVCC's Program in an OIM will be given an opportunity to re-enroll, and reasonable notice will be provided as required by law and PUCO rules.

## **Termination of Service**

If the Contract is terminated prior to the end of the term, each individual Member of the Aggregation Group will receive written notification of the termination of the Program at least sixty (60) days prior to termination of service. If the Contract is not extended or renewed, Members will be notified as required by law and the CRES rules of the PUCO in advance of the end of service. Members will also be notified of their right to select an alternate generation supplier and of their ability to return to the EDU's Standard Service Offer upon termination.

## **Opt-In Procedures**

Eligible consumers may request to join the Aggregation Group after the expiration of any enrollment period by contacting the Provider. The Contract shall determine whether the Provider accepts them into the Program, and, if so, at what rate. The agreed upon policy in the Contract shall be consistent with the EDU's service activation requirements. Aggregation Group participants who move from one location to another within eligible areas of MVCC shall retain their participant status.

## **Opt-out Outside Enrollment Period**



Members who switch to a different generation supplier after the expiration of the Opt-out period or affirmatively enrolling will be allowed to do so in correlation with the consumer's next scheduled meter read date but may be charged a switching fee in an amount and method determined by the Contract. Switching to a different generation supplier on the next meter read date, however, will occur when the next meter read date is twelve (12) business days or more from the date of the consumer's notice of intent to opt-out of the Aggregation Group. Notification of intent to opt-out of the Aggregation Group may be made by contacting the Provider by telephone or in writing. Members who opt-out of the Aggregation Group will default to the EDU's Standard Service Offer, until the consumer selects an alternate generation supplier.

### **MISCELLANEOUS GOVERNANCE GUIDELINES**

- A. The MVCC municipalities shall approve through Resolution or Ordinance the Plan of Operation and Governance for the Aggregation program and any Amendments thereto.
- B. MVCC shall contract with only Retail Electric Generation Providers certified by the Public Utilities Commission of Ohio for the provision of Competitive Retail Electric Service to the Aggregation Program Members.
- C. MVCC will require any Provider to disclose any subcontractors that it uses in fulfillment of the services described above.
- D. MVCC will require the Provider to maintain either a toll-free telephone number, or a telephone number that is local to MVCC Program Members.

### **Liability**

MVCC shall not be liable to Members in the Aggregation Group for any claims whatsoever arising out of the aggregation program or the provision of aggregation services by MVCC or the Provider. Aggregation Group members shall assert any such claims solely against the Provider pursuant to the Power Supply Agreement, under which such participants are express third-party beneficiaries.

### **Availability of Plan of Operation and Governance**

Copies of this plan are available from MVCC free of charge. Contact the MVCC office at 937-438-8887, for a copy or for more information.

### **Consumer Right to Contact PUCO and Ohio Consumers Counsel**



Any electric customer, including any participant in the MVCC Electric Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or make a complaint against the Program, the Provider. The PUCO may be reached toll free at 1-800-686-7826. The PUCO may be reached at 1-800-686-1570 for all TDD/TYY calls. The Ohio Consumers' Counsel may be reached at 1-877-742-5622.

## Appendix A -- Education Process

The Provider will develop an educational program in conjunction with MVCC. Its purpose will be to explain the aggregation program to MVCC Members, provide updates and disclosures as mandated by State law and the rules of the PUCO, and provide the opportunity for the members to opt out of the program. The following are the program components:

1. Each eligible consumer within the MVCC OOM limits will receive via U.S. Mail notification of: what government aggregation means, their membership in the government aggregation program, the procedure which must be followed in order to opt out of the program, the price that they can expect to receive as a member of the program, and the deadline for returning the opt out form. See the attached letter.
2. The Provider will work with MVCC to provide opportunities for educating eligible MVCC consumers about the Program and their rights under the law, PUCO rules and this Program. In addition, the Provider and MVCC will work to provide education about and other opportunities for energy efficiency measures to help consumers reduce energy consumption.
3. The Provider will provide updates and disclosures as mandated by State law and rules of the PUCO.
4. For MVCC OOM, the opt-out opportunity will be provided to the Members of the program at least every three years. Should conditions, suppliers, price, or any other component of the program change within the three-year period, participants will be given a notice of their opportunity to opt out of, or into the program.



Nov \_\_, 2022

DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

After researching competitive electricity pricing options for you, MVCC has chosen \_\_\_\_\_ to provide you with electric generation through \_\_\_\_\_. There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.

As a member of this aggregation, your electricity supplies will be priced at \_\_\_\_\_ or approximately \_\_\_\_\_ below your Price to Compare. Your Price to Compare is essentially the price you pay for electric generation from the utility and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.

To estimate what your savings per kilowatt-hour (KWH) will be through this program, locate your Price to Compare on your electric bill. Divide your Price to Compare by 100 then \_\_\_\_\_ to estimate your savings per KWH. Multiply that number by your total monthly usage to determine how much you can expect to save each month you use the same amount of electricity.

You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility – \_\_\_\_\_ – you have until \_\_\_\_\_ to return the attached “opt-out” form. If you do not opt out at this time, you will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX--XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,

**DRAFT**

To receive these savings, you do not have to do anything.

If you **do not** want to participate in the MVCC electric governmental aggregation program, Return the opt-out form in by the deadline date listed.

**Option 1: Do nothing and save.**

If you want to participate in this program and save, you do not need to return this form. Your enrollment is automatic.

**OR**

**Option 2: Opt out by returning this form.**

If you do not want to participate in this program, you must return this form before the due date.

Account #

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Service address (City, state, and Zip): \_\_\_\_\_

Phone number: \_\_\_\_\_

Account holder's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Opt Out Deadline Date:**

Mail by \_\_\_\_\_, 2022 to MVCC Electric Governmental Aggregation Program,  
\_\_\_\_\_



Nov \_\_, 2022

(OIM)DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

After researching competitive electricity pricing options for you, MVCC has chosen \_\_\_\_\_ to provide you with electric generation through \_\_\_\_\_. There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.

As a member of this aggregation, your electricity supplies will be priced at \_\_\_\_\_ or approximately \_\_\_\_\_ below your Price to Compare. Your Price to Compare is essentially the price you pay for electric generation from the utility and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.

To estimate what your savings per kilowatt-hour (KWH) will be through this program, locate your Price to Compare on your electric bill. Divide your Price to Compare by 100 then \_\_\_\_\_ to estimate your savings per KWH. Multiply that number by your total monthly usage to determine how much you can expect to save each month you use the same amount of electricity.

You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility, do nothing. If you would like to join the program, you must return the attached “opt-in” form by \_\_\_\_\_, 2022. You will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX--XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,





**Appendix B      Customer Service Plan**

A. Member Access:

1. Provider shall ensure Members reasonable access to their service representatives for inquiries, complaints, to discuss charges on Member bills, and transact any other business.
2. Telephone access shall be toll free and afford Members prompt answer times during normal business hours, as follows:

\_\_\_\_\_ Corporation  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_, \_\_\_\_\_  
**Toll-free telephone number:** 1- \_\_\_\_\_  
**Hours:** \_\_\_\_\_

3. Provider shall provide a 24-hour automated telephone message instructing callers to report any service interruptions or electrical emergencies to the EDU with appropriate phone numbers.

B. Member Complaints:

1. Provider shall investigate Member complaints (including complaints referred by EDU) and provide a status report within five calendar days following receipt of the complaint to:
  - a. The consumer when the complaint is made directly to the Provider; or
  - b. The consumer and The PUCO Staff (“Commission Staff”) when a complaint is referred to the Provider by the Commission Staff.
2. If an investigation is not completed within 14 calendar days, the Provider shall provide status reports to the consumer and MVCC, or if applicable, to the consumer, MVCC, the MVCC consultant and the Commission Staff. Such status reports shall be provided at five-day intervals until the investigation is complete, unless the action that must be taken will require more than five days and the Member has been so notified.
3. Provider shall inform the Member, or the Member, MVCC, MVCC consultant and Commission Staff, of the results of the investigation, orally or in writing, no later than five calendar days after completion of the investigation. The consumer, MVCC, the MVCC consultant, or Commission Staff may request the report in writing.



4. If a residential consumer disputes the Provider report, it shall inform the consumer that the Commission Staff is available to help resolve informal complaints. The provider shall provide the consumer with the current address, local/toll free telephone numbers, and TDD/TTY telephone numbers of the Commission's consumer services department.
5. Provider shall retain records of Member complaints, investigations, and complaint resolutions for one year after the occurrence of such complaints and shall provide such records to the Commission Staff within five calendar days of request.
6. Provider shall make good faith efforts to resolve disputes.

C. Member Billing and Payments

1. The provider shall arrange for the EDU or its agent to bill Members for such services according to a tariff approved by the commission. Residential Member bills issued by or for the Provider shall be accurate and understandable, be rendered at intervals consistent with those of the EDU and contain sufficient information for Members to compute and compare the total cost of competitive retail electric service (s). Such bills shall also include:
  - a. The Member's name, billing address, service address, the Member's EDU account number, and if applicable, Provider account number;
  - b. The dates of service covered by the bill, an itemization of each type of competitive service covered by the bill, any related billing components, the charge for each type of service, and any other information the Member would need to recalculate the bill for accuracy;
  - c. The applicable billing determinants, including beginning meter reading, ending meter reading(s), demand meter reading(s), multipliers, consumption(s), and demands;
  - d. For Member-generators with net metering contracts, a statement of the net metered generation;
  - e. The unit price per kWh charged for competitive service, as calculated by dividing current-period competitive service charges by the current-period consumption;
  - f. An identification of the provider of each service appearing on the bill;
  - g. The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the Member's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable.



2. The due date for payment to keep the account current. Such due date shall be no less than:
  - a. Fourteen days after the postmark date on the bill for residential Member and Twenty-one days after the postmark date or the bill for nonresidential Members;
  - b. Current balance of the account if a residential Member is billed according to a budget plan;
  - c. Options and instructions on how Members may make their payments;
  - d. For each provider, whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for Member billing questions or complaints;
  - e. A listing of the toll-free consumer assistance telephone numbers and available hours for applicable state agencies, such as the commission, the Ohio Consumers' Counsel, and the Ohio Attorney General's office;
  - f. The AES Ohio or other EDU 24-hour local/toll-free telephone number for reporting service emergencies;
  - g. Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
  - h. An explanation of any codes and abbreviations used.
3. If applicable, Provider will, upon request, provide Members with the name and street address/location of the nearest payment center and/or authorized payment agent.
4. If applicable, when a Member pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the Member's account as of the day such payment center or agent receives it.
5. MVCC and the Provider shall establish policies and procedures for handling billing disputes and requests for payment arrangements.

D. Collections for delinquent accounts:

The EDU's credit and collection policies will apply to Program Members and shall be administered by the EDU. Neither the Governmental Aggregator, nor Provider, will implement additional policies with respect to credit, deposits, and collections. Failure to pay for Competitive Retail Electric Services may result in cancellation of the Member's contract with the Provider and return the Member to the EDU's Standard Service Offer.





# **Miami Valley Communications Council**

## **Electric Power Aggregation Operation and Governance Plan**

**For additional information contact Miami Valley Communications Council:**

**Jay Weiskircher, Executive Director**

**Phone: 937-424-1660**

**Email: [jweiskircher@mvcc.net](mailto:jweiskircher@mvcc.net)**

## **Introduction**

The Miami Valley Communications Council ("MVCC") has developed this Plan of Operation and Governance on behalf of its member and affiliate communities regarding government aggregation of firm, full requirements power supply electric for its consumers (the "Plan" or "Aggregation Program"). The Plan contains information on the structure, governance, operations, management, funding, and policies of the Aggregation Program to be utilized for participating consumers.

MVCC was formed in 1975 as a council of governments according to chapter 167 of the Ohio Revised Code. MVCC has acted as an agent for its members and affiliate communities to monitor, regulate and administer common cable television franchise agreements, manage the operation of the council's cable access television channels, and develop and implement intergovernmental projects. The council is governed by a policy-making body consisting of delegates representing member cities. The council also has affiliate agreements with 24 other Miami Valley cities.

Now MVCC communities wish to proceed jointly to authorize MVCC to perform as their agent for development and administration of the Aggregation Program. Current Program members are the municipalities of Centerville, Germantown, Kettering, West Carrollton, Trotwood, Brookville, Englewood, Xenia, and Miamisburg. The Program may add other communities and thereby combine additional residential and small commercial customers into a buying pool that will be attractive to third party suppliers (Suppliers). Participation in the Program is voluntary. Any individual customer can decline to be a member of the aggregation program and remain with the AES (Local Utility) standard offer of service or to enter into a service contract with any competitive retail electric supplier.

The MVCC communities have passed the necessary ordinances to place the issue of electric governmental aggregation on the ballot. Voters in each community approved electric aggregation and the community decided to utilize MVCC and the following Plan outlined below. This Plan will not be adopted until two public hearings are held in accordance with Section 4928.20(C) of the Ohio Revised Code.

## **Process**

This Plan allows municipalities to join as either an opt-in municipality ("OIM") or an opt-out municipality ("OOM").

If a community joins the Program as an OIM, that community's eligible residential and small business customers in the authorized areas shall receive an offer letter setting forth the rates, terms, and conditions of the program. To participate the eligible residential and



small business customers must affirmatively enroll in the Program by a specific deadline described in the offer letter.

If a community elects to become an OOM, all eligible residential and small business customers in the authorized areas of MVCC are automatically included as participants in the Aggregation Program unless they opt-out of the program by providing written notice of their intention not to participate. As required by Ohio Law, the various communities jointly participating in the MVCC electric governmental aggregation passed a Resolution or Ordinance, which authorized submitting the selection of opt-out aggregation to the community's voters. The voters approved opt-out aggregation in each community and the community decided to join the MVCC Program.

In addition to each community joining the MVCC program, it is also required to comply with various PUCO regulations. As required by PUCO regulations MVCC will file an application with the PUCO for certification as a Government Aggregator after MVCC approves this Plan. As required by regulations, MVCC advertised public hearing dates to discuss the Plan and held two hearings on the Plan.

MVCC anticipates selection of a Provider after receiving approval from the PUCO as a governmental aggregator. Upon Provider selection an opt-out notice for the MVCC Program will be sent to all eligible electric customers in MVCC's OOM communities setting forth the rates, terms, and conditions of the program. This notice will provide potential Aggregation participants at least 21 days to return an opt-out card or other similar notice.

### Contract

The focus of the MVCC Aggregation Program, as noted above, will be the acquisition of competitive prices and terms for power supply. The prices will be set through a competitive process and fully disclosed in either opt-in or opt-out consumer material provided to the potential consumer participants. Each Aggregation consumer shall be individually bound by the terms and conditions found in either the opt-out notice or opt-in letter and the Contract. Each Aggregation participant shall be solely responsible for payment and performance. Said charges shall take the form of either a fixed price or a price representing a percentage or price below the electric distribution utility's ("EDU") avoidable costs ("Avoidable") or Price to compare ("PTC"). These charges will also be available by calling the Provider's toll-free customer service telephone number.

MVCC Program's Retail Electric Generation Provider shall meet each of the following requirements:

- Has sufficient power supplies arranged and structure in place to provide retail firm power to the Members.



- Has a Federal Power Marketer license with the Federal Energy Regulatory Commission.
- Is certified as a CRES by the PUCO.
- Registered as a generation supplier with the EDU prior to flowing power to Members.
- Has appropriate Transmission Service agreement(s) in place to serve the Members.
- Has or has arranged for an Electronic Data Interchange computer network that is capable of handling MVCC's Members requirements with the EDU.
- Has the ability to educate Members on the MVCC Aggregation Program.
- Has or has arranged for a call center capable of handling MVCC's Aggregation Group customer calls.
- Has a toll-free number as required by the PUCO for customer service inquiries and potential complaints related to the MVCC Program.
- Will hold MVCC financially harmless from any financial obligations arising from supplying power to the Members.
- Satisfies the EDU's and MVCC's credit requirements.
- Will assist the MVCC group and its consultant in filing reports required by the PUCO and Sections 4805.10(A), 4911.18(A) and 4928.06(F) of the Ohio Revised Code.

## Definitions

To clarify certain terminology, the following terms shall have the meanings set forth below:

“Aggregation Program” or “Program” means the program developed by MVCC, as a Government Aggregator under Section 4928.20 Ohio Revised Code, to provide eligible residential and small business consumers with retail electric generation services.

“Government Aggregator” means Miami Valley Communications Council using its legislative authority to act as an aggregator for the provision of a competitive retail electric service under the authority conferred under Section 4928.20 of the Ohio Revised Code.

“Member” or “Aggregation Participant” means a person or consumer enrolled in the MVCC Program for competitive retail electric services.

“Retail Electric Generation Provider” (“Provider”) means an entity certified by the Public Utilities Commission of Ohio (“PUCO”) to provide competitive retail electric service(s), and which is chosen by MVCC to be the entity responsible to provide the required service related to Government Aggregation as defined in Section 4928.20 of the Ohio Revised Code and applicable provisions of the rules of the PUCO.

“Competitive Retail Electric Service” (“CRES”) means a component of electric retail service that is deemed competitive pursuant to the Ohio Revised Code or pursuant to an order of the PUCO.



## **Governmental Aggregation Services**

The Aggregation Program is designed to reduce the amount participating consumers pay for electric energy, and to gain other favorable economic and non-economic benefits from Ohio's competitive retail electric market. The Aggregation Program achieves the favorable benefits by combining the electric loads of residential customers and small commercial consumers into a buying group ("Aggregation Group"). MVCC will not buy and resell power but will represent consumers interests as a purchasing agent ("Purchasing Agent") for the Aggregation Group. This means that MVCC will be a Governmental Aggregator, as defined by Ohio law and the rules established by the PUCO, and shall act on behalf of eligible residential and small commercial consumers in the MVCC municipalities to: 1) select a Retail Electric Generation Provider ("Provider") to supply the Aggregation Group; 2) negotiate the terms of supply between the Provider and each Aggregation participant; and 3) oversee the enrollment procedures administered by the Provider.

### **Provider**

MVCC will use its Provider to perform and manage aggregation services for its Members. The Provider shall provide adequate, accurate, and understandable pricing terms and conditions of service, including any switching fees and the conditions under which a Member may rescind a contract without penalty. The Provider must provide MVCC or its authorized consultant, if requested, an electronic file containing the Members usage, and charges. Upon request this information shall be sent to MVCC or its authorized consultant within 30 days. The Provider must have local and/or a toll-free number for Members to call.

### **Database**

The MVCC will provide a letter to the Provider authorizing the Provider to obtain the list of eligible customers from the local utility and will be relying on the EDU to provide an accurate list of eligible customers. The consultant and Provider will use that list and remove customer records that have returned opt-out forms, are Percentage of Income Payment Plan (PIPP) customers or are ineligible due to being a mercantile customer.

The Provider will build and maintain a database of all Members. The database will include all necessary information for the Provider and MVCC to serve the Aggregation. This information includes but is not limited to the name, address, account number or other EDU identifying number(s), and Retail Electric Generation Provider's account number of the Member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage and demand, and meter read cycle. This database will be updated



and provided to MVCC and/or its consultant at least every quarter. Accordingly, the Provider will implement a process to accommodate at Members that: 1) leave the program due to relocation, opting out, etc.; 2) decide to enter or opt-into the Program; 3) relocate within eligible areas within the boundaries of MVCC member communities; and 4) move into the MVCC member communities boundaries and desire to enter or opt-in to the Program. This database shall also be capable of removing PIPP customers from the Program, should that be necessary, and those who have opted out. The Provider will use this database to perform bill audits for clerical and mathematical accuracy of Member generation supply bills.

### **Member Education**

The Provider will develop, with the assistance of MVCC and its authorized consultant, a retail electric competition consumer educational program that generally explains the Aggregation Program to its Members. The program will, when practical, provide consumer education messages that are consistent with the Aggregation Program designed purpose, provide updates and disclosures mandated by Ohio law and PUCO rules, and implements a process to deal with allowing any person enrolled in the Aggregation Program the opportunity to opt out of the program at least every three years, without paying a switching fee to MVCC or the Provider.

### **Customer Service**

The Provider will provide the customer service process that, at a minimum, will accommodate: 1) Member inquiries and complaints about billing; and 2) answer questions regarding the Program in general. This process will, at a minimum, include a description of how telephone inquiries will be overseen (either internally or externally), how invoices will be prepared, how remittance of payment will be dealt with, and how collections for delinquent accounts will be addressed. See Appendix B for a detailed description of the Customer Service Plan.

### **Billing**

MVCC will use the Provider, or its designated agent, to provide billing services to each Member for the Competitive Retail Electric Services, with no additional administrative fee. At this time, the EDU will render the billing statement, which should be consistent with all applicable guidelines issued by the PUCO. As this market develops, MVCC may, at its option and in consultation with the Provider, change this function to the Retail Electric Generation Provider or a billing agency.

### **Credit and Deposit Policies**

Collection and credit procedures remain the responsibility of the EDU, the Provider, and the individual Member. Members are required to remit and comply with the payment terms



of the Local Utility. This Program will not be responsible for late or no payment on the part of any of its members. MVCC will have no separate credit or deposit policy.

### **Customer Service Procedures & Dispute Resolution**

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability and billing should be directed to the EDU. The EDU continues to read meters, handle billing, and generally have the most information about a customer's account. Questions regarding the Program administration should go to the consultant, and any unresolved disputes should be directed to the Public Utilities Commission of Ohio. Listed below is a table of toll-free numbers for members to call for assistance.

### **Compliance Process**

The Provider will have internal controls and processes that ensure the MVCC remains in good standing as a Government Aggregator and that it complies with all laws, rules and regulations surrounding the same, as they may be amended from time to time. The Provider will deliver periodic reports to MVCC and its consultant that will include at a minimum (i) the number of Members participating in the Program; and (ii) savings estimates or increase from the previous year's baseline. The Provider will also develop a process to monitor and provide notification to MVCC of any changes in laws, rules, or regulations.

### **Notification to EDU**

In MVCC's OOM potential Aggregation participants that do not opt-out of the Aggregation Group will be enrolled automatically in the Aggregation Program. Such Members in the Aggregation Group will not be asked to take other affirmative steps to be included in the Group. In MVCC's OIM, potential Aggregation participants must affirmatively enroll in the Program to join the Aggregation Program. To the extent that the EDU requires notification of participation, MVCC will coordinate with its Provider to provide such notice to the EDU. The Provider will inform the EDU of any individuals who may have been permitted to join the Aggregation Group after the expiration of the enrollment period.

### **Opt-Out Activation of Service**

In an MVCC OOM, all eligible electric customers in the MVCC Program shall be sent a notice that provides 21 days to opt out of the Program. All eligible customers who do not opt out will be automatically enrolled in the Program. During this opt-out period eligible consumers may opt-out of MVCC's Aggregation Group without fees charged by the Provider or MVCC. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.



## **Opt-In Municipalities Activation of Service**

After an offer letter is sent to eligible electric customers in the OIM the potential Aggregation Participant shall have 21 days to affirmatively enroll in the Program. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.

## **Changes, Extension or Renewal of Service**

At least every three years all consumers eligible to participate in MVCC's Program in an OOM will be given an opportunity to opt into or out of the Program, and reasonable notice will be provided as required by law and PUCO rules. Participants will also be notified of their right to select an alternate generation supplier and of their ability to return to EDU's Standard Service Offer. At least every three years consumers eligible to participate in MVCC's Program in an OIM will be given an opportunity to re-enroll, and reasonable notice will be provided as required by law and PUCO rules.

## **Termination of Service**

If the Contract is terminated prior to the end of the term, each individual Member of the Aggregation Group will receive written notification of the termination of the Program at least sixty (60) days prior to termination of service. If the Contract is not extended or renewed, Members will be notified as required by law and the CRES rules of the PUCO in advance of the end of service. Members will also be notified of their right to select an alternate generation supplier and of their ability to return to the EDU's Standard Service Offer upon termination.

## **Opt-In Procedures**

Eligible consumers may request to join the Aggregation Group after the expiration of any enrollment period by contacting the Provider. The Contract shall determine whether the Provider accepts them into the Program, and, if so, at what rate. The agreed upon policy in the Contract shall be consistent with the EDU's service activation requirements. Aggregation Group participants who move from one location to another within eligible areas of MVCC shall retain their participant status.

## **Opt-out Outside Enrollment Period**



Members who switch to a different generation supplier after the expiration of the Opt-out period or affirmatively enrolling will be allowed to do so in correlation with the consumer's next scheduled meter read date but may be charged a switching fee in an amount and method determined by the Contract. Switching to a different generation supplier on the next meter read date, however, will occur when the next meter read date is twelve (12) business days or more from the date of the consumer's notice of intent to opt-out of the Aggregation Group. Notification of intent to opt-out of the Aggregation Group may be made by contacting the Provider by telephone or in writing. Members who opt-out of the Aggregation Group will default to the EDU's Standard Service Offer, until the consumer selects an alternate generation supplier.

### **MISCELLANEOUS GOVERNANCE GUIDELINES**

- A. The MVCC municipalities shall approve through Resolution or Ordinance the Plan of Operation and Governance for the Aggregation program and any Amendments thereto.
- B. MVCC shall contract with only Retail Electric Generation Providers certified by the Public Utilities Commission of Ohio for the provision of Competitive Retail Electric Service to the Aggregation Program Members.
- C. MVCC will require any Provider to disclose any subcontractors that it uses in fulfillment of the services described above.
- D. MVCC will require the Provider to maintain either a toll-free telephone number, or a telephone number that is local to MVCC Program Members.

### **Liability**

MVCC shall not be liable to Members in the Aggregation Group for any claims whatsoever arising out of the aggregation program or the provision of aggregation services by MVCC or the Provider. Aggregation Group members shall assert any such claims solely against the Provider pursuant to the Power Supply Agreement, under which such participants are express third-party beneficiaries.

### **Availability of Plan of Operation and Governance**

Copies of this plan are available from MVCC free of charge. Contact the MVCC office at 937-438-8887, for a copy or for more information.

### **Consumer Right to Contact PUCO and Ohio Consumers Counsel**

Any electric customer, including any participant in the MVCC Electric Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or make a complaint against the Program, the Provider. The PUCO may be reached toll free at 1-800-686-7826. The PUCO may be reached at 1-800-686-1570 for all TDD/TYY calls. The Ohio Consumers' Counsel may be reached at 1-877-742-5622.



## Appendix A -- Education Process

The Provider will develop an educational program in conjunction with MVCC. Its purpose will be to explain the aggregation program to MVCC Members, provide updates and disclosures as mandated by State law and the rules of the PUCO, and provide the opportunity for the members to opt out of the program. The following are the program components:

1. Each eligible consumer within the MVCC OOM limits will receive via U.S. Mail notification of: what government aggregation means, their membership in the government aggregation program, the procedure which must be followed in order to opt out of the program, the price that they can expect to receive as a member of the program, and the deadline for returning the opt out form. See the attached letter.
2. The Provider will work with MVCC to provide opportunities for educating eligible MVCC consumers about the Program and their rights under the law, PUCO rules and this Program. In addition, the Provider and MVCC will work to provide education about and other opportunities for energy efficiency measures to help consumers reduce energy consumption.
3. The Provider will provide updates and disclosures as mandated by State law and rules of the PUCO.
4. For MVCC OOM, the opt-out opportunity will be provided to the Members of the program at least every three years. Should conditions, suppliers, price, or any other component of the program change within the three-year period, participants will be given a notice of their opportunity to opt out of, or into the program.



Nov \_\_\_\_, 2022

DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

After researching competitive electricity pricing options for you, MVCC has chosen \_\_\_\_\_ to provide you with electric generation through \_\_\_\_\_. There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.

As a member of this aggregation, your electricity supplies will be priced at \_\_\_\_\_ or approximately \_\_\_\_\_ below your Price to Compare. Your Price to Compare is essentially the price you pay for electric generation from the utility and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.

To estimate what your savings per kilowatt-hour (KWH) will be through this program, locate your Price to Compare on your electric bill. Divide your Price to Compare by 100 then \_\_\_\_\_ to estimate your savings per KWH. Multiply that number by your total monthly usage to determine how much you can expect to save each month you use the same amount of electricity.

You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility – \_\_\_\_\_ – you have until \_\_\_\_\_ to return the attached “opt-out” form. If you do not opt out at this time, you will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX--XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,



**DRAFT**

To receive these savings, you do not have to do anything.

If you do not want to participate in the MVCC electric governmental aggregation program, Return the opt-out form in by the deadline date listed.

Option 1: Do nothing and save.

If you want to participate in this program and save, you do not need to return this form. Your enrollment is automatic.

OR

Option 2: Opt out by returning this form.

If you do not want to participate in this program, you must return this form before the due date.

Account #

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Service address (City, state, and Zip): \_\_\_\_\_

Phone number: \_\_\_\_\_

Account holder's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Opt Out Deadline Date:**

Mail by \_\_\_\_\_, 2022 to MVCC Electric Governmental Aggregation Program,

\_\_\_\_\_

Nov \_\_, 2022

(OIM)DRAFT

Dear \_\_\_\_\_ Resident/Small Commercial Customer,

Miami Valley Communications Council is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program in May 2003.

After researching competitive electricity pricing options for you, MVCC has chosen \_\_\_\_\_ to provide you with electric generation through \_\_\_\_\_. There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.

As a member of this aggregation, your electricity supplies will be priced at \_\_\_\_\_ or approximately \_\_\_\_\_ below your Price to Compare. Your Price to Compare is essentially the price you pay for electric generation from the utility and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.

To estimate what your savings per kilowatt-hour (KWH) will be through this program, locate your Price to Compare on your electric bill. Divide your Price to Compare by 100 then \_\_\_\_\_ to estimate your savings per KWH. Multiply that number by your total monthly usage to determine how much you can expect to save each month you use the same amount of electricity.

You will see your electric savings after your enrollment has been completed and your switch has been finalized – approximately 30 - 45 days, depending upon your meter read date. Of course, you are not obligated to participate in the MVCC electric governmental aggregation program. If you wish to be excluded from the program and remain a full-service customer of your local electric utility, do nothing. If you would like to join the program, you must return the attached “opt-in” form by \_\_\_\_\_, 2022. \_\_\_\_\_ You will receive a notice at least every three years asking if you wish to remain in the program. You can leave the program at any time.

After you become a participant in this governmental aggregation program, your local electric distribution utility will send you a notice confirming your selection of \_\_\_\_\_ as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with \_\_\_\_\_ within seven days of its postmark. To remain in MVCC’s governmental aggregation program, you do not need to take any action when this letter arrives.

Your local electric distribution utility will continue to maintain the system that delivers power to your home or business – no new poles or wires will be built by \_\_\_\_\_. You will continue to receive a single, easy-to-read bill from your local electric utility that includes with your \_\_\_\_\_ charges included. The only thing you will notice is savings.

If you have any questions, please call \_\_\_\_\_ toll-free at 1-866-XXX-XXXX, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,





**Appendix B      Customer Service Plan**

A. Member Access:

1. Provider shall ensure Members reasonable access to their service representatives for inquiries, complaints, to discuss charges on Member bills, and transact any other business.
2. Telephone access shall be toll free and afford Members prompt answer times during normal business hours, as follows:

\_\_\_\_\_ Corporation  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_, \_\_\_\_\_  
**Toll-free telephone number:** 1- \_\_\_\_\_  
**Hours:** \_\_\_\_\_

3. Provider shall provide a 24-hour automated telephone message instructing callers to report any service interruptions or electrical emergencies to the EDU with appropriate phone numbers.

B. Member Complaints:

1. Provider shall investigate Member complaints (including complaints referred by EDU) and provide a status report within five calendar days following receipt of the complaint to:
  - a. The consumer when the complaint is made directly to the Provider; or
  - b. The consumer and The PUCO Staff ("Commission Staff") when a complaint is referred to the Provider by the Commission Staff.
2. If an investigation is not completed within 14 calendar days, the Provider shall provide status reports to the consumer and MVCC, or if applicable, to the consumer, MVCC, the MVCC consultant and the Commission Staff. Such status reports shall be provided at five-day intervals until the investigation is complete, unless the action that must be taken will require more than five days and the Member has been so notified.
3. Provider shall inform the Member, or the Member, MVCC, MVCC consultant and Commission Staff, of the results of the investigation, orally or in writing, no later than five calendar days after completion of the investigation. The consumer, MVCC, the MVCC consultant, or Commission Staff may request the report in writing.



4. If a residential consumer disputes the Provider report, it shall inform the consumer that the Commission Staff is available to help resolve informal complaints. The provider shall provide the consumer with the current address, local/toll free telephone numbers, and TDD/TTY telephone numbers of the Commission's consumer services department.
5. Provider shall retain records of Member complaints, investigations, and complaint resolutions for one year after the occurrence of such complaints and shall provide such records to the Commission Staff within five calendar days of request.
6. Provider shall make good faith efforts to resolve disputes.

C. Member Billing and Payments

1. The provider shall arrange for the EDU or its agent to bill Members for such services according to a tariff approved by the commission. Residential Member bills issued by or for the Provider shall be accurate and understandable, be rendered at intervals consistent with those of the EDU and contain sufficient information for Members to compute and compare the total cost of competitive retail electric service (s). Such bills shall also include:
  - a. The Member's name, billing address, service address, the Member's EDU account number, and if applicable, Provider account number;
  - b. The dates of service covered by the bill, an itemization of each type of competitive service covered by the bill, any related billing components, the charge for each type of service, and any other information the Member would need to recalculate the bill for accuracy;
  - c. The applicable billing determinants, including beginning meter reading, ending meter reading(s), demand meter reading(s), multipliers, consumption(s), and demands;
  - d. For Member-generators with net metering contracts, a statement of the net metered generation;
  - e. The unit price per kWh charged for competitive service, as calculated by dividing current-period competitive service charges by the current-period consumption;
  - f. An identification of the provider of each service appearing on the bill;
  - g. The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the Member's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable.



2. The due date for payment to keep the account current. Such due date shall be no less than:
  - a. Fourteen days after the postmark date on the bill for residential Member and Twenty-one days after the postmark date or the bill for nonresidential Members;
  - b. Current balance of the account if a residential Member is billed according to a budget plan;
  - c. Options and instructions on how Members may make their payments;
  - d. For each provider, whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for Member billing questions or complaints;
  - e. A listing of the toll-free consumer assistance telephone numbers and available hours for applicable state agencies, such as the commission, the Ohio Consumers' Counsel, and the Ohio Attorney General's office;
  - f. The AES Ohio or other EDU 24-hour local/toll-free telephone number for reporting service emergencies;
  - g. Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
  - h. An explanation of any codes and abbreviations used.
3. If applicable, Provider will, upon request, provide Members with the name and street address/location of the nearest payment center and/or authorized payment agent.
4. If applicable, when a Member pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the Member's account as of the day such payment center or agent receives it.
5. MVCC and the Provider shall establish policies and procedures for handling billing disputes and requests for payment arrangements.

D. Collections for delinquent accounts:

The EDU's credit and collection policies will apply to Program Members and shall be administered by the EDU. Neither the Governmental Aggregator, nor Provider, will implement additional policies with respect to credit, deposits, and collections. Failure to pay for Competitive Retail Electric Services may result in cancellation of the Member's contract with the Provider and return the Member to the EDU's Standard Service Offer.



A RESOLUTION

BY \_\_\_\_\_

NO \_\_\_\_\_

TO AUTHORIZE AND DIRECT THE CITY MANAGER TO SUBMIT AN APPLICATION FOR OHIO DEPARTMENT OF TRANSPORTATION (ODOT) HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDING IN CONNECTION WITH A PROPOSED ROUNDABOUT PROJECT AT THE FIVE POINTS INTERSECTION; AND TO PROVIDE SUCH RELATED INFORMATION AS MAY BE NECESSARY TO EVALUATE THE SAME.

WHEREAS, last year, the city commissioned a traffic signal study with the primary purpose of developing a long-range plan for major capital improvements to Oakwood’s traffic signal system as much of the system will reach the end of its useful life over the next 5-10 years; and

WHEREAS, over the past few months, the study focused on the Far Hills Avenue (State Route 48), Oakwood Avenue, and Thruston Boulevard intersection, often referred to as Five Points. The Five Points intersection is the most complex traffic intersection in Oakwood, and its design is central to the safe and efficient movement of traffic through the city. It also has pedestrian traffic at certain times, which requires the safest possible intersection design; and

WHEREAS, between April and July 2023, the city communicated with the Oakwood community on multiple occasions via mailings, press releases, public meetings, and website postings to share information about the traffic signal study and the study of the Five Points intersection, including the possible conversion of that intersection from a traditional traffic signal to a roundabout; and

WHEREAS, included with the communications was information about the possibility of obtaining state and/or federal grant money to pay for a majority of the costs to build a roundabout, in the event that the city council votes to proceed with the project; and

WHEREAS, major considerations on whether to build the roundabout include the impact on public safety and the project cost;

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

SECTION I.

The City Manager is hereby authorized and directed to submit an Application for Financial Assistance to ODOT under the Highway Safety Improvement Program in connection with a Five Points Roundabout Project; to provide such information as may be requested by the administrator(s) thereof; and to execute such documents and agreements as may be necessary and appropriate to pursue grant funding hereunder.

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 any of its committees that resulted in such formal action were in compliance with all legal requirements including §121.22, Ohio Revised Code.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

TO THE CLERK:

Publication of this resolution is not required.

\_\_\_\_\_  
City Attorney

A RESOLUTION

BY: \_\_\_\_\_ NO. \_\_\_\_\_

AMENDING THE SPECIAL USE PERMIT FOR EXTENDED OPERATING HOURS PREVIOUSLY GRANTED TO INSOMNIA COOKIES, 6 OAKWOOD AVENUE, UNIT C, PURSUANT TO APPLICATION 22-3, CONVERTING THE SAME FROM “TRIAL BASIS” STATUS TO PERMANENT.

WHEREAS, Insomnia Cookies opened in May 2022 as a permitted business use (bakery) located at 6 Oakwood Avenue, Unit C, which is within the zoning district known as the Neighborhood Business District (NBD); and

WHEREAS, pursuant to the Oakwood Zoning Code, permitted operating hours within the NBD are 7:00 a.m. to 9:00 p.m., unless otherwise authorized by Special Use permit; and

WHEREAS, in August 2022, Council adopted Resolution No. 1897, approving a Special Use permit for Insomnia Cookies whereby:

- Retail operations may be open until 10:00 p.m. on Sunday through Thursday evenings, and until 11:00 p.m. on Fridays and Saturdays; and
- Delivery operations may be extended until 2:00 a.m., seven days a week; and

WHEREAS, due to concerns about potential foot traffic and noise, which Council considered speculative but not unfounded, Resolution No. 1897 stipulated that the Special Use permit was granted on a trial basis, subject to reevaluation by Council at its August 2023 regular meeting; and

WHEREAS, city staff has reported to Council that in the intervening year of operation, no complaints have been received with regard to extended hours at Insomnia Cookies;

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

SECTION I.

Council has reevaluated the Special Use permit for extended operating hours at Insomnia Cookies, 6 Oakwood Avenue, Unit C, and hereby finds and determines that no complaints have been received regarding the same and that a continued trial period is no longer warranted.

SECTION II.

Resolution No. 1897 shall be and hereby is amended to terminate the “trial basis” condition and to make the hours granted therein permanent, as if approved without conditions.

SECTION III.

The Planning and Zoning Department is hereby directed to issue an updated Special Use permit to the applicant consistent with this resolution.

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 Revised Code, Sec. 121.22.

SECTION V.

This Resolution shall be and remain in effect upon its passage.

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

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



ATTEST:

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Clerk of Council

TO THE CLERK:

No publication is required.

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City Attorney Robert F. Jacques

**Introductions for Legislation  
8/7/2023 Council Meeting**

**Mrs. Turben**

A RESOLUTION APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE MIAMI VALLEY COMMUNICATIONS COUNCIL RETAIL ELECTRIC SUPPLY AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING THE SAME FOR THE CITY OF OAKWOOD.

This is the second reading of a resolution to join the electric supply aggregation program recently launched by the Miami Valley Communications Council (“MVCC”).

With the move to deregulate public utilities in the early 2000’s, which was intended to promote competition and lower costs, there have been two ways for utility customers to obtain electric or natural gas supply. The default is to pay the “standard choice offer” rate charged by the utility company that delivers electricity and natural gas in their area, which for us is AES for electricity and CenterPoint for natural gas. The alternative is to sign up with a third-party supplier, which can be done on an individual basis or via a governmental aggregation program. These programs allow cities to negotiate competitive rates with third-party suppliers who provide electricity or natural gas to retail utility customers. In 2003 Oakwood voters authorized the city to participate in utility aggregation, if a suitable program became available.

Currently Oakwood does not have its own aggregation program but is a member of MVCC, which is in the process of developing aggregation programs for both electricity and natural gas. MVCC’s electric aggregation program is currently up and running, and the natural gas program is anticipated to begin in 2024. As an MVCC member community, Oakwood is permitted to join these programs. The advantage of joining MVCC is the larger group size, which gives additional bargaining leverage due to economies of scale.

MVCC’s program is primarily offered on an OPT-OUT basis, which means residents in participating communities are automatically enrolled in the program unless they take affirmative steps to opt out. However, communities may also join on an OPT-IN basis, meaning that no one is enrolled automatically; they must enroll themselves. Oakwood City Council has discussed this extensively in work sessions and believes that the best approach for our city is to join on an OPT-IN basis. In this way, individual residents will make their own deliberate choice on whether to: 1) opt into the MVCC program; 2) stay with the “standard choice offer”; or 3) choose their own third-party supplier.

In order to join the MVCC program, state law requires Council to hold two public hearings and approve the Plan of Operation and Governance for the MVCC electric aggregation program. The first public hearing was held at the July 17 meeting. The second public hearing and vote on the resolution will be held tonight.

At this time, I turn it over to Mayor Duncan to conduct the public hearing.

*(MAYOR DUNCAN CONDUCTS THE HEARING:*



*As Council member Turben noted, Council is required to hold two public hearings before adopting a resolution to join the MVCC electric aggregation program. We held the first one last month, and this is the second.*

*Before we begin, I'd like to go over the procedure for the hearing, which will follow our usual format:*

- I will start by asking Law Director Rob Jacques to comment briefly on the MVCC aggregation program.*
- Thereafter, I will open the "public hearing" portion of the meeting to take public testimony. We will start with anyone who wishes to speak IN SUPPORT of the aggregation plan, and then we will hear from anyone who wishes to speak AGAINST it.*
- When the public testimony has concluded, we will close tonight's public hearing. Council will then deliberate and vote on the resolution.*

*Before opening the public hearing, I would like to ask the Law Director to swear in those who wish to testify tonight. (LAW DIRECTOR WILL SWEAR IN WITNESSES EN MASSE.)*

*Mr. Jacques, please tell us about the MVCC aggregation program.*

*I now open the public hearing. Is there anyone here who wishes to speak IN SUPPORT OF the aggregation plan?*

*Is there anyone here who wishes to speak AGAINST the plan?*

*I now close the public hearing.*

*[Deliberations (if needed)]*

*Mrs. Turben, would you like to make a motion?*

**Motion: I move that Council adopt this resolution tonight.**

---

**Mr. Stephens**

A RESOLUTION TO AUTHORIZE AND DIRECT THE CITY MANAGER TO SUBMIT AN APPLICATION FOR OHIO DEPARTMENT OF TRANSPORTATION (ODOT) HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDING IN CONNECTION WITH A PROPOSED ROUNDABOUT PROJECT AT THE FIVE POINTS INTERSECTION; AND TO PROVIDE SUCH RELATED INFORMATION AS MAY BE NECESSARY TO EVALUATE THE SAME.

Last year, the city commissioned a traffic signal study with the primary purpose of developing a long-range plan for major capital improvements to Oakwood's traffic signal system as much of the system will reach the end of its useful life over the next 5-10 years. Over the past few months, the study focused on the Far Hills Avenue (State Route 48), Oakwood Avenue, and Thruston Boulevard intersection, often referred to as Five Points. The Five Points intersection is the most complex traffic intersection in Oakwood, and its design is central to the safe and efficient movement of traffic through the city. It also has pedestrian traffic at certain times, which requires the safest possible intersection design.

Between April and July of this year, the city communicated with the Oakwood citizens and the general public on multiple occasions via mailings, press releases, public meetings, open house events, and website postings to share information about the traffic signal study and the study of the Five Points intersection, including the possible conversion of that intersection from a traditional traffic signal to a roundabout. Included with the communications was information about the possibility of obtaining state and/or federal grant money to pay for a majority of the costs to build a roundabout, in the event that the city council votes to proceed with the project.



The two major considerations on whether to build the roundabout are the impact on public safety and the project cost. We believe that the traffic engineering shows that a roundabout at Five Points will enhance the safety of the intersection for all users, including vehicles, pedestrians and cyclists. What we do not know is how the construction of a roundabout would impact our city budget. Submitting the grant application will answer that question.

**Motion: I move that Council adopt this resolution.**

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### **Vice Mayor Byington**

A RESOLUTION AMENDING THE SPECIAL USE PERMIT FOR EXTENDED OPERATING HOURS PREVIOUSLY GRANTED TO INSOMNIA COOKIES, 6 OAKWOOD AVENUE, UNIT C, PURSUANT TO APPLICATION 22-3, CONVERTING THE SAME FROM “TRIAL BASIS” STATUS TO PERMANENT.

Last year, Insomnia Cookies applied for a Special Use permit to allow late-night hours beyond what is normally allowed in the Neighborhood Business zoning district. After hearings before the Planning Commission and Council, we approved extended hours as follows:

- RETAIL operations may be open until 10:00 p.m., Sunday through Thursday, and until 11:00 p.m. on Fridays and Saturdays; and
- DELIVERY operations were approved until 2:00 a.m., seven days a week.

At the time, Council was concerned about the potential for noise and other late-night disturbances, but Insomnia Cookies was new to the neighborhood and our concerns were speculative. For that reason, we granted a conditional approval of the Special Use permit on a 12 month trial basis, and agreed to reevaluate the situation in August of 2023...which brings us to the present.

I am pleased to report that after a year of operation, city staff has received zero complaints about the extended hours at Insomnia Cookies. They appear to be making an effort to be a good neighbor and they happen to sell excellent cookies. The resolution I am introducing will eliminate the conditional “trial basis” part of their Special Use permit, converting it to a regular permit.

**Motion: I move that Council adopt this resolution.**

## PRESS RELEASE



City of Oakwood  
30 Park Avenue  
Oakwood, Ohio 45419

**Subject:** Electricity Aggregation

**Date:** August 7, 2023

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OAKWOOD, OHIO:

At the August 7 meeting, Oakwood City Council conducted a public hearing and approved a resolution to allow Oakwood residential and small business electricity customers to “opt-in” to the Miami Valley Communications Council (MVCC) electricity aggregation program. Those Oakwood customers that choose to join the MVCC aggregation program on an opt-in basis will receive the same electricity rates and contract terms as those customers in communities that are in the MVCC aggregation program on an “opt-out” basis.

Oakwood city leaders chose to offer the opt-in program so that Oakwood customers could make a deliberate choice on their own whether to: 1) join the MVCC aggregation program; 2) stay with the AES standard offer for purchasing electricity; or 3) choose a different supplier altogether.

Energy Harbor is the electricity supplier for the MVCC aggregation program. Within a week or two, the city will announce the manner in which Oakwood residential and small business customers can choose to opt-in to the aggregation program. The information will include details about the contract terms and conditions.

The State of Ohio offers electricity choice. Under Ohio law, electricity customers can purchase their electricity from a number of different suppliers and can select contract terms that best meet their individual needs. For more information, please visit the Public Utilities Commission of Ohio website at: <https://puco.ohio.gov/> and the Energy Choice Ohio website at: <https://www.energychoice.ohio.gov/>

FOR ADDITIONAL INFORMATION, PLEASE CONTACT  
Robert F. Jacques, City Attorney  
(937) 298-0600  
[jacques@oakwoodohio.gov](mailto:jacques@oakwoodohio.gov)



## Klopsch, Norbert S.

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**From:** Jay Weiskircher <jweiskircher@mvcc.net>  
**Sent:** Wednesday, August 2, 2023 8:53 AM  
**To:** Matt Greeson; Davis Wayne; Judy Gilleland (jgilleland@germantown.oh.us); Keith Johnson; Brad Townsend, West Carrollton City Manager; Sonja Keaton; Brad Collins; Smith Eric; Rob Anderson; Bryan Chodkowski; Pope Quincy; John Applegate - City of Union (japplegate@unionoh.org); Titterington Patrick; Daniel Wendt  
**Cc:** GOV-TECH; Kirkland Mizerek; Michael P McNamee; Jordan Staley  
**Subject:** Natural Gas Aggregation Update  
**Attachments:** MVCC Nat Gas Gov Agg Rec 8-2-23.docx

Dear Managers,

Hope everyone is well. Hard to believe it is August 2.....

The purpose of this email is to share with you that the response to the Natural Gas Aggregation RFP was underwhelming. Although Archer Energy was the only supplier that submitted a quote, the good news is that we received valuable feedback from several natural gas suppliers that recommend, given current market conditions, our group would be best served by holding off for the time being and reissuing an RFP in late November. If we attain competitive rates at that time, and the group decides to move forward, we could have a program up and running by May 2024.

Attached is a summary from Palmer Energy officials on factors currently impacting the market.

Charting a path forward is a discussion and decision for the Assembly so we have scheduled a lunch meeting for the group beginning at noon on Thursday, August 24 here at MVCC. The meeting should last no more than an hour or so.

Please drop me a note in advance so we have a headcount for lunch purposes. If you or your primary delegate is unable to attend, please make sure your city's alternate is available.

In the meantime, if you have any questions, please drop me a note.

Thanks.

Regards,  
Jay



*Jay Weiskircher*  
Executive Director  
Office: (937) 438-8887  
Direct: (937) 424-1660

**From:** Jay Weiskircher

**Sent:** Wednesday, July 5, 2023 11:00 AM

**To:** Matt Greeson <matt.greeson@ketteringoh.org>; Davis Wayne <WDavis@centervilleohio.gov>; Judy Gilleland (jgilleland@germantown.oh.us) <jgilleland@germantown.oh.us>; Keith Johnson <keith.johnson@cityofmiamisburg.com>; Brad Townsend, West Carrollton City Manager <BTownsend@westcarrollton.org>; Sonja Keaton <skeaton@brookvilleohio.com>; Brad Collins <bcollins@cityofeaston.org>; Smith Eric <smith@englewood.oh.us>; Rob Anderson <rob.anderson@fairbornoh.gov>; Bryan Chodkowski <BChodkowski@hhoh.org>; Pope Quincy <qpope@trotwood.org>; John Applegate - City of Union (japplegate@unionoh.org) <japplegate@unionoh.org>; Titterington Patrick <patrick.titterington@troyohio.gov>; Daniel Wendt <dwendt@vandaliaohio.org>

**Cc:** Mizerek Kirkland (kmizerek@palmerenergy.com) <kmizerek@palmerenergy.com>

**Subject:** Natural Gas Aggregation RFP

Good morning, Managers,

Hope everyone had an enjoyable July 4 weekend.

I just wanted to share with you a copy of the Natural Gas Aggregation RFP that went out earlier today. It includes the 14 communities that have expressed a preliminary interest in natural gas aggregation. This does not commit the group, nor any of the cities, to forming or participating in a natural gas aggregation program. It simply solicits proposals from suppliers so we can gauge the market.

Proposals are due by July 20 so I'll be getting back in touch with the group shortly thereafter to schedule a meeting.

In the meantime, call or drop me a note if you have any questions.

Regards,

Jay



*Jay Weiskircher*

Executive Director  
Office: (937) 438-8887  
Direct: (937) 424-1660





August 2, 2023

To: Jay Weiskircher, MVCC  
From: OMLSC & Palmer Energy  
Subject: Natural Gas Governmental Aggregation Program Update

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As you know, an RFP for a natural gas governmental aggregation program to serve MVCC's prospective eligible gas participants receiving gas distribution services from CenterPoint Energy Ohio (CPE), formerly Vectren Energy Delivery of Ohio, was issued a few weeks ago.

The RFP was sent to 13 certified retail natural gas service (CRNGS) providers and requested various term lengths to commence with participants' flow starting with December 2023 billings. The RFP projected an eligible customer pool of roughly 58,000 residential and small commercial customers using about 4.5 billion cubic feet per year (BCF/yr.) of natural gas.

Archer Energy was the sole responding supplier with quoted rates in the low- to mid-\$6 per MCF range depending on the term length. We were concerned about the risk in locking in at that rate for two winters which is one of the factors considered in our recommendation below. Several suppliers cited current gas storage pricing and availability as factors that contributed to their decision not to submit a quote at this time. Other factors also currently impacting the market include:

- Underground gas storage levels are 13% above five-year averages.
- Total storage heading into winter is expected to be near record levels.
- Forecasters are predicting an El Nino weather formation to remain in effect through the coming fall and winter. El Nino generally (not always) is accompanied by warmer-than-average winter weather, which historically leads to natural gas pricing downside.

**Given current market conditions we recommend to MVCC that a natural gas RFP be re-issued in late November 2023 in anticipation of a May 2024 contract start date, assuming competitive pricing and approval by the member communities. Moving the start date to May 2024 allows potential suppliers the flexibility to either use existing storage assets or secure new storage capacity that will benefit MVCC participants.**

As always, please don't hesitate to let us know if you have any questions.

## Gupta steps into role leading Oakwood Schools



Dr. Neil Gupta

Dr. Neil Gupta stepped into his new role as Oakwood Schools superintendent on Tuesday, where he will lead the city's school system when classroom doors open on a new school year in two weeks.

Gupta arrives at Oakwood having previously served as director of secondary education at Worthington schools for eight years. Gupta graduated with a degree in secondary mathematics education from Miami University in 1997, then worked as a math teacher at Ashland City Schools. He completed a master's degree in curriculum and instruction at Ashland University in 2001 and went on to earn a doctorate in educational leadership, also at Ashland University, in 2006.

He was named assistant principal at Ashland High School in 2004 and became director of secondary curriculum at Ashland City Schools in 2005, a post he held until 2012 when he was hired as director of teaching and learning at New Albany-Plain Local Schools. In 2014 he was named director of assessment and planning at New Albany-Plain Local Schools, before being hired as director of secondary

education at Worthington in 2015.

Gupta was already somewhat familiar with the area before applying for the Oakwood superintendent post as his son, Keegan Gupta, was attending the University of Dayton, where he graduated in May with a marketing degree. Gupta and his wife Kari have a younger son, Jaiden, who graduated from Olentangy high school last spring and will be attending the University of Akron this fall where he plans to study pre-med.

Gupta conducted a number of visits to the district prior to stepping into the job full-time, conducting what he called "listening and learning sessions" with building principals, central office administrators and Oakwood Board of Education members.

"As I went through the interview process I obviously got to know people in groups, but didn't get a chance to meet with them one-on-one," he explained. "So that gave me a chance to ask a lot of questions about the district and get to know them, which is going to help me formulate what are some things we need to be thinking about. I did meet with the Oakwood

Teachers' Association president and as part of that session I understand that we have a strong relationship with the association."

He also toured district buildings and facilities prior to his first day on the job. "That was part of the time I spent meeting with each building principal. I built time into each of those blocks to physically walk through the building and I got a chance to really 'deep dive' into not just the construction at the high school that's occurring but also the infrastructure. The facilities are, first of all, beautiful and obviously there is a deep sense of pride and tradition in the community when it comes to the school buildings in Oakwood. They want to keep these architecturally impressive buildings, but they're also aging, so I really appreciate our custodians and maintenance staff keeping these facilities in good shape. Obviously, they've done a lot to keep things going and I'm very appreciative of the community commitment to keeping that tradition and then supporting that financially."

See Gupta on page 20 ►



► **Gupta** from page 1

Coming from a district with approximately 11,000 students, Gupta brings some larger district perspectives to the task of administering Oakwood Schools, but he's also able to draw upon his previous time in New Albany, a smaller-scale school district.

"The two things that I keep going back to are high levels of involvement and active participation in the community and then a deep commitment for academics and success in other areas outside of the classroom," he noted.

Gupta said he wasn't in the job market, but when the top administrative post in Oakwood Schools opened, his own superintendent suggested he apply, and with both of his sons graduating the same year, the timing seemed right.

"My superintendent knew of Oakwood and because we have an open communication he said 'You know, I believe it's time for you to go.' From a mentorship standpoint it allowed me to start looking at that. My initial reaction was 'I'm happy where I am, I'm fine,' but that night I began to look at the website and just fell in love immediately with the size of the district. It never hurts to go through an interview process and there were about three rounds of interviews that took place in Oakwood and I would say that during that process I was falling in love more with the district as they were going through the interviews and my wife began to take

a look at it. She would come down and take tours, take a look, and she was part of that decision, too. It just felt right, it's a beautiful district with high standards and I think it would be a great community to retire in," recalled Gupta, who is 48.

He sees Oakwood's academic legacy as one of the strong points of the district, along with its ongoing support of the arts in the classroom. "I keep saying that, but it's a deep commitment for academics. I think what actually impressed or impresses me is also the appreciation for the arts. You don't see that very often."

Gupta said any challenges the district faces – ranging from state funding to academic standards – "is not dissimilar to what we're experiencing across the nation" as a whole.

"Obviously, public education and school funding will always be an issue. I think we constantly have to consider what's the burden on the local taxpayer and be able to keep teaching at the front and center of what we do, making sure that we've got safe schools, physically safe schools and good classroom conditions so that we can do the types of programs that we want to do. I look at the idea and thoughts and feedback that come from EDI (equity, diversity, inclusivity) and the challenges of making sure that we're also being relevant to what's happening, what's changing in schools or preparing kids for life after school, what are the jobs that are going to be out there in the future and how do we make sure we're preparing our kids

for that, but I also want to just make sure our kids aren't just prepared for a paycheck but also are being wise, that they can recognize perspectives, they have empathy and they can discern information and be able to filter in order to understand what they believe."

Gupta said he enters the leadership role in the district focused on three specifics: high student achievement and "making sure we're growing each student every day," promoting and fostering a safe school environment where kids are not only physically safe but also protected from "ridicule, harm and bullying," and lastly the "efficient, effective operation" of the school district "to make sure we're being judicious with our tax dollars."

Given the fact that, in the past, some parents have raised concerns about how adequately Oakwood Schools addresses special education needs, Gupta said he was aware prior to stepping into the post that the district was completing a special education audit and that "I'll really get into understanding the overall process, what's taking place and my hope is that the community understands we're going to look at that special education audit thoughtfully."

"I'm already impressed with the fact that it is very collaboratively driven, it's not just some outsider coming in, I've heard that there's been some feedback from sessions with community members, special education parents, special education students, so I think that's going to

See **Gupta** on page 22 ►

► **Gupta from page 20.**

hopefully help to show that there's a transparent process and then we're going to be able to get some rich feedback that's going to give us kind of a way forward."

Though the majority of Oakwood graduates are typically destined for college, the new superintendent said he's also focused on non-traditional, non-college bound students. "A personal passion for me is students that sometimes don't have that advocate, the ones that aren't always being seen. I think that that's where my background of being a director of secondary education comes into play. At Worthington schools we put in place a lot of partnerships with something called pre-apprenticeships, making sure our students are career focused, that they're actually getting employed into higher wage jobs, bolstering more collaboration with our Career Center, making sure that our Career Center partnerships are strong."

When asked about teachers and administrators coping with pressures from the so-called culture wars in America - anything from gender identity to what books are acceptable in school libraries - Gupta stressed that, first and foremost, all students need to feel safe in school. "I want our students to feel seen, safe, welcome, invited, the idea of just making sure that students feel comfortable with who they are as individuals. Whatever background experiences that they have, I want them to feel safe. In every community across the nation right now there could be different levels of what that division might look like, so we'll continue to work as a community but

for the most part I want to just make sure that we're keeping our students at the center of that conversation. While I know that there are people who are concerned from a parent standpoint, and I definitely want to work with them through that, I want to make sure that I'm keeping an eye on what the student voice is and making sure that we're also having those communications and conversations with our Board of Education and our kids, too."

With Ohio school funding a perennial hot topic at the statehouse, and Ohio Governor Mike DeWine last spring calling for fundamental changes in reading curriculums in Ohio, Gupta emphasized that he will "be working with our treasurer and the Board of Education to make sure we're advocating for Oakwood schools at the state level." As to the so-called "reading wars" and reading standards advocated under plans such as Science of Reading, Gupta said he is confident that "a lot of the components for science of reading are things that we've already been doing, so it might be that it's going to reaffirm what we've already been doing, there may be some additional pieces to what we're doing and my guess is with our teachers here, our curriculum, we won't necessarily be moving in a completely different direction, we'll just continue to lift things that we're already doing."

Finally, when asked about whether artificial intelligence, or AI, has a role in the classroom, Gupta compared the uncertainties of AI in education to similar conversations educators heard years ago when pocket calculators first made their appearance.

"I think that if we think of it the

same way as when the calculator first came out, we first looked at that as something that was going to ruin the idea of basic math - how to divide, add, subtract - and then we realized that you still want students to have basic knowledge and that once you show the kids how to use the calculator and they do it, then they have to become informed users on how to discern if that is the correct answer or not because they could have accidentally hit a wrong button. I sense the same thing is going to happen with artificial intelligence. I think right now the natural inclination is this is going to be the downfall of education and let's block it and let's not do that, but just like we did with the calculator, there is a place for artificial intelligence in the real world and in the classroom. We first have to teach students how to do the basic math, writing and reading skills but there are times when I think it's appropriate to use those tools to enhance your thinking and your learning. You still have to be judicious, to know when something doesn't look right or is suspect. But if we say right now that it has no business in education, it has no business in the classroom, we're going to fall short because we have to be able to prepare our students for that world."

As for his new home and school district, Gupta says he has "a sincere appreciation for the community," adding "I'm already falling in love with our teaching staff. I've already seen the commitment level from our staff, they go above and beyond for the kids, how many hours they're spending and how much care and love they have for kids."

OR 8/2/23



# Area linked to Oppenheimer, Manhattan Project

Triggers for first atomic bombs were produced in the Dayton region.

By Greg Lynch  
Staff Writer

Without the work done in Dayton, the atomic bombs dropped in Japan, effectively ending World War II, might not have gone off.

Work on the Manhattan Project, the secret government effort to build an atomic bomb and the

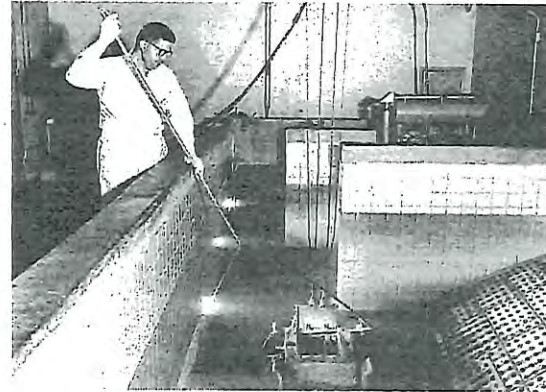
subject of the recently released movie "Oppenheimer," was done in many cities, including Dayton.

The most important work done in what was called the Dayton Project, was the manufacturing of the triggers that start the atomic chain reaction in the bombs.

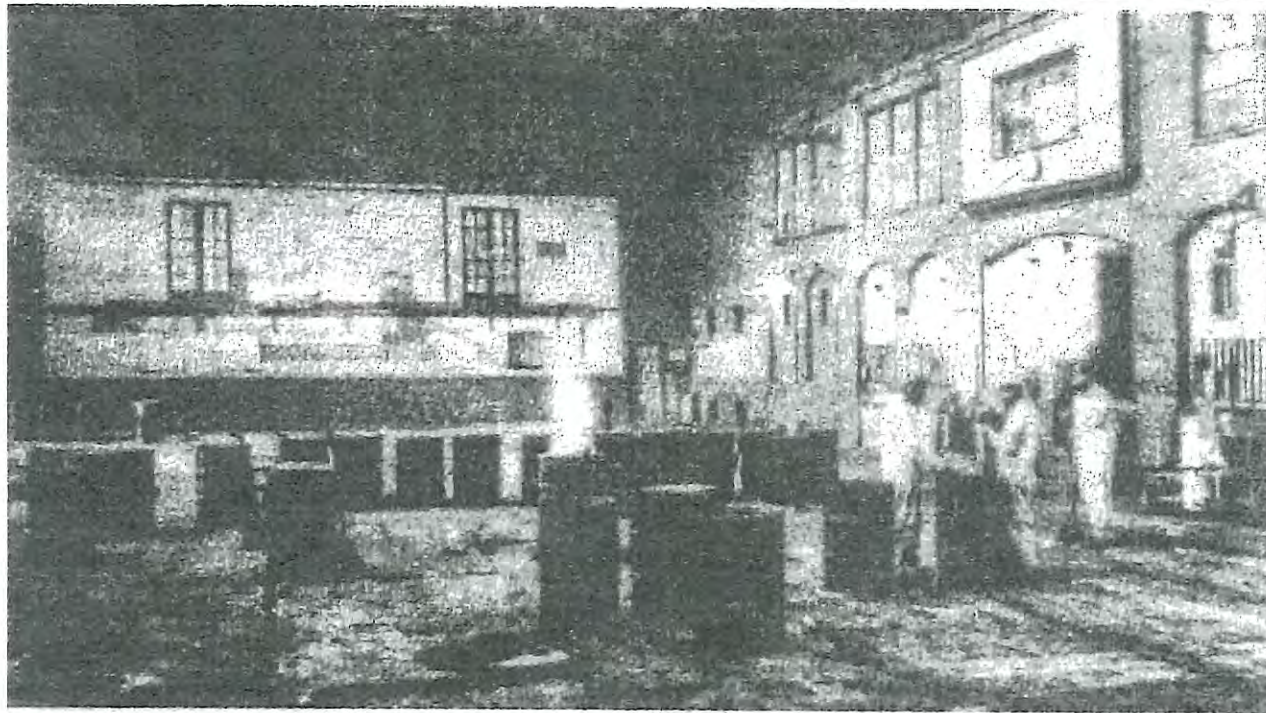
## The man in charge

Charles Allen Thomas, a research director at Dayton's Monsanto Chemical Co., was among

Local history continued on A5



A Mound Laboratory employee works in polonium processing in 1958. Dayton scientists worked out the methods for separating polonium from irradiated bismuth slugs.



Charles Thomas said he'd return the The Runnymede Playhouse, a massive glass-topped structure used in the Dayton Project, to the Talbott family intact after the war but he couldn't keep that promise. DAYTON DAILY NEWS ARCHIVES



## Local history

continued from A1

a handful of internationally known scientists who were summoned to Washington in early 1943 and secretly briefed by Brig. Gen. Leslie Groves on the nation's program to develop an atomic bomb.

Thomas was offered a co-directorship of the project, along with J. Robert Oppenheimer, but declined for family and career reasons since the position would have required moving to Los Alamos, New Mexico, where the Manhattan Project was headquartered.

Thomas did agree to oversee the development of the polonium trigger in Dayton, as well as the chemical research taking place at other Manhattan Project sites.

In the end, Thomas was one of just 14 scientists among the thousands involved in the Manhattan Project to be awarded the Medal for Merit, the highest civilian honor for wartime service.

Thomas' career at the Monsanto Chemical Company continued to rise after the war. He served as president of Monsanto from 1951 to 1960 and as chairman of the board from 1960 to 1965 before retiring from the company in 1970. He died in 1982.

### The polonium trigger

Early in their work, Los Alamos researchers realized that rapidly mixing polonium with beryllium would release a burst of neutrons that could initiate a chain reaction before the critical mass blew itself apart. But there had never been enough polonium produced to even see it. Dayton scientists worked out the methods for separating sufficient polonium from irradiated bismuth slugs, purifying it, and forming it into the bomb triggers.

According to a 1983 Dayton Daily news article, written shortly after documents about the Dayton Project were declassified, polonium "was a soft, silvery-looking metal. If you turned off the lights, you see a faint, purple glow, which would intensify as the purity increased."

The Dayton trigger was a key technical hurdle in not only the bombs of World War II, but also in hundreds of atomic bombs produced after the war.

By the Dayton Project's end in 1949, there were 334 full-time employees.

These pioneering employees at Dayton's Monsanto facilities risked their lives to develop the bombs' triggers with the highly radioactive polonium. But no deaths or injuries were ever reported as the result of exposure to



Charles Allen Thomas was the lead scientist on the Dayton Project, part of the secret Manhattan Project.

polonium during the Dayton Project.

### Local sites

Two Dayton sites associated with the Manhattan Project still exist – the storage buildings surrounding the former Bonebrake Theological Seminary, 1601 W. First St., and the building at 601 E. Third St. that was the General Electric Supply Warehouse.

The former Bonebrake Theological Seminary property, which was being used as a warehouse for the Dayton School District, was leased to Monsanto and eventually included some 20 smaller buildings covering nearly a city block.

Bonebrake Seminary was condemned and torn down in the early 1950s by its owner, the Dayton Board of Education, which had no idea of its historical significance at the time.

The General Electric Supply Warehouse is now fit-



The Mound Museum in Miamisburg has historic photos including this 1946 image of a worker on the first glove box line processing polonium. CONTRIBUTED

tingly known as the Manhattan Building.

From 1946 to 1948 after the initial development of the bomb, the Monsanto Company leased the building's three upper floors, coined it the "Warehouse" and created a laboratory to test the biological impact of polonium radiation on humans.

General Electric remained on the three lower floors.

It was home to one of the nation's first radiation health safety programs. Thousands of urine samples from Dayton Project personnel were screened for polonium exposure. In addition, the biological uptake and effects of polonium were studied on mice and rats.

Two others have been torn down – the original Monsanto research lab at 1515

Nicholas Road and the former Runnymede Playhouse in Oakwood.

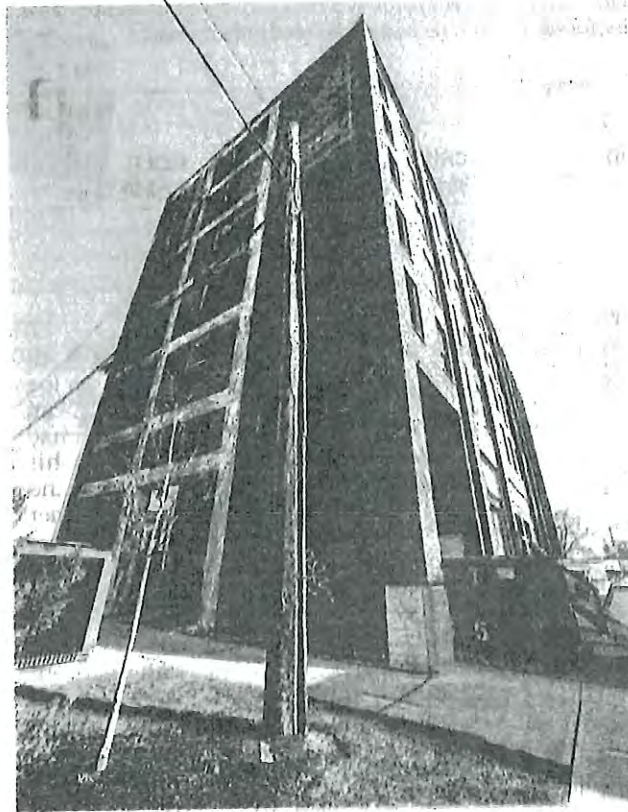
Preliminary research was conducted at the Monsanto facility on Nicholas Road. X-ray and spectrographic work on polonium remained there until 1949, when Mound Laboratory in Miamisburg was completed.

When more space was needed for the Dayton Project, Thomas, who was married to Margaret Talbott, suggested the Army take over the Runnymede Playhouse, a massive glass-topped structure that was part of his wife's family's estate.

The Playhouse had been the leisure palace of the Talbott family, with giant ballroom, indoor squash and tennis courts as well as a stage for community theater.

Thomas promised to return the building to the family intact after the war – a promise he wouldn't be able to keep. Too radioactively "hot" to clean and restore, the Playhouse was dismantled in 1950 and was later buried in Tennessee.





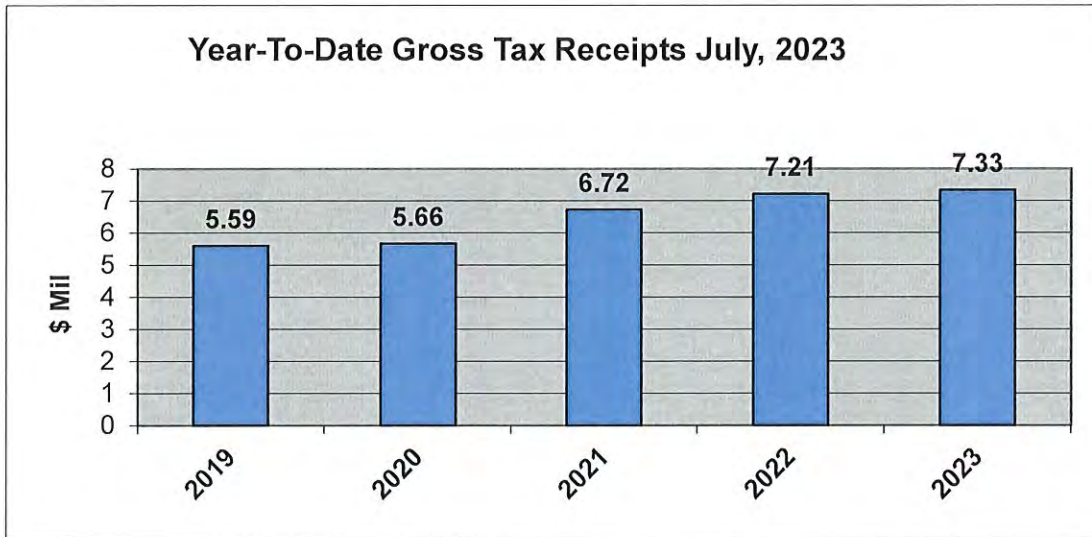
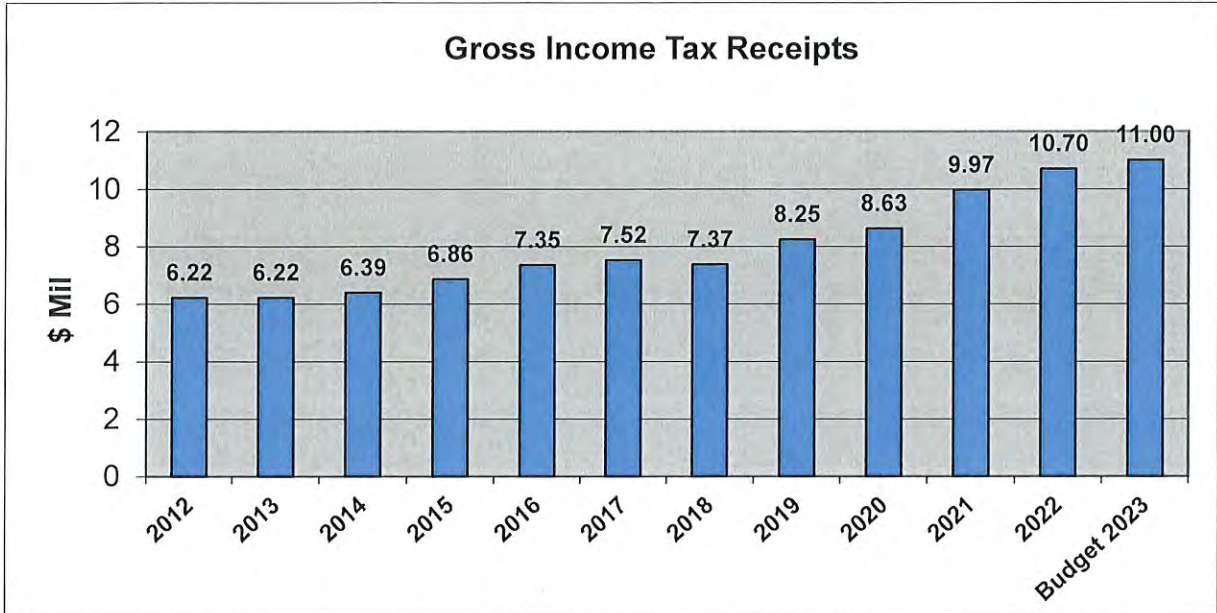
**The Manhattan, also known as the J.K. McIntire Building, built in 1912 at 601 E. Third St. in downtown Dayton's historic Webster Station neighborhood. From 1946 to 1948, the building's upper three floors were leased by the Monsanto Company for use as a laboratory to test the biological impact of polonium radiation on Dayton Project personnel. CONTRIBUTED BY TOM GILLIAM**

DDN 8/2/23

# TAX REVENUE ANALYSIS

## 2023

The following graphs depict total income tax receipts and do not include tax refunds issued.



### Year-To-Date Gross Collections vs Prior Year

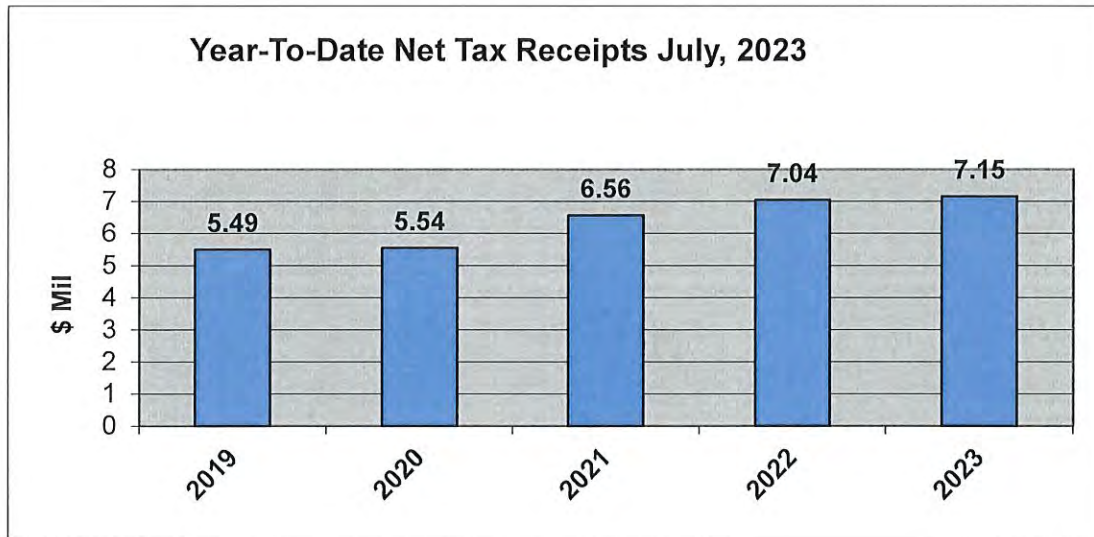
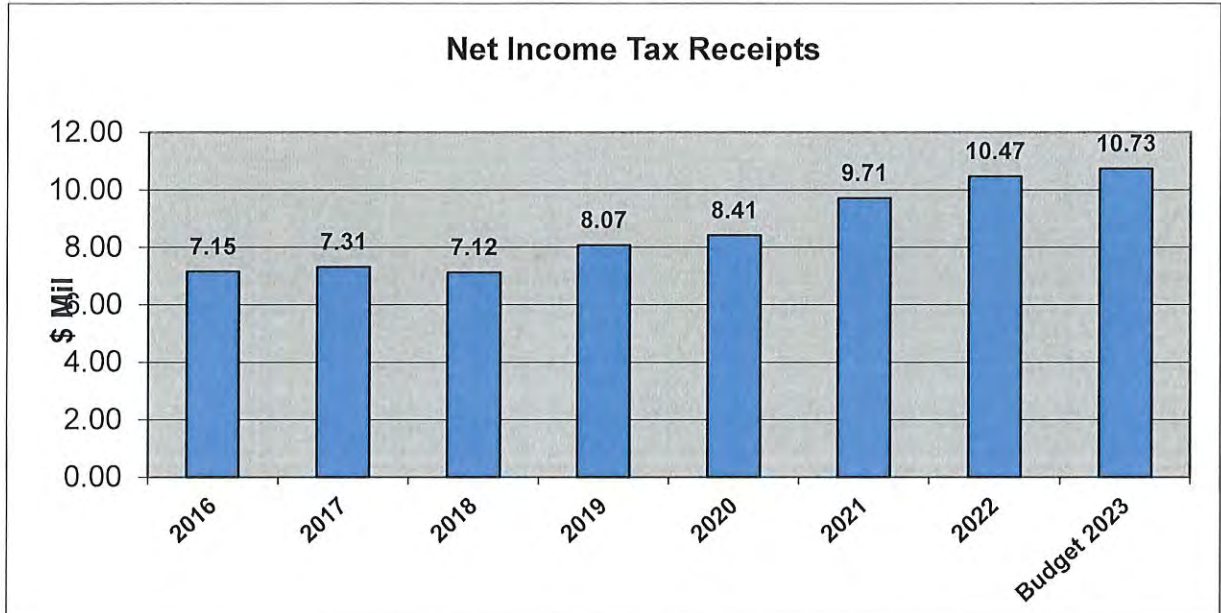
2022	\$7,209,740.93
2023	\$7,331,448.61
Change	1.69%



# TAX REVENUE ANALYSIS

## 2023

The following graphs depict total income tax receipts less refunds issued.



#### Year-To-Date Net Collections vs Prior Year

2022	\$7,036,703.67
2023	\$7,145,947.42
 Change	 1.55%

**INCOME TAX COMPARISON - GROSS RECEIPTS**

**2021 through 2023**

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<b>DAILY</b>	<b>MONTHLY</b>	<b>YEAR-TO-DATE</b>
				<u>INCR / DECR</u>	<u>INCR / (DECR)</u>	<u>INCR / (DECR)</u>
JANUARY	\$1,178,107.88	\$1,206,895.03	\$1,187,541.97	N/A	(\$19,353.06)	(\$19,353.06)
FEBRUARY	\$562,861.33	\$589,786.40	\$704,541.69	N/A	\$114,755.29	\$95,402.23
MARCH	\$707,232.33	\$774,848.77	\$700,349.49	N/A	(\$74,499.28)	\$20,902.95
APRIL	\$965,250.67	\$1,525,835.38	\$1,616,405.65	N/A	\$90,570.27	\$111,473.22
MAY	\$1,672,604.34	\$1,439,747.23	\$1,606,605.06	N/A	\$166,857.83	\$278,331.05
JUNE	\$1,030,290.33	\$1,049,802.24	\$779,738.25	N/A	(\$270,063.99)	\$8,267.06
JULY	\$601,035.27	\$622,825.88	\$736,266.50	N/A	\$113,440.62	\$121,707.68
AUGUST	\$582,800.20	\$778,874.65		N/A		
SEPTEMBER	\$783,154.97	\$789,166.14		N/A		
OCTOBER	\$616,709.11	\$820,891.56		N/A		
NOVEMBER	\$651,147.77	\$646,466.31		N/A		
DECEMBER	\$618,792.43	\$494,045.92		N/A		
<b>TOTAL</b>	<b>\$9,969,986.63</b>	<b>\$10,739,185.51</b>	<b>\$7,331,448.61</b>			
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<b>DAILY</b>	<b>MONTHLY</b>	<b>YEAR-TO-DATE</b>
<b>JULY</b>				<u>INCR / (DECR)</u>	<u>INCR / (DECR)</u>	<u>INCR / (DECR)</u>
1	2,353.80	11,636.87	0.00	(11,636.87)	(11,636.87)	(\$3,369.81)
2	19,984.30	0.00	0.00	\$0.00	(11,636.87)	(\$3,369.81)
3	0.00	0.00	14,188.29	\$14,188.29	2,551.42	\$10,818.48
4	0.00	0.00	0.00	\$0.00	2,551.42	\$10,818.48
5	0.00	8,527.94	4,364.24	(\$4,163.70)	(1,612.28)	\$6,654.78
6	6,657.79	21,889.37	7,613.85	(\$14,275.52)	(15,887.80)	(\$7,620.74)
7	20,680.12	2,958.70	10,782.89	\$7,824.19	(8,063.61)	\$203.45
8	3,987.26	12,805.87	0.00	(\$12,805.87)	(20,869.48)	(\$12,602.42)
9	28,273.80	0.00	0.00	\$0.00	(20,869.48)	(\$12,602.42)
10	0.00	0.00	26,480.68	\$26,480.68	5,611.20	\$13,878.26
11	0.00	22,331.10	29,760.52	\$7,429.42	13,040.62	\$21,307.68
12	5,034.07	8,502.88	55,407.45	\$46,904.57	59,945.19	\$68,212.25
13	71,845.09	39,971.24	26,081.29	(\$13,889.95)	46,055.24	\$54,322.30
14	4,624.84	49,661.08	163,769.77	\$114,108.69	160,163.93	\$168,430.99
15	130,239.97	121,041.12	0.00	(\$121,041.12)	39,122.81	\$47,389.87
16	46,115.74	0.00	0.00	\$0.00	39,122.81	\$47,389.87
17	0.00	0.00	42,834.45	\$42,834.45	81,957.26	\$90,224.32
18	0.00	9,488.26	33,502.10	\$24,013.84	105,971.10	\$114,238.16
19	26,856.19	50,801.75	3,800.99	(\$47,000.76)	58,970.34	\$67,237.40
20	35,310.32	20,564.09	4,753.23	(\$15,810.86)	43,159.48	\$51,426.54
21	820.01	3,669.23	40,115.13	\$36,445.90	79,605.38	\$87,872.44
22	8,534.03	22,380.21	0.00	(\$22,380.21)	57,225.17	\$65,492.23
23	23,204.49	0.00	0.00	\$0.00	57,225.17	\$65,492.23
24	0.00	0.00	11,024.02	\$11,024.02	68,249.19	\$76,516.25
25	0.00	27,615.75	71,085.36	\$43,469.61	111,718.80	\$119,985.86
26	7,013.92	74,554.96	215.10	(\$74,339.86)	37,378.94	\$45,646.00
27	63,723.52	31,518.58	45,876.00	\$14,357.42	51,736.36	\$60,003.42
28	3,649.22	10,955.42	23,352.95	\$12,397.53	64,133.89	\$72,400.95
29	35,697.22	71,951.46	0.00	(\$71,951.46)	(7,817.57)	\$449.49
30	56,429.57	0.00	0.00	\$0.00	(7,817.57)	\$449.49
31	0.00	0.00	121,258.19	\$121,258.19	113,440.62	\$121,707.68
				<b>NEED</b>		
<b>TOTAL</b>	<b>\$601,035.27</b>	<b>\$622,825.88</b>	<b>\$736,266.50</b>	<b>(\$113,440.62)</b>		
				<b>TO MATCH</b>		
				<b>JULY'22</b>		



# Financial Reports



**thru the Month of July  
Fiscal Year 2023**

**Fund Balance Report Reflecting Year-to-Date Receipts and Expenditures, including Prior-Year Obligations and Encumbrances  
for the period ended July 31, 2023  
GENERAL CITY SERVICES FUNDS**

#	Fund Name	Beginning Unencumbered Balance	Encumbrances	Beginning Cash Balance	Y-T-D Total Receipts	Available Funds	Y-T-D Total Disbursements	Ending Cash Balance	Encumbrances	Ending Unencumbered Balance	Change in Cash Balance	Change in Unencumbered Balance
<b>General Fund</b>												
101	General	9,305,059	80,227	9,385,286	10,320,473	19,705,759	10,679,958	9,025,801	537,411	8,488,390	(359,485)	(816,669)
<b>Major Operating Funds</b>												
220	Street Maintenance and Repair	500,000	54,257	554,257	958,136	1,512,393	852,389	660,004	160,004	500,000	105,747	-
228	Leisure Activity	500,000	18,680	518,680	789,562	1,308,242	631,761	676,481	176,481	500,000	157,801	-
230	Health	154,819	583	155,402	143,583	298,985	96,780	202,205	12,252	189,953	46,803	35,134
510	Sidewalk, Curb & Apron	200,000	-	200,000	216,765	416,765	769	415,996	225,000	190,996	215,996	(9,004)
308	Equipment Replacement	1,216,820	273,454	1,490,274	609,962	2,100,236	224,300	1,875,936	405,213	1,470,723	385,662	253,903
309	Capital Improvement	1,218,874	395,362	1,614,236	1,250,000	2,864,236	511,575	2,352,661	872,671	1,479,990	738,425	261,116
707	Service Center	100,000	14,136	114,136	575,803	689,939	433,437	256,502	156,502	100,000	142,366	-
<b>Other Funds</b>												
208	Bullock Endowment Trust	50,852	-	50,852	622	51,474	-	51,474	-	51,474	622	622
209	MLK Community Recognition	-	-	-	-	-	-	-	-	-	-	-
210	Special Improvement District Assessment	5,586	-	5,586	58,653	64,239	64,239	-	-	-	(5,586)	(5,586)
211	Smith Memorial Gardens	400,000	2,686	402,686	75,090	477,776	54,463	423,313	13,845	409,468	20,627	9,468
212	Indigent Drivers Alcohol Treatment	39,648	-	39,648	1,257	40,905	-	40,905	-	40,905	1,257	1,257
213	Enforcement and Education	9,875	-	9,875	-	9,875	-	9,875	-	9,875	-	-
214	Law Enforcement	18,272	-	18,272	-	18,272	-	18,272	-	18,272	-	-
215	Drug Law Enforcement	-	-	-	-	-	-	-	-	-	-	-
216	Police Pension	-	-	-	-	-	-	-	-	-	-	-
217	Court Clerk Computerization	45,914	1,123	47,037	3,837	50,874	2,947	47,927	4,443	43,484	890	(2,430)
218	Court Computerization	41,425	-	41,425	1,674	43,099	1,828	41,271	2,820	38,451	(154)	(2,974)
219	Court Special Projects	50,442	-	50,442	2,949	53,391	809	52,582	2,691	49,891	2,140	(551)
221	OneOhio Fund	5,750	-	5,750	7,373	13,123	-	13,123	-	13,123	7,373	7,373
224	State Highway Improvement	149,602	18,462	168,064	26,950	195,014	23,868	171,146	26,438	144,708	3,082	(4,894)
240	Public Safety Endowment	193,684	-	193,684	2,372	196,056	125	195,931	26,625	169,306	2,247	(24,378)
250	Special Projects	3,522,798	-	3,522,798	1,054,464	4,577,262	-	4,577,262	-	4,577,262	1,054,464	1,054,464
310	Issue 2 Projects	-	-	-	-	-	-	-	-	-	-	-
311	Public Facilities	-	-	-	-	-	-	-	-	-	-	-
312	Local Coronavirus Relief	-	-	-	-	-	-	-	-	-	-	-
313	Local Fiscal Recovery Fund	939,792	-	939,792	-	939,792	-	939,792	939,792	-	-	(939,792)
414	Bond Retirement	-	-	-	-	-	-	-	-	-	-	-
508	Electric Street Lighting	100,000	30,600	130,600	181,257	311,857	100,326	211,531	83,308	128,223	80,931	28,223
706	Self-Funding Insurance Trust	25,000	-	25,000	4,591	29,591	3,858	25,733	733	25,000	733	-
810	Fire Insurance Trust	-	-	-	-	-	-	-	-	-	-	-
811	Contractors Permit Fee	-	-	-	500	500	-	500	-	500	500	500
<b>Total</b>		<b>18,794,212</b>	<b>889,570</b>	<b>19,683,782</b>	<b>16,285,873</b>	<b>35,969,655</b>	<b>13,683,432</b>	<b>22,286,223</b>	<b>3,646,229</b>	<b>18,639,994</b>	<b>2,602,441</b>	<b>(154,218)</b>

CHART NE1



**Current Revenue as Compared to Annual Estimates  
for the period ended July 31, 2023  
GENERAL CITY SERVICES FUNDS**

#	Fund Name	Budgeted Outside Receipts	YTD Outside Receipts	% of Budget	Net Difference (\$)	Budgeted Transfer Receipts	YTD Transfer Receipts	% of Budget	Budgeted Total Receipts	YTD Total Receipts	% of Budget
<b>General Fund</b>											
101	General	14,212,502	10,320,473	73	(3,892,029)	-	-	-	14,212,502	10,320,473	73
<b>Major Operating Funds</b>											
220	Street Maintenance and Repair	610,500	333,307	55	(277,193)	889,488	624,829	70	1,499,988	958,136	64
228	Leisure Activity	537,150	437,373	81	(99,777)	785,555	352,189	45	1,322,705	789,562	60
230	Health	161,224	143,583	89	(17,641)	23,716	-	-	184,940	143,583	78
510	Sidewalk, Curb & Apron	95,000	85,065	90	(9,935)	131,700	131,700	100	226,700	216,765	96
308	Equipment Replacement	-	9,962	-	9,962	600,000	600,000	100	600,000	609,962	102
309	Capital Improvement	-	-	-	-	1,200,000	1,250,000	104	1,200,000	1,250,000	104
707	Service Center	309,671	225,423	73	(84,248)	460,304	350,380	76	769,975	575,803	75
<b>Other Funds</b>											
208	Bullock Endowment Trust	300	622	207	322	-	-	-	300	622	207
209	MLK Community Recognition	-	-	-	-	-	-	-	-	-	-
210	Special Improvement District Assessment	117,306	58,653	50	(58,653)	-	-	-	117,306	58,653	50
211	Smith Memorial Gardens	54,600	46,294	85	(8,306)	87,515	28,796	33	142,115	75,090	53
212	Indigent Drivers Alcohol Treatment	2,600	1,257	48	(1,343)	-	-	-	2,600	1,257	48
213	Enforcement and Education	200	-	-	(200)	-	-	-	200	-	-
214	Law Enforcement	-	-	-	-	-	-	-	-	-	-
215	Drug Law Enforcement	-	-	-	-	-	-	-	-	-	-
216	Police Pension	-	-	-	-	-	-	-	-	-	-
217	Court Clerk Computerization	8,000	3,837	48	(4,163)	-	-	-	8,000	3,837	48
218	Court Computerization	4,200	1,674	40	(2,526)	-	-	-	4,200	1,674	40
219	Court Special Projects	7,000	2,949	42	(4,051)	-	-	-	7,000	2,949	42
221	OneOhio Fund	5,750	7,373	128	1,623	-	-	-	5,750	7,373	128
224	State Highway Improvement	47,250	26,950	57	(20,300)	-	-	-	47,250	26,950	57
240	Public Safety Endowment	1,300	2,372	182	1,072	-	-	-	1,300	2,372	182
250	Special Projects	4,800	54,464	1,135	49,664	1,000,000	1,000,000	100	1,004,800	1,054,464	105
310	Issue 2 Projects	-	-	-	-	-	-	-	-	-	-
311	Public Facilities	-	-	-	-	-	-	-	-	-	-
312	Local Coronavirus Relief	-	-	-	-	-	-	-	-	-	-
313	Local Fiscal Recovery Fund	-	-	-	-	-	-	-	-	-	-
414	Bond Retirement	-	-	-	-	-	-	-	-	-	-
508	Electric Street Lighting	125,000	133,857	107	8,857	47,400	47,400	100	172,400	181,257	105
706	Self-Funding Insurance Trust	-	-	-	-	17,500	4,591	26	17,500	4,591	26
810	Fire Insurance Trust	-	-	-	-	-	-	-	-	-	-
811	Contractors Permit Fee	2,000	500	25	(1,500)	-	-	-	2,000	500	25
<b>Total</b>		<b>16,306,353</b>	<b>11,895,988</b>	<b>73</b>	<b>(4,410,365)</b>	<b>5,243,178</b>	<b>4,389,885</b>	<b>84</b>	<b>21,549,531</b>	<b>16,285,873</b>	<b>76</b>

Current Disbursements, including Encumbrances, as Compared to Annual Estimates  
for the period ended July 31, 2023

GENERAL CITY SERVICES FUNDS

#	Fund Name	Budgeted Outside Disbursements	YTD Outside Disbursements	% of Budget	Encumbrances	YTD Outside Disbursements & Encumbrances	% of Budget	Budgeted Transfer Disbursements	YTD Transfer Disbursements	% of Budget	Budgeted Total Disbursements	YTD Total Disb., Enc. & Tfrs	% of Budget
<b>General Fund</b>													
101	General	9,855,270	5,433,931	55	537,411	5,971,342	61	6,100,890	5,246,027	86	15,956,160	11,217,369	70
<b>Major Operating Funds</b>													
220	Street Maintenance and Repair	1,360,657	705,889	52	160,004	865,893	64	193,588	146,500	76	1,554,245	1,012,393	65
228	Leisure Activity	1,337,585	628,632	47	176,481	805,113	60	3,800	3,129	82	1,341,385	808,242	60
230	Health	172,948	93,651	54	12,252	105,903	61	3,800	3,129	82	176,748	109,032	62
510	Sidewalk, Curb & Apron	226,700	769	-	225,000	225,769	100	-	-	-	226,700	225,769	100
308	Equipment Replacement	946,954	224,300	24	405,213	629,513	66	-	-	-	946,954	629,513	66
309	Capital Improvement	1,881,962	511,575	27	872,671	1,384,246	74	-	-	-	1,881,962	1,384,246	74
707	Service Center	784,111	433,437	55	156,502	589,939	75	-	-	-	784,111	589,939	75
<b>Other Funds</b>													
208	Bullock Endowment Trust	500	-	-	-	-	-	-	-	-	500	-	-
209	MLK Community Recognition	-	-	-	-	-	-	-	-	-	-	-	-
210	Special Improvement District Assessment	122,892	64,239	52	-	64,239	52	-	-	-	122,892	64,239	52
211	Smith Memorial Gardens	144,801	54,463	38	13,845	68,308	47	-	-	-	144,801	68,308	47
212	Indigent Drivers Alcohol Treatment	1,500	-	-	-	-	-	-	-	-	1,500	-	-
213	Enforcement and Education	1,500	-	-	-	-	-	-	-	-	1,500	-	-
214	Law Enforcement	3,000	-	-	-	-	-	-	-	-	3,000	-	-
215	Drug Law Enforcement	-	-	-	-	-	-	-	-	-	-	-	-
216	Police Pension	-	-	-	-	-	-	-	-	-	-	-	-
217	Court Clerk Computerization	9,623	2,947	31	4,443	7,390	77	-	-	-	9,623	7,390	77
218	Court Computerization	9,000	1,828	20	2,820	4,648	52	-	-	-	9,000	4,648	52
219	Court Special Projects	5,500	809	15	2,691	3,500	64	-	-	-	5,500	3,500	64
221	OneOhio Fund	-	-	-	-	-	-	-	-	-	-	-	-
224	State Highway Improvement	59,062	23,868	40	26,438	50,306	85	-	-	-	59,062	50,306	85
240	Public Safety Endowment	33,000	125	-	26,625	26,750	81	-	-	-	33,000	26,750	81
250	Special Projects	-	-	-	-	-	-	-	-	-	-	-	-
310	Issue 2 Projects	-	-	-	-	-	-	-	-	-	-	-	-
311	Public Facilities	-	-	-	-	-	-	-	-	-	-	-	-
312	Local Coronavirus Relief	-	-	-	-	-	-	-	-	-	-	-	-
313	Local Fiscal Recovery Fund	939,793	-	-	939,792	939,792	100	-	-	-	939,793	939,792	100
414	Bond Retirement	-	-	-	-	-	-	-	-	-	-	-	-
508	Electric Street Lighting	203,000	100,326	49	83,308	183,634	90	-	-	-	203,000	183,634	90
706	Self-Funding Insurance Trust	17,500	3,858	22	733	4,591	26	-	-	-	17,500	4,591	26
810	Fire Insurance Trust	-	-	-	-	-	-	-	-	-	-	-	-
811	Contractors Permit Fee	2,000	-	-	-	-	-	-	-	-	2,000	-	-
<b>Total</b>		<b>18,118,858 (1)</b>	<b>8,284,647</b>	<b>46</b>	<b>3,646,229</b>	<b>11,930,876</b>	<b>66</b>	<b>6,302,078</b>	<b>5,398,785</b>	<b>86</b>	<b>24,420,936</b>	<b>17,329,661</b>	<b>71</b>

(1) Prior years encumbrances closed (money not spent) as of July 31, 2023:

\$ 9,154

CHART NE3



# GENERAL FUND RECEIPTS

## 5-YEAR HISTORY

YTD at July 31, 2023

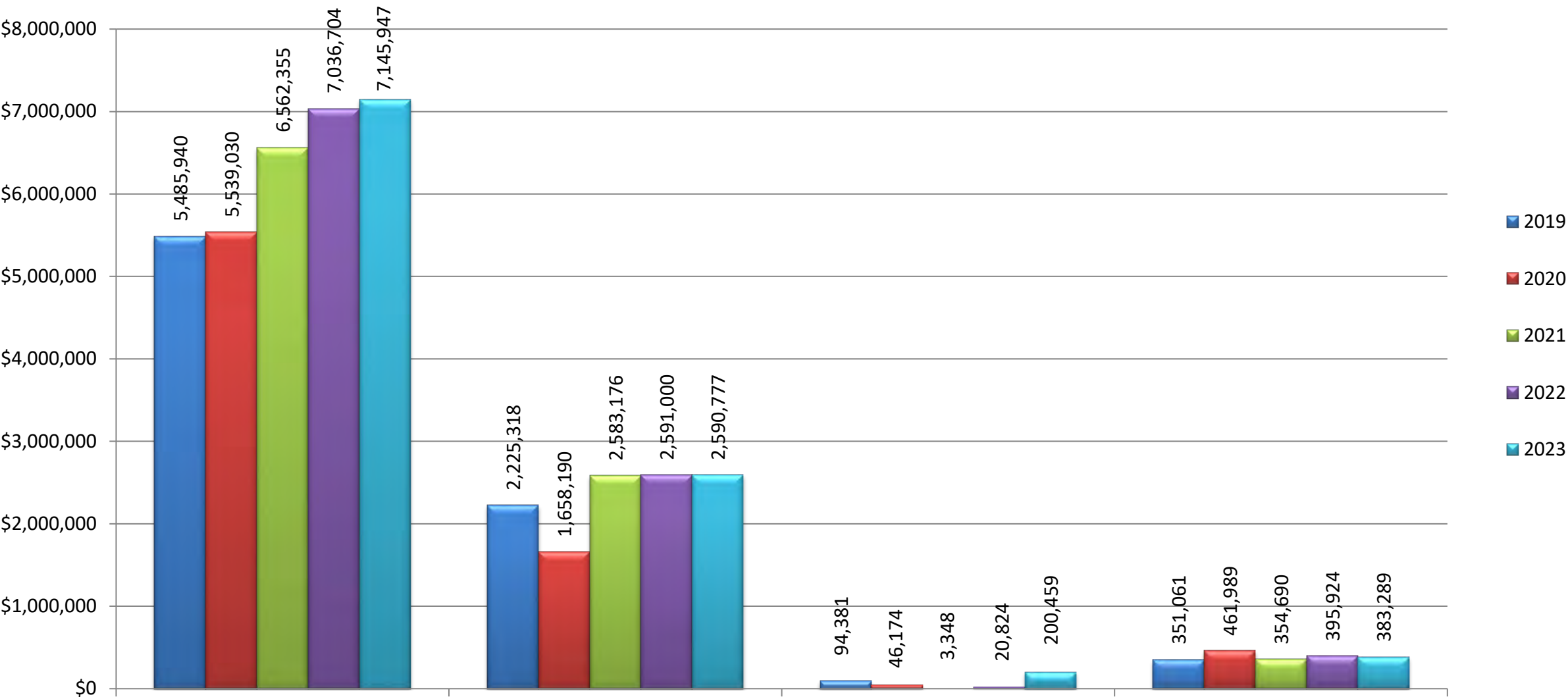
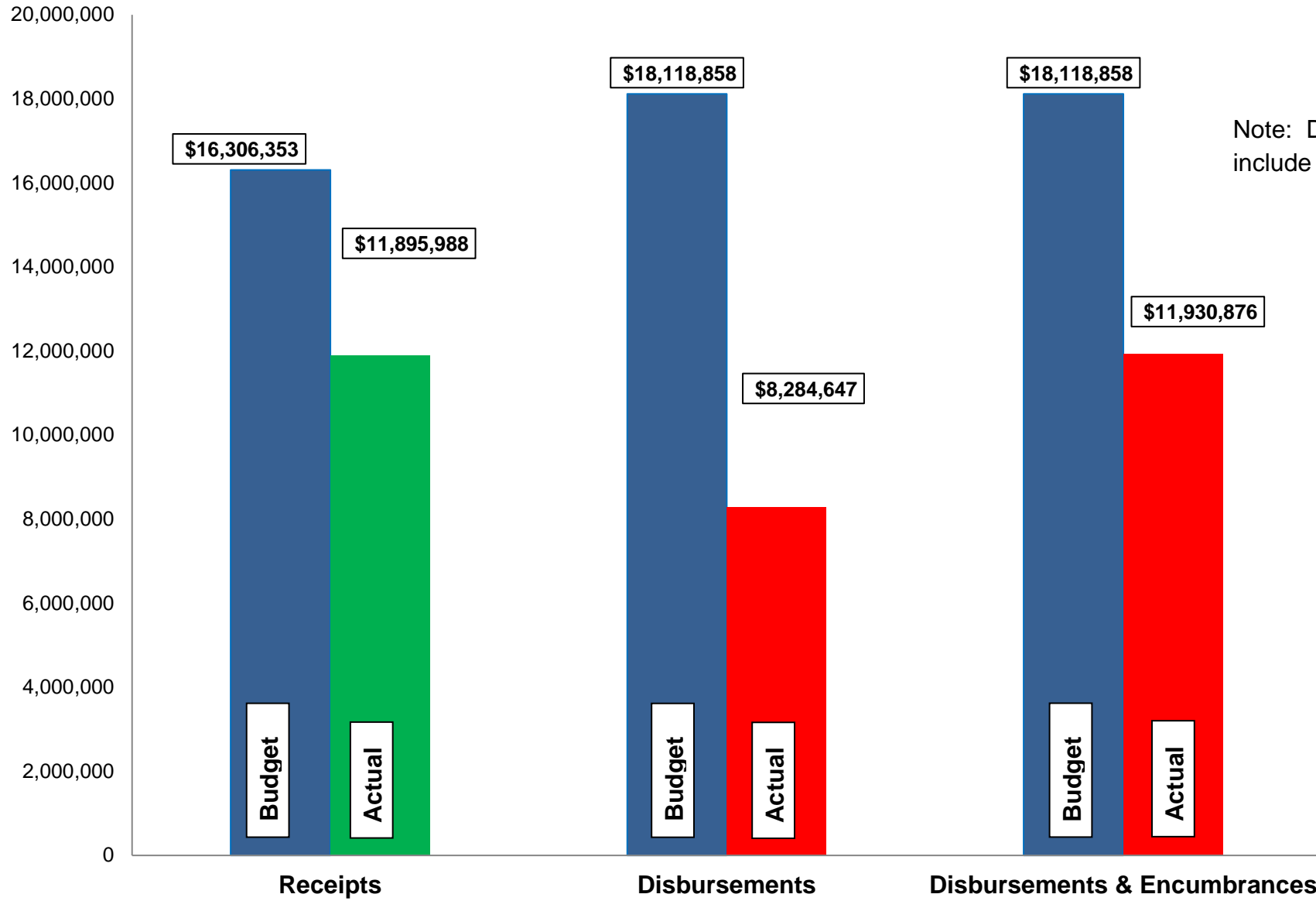


Chart NE4

**Budget, Revenues & Expenditures  
as of July 31, 2023  
GENERAL CITY SERVICES  
(Excludes Internal Transfers)**



Note: Disbursements and Disbursements & Encumbrances bars include \$889,570 appropriated from prior year budgets.

**CHART NE5**



**Fund Balance Report Reflecting Year-to-Date Receipts and Expenditures, including Prior-Year Obligations and Encumbrances  
for the period ended July 31, 2023  
REFUSE FUND**

#	Fund Name	Beginning Unencumbered Balance	Encumbrances	Beginning Cash Balance	Y-T-D Total Receipts	Available Funds	Y-T-D Total Disbursements	Ending Cash Balance	Encumbrances	Ending Unencumbered Balance	Change in Cash Balance	Change in Unencumbered Balance
205	Refuse	418,683	21,587	440,270	823,573	1,263,843	819,878	443,965	141,863	302,102	3,695	(116,581)
206	Refuse Equipment Replacement	58,713	67,246	125,959	23,900	149,859	23,900	125,959	67,246	58,713	-	-
	<b>Total</b>	<b>477,396</b>	<b>88,833</b>	<b>566,229</b>	<b>847,473</b>	<b>1,413,702</b>	<b>843,778</b>	<b>569,924</b>	<b>209,109</b>	<b>360,815</b>	<b>3,695</b>	<b>(116,581)</b>

**Current Revenue as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Receipts	YTD Outside Receipts	% of Budget	Net Difference (\$)	Budgeted Transfer Receipts	YTD Transfer Receipts	% of Budget	Budgeted Total Receipts	YTD Total Receipts	% of Budget
205	Refuse	1,387,100	823,573	59	(563,527)	-	-	-	1,387,100	823,573	59
206	Refuse Equipment Replacement	-	-	-	-	50,000	23,900	48	50,000	23,900	48
	<b>Total</b>	<b>1,387,100</b>	<b>823,573</b>	<b>59</b>	<b>(563,527)</b>	<b>50,000</b>	<b>23,900</b>	<b>-</b>	<b>1,437,100</b>	<b>847,473</b>	<b>59</b>

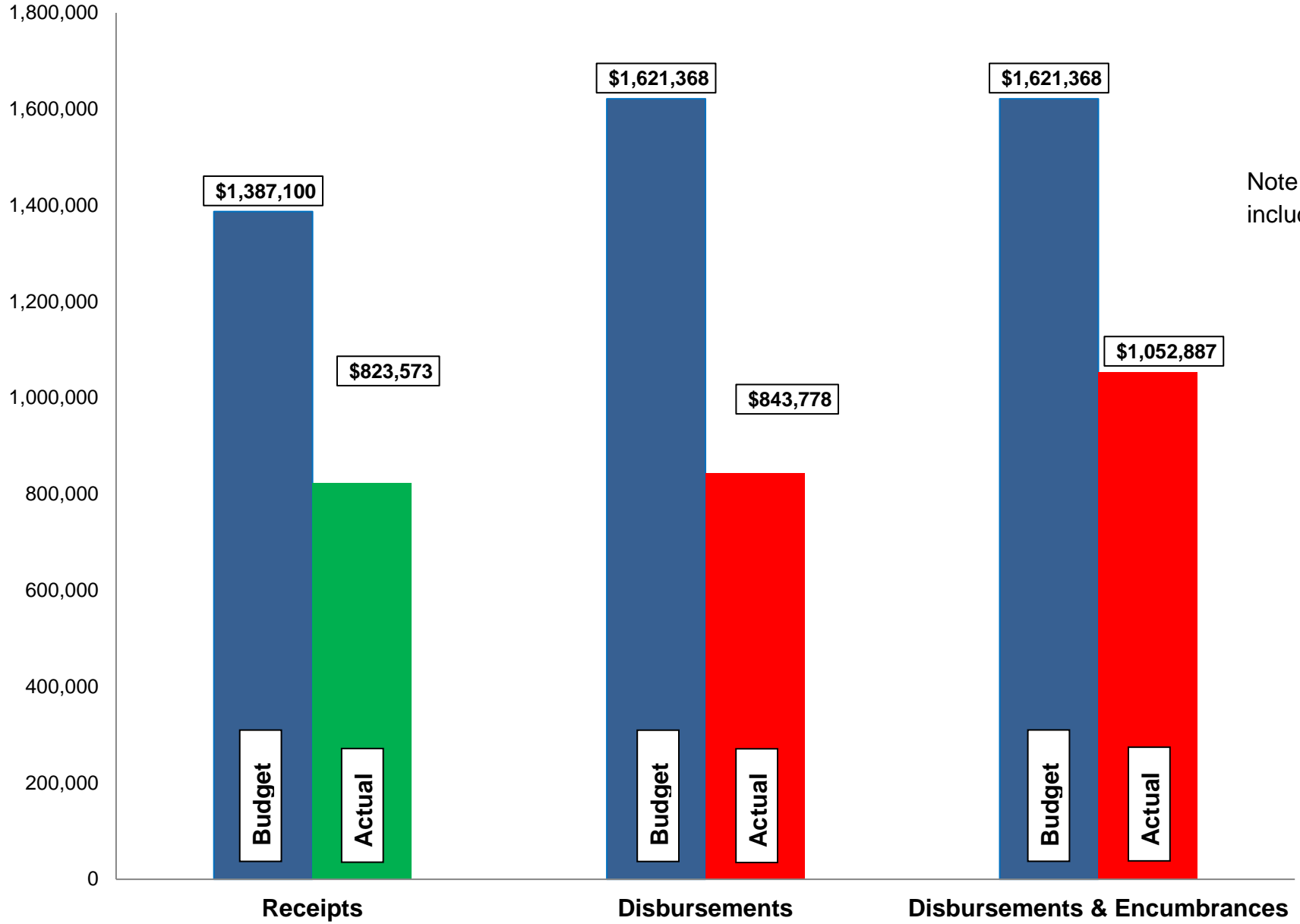
**Current Disbursements, including Encumbrances, as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Disbursements	YTD Outside Disbursements	% of Budget	Encumbrances	YTD Outside Disbursements & Encumbrances	% of Budget	Budgeted Transfer Disbursements	YTD Transfer Disbursements	% of Budget	Budgeted Total Disbursements	YTD Total Disb., Enc. & Tfrs	% of Budget
205	Refuse	1,474,122	819,878	56	141,863	961,741	65	50,000	-	-	1,655,302	961,741	58
206	Refuse Equipment Replacement	147,246	23,900	16	67,246	91,146	62	-	-	-	147,246	91,146	62
	<b>Total</b>	<b>1,621,368</b>	<b>843,778</b>	<b>52</b>	<b>209,109</b>	<b>1,052,887</b>	<b>65</b>	<b>50,000</b>	<b>-</b>	<b>-</b>	<b>1,802,548</b>	<b>1,052,887</b>	<b>58</b>

(1) Prior years encumbrances closed (money not spent) as of July 31, 2023: \$ -

CHART R1

# Budget, Revenues & Expenditures as of July 31, 2023 REFUSE FUNDS



Note: Disbursements and Disbursements & Encumbrances bars include \$88,833 appropriated from prior year budgets.

CHART R2



**Fund Balance Report Reflecting Year-to-Date Receipts and Expenditures, including Prior-Year Obligations and Encumbrances  
for the period ended July 31, 2023  
WATER FUNDS**

#	Fund Name	Beginning Unencumbered Balance	Encumbrances	Beginning Cash Balance	Y-T-D Total Receipts	Available Funds	Y-T-D Total Disbursements	Ending Cash Balance	Encumbrances	Ending Unencumbered Balance	Change in Cash Balance	Change in Unencumbered Balance
602	Waterworks	897,792	53,863	951,655	672,574	1,624,229	824,626	799,603	244,521	555,082	(152,052)	(342,710)
603	Water Improve/Equip Replace	392,154	64,332	456,486	205,370	661,856	149,652	512,204	44,872	467,332	55,718	75,178
<b>Total</b>		<b>1,289,946</b>	<b>118,195</b>	<b>1,408,141</b>	<b>877,944</b>	<b>2,286,085</b>	<b>974,278</b>	<b>1,311,807</b>	<b>289,393</b>	<b>1,022,414</b>	<b>(96,334)</b>	<b>(267,532)</b>

**Current Revenue as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Receipts	YTD Outside Receipts	% of Budget	Net Difference (\$)	Budgeted Transfer Receipts	YTD Transfer Receipts	% of Budget	Budgeted Total Receipts	YTD Total Receipts	% of Budget
602	Waterworks	1,134,600	672,574	59	(462,026)	-	-	-	1,134,600	672,574	59
603	Water Improve/Equip Replace	-	5,370	-	5,370	200,000	200,000	100	200,000	205,370	103
<b>Total</b>		<b>1,134,600</b>	<b>677,944</b>	<b>60</b>	<b>(456,656)</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>1,334,600</b>	<b>877,944</b>	<b>66</b>

**Current Disbursements, including Encumbrances, as Compared to Annual Estimates  
for the period ended July 31, 2023**

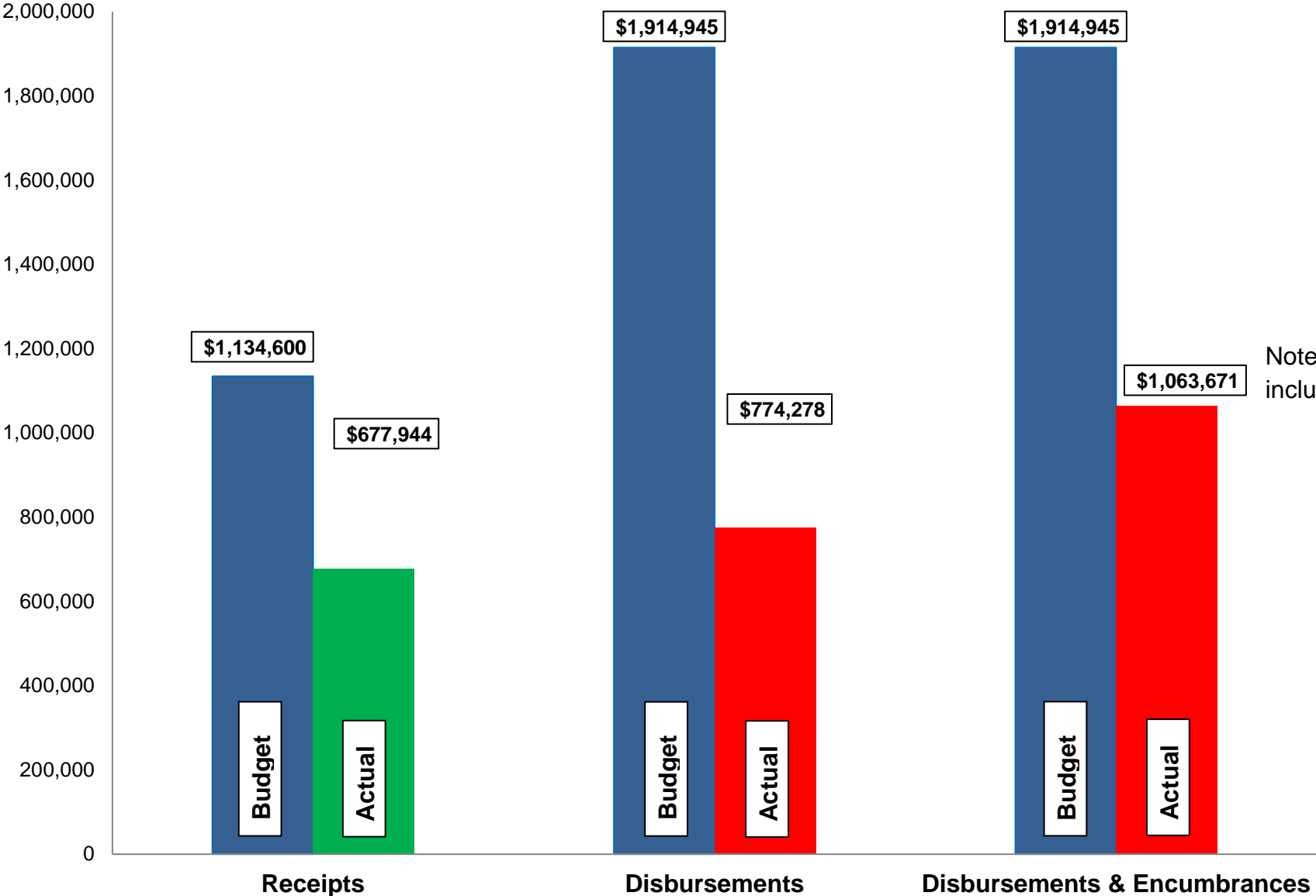
#	Fund Name	Budgeted Outside Disbursements	YTD Outside Disbursements	% of Budget	Encumbrances	YTD Outside Disbursements & Encumbrances	% of Budget	Budgeted Transfer Disbursements	YTD Transfer Disbursements	% of Budget	Budgeted Total Disbursements	YTD Total Disb., Enc. & Tfrs	% of Budget
602	Waterworks	1,371,113	624,626	46	244,521	869,147	63	200,000	200,000	100	1,657,869	1,069,147	64
603	Water Improve/Equip Replace	543,832	149,652	28	44,872	194,524	36	-	-	-	543,832	194,524	36
<b>Total</b>		<b>1,914,945</b>	<b>774,278</b>	<b>40</b>	<b>289,393</b>	<b>1,063,671</b>	<b>56</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>2,201,701</b>	<b>1,263,671</b>	<b>57</b>

(1) Prior years encumbrances closed (money not spent) as of July 31, 2023:

\$ 817

CHART W1

**Budget, Revenues & Expenditures  
as of July 31, 2023  
WATER FUNDS  
(Excludes Internal Transfers)**



Note: Disbursements and Disbursements & Encumbrances bars include \$118,195 appropriated from prior year budgets.

**CHART W2**



**Fund Balance Report Reflecting Year-to-Date Receipts and Expenditures, including Prior-Year Obligations and Encumbrances  
for the period ended July 31, 2023  
SANITARY SEWER FUNDS**

#	Fund Name	Beginning Unencumbered Balance	Encumbrances	Beginning Cash Balance	Y-T-D Total Receipts	Available Funds	Y-T-D Total Disbursements	Ending Cash Balance	Encumbrances	Ending Unencumbered Balance	Change in Cash Balance	Change in Unencumbered Balance
607	Sanitary Sewer Disp. and Maint.	1,586,617	161,599	1,748,216	1,100,896	2,849,112	1,308,942	1,540,170	33,979	1,506,191	(208,046)	(80,426)
608	Sewer Improve/Equip Replace	313,748	214,012	527,760	200,000	727,760	240,934	486,826	86,415	400,411	(40,934)	86,663
<b>Total</b>		<b>1,900,365</b>	<b>375,611</b>	<b>2,275,976</b>	<b>1,300,896</b>	<b>3,576,872</b>	<b>1,549,876</b>	<b>2,026,996</b>	<b>120,394</b>	<b>1,906,602</b>	<b>(248,980)</b>	<b>6,237</b>

**Current Revenue as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Receipts	YTD Outside Receipts	% of Budget	Net Difference (\$)	Budgeted Transfer Receipts	YTD Transfer Receipts	% of Budget	Budgeted Total Receipts	YTD Total Receipts	% of Budget
607	Sanitary Sewer Disp. and Maint.	1,883,200	1,100,896	58	(782,304)	-	-	-	1,883,200	1,100,896	58
608	Sewer Improve/Equip Replace	-	-	-	-	200,000	200,000	100	200,000	200,000	100
<b>Total</b>		<b>1,883,200</b>	<b>1,100,896</b>	<b>58</b>	<b>(782,304)</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>2,083,200</b>	<b>1,300,896</b>	<b>62</b>

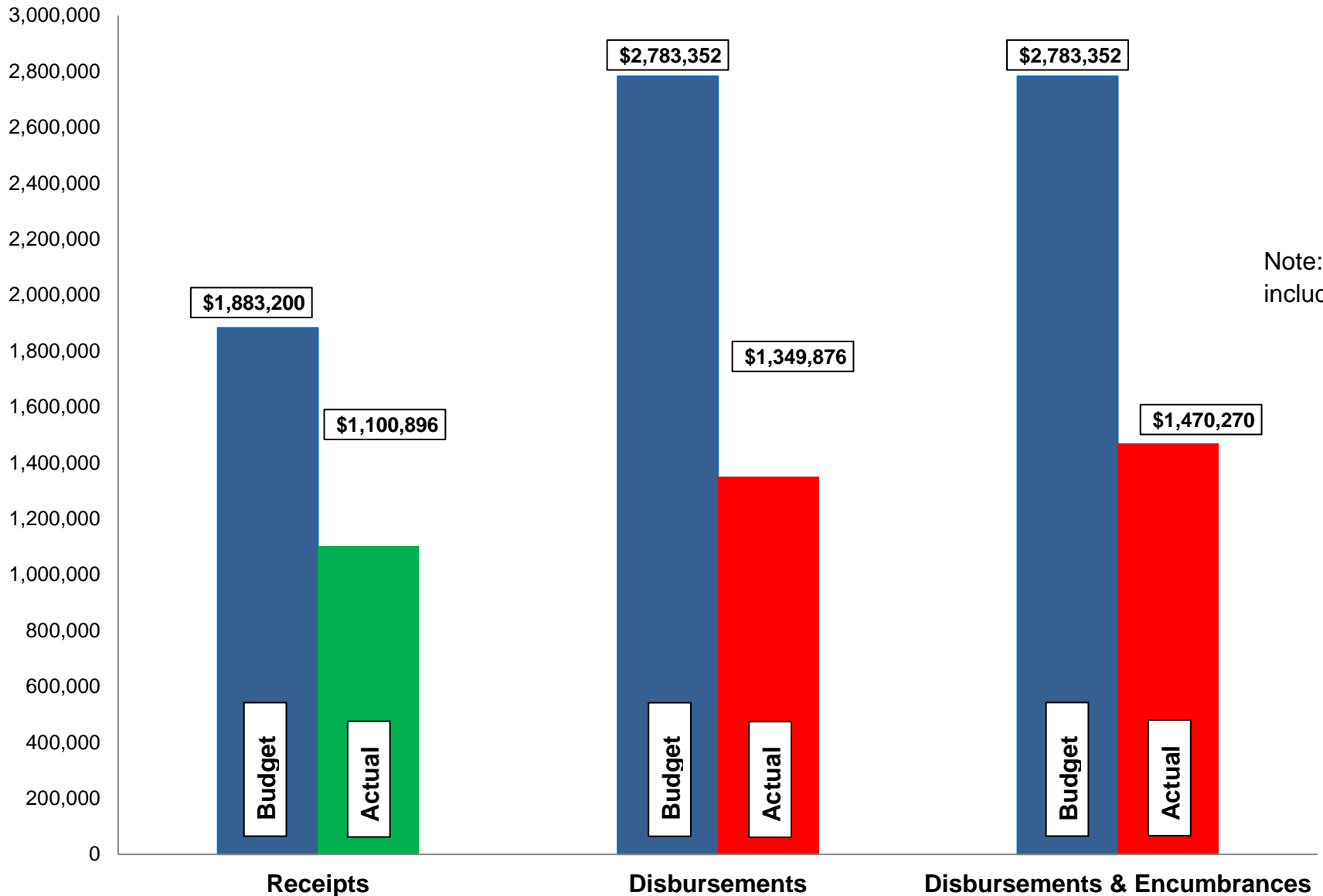
**Current Disbursements, including Encumbrances, as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Disbursements	YTD Outside Disbursements	% of Budget	Encumbrances	YTD Outside Disbursements & Encumbrances	% of Budget	Budgeted Transfer Disbursements	YTD Transfer Disbursements	% of Budget	Budgeted Total Disbursements	YTD Total Disb., Enc. & Tfrs	% of Budget
607	Sanitary Sewer Disp. and Maint.	2,374,340	1,108,942	47	33,979	1,142,921	48	200,000	200,000	100	2,615,226	1,342,921	51
608	Sewer Improve/Equip Replace	409,012	240,934	59	86,415	327,349	80	-	-	-	409,012	327,349	80
<b>Total</b>		<b>2,783,352</b>	<b>1,349,876</b>	<b>48</b>	<b>120,394</b>	<b>1,470,270</b>	<b>53</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>3,024,238</b>	<b>1,670,270</b>	<b>55</b>

(1) Prior years encumbrances closed (money not spent) as of July 31, 2023: \$ -

CHART S1

**Budget, Revenues & Expenditures  
as of July 31, 2023  
SANITARY SEWER FUNDS  
(Excludes Internal Transfers)**



Note: Disbursements and Disbursements & Encumbrances bars include \$375,611 appropriated from prior year budgets.

**CHART S2**



**Fund Balance Report Reflecting Year-to-Date Receipts and Expenditures, including Prior-Year Obligations and Encumbrances  
for the period ended July 31, 2023  
STORMWATER FUNDS**

#	Fund Name	Beginning Unencumbered Balance	Encumbrances	Beginning Cash Balance	Y-T-D Total Receipts	Available Funds	Y-T-D Total Disbursements	Ending Cash Balance	Encumbrances	Ending Unencumbered Balance	Change in Cash Balance	Change in Unencumbered Balance
615	Stormwater Utility	404,427	4,475	408,902	309,969	718,871	348,423	370,448	56,721	313,727	(38,454)	(90,700)
616	Stormwater Improve/Equip Replace	104,390	275,000	379,390	1,185,000	1,564,390	50,304	1,514,086	1,448,297	65,789	1,134,696	(38,601)
<b>Total</b>		<b>508,817</b>	<b>279,475</b>	<b>788,292</b>	<b>1,494,969</b>	<b>2,283,261</b>	<b>398,727</b>	<b>1,884,534</b>	<b>1,505,018</b>	<b>379,516</b>	<b>1,096,242</b>	<b>(129,301)</b>

**Current Revenue as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Receipts	YTD Outside Receipts	% of Budget	Net Difference (\$)	Budgeted Transfer Receipts	YTD Transfer Receipts	% of Budget	Budgeted Total Receipts	YTD Total Receipts	% of Budget
615	Stormwater Utility	466,600	309,969	66	(156,631)	-	-	-	466,600	309,969	66
616	Stormwater Improve/Equip Replace	985,000	985,000	100	-	200,000	200,000	100	1,185,000	1,185,000	100
<b>Total</b>		<b>1,451,600</b>	<b>1,294,969</b>	<b>89</b>	<b>(156,631)</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>1,651,600</b>	<b>1,494,969</b>	<b>91</b>

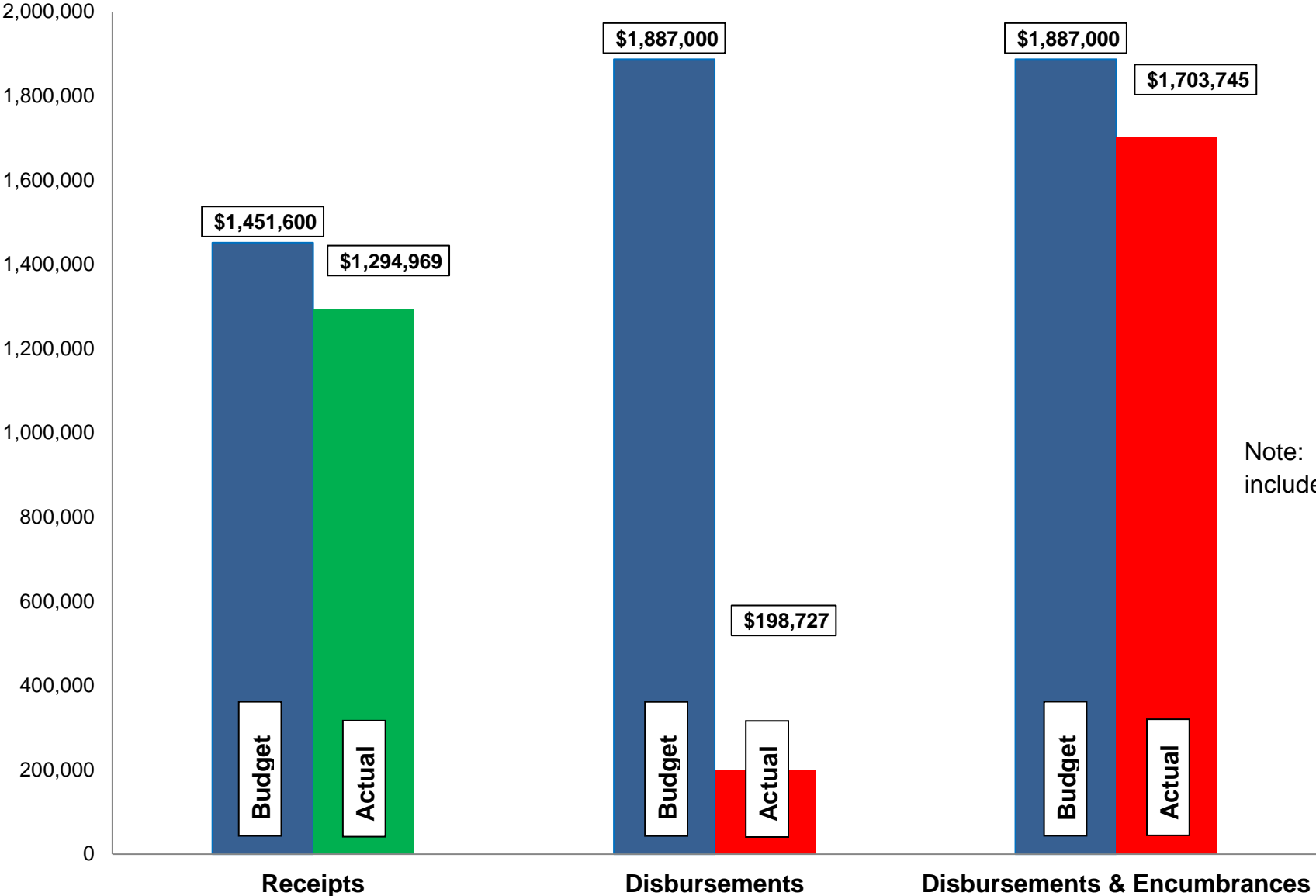
**Current Disbursements, including Encumbrances, as Compared to Annual Estimates  
for the period ended July 31, 2023**

#	Fund Name	Budgeted Outside Disbursements	YTD Outside Disbursements	% of Budget	Encumbrances	YTD Outside Disbursements & Encumbrances	% of Budget	Budgeted Transfer Disbursements	YTD Transfer Disbursements	% of Budget	Budgeted Total Disbursements	YTD Total Disb., Enc. & Tfrs	% of Budget
615	Stormwater Utility	353,399	148,423	42	56,721	205,144	58	200,000	200,000	100	579,248	405,144	70
616	Stormwater Improve/Equip Replace	1,533,601	50,304	-	1,448,297	1,498,601	-	-	-	-	1,533,601	1,498,601	1
<b>Total</b>		<b>1,887,000 (1)</b>	<b>198,727</b>	<b>11</b>	<b>1,505,018</b>	<b>1,703,745</b>	<b>90</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>2,112,849</b>	<b>1,903,745</b>	<b>90</b>

(1) Prior years encumbrances closed (money not spent) as of July 31, 2023: \$ -

CHART ST1

**Budget, Revenues & Expenditures  
as of July 31, 2023  
STORMWATER FUNDS  
(Excludes Internal Transfers)**



Note: Disbursements and Disbursements & Encumbrances bars include \$279,475 appropriated from prior year budgets.

**CHART ST2**



Subject: Monthly Financials – July

The following are the items to note when reviewing July's financials:

General City Services:

- Gross Income Tax collections are at 66.65% of the budgeted \$11.00M. April and May are normally our largest collection months. The gross and net 2023 collections are more than YTD July 2022 by 1.69% and 1.55%, respectively.
- Our Real Estate tax collections total \$2,590,777; 92.77% of budget.
- General Fund revenues are 73% of budget and total General City Services revenues are 73% of budget.
- General Fund expenditures, including encumbrances, are 61% of budget and total General City Services expenditures, including encumbrances, are 66% of budget.
- Budgeted disbursements for General City Services include \$17,179,288 in original appropriations plus the following supplemental appropriations:
  - \$985,000 approved May 1, 2023 to be transferred to the Stormwater Improvement / Equipment Replacement Fund for the Far Hills Storm Sewer Reconstruction project; and
  - \$50,000 approved May 1, 2023 for costs related to the continuation of a traffic study.
- No unusual items in the month of July.

Refuse Fund:

- Refuse revenues are approximately 59% of budget. Expenditures, including encumbrances, are approximately 65% of budget.
- Budgeted disbursements for Refuse include \$1,507,535 in original appropriations plus the following supplemental appropriation:
  - \$25,000 approved May 1, 2023 for the purchase of a refuse scooter.
- No unusual items in the month of July.

Enterprise Funds:

- Water revenues are approximately 60% of budget. Expenditures, including encumbrances, are approximately 56% of budget.
- Budgeted disbursements for Water include \$1,796,750 in original appropriations.
- Sewer revenues are approximately 58% of budget. Expenditures, including encumbrances, are approximately 53% of budget. 63% of our 2022 costs were a result of payments to Dayton and Montgomery County for wastewater treatment.
- Budgeted disbursements for Sanitary Sewer include \$2,407,741 in original appropriations.
- Stormwater revenues are approximately 89% of budget. Expenditures, including encumbrances, are approximately 90% of budget.
- Budgeted disbursements for Stormwater include \$1,607,525 in original appropriations.
- No unusual items in the month of July.

Cindy

## OAKWOOD

### City puts tax levy renewal on ballot

At its July 17 public meeting, Oakwood City Council approved an ordinance to place a property tax renewal issue on the Nov. 7 ballot. As a renewal, this tax issue would extend the current level of property taxation for a longer period.

The city has an existing 3.75-mill property tax levy that is due to expire at the end of 2023. The levy was first approved by Oakwood voters in 2013 and was renewed by Oakwood voters in 2018.

The current effective residential millage rate of this tax levy is 3.03. The issue raises about \$1.08 million annually and pays for Oakwood public services including police, fire & emergency medical response, street and alley maintenance, and public parks. It costs about \$93 per year per \$100,000 in residential property valuation.

For additional information, contact City Manager Norbert S. Klopsch at 937-298-0600 or [nklopsch@oakwoodohio.gov](mailto:nklopsch@oakwoodohio.gov)

STAFF REPORT



## City maximizing revenue?

We have to give the city of Oakwood credit; they do know how to generate revenue by every means available. On July 11, I attended the third Open House regarding the proposed traffic roundabout held at the Oakwood Community Center. There was a club swim meet being held at the pool which maybe wasn't taken into consideration in scheduling.

I arrived and found what I believed was a legitimate parking space behind the tennis courts on Collingwood Ave.; following 40+ minutes speaking with City Council members and the Public Safety Director, plus being asked to write down my opinions, I returned to find what I thought was just a flier under my windshield wiper but was in fact a parking ticket.

I find it puzzling that there is distinction on what area along the south side of the street in question

parking is permitted, as there is no signage or information in plain sight. It also raises the question as to why four vehicles were parked in the area beyond the marked lines on the pavement, yet only two were ticketed.

I have 12 photographs to support my argument and I'm prepared to discuss the specifics of the situation. The postscript came when I followed the instruction on the citation to contact the Court if I wished to contest the ticket, only to reach the voicemail of the Clerk's office at 3:30pm on Friday; her reply nearly 72 hours later was that she'd left the office prior to the 4pm closing time.

They reel you in, and then have an excuse for every seeming anomaly. It's a good system they've got going.

*Brian Baker*

OR 8/2/23

## Smith Gardens Blanket Concert features Blue Eighty

The alternative band Blue Eighty will wrap up Oakwood's 2023 Blanket Concert Series at 7 p.m. on Sunday, Aug. 6, at Smith-Gardens, located in the 800 block of Oakwood Avenue.

The concert is free and open to the public. In event of rain the concert will be held in the Oakwood Community Center, 105 Patterson Road.



OR 8/2/23





# OAKWOOD FIVE POINTS INTERSECTION

## Public Comment Form

Contact information is not required but will ensure you receive a response, should one be necessary.

Name: John & Mj GRAY

Mailing address (or nearest cross streets): 1911 RIDGEWAY RD

jcgray@grayamerica.com  
Email address: mj@thefarmoakwood.com Phone: 937-672-7342

Address of impacted property (or nearest cross streets): \_\_\_\_\_

Business/Organization Name (if applicable): \_\_\_\_\_

Business/Organization Address: \_\_\_\_\_

How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Mailed letter
- TV or radio
- Word-of-mouth
- City website
- Social media
- Email
- Other:

What is your interest in the Five Points intersection? (Select all that apply.)

- Area Resident
- Area business owner or employee
- Commuter
- Other: \_\_\_\_\_

How often do you or your family members travel through the Five Points intersection?

- Daily
- A few times a week
- Weekly
- A few times a month
- Monthly
- Other: \_\_\_\_\_

How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk
- Other: \_\_\_\_\_ (Select all that apply.)

Questions/Comments:

The do not see the need for a Roundabout at 5 Points. The do like roundabouts. The one at Mad River has made a big difference and works very well. At 5 Points a Roundabout will create more issues than solutions.

1) What about the private property needed for this project. The Homeowners  
(write additional Questions/Comments on back as needed)

**COMMENTS DUE BY  
August 11, 2023**

- Questions/Comments may be submitted:
- Verbally or in writing
  - By email at [fivepoints@oakwoodohio.gov](mailto:fivepoints@oakwoodohio.gov)
  - By telephone at 937-298-0600
  - Online at [oakwoodohio.gov](http://oakwoodohio.gov)



## Additional Questions/Comments:

need to rollover and allow the city to access any property they need and what does living on a roundabout do to their property values?

2 Five Points has never been an area where lines of traffic are waiting. At the worst of times one may need to wait more than one light rotation.

3 Hazardous, accident area. In my almost 50 years of living in Oakwood I don't recall a heavy amount of accidents at the intersection.

4 Fourth and most important is pedestrian traffic, school children, walkers, runners. How will pedestrian traffic continue? I have never seen a pedestrian cross at the roundabout at Oak River

I understand the need for progress and efficiency but there is also something to be appreciated about the tried and true.





# OAKWOOD FIVE POINTS INTERSECTION

## Public Comment Form

Contact information is not required but will ensure you receive a response, should one be necessary.

Name: THELMA SENS

Mailing address (or nearest cross streets): 32 E THRUSTON BLVD

Email address: tjsens@aol.com Phone: 937-477-5807

Address of impacted property (or nearest cross streets): 32 E THRUSTON BLVD

Business/Organization Name (if applicable): \_\_\_\_\_

Business/Organization Address: \_\_\_\_\_

How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Mailed letter
- TV or radio
- Word-of-mouth
- City website
- Social media
- Email
- Other:

What is your interest in the Five Points intersection? (Select all that apply.)

- Area Resident
- Area business owner or employee
- Commuter
- Other: \_\_\_\_\_

How often do you or your family members travel through the Five Points intersection?

- Daily <sup>\*2-4</sup>
- A few times a week
- Weekly
- A few times a month
- Monthly
- Other: \_\_\_\_\_

How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk
- Other: \_\_\_\_\_ (Select all that apply.)

Questions/Comments:

I have serious concerns about the "roundabout."  
I have lived at 32 E Thruston Blvd. for 36 years.  
I have never had a problem managing travel  
through 5 Points. The lights are cycled and  
 (write additional Questions/Comments on back as needed)

**COMMENTS DUE BY  
August 11, 2023**

- Questions/Comments may be submitted:
- Verbally or in writing
  - By email at [fivepoints@oakwoodohio.gov](mailto:fivepoints@oakwoodohio.gov)
  - By telephone at 937-298-0600
  - Online at [oakwoodohio.gov](http://oakwoodohio.gov)





## Additional Questions/Comments:

we all know the cycle & it is never a problem getting to turn in any direction. I have never been in a accident there nor have I even seen one!

Concerns: ① Where do pedestrians & school children cross Far Hills from East Thurston to go back & forth to Nauman School?

Path for runners & walkers in general?

② When I turn left from East Thurston to South Far Hills, it appears I will need to traverse entrances & exits at 5 points!!

I merge into traffic from Far Hills heading north, then the Oakwood Ave. interchange, then the traffic from Far Hills going south, then W. Thurston interchange & then exit onto Far Hills going south. I would use the entire "figure 8" (so-called "roundabout"). I know once I am in the roundabout it should flow, but I would need to be very alert to cars coming & going especially from Far Hills which is very busy almost all the time. It could be hard to enter even at certain times of the day. A simple left turn from E. Thurston to Far Hills has never been an issue for my family.

\* traffic on Far Hills going north down the hill & curve is an issue, I assume. When a car is going too fast, I won't make the sharp turn onto E. Thurston as I do fear getting rear-ended so I have always continued onto Oakwood Ave. & turned onto ~~St.~~ Schenck Ave. and gone around the block. No big deal when I do that which I have done occasionally for 36 years without an accident! ③ are houses/property being affected in "perfect area"?



7/29/23

Continued:

I do know more about the roundabout now. I am totally opposed to the "roundabout." Just replace the traffic lights when necessary!

I have paid attention to how long a car has to wait at the lights & it is not long at all — and much safer. I can envision more accidents with this "figure 8" system — I like roundabouts actually, but this is a system drivers are not familiar with and will take effort to navigate.

The pedestrian "beacons" seem scary to me, too. Will drivers coming down the curve on Far Hills be prepared enough to stop for the children to cross Far Hills going back & forth to school?

The expense to create this "figure 8" traffic "roundabouts" to me would not be justified ~~to~~ when there have been just 21 crashes at that intersection in 4 years. How many of the injuries were serious was not provided & there have fortunately been no deaths.

This was a crazy idea & an expensive one that will inconvenience me & my Oakwood neighbors for what significant benefit?

Helma Sens  
32 E. Thurston Blvd.



# OAKWOOD FIVE POINTS INTERSECTION

## Public Comment Form

Contact information is not required but will ensure you receive a response, should one be necessary.

8/19/2023

Name: Kaili Fan, MD & Richard Grager, MD

Mailing address (or nearest cross streets): 228 Southview Rd.

Email address: \_\_\_\_\_ Phone: \_\_\_\_\_

Address of impacted property (or nearest cross streets): Thurston (W) Blvd.

Business/Organization Name (if applicable): N/A

Business/Organization Address: N/A

How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Mailed letter
- TV or radio
- Word-of-mouth
- City website
- Social media
- Email
- Other:

What is your interest in the Five Points intersection? (Select all that apply.)

- Area Resident
- Area business owner or employee
- Commuter
- Other: \_\_\_\_\_

How often do you or your family members travel through the Five Points intersection?

- Daily
- A few times a week
- Weekly
- A few times a month
- Monthly
- Other: Multiple times a ~~day~~ day!

How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk
- Other: \_\_\_\_\_ (Select all that apply.)

Questions/Comments:

① Our biggest concern is the heavy pedestrian traffic crossing Far Hills at this area, particularly those little children going to schools & coming home each day.

② It will be very difficult to get into the loop given from side streets

(write additional Questions/Comments on back as needed)

**COMMENTS DUE BY  
August 11, 2023**

- Questions/Comments may be submitted:
- Verbally or in writing
  - By email at [fivepoints@oakwoodohio.gov](mailto:fivepoints@oakwoodohio.gov)
  - By telephone at 937-298-0600
  - Online at [oakwoodohio.gov](http://oakwoodohio.gov)





Additional Questions/Comments:

the high volume of traffic along For Hill's.

③ The aesthetic design detract from the beautiful Oakwood neighborhood.

④ Traffic accidents mostly caused by drivers disobey rules & signal, as well as distraction, this roundabout will not change any of that.



# OAKWOOD FIVE POINTS INTERSECTION

## Public Comment Form

Contact information is not required but will ensure you receive a response, should one be necessary.

Name: Lucy Baker

Mailing address (or nearest cross streets): 400 Monterey Ave.  
Oakwood 45419

Email address: baker1966@sbcglobal.net Phone: 937-260-3799

Address of impacted property (or nearest cross streets): \_\_\_\_\_

Business/Organization Name (if applicable): \_\_\_\_\_

Business/Organization Address: \_\_\_\_\_

How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Mailed letter
- TV or radio
- Word-of-mouth
- City website
- Social media
- Email
- Other:

What is your interest in the Five Points intersection? (Select all that apply.)

- Area Resident
- Area business owner or employee
- Commuter
- Other: \_\_\_\_\_

How often do you or your family members travel through the Five Points intersection?

- Daily
- A few times a week
- Weekly
- A few times a month
- Monthly
- Other: \_\_\_\_\_

How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk
- Other: \_\_\_\_\_ (Select all that apply.)

Questions/Comments:

I am worried that the Roundabout will be dangerous for  
school children, who have to cross multiple times a day.  
Also, I think it will eat up green space + residents' well-tended  
lawns, ruining the aesthetic of our town's main entrypoint. I don't think

(write additional Questions/Comments on back as needed)

There's room for it, and I think it will  
 Questions/Comments may be submitted: create  
 • Verbally or in writing accidents  
 • By email at [fivepoints@oakwoodohio.gov](mailto:fivepoints@oakwoodohio.gov) +  
 • By telephone at 937-298-0600  
 • Online at [oakwoodohio.gov](http://oakwoodohio.gov) slowdowns.



COMMENTS DUE BY  
August 11, 2023





# OAKWOOD FIVE POINTS INTERSECTION

## Public Comment Form

Contact information is not required but will ensure you receive a response, should one be necessary.

Name: GRETCHEN CAPLAN

Mailing address (or nearest cross streets): 114 Woodberry Ave Dayton OH  
45419

Email address: gcaplan@usavingsbank.com Phone: 937-672-3722

Address of impacted property (or nearest cross streets): \_\_\_\_\_

Business/Organization Name (if applicable): \_\_\_\_\_

Business/Organization Address: \_\_\_\_\_

How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Mailed letter
- TV or radio
- Word-of-mouth
- City website
- Social media
- Email
- Other:

What is your interest in the Five Points intersection? (Select all that apply.)

- Area Resident
- Area business owner or employee
- Commuter
- Other: \_\_\_\_\_

How often do you or your family members travel through the Five Points intersection?

- Daily
- A few times a week
- Weekly
- A few times a month
- Monthly
- Other: \_\_\_\_\_

How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk
- Other: \_\_\_\_\_ (Select all that apply.)

Questions/Comments:

THE NEWS LETTER STATES THAT THERE WERE 21 CRASHES OVER  
A 4 YEAR PERIOD 2018 - 2021. MY QUESTION IS HOW  
MANY CRASHES WERE THERE AT THE FAR HILLS & PENN  
ONWARD INTERSECTION FOR THE SAME TIME PERIOD?

(write additional Questions/Comments on back as needed)

**COMMENTS DUE BY**  
**August 11, 2023**

- Questions/Comments may be submitted:
- Verbally or in writing
  - By email at [fivepoints@oakwoodohio.gov](mailto:fivepoints@oakwoodohio.gov)
  - By telephone at 937-298-0600
  - Online at [oakwoodohio.gov](http://oakwoodohio.gov)



Additional Questions/Comments:

I do love @ Ronodobant. but I think  
this will disturb/impact to ~~most~~ many  
homes & historic properties.



# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Sunday, July 30, 2023 9:34 AM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

AALIYAH BAKER

## Address

425 Far Hills Avenue  
Oakwood, OH 45409  
[Map It](#)

## Phone

(414) 324-2515

## Email

[mrs\\_aaliyahbaker@yahoo.com](mailto:mrs_aaliyahbaker@yahoo.com)

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Mailed Letter
- Word-of-mouth
- City website

## What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident
- Commuter

## How often do you or your family members travel through the Five Points intersection?

- Daily

## How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk

## Questions/Comments

We are incredibly disturbed by environmental, social and economic impacts of this project. 1) Before making an offer on this home, we visited at different times of the day to get a feel for the noise situation. The project would drastically change the noise level and value assessment of the properties, neighborhood, and location. 2) The risks associated with living next to major road construction include health risks to the body and mind. We currently do not see anything in this project proposal that is designed to remedy this for residents impacted. 3) Losing a Park Memorial is awful.

# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Sunday, July 30, 2023 6:44 PM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

Olivia Miller

## Address

328 orchard dr.  
Oakwood, OHIO 45419  
[Map It](#)

## Phone

(937) 856-1414

## Email

[o.c.m@att.net](mailto:o.c.m@att.net)

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Word-of-mouth

## What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

## How often do you or your family members travel through the Five Points intersection?

- Daily

## How do you or your family members usually travel through the Five Points intersection?

- Automobile

## Questions/Comments

I love the new roundabout idea I think it looks great!



# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Monday, July 31, 2023 5:24 PM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

Julie Morris

## Address

354 Beverly pl  
Oakwood, Ohio 45419  
[Map It](#)

## Phone

(330) 241-0868

## Email

[juliemae101@gmail.com](mailto:juliemae101@gmail.com)

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Mailed Letter

## What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

## How often do you or your family members travel through the Five Points intersection?

- Daily

## How do you or your family members usually travel through the Five Points intersection?

- Automobile

## Questions/Comments

It seems that much of the congestion can be relieved by eliminating left hand turns on FR Hills during morning and evening rush hours. The cost of signs is minimal. The inconvenience is minimal as well. The alternative is too expensive and will be added to our tax bill.

## Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Tuesday, August 1, 2023 9:42 AM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

### Name

Lawrence Drummy

### Address

415 Far Hills  
Oakwood, OH 45409  
[Map It](#)

### Phone

(937) 307-0268

### Email

[larrydrummy@gmail.com](mailto:larrydrummy@gmail.com)

### Business/Organization Address

United States  
[Map It](#)

### How did you hear about the open house meeting? (Select all that apply.)

- Mailed Letter

### What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

### How often do you or your family members travel through the Five Points intersection?

- Daily

### How do you or your family members usually travel through the Five Points intersection?

- Automobile
- Bicycle
- Walk

### Questions/Comments

Alternative options have not been presented (including traffic cameras to slow traffic, closing off one of the 6 points and keeping signals). Major concerns are: 1. Pedestrian safety. Most pedestrian crossings happen without crossing guard present. 2. Out of control speeds inside the roundabout. Will have vehicles jumping the curb onto sidewalks, especially during Ohio weather. Large speed humps are necessary to control speed 3. Additional Takings. State will take the project over and could modify this design due to the multiple safety concerns above. 4. Need coordination with local hospitals



# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Thursday, August 3, 2023 8:35 AM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

jeffrey farley

## Address

9028 Portage Pointe Drive  
Condo H  
Streetsboro, Ohio 44241  
[Map It](#)

## Email

[jsfarley75@gmail.com](mailto:jsfarley75@gmail.com)

## Business/Organization Name (if applicable)

jeffrey s farley

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Social media

## What is your interest in the Five Points intersection? (Select all that apply.)

- Other

## How often do you or your family members travel through the Five Points intersection?

- Monthly

## How do you or your family members usually travel through the Five Points intersection?

- Bicycle

## Questions/Comments

Any and all future traffic projects must include proper bicycle lanes.

# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Thursday, August 3, 2023 10:19 AM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

Bruce Teeters

## Address

646 Runnymede Road  
Oakwood, OH 45419  
[Map It](#)

## Phone

(937) 546-8394

## Email

[bateeters@yahoo.com](mailto:bateeters@yahoo.com)

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Newspaper

## What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

## How often do you or your family members travel through the Five Points intersection?

- Daily

## How do you or your family members usually travel through the Five Points intersection?

- Automobile

## Questions/Comments

As currently designed, I am very concerned that those travelling north on Oakwood Ave will only be able to turn south onto Far Hills and will not be able to enter the roundabout, causing an excessive amount of traffic diversion to Katherine St for drivers to be able to enter the roundabout on Thruston. Katherine is a short one block street not designed for that amount of traffic. Also, the city lists safety as the primary reason for the change, but has stated there were only approx 6 injury accidents in a 4 year time period. Seems like a significant expense for a minimal possible benefit.



# Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Thursday, August 3, 2023 11:07 AM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

## Name

Carol Askins

## Address

106 Peach Orchard Road  
Oakwood, Ohio 45419  
[Map It](#)

## Phone

(937) 294-1112

## Email

[cbuddeaskins@hotmail.com](mailto:cbuddeaskins@hotmail.com)

## Business/Organization Address

United States  
[Map It](#)

## How did you hear about the open house meeting? (Select all that apply.)

- Newspaper
- Word-of-mouth
- Social media

## What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

## How often do you or your family members travel through the Five Points intersection?

- A few times a week

## How do you or your family members usually travel through the Five Points intersection?

- Automobile

## Questions/Comments

I understand that roundabout accidents generally do not result in fatalities. I have been a homeowner in Oakwood since 1969, and in that time I do not have an impression of Five Points as a dangerous intersection. If there is not a problem, I don't know why the city of Oakwood would sign up for the mess and construction of a roundabout. There's already so much going on in Oakwood with Miller pipeline, broadband installation, ongoing sidewalk repair, ongoing street repair, commercial lawn services, and last, but not least private homeowners' constant upkeep and restoration of old homes. NO!

## Stacel, Lori

---

**From:** notify@proudcity.com  
**Sent:** Thursday, August 3, 2023 8:10 PM  
**To:** Traffic Signal Study  
**Subject:** Website Feedback - Five Points

### Name

Sue Seeberger

### Address

358 Wonderly Avenue  
Oakwood, Ohio 45419  
[Map It](#)

### Business/Organization Address

United States  
[Map It](#)

### How did you hear about the open house meeting? (Select all that apply.)

- Mailed Letter

### What is your interest in the Five Points intersection? (Select all that apply.)

- Area resident

### How often do you or your family members travel through the Five Points intersection?

- A few times a week

### How do you or your family members usually travel through the Five Points intersection?

- Automobile

### Questions/Comments

I attended the last event and found that your "science fair" approach to public outreach was less than helpful and frustrating. I was discouraged by the arrogant demeanor of a vice president of the engineering company I talked to for several minutes. I mentioned that I no longer drive on Shroyer road north of Dorothy Lane. He said that they had accomplished their goal. I was dumbfounded. He repeated the GOAL was to discourage people from driving on certain roads. He said that if drivers avoid the peanut, that's fine. If this is your goal, then you are failing to represent us or use money well.



## Klopsch, Norbert S.

---

**From:** Bryan Chodkowski <brhchodkowski@gmail.com>  
**Sent:** Sunday, July 30, 2023 9:36 AM  
**To:** Duncan, William; Byington, Steve; Stephens, Rob; Hilton, Anne; Turben, Leigh  
**Cc:** Tracy Chodkowski; Klopsch, Norbert S.  
**Subject:** Proposed Far Hills Roundabout

Mayor Duncan & Members of Council,

First and foremost, I would like to thank you and City staff for your communication efforts on the proposed roundabout project. Whether through the website, letters, or use of the media; you have made every effort to keep the community informed about your vetting of this proposed roundabout. Additionally, the open house events have been an excellent opportunity to engage with you, staff, and your consultants to better understand the considerations that went into this proposed improvement.

Regarding these open houses, I had a chance to attend the June 29 event. During my time at the community center, I had the opportunity to speak with Councilmembers Stephens & Turben, City Manager Klopsch, Law Director Jacques, and Chief Hill. Moreover, I was able to engage with your consultant, Mr. Knebel, and several other Oakwood residents - some of whom would be directly impacted should this roundabout become a reality.

From all the information received from these sources, my wife and I would ask that you support advancing the roundabout concept. As individuals who commute through this intersection twice daily, my wife and I encourage you to support furthering the roundabout project for the following reasons:

- **Traffic calming:** Utilization of the roundabout will compel traffic to move through this area at speeds more in-line with the posted speed limit. Roundabouts are also proven to reduce traffic accidents. Having recently spent time visiting with friends in the area of Oakwood Ave. and Far Hills, there is no doubt there is a strong and consistent flow of traffic through this area, not all of which moves at a reasonable speed.
- **Cost-control:** While the upfront expense to this project is substantially larger than replacement of a conventional traffic signal, on-going maintenance costs over time will equal or exceed the initial cost to construct the roundabout. From our perspective, maintenance costs include City staff labor-loss for things such as coordinating contractors, subcontractors, and addressing insurance claims related to damaged signal infrastructure.
- **Pedestrian safety:** There has been a great deal of discussion on how the roundabout will benefit pedestrian traffic as it crosses Far Hills, offering a relief/waiting area between opposing lanes of traffic. We would also advocate the greater pedestrian safety improvement is how the proposed roundabout will also push pedestrians moving parallel to vehicular traffic further away from the road. As residents who take pride in the walkability of their community, we cannot stress enough the value of these two benefits from the proposed roundabout.
- **Environmental benefits:** The roundabout eliminates the stop-start of traffic, reducing emissions. The roundabout also reduces the impervious surface within the right-of-way, improving stormwater management conditions. This improvement with stormwater management could also be argued as a safety improvement for vehicular traffic, reducing potential hydroplaning and icing conditions.

My wife and I are aware there are still challenges associated with this proposal. Residents of Oakwood Ave. and Thruston Blvd will be directly impacted by this project. Residents of secondary streets in the roundabout area may be impacted by altered traffic patterns. Actual project costs remain undefined, along with a host of other issues.

Our support for the advancement of the roundabout project is not to ignore these problems, but because we believe that advancing this project to the next stage will help you answer those concerns for the community. Moving this

project into the next phase and finding the answers to these questions and concerns will help you to make the best decision for the City on whether to actually construct the roundabout or stay with a more conventional traffic control plan.

We would like to thank you in advance for your consideration of this matter. Regardless of how you cast your vote on the future of the roundabout project, we appreciate your service to our city.

Respectfully,

Bryan & Tracy Chodkowski  
301 Greenmount Blvd



## Stacel, Lori

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**From:** luke46219 <luke46219@gmail.com>  
**Sent:** Sunday, July 30, 2023 4:34 PM  
**To:** Traffic Signal Study  
**Subject:** Oppose Five Points Roundabout Intersection

Good afternoon,

My wife and I attended the first open house at the OCC. We were surprised to see that it was not a question and answer session between the council and audience, and engaged with several council members and the city engineer on an individual basis instead. The city reps said the other scheduled events would have the same setup so we did not attend either of the other two. I read recently in the Oakwood Scene Aug/Sep publication that while a decision on whether to pursue the project has not yet been made, it is expected soon. I would encourage a townhall style event prior to making a decision on this project so community members can hear not only from the city representatives but also from their fellow citizens on the pros and cons of the proposal and the council can engage openly with its citizenry in a question and answer format. At this point, though, I oppose the change.

The presentation material and city representatives kept saying that the proposed peanut design was not the final choice, just a concept, but it didn't seem like there was any alternative in the works so this message will be specifically regarding the peanut design.

I agree that roundabout studies have shown that severe accidents are reduced in comparison with traditional intersections. However, several studies I saw indicated that moderate or minor traffic accidents increase with a roundabout, and this is exacerbated with multilane roundabouts. Also, as you are aware this is a heavily trafficked pedestrian intersection for students during the school day. I am concerned that the crosswalks will be a secondary priority for motorists when they are approaching the intersection and trying to prepare to navigate the area. I am also concerned about northbound traffic coming down the hill and not having a lot of time with the landscape and terrain to react to slow traffic waiting to enter the roundabout. Oakwood is known for being a walking community but I fear this would make the northern portion of the city less safe for pedestrians and bike riders.

Another thing I will note is the information I have found on roundabouts is they should not be placed on a grade of more than 4%. I believe that this area has a grade more than 4% so I am wondering if this was taken into consideration for the design and, if so, whether significant grading will be required to change the slope of the terrain in the area to keep it at or below 4%.

Material I have seen on roundabout designs say that semi trucks are permitted to use more than one lane to traverse the roundabout and as a result other motorists should not approach or pass a semi in the roundabout. Additionally, the design appears to run counter to best practices of roundabout design where the "natural curve" of vehicles may take a path into an adjacent lane.

I am also concerned about the confusion that could result from vehicles northbound on Far Hills in the roundabout being forced off onto Oakwood Ave when the right lane turns into an exit lane. Removing that lane is likely to lead to motorists merging to stay on Far Hills while in the roundabout. This one lane exit also makes the two lanes crossing Far Hills (coming from southbound Oakwood Ave) seem excessive. I don't think the southbound Oakwood Ave lanes require two lanes of traffic anyway since that light often turns yellow before I even get into the middle of the intersection even when I am the first car in line.

Finally, I am concerned about the prospects of use of the intersection at night and in the winter. Proper signage and identification of speed limits for that intersection will help but I am wondering about lighting of the intersection,

signage, etc at night and snow buildup in the median areas. The videos didn't seem to offer sufficient lighting of the area or signage, and snowmelt may freeze on the road (see above about roundabout on a grade) and cause hazardous conditions while traversing the area.

I may have already filled out a feedback form so apologies if this is a duplication. Thank you for taking the time to read and consider my concerns.

Lucas Robinson  
36 Telford Ave



## Stacel, Lori

---

**From:** Kip Matthews <kipmatthewson@hotmail.com>  
**Sent:** Monday, July 31, 2023 7:46 AM  
**To:** Traffic Signal Study  
**Subject:** "5-Points" Roundabout Comment

Good morning, Oakwood Leadership Team,

Is, or could there also please be, at least some reasonable consideration given at this time by the City to renaming/"rebranding" the intersection as "6-Points"?

Given that the discussion is centered on the complexity to routing all types of travel (vehicles, pedestrians, golf carts, cyclers, etc) optimally throughout 6 "spokes," it would harmonize a lot of the forward motion by simply starting from the correct number of 6 instead of 5.

My family and I love this town and its history, in particular. So we can absolutely appreciate any pushback if there is greater historical significance than a nickname for the utilization of "5-Points." Perhaps the "6th Point" came later in our City's chronology with the access created for E Thruston?

Either way, the purpose of this message is to be thought-provoking and is being submitted only with best intentions for minimizing confusion into the future. We love this town and appreciate your openness to receiving input from any/all people fortunate enough to experience it briefly or permanently!

Truly,

Kip, Niki, & Vivianne Matthews

Oakmead PI

## Stacel, Lori

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**From:** Karen Knoll <daytontennisgal@gmail.com>  
**Sent:** Monday, July 31, 2023 7:18 PM  
**To:** Traffic Signal Study  
**Subject:** What a disaster in the making

Whose crazy idea was this? Is this intersection really such a problem that you have to spend millions just to join the "we've got a roundabout, too club". Did someone go to a Roundabout Convention and think Oakwood really needs this roundabout pow wow? The statistics say 4 accidents a year, which is microscopic based on the thousands of vehicles that travel through this intersection on a daily basis. It deems no change except for maybe a flashing light upgrade. The topography of this site does not bode well for future motorists and the obstacles that vehicles will endure will need to be seriously addressed.

Your video simulations make each car look to be like a mini cooper and the amount of vehicles in each rendition is all like a Saturday afternoon even though you say it's rush hour You cherry picked each scenario and only showing one semi truck and no school busses, RTA busses or emergency vehicles. The rendition showing a semi truck clearly needs 2 lanes of traffic to navigate the curves which clearly will side swipe any car adjacent to it. It's clearly misleading and false.











It clearly is going in two lanes and needs two lanes to go through. Not to mention the engine breaking and the noise pollution that that creates. Did you even consult with local EMS, EMT, hospital and fire departments? How are you going to merge right and slow or stop in a roundabout without getting sideswiped as an emergency vehicle passes you? What about RTA busses and the wires above? Last time I checked, they do not curve at all.

Having two crossing guards is a plus but the risk of death or injury with cars flying down far hills and hitting children is a big legal risk. And what happens to people who want to cross in non school hours? I would call that running the gauntlet. Cross at your own risk! You essentially cannot cross from east to west. It will be impossible. Unless you are going to hire crossing guards 24/7. Your legal team will be very busy for lawsuits for pedestrians. It's getting close to geographic racism to divide oakwood. I feel horrible for those families on the wrong side of far hills. You are putting them and their children in an inherently dangerous situation.

How do you plan to divert 1,000's of cars daily during construction? Naturally they will cut through residential neighborhoods and cause disruption to our quiet side streets. Just horrible for anyone who lives around it.

In my mind, this is just a dumb idea. Oakwood officials are usually right about decisions in our community. This one is so bad, you start to wonder if people are being paid off behind closed doors to make this happen. Based on the topography, huge traffic flow all day and every day of the week including during school hours, you are not only going to have more accidents, they will be serious accidents. And what about the houses next to this? Fear of noise levels, cars crashing into their homes and loss of value should be enough to put the brakes on this idea. I can see a class action lawsuit happening to those poor residents who will not only bear the burden of this catastrophe but the loss of valuation of their home.

I urge you all to reconsider this insane idea of keeping up with the Jones. It's racially dividing to our community and horribly unsafe and will reduce home values in the surrounding community. It's a no brainer.

Karen and Aaron Knoll  
295 west thruston blvd.



## Stacel, Lori

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**From:** Barbara Miller <floweringbranch@gmail.com>  
**Sent:** Tuesday, August 1, 2023 10:26 PM  
**To:** Traffic Signal Study  
**Cc:** Turben, Leigh (External); Klopsch, Norbert S.  
**Subject:** Five Points Roundabout

To: Oakwood City Council members & Oakwood City Staff,

I'm writing to express my opinion about the proposed traffic roundabout at Five Points. I am opposed to making this intersection any more complicated than it already is. My reasons are below and I hope you take these into consideration when you make decisions regarding this possible project. I understand that you have decided to pursue funding for this project and I am wondering if you decide to NOT go ahead with this project, I would hope that the funding could be used to upgrade certain aspects of the intersection as well as the current stoplight system. I sincerely hope that just because (if) Oakwood gets the funding that is not the decisive factor in deciding pro or con for the project.

Have you done research on how many children cross that intersection daily during school sessions? LOTS. Maybe 50 twice, sometimes three times a day. To increase the street crossings for those children doesn't make any sense. This plan does little if anything for the safety of the children crossing Thruston on either side of the intersection. Regarding the right turn onto Thruston when traveling South: There is currently no "No Right Turn" when one is traveling South. In the roundabout plan, it seems that the expectation is that the cars will stop when turning right onto Thruston when they see a stoplight. Wouldn't that cause them to back up into the roundabout? I am also wondering if there would be enough time for them to stop upon seeing a signal. And they should be red, not yellow. What will happen to the pedestrians walking on Far Hills Avenue? Will sidewalks be protected? Oakwood is a walking city, even on Far Hills. There are children who live in four houses on Far Hills just North of that intersection. How will this affect their ability to walk to see their friends and to school?

As an aside, I really wish the pedestrian activated lights on Shroyer were red instead of yellow. Pedestrians should have the same protection as vehicles do when crossing the street... that is the benefit of a red(STOP) light, not yellow, or "caution".

My main concern is for the children, obviously. But there are other concerns, mostly fiscal and data supporting a "need".

The presentations at the OCC were grossly mishandled. There was no information flow, no real ability to take notes, and obviously it was a way to keep the "noise" down from the community. I was disappointed. So, there are unanswered questions. How much will it cost? Where will the money come from? What is the comparison cost of the roundabout to upgrading the current equipment and enhancing the intersection as it is? How many accidents have there been? Number of accidents per volume of cars? Do those statistics warrant such an expenditure? My daughter lives on Far Hills Avenue and I'm there frequently. The only time I see any semblance of a backup is around 5:30 and then it's only a few cars and they move along once the light changes. It doesn't seem to be a major traffic snafu. Is there data on that type of traffic flow (ie.e "backup") currently? Has the city received enough complaints to warrant a project such as this?

I appreciate the opportunity to speak freely about my concerns on this project.

Barbara Miller  
121 East Schantz, STE 3

## PRESS RELEASE



City of Oakwood  
30 Park Avenue  
Oakwood, Ohio 45419

**Subject:** Five Points Roundabout Grant Application

**Date:** July 31, 2023

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OAKWOOD, OHIO:

At the August 7 public meeting, Oakwood City Council will consider a resolution to authorize and direct the city manager to submit a grant application to the Ohio Department of Transportation for construction of a roundabout at the intersection of Far Hills Avenue (SR 48), Oakwood Avenue and Thruston Boulevard, often referred to as Five Points.

There are many considerations on whether to build the roundabout, with the highest priority being the impact on public safety. Research has consistently documented the safety benefits of roundabouts for all users, including vehicles, pedestrians and cyclists. Another factor is the project cost. Submitting a grant application for state and federal funding assistance will answer the question of how a roundabout project would impact the city budget, if pursued.

Over the past several months, the city has received input from the Oakwood community and the general public on possibly converting Five Points from a traditional signalized intersection to a roundabout. Some of the input supports the roundabout alternative, and some opposes it. Through the input process, many questions have been asked. The city has compiled the questions into a white paper and prepared a response to each. The white paper is still in draft form but will be posted to the city website at [www.oakwoodohio.gov](http://www.oakwoodohio.gov) on Friday, August 4. It will be updated as needed over the next two months.

The city previously announced that public comments would be received through August 11. Given the size and potential impact of this project, the city is extending the public comment period through September 30. The public comment form is available on the city website. City leaders welcome and appreciate all public input.

FOR ADDITIONAL INFORMATION, PLEASE CONTACT  
Norbert S. Klopsch, City Manager  
(937) 298-0600  
[klopsch@oakwoodohio.gov](mailto:klopsch@oakwoodohio.gov)



## City Council to vote on applying for ODOT funding for roundabout, extends deadline for public comment on traffic proposal

At next week's Oakwood City Council meeting on Monday, Aug. 7, City Council will consider a resolution to authorize and direct the city manager to submit a grant application to the Ohio Department of Transportation for construction of a roundabout at the intersection of Far Hills Avenue (State Route 48), Oakwood Avenue and Thruston Boulevard, often referred to as Five Points.

"There are many considerations on whether to build the roundabout, with the highest priority being the impact on public safety," city officials stated in announcing the intent to apply for ODOT funding. "Research has consistently documented the safety benefits of roundabouts for all users, including vehicles, pedestrians and

See **Roundabout** on page 5 ►

### ► **Roundabout** from page 1

cyclists. Another factor is the project cost. Submitting a grant application for state and federal funding assistance will answer the question of how a roundabout project would impact the city budget, if pursued."

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a traditional signalized intersection to a roundabout. "Some of the input supports the roundabout alternative, and some opposes it," the city noted. "Through the input process, many questions have been asked."

The city has compiled the questions into a white paper and prepared a response to each. The white paper is still in draft form but will be posted to the city website at [www.oakwoodohio.gov](http://www.oakwoodohio.gov)

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OR

8/2/23

## Opposed to Roundabout

The city roundabout presentation at the Oakwood Community Center appeared to be a fait accompli. The engineer patiently explained the rationale for the roundabout...I remained unconvinced. Why?

### 1. Safety:

Five Points is a school crossing where five (actually six) streets intersect. Imagine cars approaching and merging from several directions as children and pedestrians try to cross.

### 2. School Crossing, Patterson and Far Hills Avenue:

Unimpeded cars cruising around the roundabout will be confronted with steep, curving Far Hills Avenue, where a traffic light requires a stop at the top of the hill. I can envision backed-up, rear-end collisions.

### 3. Residential Community:

Commuters must curtail their speed when transiting Oakwood. Our

Oakwood police do a commendable job protecting our safety!

### 4. Expenditure:

The cost of acquiring property and building such a grandiose structure would be prohibitive compared to the cost of the necessary upgrading and updating of the present system. It is tempting to receive State and Federal funds, but for the right decisions.

### 5. Transportation Studies:

Slower speeds through attractive surroundings result in lowered respiration, calmer demeanor and safe arrival at destination in time comparable to speeding drivers for whom there are alternative routes.

I concur that a community meeting is in order for Oakwood citizens to express their opinions on the roundabout issue.

*Joanne Granzow*

OR 8/2/23



# City Council may vote Monday to seek grant funding for Far Hills roundabout

Safety and project cost are two key factors Oakwood officials are weighing with project.

By **Jeremy P. Kelley**  
Staff Writer

Oakwood City Council will decide at its Monday meeting whether to submit a grant application to the Ohio Department of Transportation, seeking funds for construction of a roundabout at

the intersection of Far Hills Avenue, Oakwood Avenue and Thruston Boulevard.

City officials said in a statement Monday that public safety is the most important factor in deciding whether to build a roundabout, and that when it comes to safety, roundabouts are a plus.

"Research has consistently documented the safety benefits of roundabouts for all users, including vehicles, pedestrians and cyclists," the city's statement said.

But the cost of the project is another factor, and Oakwood leaders said submitting a grant application for state and federal funding will help answer the question of how a roundabout project would impact the city budget.

The intersection in question, on

a hill in northern Oakwood, carries heavy traffic on Far Hills (Ohio 48) between Dayton and multiple south suburbs. Two smaller streets (Thruston and Oakwood) intersect with it diagonally at the same spot, giving the intersection six spokes.

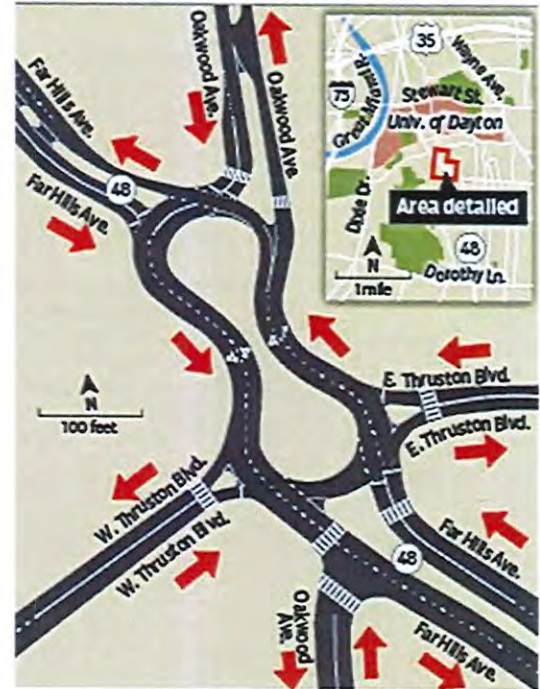
While the proposed change is called a roundabout, the design released by the city is more peanut-

**Roundabout** continued on B8

DAYTON DAILY NEWS | THURSDAY, AUGUST 3, 2023

## Roundabout proposal

Oakwood has released a proposed design for a roundabout at the city's Five Points Intersection on Ohio 48 just south of Dayton.



## Roundabout

continued from B1

or dumbbell-shaped than round.

The city has held public forums about the roundabout idea this summer, saying feedback has been mixed as far as support and opposition. Oakwood officials said they have compiled the questions people posed into a white paper with a response to each. That white paper will be

posted to the city website at [www.oakwoodohio.gov](http://www.oakwoodohio.gov) on Friday.

The Monday meeting where City Council will vote on submitting a grant application will take place at 7:30 p.m. at the Oakwood city building, 30 Park Ave.

The city also is extending its public comment period on the project through Sept. 30, with the form available on the city website.

Contact this reporter at [jeremy.kelley@coxinc.com](mailto:jeremy.kelley@coxinc.com)



## FIVE POINTS ROUNDABOUT CONCEPT

### QUESTIONS AND RESPONSES

August 4, 2023

- Why are we doing anything at this intersection? The Five Points traffic signal is about 28 years old. It will reach the end of its useful life in the next 5-10 years. The city is studying the roundabout concept to see if it is a better option to manage traffic at Five Points and improve the intersection safety performance versus traditional traffic signal control.
- Why are we considering a roundabout? There is extensive support from traffic safety studies for building roundabouts, showing that they reduce crashes, particularly serious injury crashes, and reduce motorist delays. Reducing delays also has environmental benefits such as reduced vehicle emissions. Roundabouts have been constructed and are functioning well in multiple locations around the Miami Valley, throughout Ohio and all around the country.
- Where is a Dog Bone/Peanut roundabout being used in a similar densely populated area with school children crossing? The atypical configuration of the Five Points intersection supports a unique roundabout shape to improve safety and minimize property impacts. One of the benefits of roundabouts is that the shape does not need to be a simple circle, like the Alex Bell Rd/ Mad River Rd intersection, to achieve the safety and traffic capacity benefits. Peanut-shaped roundabouts have been proposed and constructed at numerous locations within Ohio and around the country to improve safety at complex intersections and to minimize property impacts. The peanut shape and other non-traditional shapes will become more common in the future as the benefits of roundabouts are understood as a better method of controlling traffic flow than a traffic signal. A few examples of non-traditional roundabout shapes and the proximity of roundabouts to schools are listed below:

**36<sup>th</sup> St/Hill Rd/Catalpa Dr; Boise, ID** – This is a 6-leg roundabout in a school zone with one leg being a school driveway.

**Harding St/Madison St/Green St/Vernon St; Worcester, MA** – This is a multi-lane, 7-leg peanut roundabout in an urban setting adjacent to I-290. The southeast approach

(SR 122A) is downhill at a grade (4-5%). It includes multiple crosswalks at all legs and even one mid-roundabout.

**Honore Ave/Sawgrass Rd; Fruitville, FL** – This is a roundabout adjacent to an elementary school and residential area.

**E. Fifth St/N. Cherry St/Columbus Ave/Delaware Ave; Marysville, OH** – This is a multi-lane, 5-leg roundabout in a downtown area.

**SR 656/ Wilson Rd/SR 61; Delaware County, OH** – This is a 4-leg peanut roundabout constructed on high-speed roadways (55 MPH).

**Worthington Rd/ Lewis Center Rd; Delaware County, OH** – This is a 4-leg peanut roundabout under design at a Highway Safety Improvement Program (HSIP) location.

**County Line Rd/ Center Village Rd/Edwards Rd/ Duncan Plains Rd NW; Delaware County, OH** – This is a 5-leg peanut roundabout to be designed having a US Bike Route (USBR 50A) and high-speed approaches (55 MPH).

- How do the Far Hills Ave and Oakwood Ave grades impact the roundabout? A primary benefit of roundabouts is that they reduce vehicle speeds. The geometry of roundabouts requires vehicles to slow down as they approach and traverse the intersection. Vehicles traveling northbound (downhill) and southbound (uphill) on Far Hills Ave will be braking as they approach the roundabout, as opposed to maintaining normal speed or perhaps even accelerating as they approach the intersection. The existing 85<sup>th</sup> percentile speed north of Five Points is 45 MPH despite the posted speed of 35 MPH. The grades will not adversely impact the functionality of the roundabout.
- How does the cost of a roundabout compare to a traditional traffic signal? The cost to convert the existing signalized intersection to a roundabout will be significantly higher than the cost to simply replace the existing traffic signal installation. However, lifecycle costs to maintain the roundabout would be lower than lifecycle costs to maintain a traffic signal. Also, it may be that a majority of the cost to build the roundabout would be paid by state and/or federal transportation dollars, effectively making the local share (Oakwood taxpayer expense) comparable to, or perhaps even less than, the cost of rebuilding and upgrading the traffic signal.

- Will privately owned land be acquired to build the roundabout? If so, how much? The conceptual plan requires seven small areas of private roadway frontage property to be acquired as additional public right-of-way. It would not require the acquisition and removal of any structures. The small areas of land are depicted in orange highlight on Display Board #5 which is posted on the city website at <https://oakwoodohio.gov/departments/traffic-signal-study-five-points/>
- Could the Ohio Department of Transportation (ODOT) change Oakwood's roundabout design after the project is funded? ODOT is a proponent of roundabouts; the ODOT Safety Program regularly funds construction of roundabouts due to their safety performance record. A funding application to the ODOT Safety Program will be considered if the roundabout alternative advances beyond the initial study phase. ODOT's review of the roundabout design will involve verifying that it complies with ODOT and Federal Highway Administration (FHWA) roadway design standards. The design firm preparing detailed construction plans for the roundabout will be required to prepare those plans consistent with the same standards.
- How will vehicles be stopped to make the Far Hills Ave pedestrian crossing safe? The conceptual roundabout plan includes the use of a Pedestrian Hybrid Beacon (PHB) signal. The PHB uses lighted signals to stop motorists when a crosswalk user is present. The signal is actuated via a pedestrian pushbutton. The signal indications are dark when not active, but incorporate yellow and red lights to stop traffic for pedestrians. A PHB is recommended for multi-lane roundabouts in the US Access Board guidelines under the Americans with Disabilities Act (ADA) for the Public Rights-of-Way Accessibility Guidelines (PROWAG). The roundabout design divides the Far Hills crossing into two phases. Each phase is approximately 24 feet in length (two lane widths). The phases are separated by a 24 +/- feet wide raised center median. While negotiating the crosswalk, pedestrians need only consider approaching vehicular traffic from one direction at a time. The current signalized intersection requires pedestrians to cross approximately 60 feet of roadway, without a raised center median, and pedestrians must consider approaching vehicular traffic from two directions. The conceptual roundabout plan may also include raised pavement pedestrian crossings to slow traffic.



- Would we need to add a second adult crossing guard during the times when children travel to and from Harman School? Given that pedestrians are 50% less exposed to vehicular traffic with the roundabout design, there would be no reason why a second permanent adult crossing guard is needed. A crossing guard would likely be staged in the splitting island to assist students crossing either direction of Far Hills Ave. A second guard could be used during the first school year in operation as a means of aiding in educating pedestrians and motorists on the operation of the roundabout and the new crosswalk design.
- How will vehicles be stopped to make the Thruston Blvd pedestrian crossing safe? Crossing Thruston Blvd would be similar to crossing other 2-lane streets in the city of Oakwood. In the case of Five Points, the crosswalk would likely be raised to discourage higher-speed traffic on Thruston Blvd. Such speed reduction devices do not exist on the existing roadway.
- How will vehicles be stopped to make the Oakwood Ave pedestrian crossing safe? The crossing of the south leg of Oakwood Ave would be similar to Thruston Blvd. The crossing of the north leg of Oakwood Ave would be similar to crossing the northbound Far Hills Ave approach.
- Would it be better to move the crosswalks farther away from the intersection? No. Best design practices call for crosswalks to be incorporated within the functional area of the intersection. Moving pedestrian crosswalks further away from the roundabout would result in them operating more like a mid-block crossing where speeds are higher and where motorists are less likely to expect them.
- Why not consider constructing a pedestrian bridge over Far Hills Ave or a tunnel under Far Hills Ave? While a bridge or tunnel could be constructed, the cost/benefit analysis would not support it. Given the amount of underground utilities, a tunnel would be very difficult to build, and would be extremely expensive. Likewise, a bridge would be very expensive. Americans with Disabilities Act (ADA) requirements would also complicate construction of a bridge or tunnel such that elevators may be required.

- What side street traffic changes will occur if the roundabout is built? While it is impossible to predict exactly how local traffic patterns might change, it is likely that some motorists would modify their trips depending on origin and destination. Some drivers may initially avoid the roundabout by using residential streets to seek alternate paths to reach their intended destinations. However, as motorists become more familiar with the roundabout operation, it is likely that most local traffic patterns will return to what they are today. It is possible that some commuter traffic may divert to other thoroughfares, but this is also likely to revert back to what it is today.
- What alternate routes will northbound Oakwood Ave traffic use? The conceptual design does not permit northbound Oakwood Ave (south of Far Hills Ave) traffic to enter the roundabout. All northbound Oakwood Ave traffic must turn right, moving southbound on Far Hills Ave. Motorists in this Oakwood Ave neighborhood wishing to travel northbound into Dayton or beyond will need to use Katherine St (or Dixon Ave) and Runnymede Rd to enter the roundabout from W. Thruston Blvd. Alternatively, motorists could use Dixon Ave and Far Hills Ave to enter the roundabout from the south.
- How will approaching vehicles be advised of the roundabout? Advance signage will be incorporated into the detailed design consistent with ODOT and FHWA design guidelines, including the Ohio Manual of Uniform Traffic Control Devices (OMUTCD). The signage plan will be comprehensive and will include appropriately sized signs for all five approaches to the roundabout. The signage plan may also include advance lane direction markings.
- How will the roundabout impact driveways in the immediate area? The ability of residents living along Far Hills Ave in the vicinity of Five Points to exit their driveway and enter Far Hills Ave will not be negatively impacted by the construction of a roundabout. During roughly 95% of the time when traffic at Five Points is moderate to light, there are sufficient gaps in traffic that allow safe entry onto Far Hills Ave. During roughly 5% of the time (weekday morning and afternoon rush hours) when traffic is heavy, the gaps will be created when vehicular traffic is stopped by the traffic signals at Patterson Rd and at Schantz Ave. The gaps that are available during rush hours today are created by those same two traffic signals.

- Will property owners on Far Hills Ave find it difficult to enter Far Hills Ave during rush hour? **No more so than they do today. As explained above, gaps will be created when vehicular traffic is stopped by the traffic signals at Patterson Rd and at Schantz Ave, just as they are today.**
- Will headlights of vehicles in the roundabout shine into neighboring homes? **It is possible that this might occur in a select few locations, but it could be mitigated with grading and landscaping.**
- Will the vehicle noise from a roundabout be greater than with a traditional traffic signal? **No, vehicle noise should not change. Noise caused by vehicles accelerating from a stop condition is expected to decrease.**
- Will the roundabout decrease the value of neighboring properties? **The roundabout would slow down vehicular traffic. It is anticipated that the “traffic calming” effect of the roundabout is more compatible with the residential character of the area. The roundabout design offers myriad options for enhancing the landscape within the Five Points public right-of-way. Greatly reduced vehicle speeds and improved landscaping may in fact increase property values.**
- How will the roundabout impact Harman School drop-offs/pick-ups on Oakwood Ave? **Given that northbound Oakwood Ave (south of Far Hills Ave) does not connect to the roundabout, some current Harman School traffic patterns may need to be adjusted for traffic having destinations north of Five Points.**
- Is one northbound Far Hills Ave lane adequate to address rush hour traffic? **Yes. The roadway capacity analysis using future traffic volumes shows that one through lane is adequate. While there is sufficient public right-of-way to include a second through lane, it is not justified or recommended. Better safety performance is expected with a single northbound lane exiting the roundabout on Far Hills Ave.**



- Will the southbound Oakwood Ave traffic find adequate gaps to enter the roundabout during the weekday morning rush hour traffic periods? During the heaviest morning rush hour traffic period, southbound Oakwood Ave traffic will experience delays in entering the roundabout, but the delays are expected to be less than the current delays encountered with the red lights from the traffic signal. The gaps will be created when northbound Far Hills traffic is stopped by a red light at Patterson Rd or by pedestrians actuating the PHB at Five Points.
- During the morning and afternoon rush hour periods, will eastbound traffic on W. Thruston Blvd be able to safely enter the roundabout and negotiate through it continuing on eastbound E. Thruston Blvd? During the heaviest rush hour traffic periods, eastbound Thruston Blvd traffic will experience delays in entering the roundabout, but the delays are expected to be less than the current delays encountered with the red lights from the traffic signal.
- Does the existing accident history really support a change in the intersection? The Five Points intersection has the highest accident rate of all 17 signalized intersections in Oakwood. It also has the highest injury accident rate. With almost one-third of the accidents involving injury, the intersection is a strong candidate for funding under the ODOT Highway Safety Improvement Program.
- How will traffic be maintained during construction? The detailed construction drawings will include a Maintenance of Traffic (MOT) plan. The MOT will stipulate how traffic is to be addressed during construction. The plan may include periodic lane closures or complete closure of the intersection for several months. In either case, roadway detours will be established and appropriately marked with roadway signage.
- How will vehicles and pedestrians/cyclists cross at that intersection during construction? All modes of transportation, including vehicles, pedestrians and cyclists will be addressed in the MOT plan.

- How long would it take to build the roundabout? It depends on the MOT plan. If the entire intersection is closed, the length of time to build the roundabout would be significantly shorter than it would be if traffic is maintained during construction. The maximum range of time to build the roundabout is expected to be one construction season (April to November) or 6-8 months.
- How will large tractor/trailer rigs get through the roundabout? The conceptual roundabout is configured with geometry to accommodate large commercial tractors/trailers. It also includes mountable curbs and paved truck aprons behind the curb in the event that a particularly large vehicle requires additional space.
- How will heavy rain and snow impact functionality of the roundabout? For all practical purposes, the impact will be no different than what we experience with the current signalized intersection. Slower vehicle speeds will make the intersection safer during heavy rain and snow events.
- How will snow/ice removal be accomplished through the roundabout? Snow and ice removal will be somewhat modified from what it is today, given the different roadway lane configuration and roadway geometry. Prior to the first winter season, the Oakwood Public Works Department will assess the intersection and determine the most expedient and efficient method of plowing and salting the roadway pavement.
- Will the roundabout create major backups during peak traffic periods? The two most significant benefits of a roundabout are safety improvements and efficiency. A properly designed and properly used roundabout moves traffic much more efficiently than a traditional traffic signal. Congestions during peak traffic periods will be reduced from what they are today.
- Can the roundabout design include bike lanes? If not, how will cyclists negotiate it? No, the right-of-way limits at Five Points do not provide space to construct designated bike lanes. Cyclists will negotiate the roundabout using the roadway or transition to the sidewalk/shared use paths on the outside edge of the roundabout.

- Will greenspace and trees be lost? The conceptual roundabout is designed to minimize the loss of trees. No large, old growth trees will need to be removed. The roundabout includes creation of several new greenspaces where pavement currently exists. Based on the conceptual plan, future greenspace is estimated to be 20-25% greater than the existing greenspace. An important design element is that a higher percentage of the future greenspace is distributed to the interior of the roadway which enhances landscape options and the visual experience of drivers, and can reduce headlight glare of opposing vehicles. Also, the roundabout design moves the street away from several sections of public sidewalk, creating safer pedestrian routes.
- How will we preserve the history of the greenspace triangle north of the intersection? City leaders and officials from The Oakwood Historical Society have discussed ideas on how to better recognize and present the history of the land on the northern end of the roundabout, an area that was historically referred to as “Flat Iron Point”. Detailed plans for the roundabout would include provisions for enhancing the historic significance of Flat Iron Point. If federal funds are awarded for the project, historical impacts are required to be considered and incorporated into the project design.
- Will loss of the greenspace triangle negatively impact the 333 Oakwood Ave condominium complex? No negative impact is anticipated. In fact, given the traffic calming effect of the roundabout, options for enhancing the landscape within the Five Points public right-of-way, and creation of a historic feature at “Flat Iron Point,” it may enhance 333 Oakwood Ave.
- Where will the Pedestrian Hybrid Beacon (PHB) poles be located? The beacon poles will be located near the crosswalks, at the entrance to the roundabout.
- Will the beacons create light pollution? The beacons will create less light pollution than the current traffic signal. The current traffic signal includes 6 lenses per approach, which are always illuminated in either red, yellow or green. The conceptual roundabout plan includes 6 lenses, but they are only illuminated when actuated by a person using the crosswalk and only on the multi-lane approaches. The vast majority of the time, the signal heads are not illuminated, and the minor side streets would not have beacons.



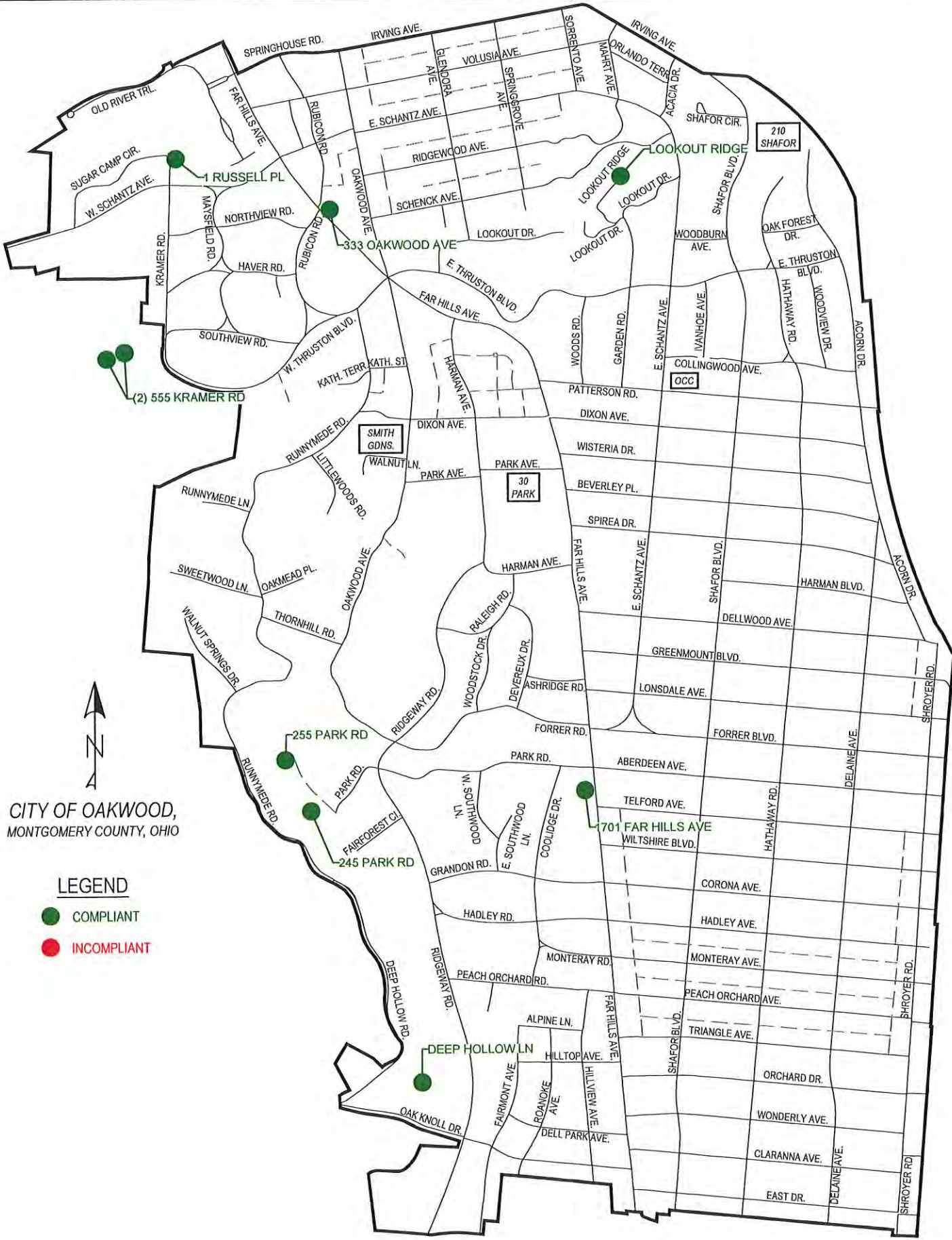
- Will the beacons back up traffic more than the current traffic signal? No, in fact, they will back up traffic less, given the shorter distance of the pedestrian crossings and the fact that they are activated in a full stop mode for a shorter duration than a normal traffic signal.
- Will the beacons confuse drivers because they will only be activated periodically? There may be some initial confusion for those people who are not familiar with them. PHB's are beginning to be installed in the Dayton region. A local example is on Detroit Street (US-68) at Market Street in the city of Xenia.
- Will drivers speed up before and after the roundabout to make up for lost time? Roundabouts move traffic more efficiently than traffic signals so it is not anticipated that motorists will feel as if they "lost time."
- How will the intersection accommodate persons with disabilities? Accessibility will be addressed in the same manner as today. Ramps designed to ADA standards will be incorporated into the crosswalk design, and other elements such as the Pedestrian Hybrid Beacons (PHB) will likewise meet ADA standards.
- How will the intersection impact the movement of emergency vehicles? Emergency vehicles will move through the roundabout in a manner similar to how emergency vehicles currently move through the signalized intersection. In the event that motorists do not move to the right and out of the way, emergency vehicles will have the option of using the mountable curb and paved truck aprons to safely pass through the intersection.
- How about closing the Thruston Blvd access to Five Points and make it a traditional four approach intersection? This could be done, but would negatively impact those motorists who routinely use those approaches to the intersection.
- How about prohibiting all left turns from Far Hills Ave? While this could be done, it would likely be opposed by roadway users who make those left turn movements on a regular basis.

- How long will it take for people to understand how the roundabout functions and how to correctly use it? It is not possible to predict the time it will take for people to become comfortable using the roundabout. That said, it is anticipated that the learning curve will be short and that the traveling public will quickly embrace the change, just as was the case when the city reconfigured Shroyer Rd in 2017. Roundabouts will become more common in the Miami Valley region as shown by the recently constructed roundabout at the intersection of Mad River Rd and Alex Bell Rd.
- How will the roundabout function with people unfamiliar on how to use it? As is the case with any newly constructed roundabout, there is a period of time when some users are unfamiliar with how to properly use it, and may be uncomfortable with using it. Over time, however, the level of unfamiliarity and/or discomfort lessens. The efficient operation of a roundabout is negatively impacted by persons who do not use it properly. As an example, motorists who do not exercise their right-of-way while inside the roundabout can unnecessarily delay other motorists negotiating the intersection. The roundabout will operate most efficiently when motorists use it properly.
- How and from what vantage point(s) will our public safety officers enforce traffic laws within the roundabout? The Oakwood Public Safety Department has a long history of placing strong emphasis on traffic enforcement throughout the city. In each area of the city, Safety Officers use their professional judgment to determine the best means and methods for enforcing traffic laws. Once built, Oakwood Public Safety Officers will assess the roundabout and enforce traffic in and around it in the best manner possible.
- Has the city considered simpler approaches to reducing speed like rumble strips or speed bumps along Far Hills before considering a roundabout? Far Hills Ave is a state route with a 35 mph statutory speed limit. ODOT and FHWA design standards do not support the use of rumble strips or speed bumps on a thoroughfare. Such devices also have disadvantages such as increased noise and slower emergency response times.

- What is the city's contingency plan if the roundabout does not work as intended?  
The city has commissioned and completed a thorough analysis of the intersection and traffic volumes. Traffic engineering best practices will be applied to confirm that the roundabout will function as intended.

DRAFT





CITY OF OAKWOOD,  
MONTGOMERY COUNTY, OHIO

**LEGEND**

- COMPLIANT
- INCOMPLIANT

**PRIVATE HYDRANT COMPLIANCE MAP**  
SCALE: 1" = 1,500'

**OAKWOOD TEEN COURT**  
**Annual Report**  
**2022-2023 School Year**

The Oakwood Teen Court is an opt-in pretrial diversion program for certain traffic and criminal matters involving juvenile first-offenders. The program was established in the 1960's and has been recognized as an official Satellite Juvenile Court Program by the Montgomery County Juvenile Court since May 1, 2014.

The program operates via a peer panel of high school students under the supervision of an adult Teen Court Advisor. All serve on a volunteer basis. The program is open to all juveniles, regardless of where they reside, who are charged with an eligible offense. Eligible offenses include the following:

- *Misdemeanor traffic offenses* that do not involve impaired driving or property damage in excess of \$1,000; and
- *Misdemeanor criminal offenses* that do not involve weapons, drugs, or drug paraphernalia.

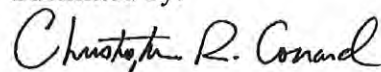
Those charged with felonies or non-eligible offenses, and offenders who opt-out of the program, are referred directly to the Montgomery County Juvenile Court.

Benefits of the program include local resolution of cases; handling minor matters without official court action or conviction; promptness; creative and innovative case disposition; parental involvement; and creating a positive experience for panel members and diversion participants.

A primary goal of the program is to impose constructive sanctions that are appropriate for minor offenses. Typical sanctions include warnings, community service, unofficial driver's license suspensions, and/or essays. Case count is typically low as Oakwood does not see a high volume of juvenile offenses.

<b>2022-2023 Teen Court activity:</b>	
ELIGIBLE TRAFFIC CASES:	4
<u>ELIGIBLE CRIMINAL CASES:</u>	<u>0</u>
TOTAL ELIGIBLE CASES:	4
Of the total eligible cases above,	
DIVERSION PARTICIPANTS:	2
OPTED OUT (Referred to MC Juvenile Court):	2

Submitted by:



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Chris Conard, Esq., Teen Court Advisor

**JULY 2023 OAKWOOD PROPERTY SALES**

<b>SALES ABOVE APPRAISED VALUE</b>					
<b>ADDRESS</b>	<b>DATE SOLD</b>	<b>SALE PRICE</b>	<b>DATE LAST SOLD</b>	<b>LAST SALE PRICE</b>	<b>COUNTY APPRAISED VALUE</b>
231 HADLEY RD	7/13/23	\$ 695,000	8/9/22	\$ 715,000	\$ 367,490
239 SPIREA DR	7/25/23	\$ 650,000	3/2/20	\$ 459,000	\$ 417,160
508 IRVING AVE	7/28/23	\$ 610,000	8/24/20	\$ 207,000	\$ 189,310
27 FORRER RD	7/10/23	\$ 540,000	8/9/19	\$ 322,000	\$ 315,760
230 VOLUSIA AVE	7/5/23	\$ 530,000	7/2/21	\$ 460,000	\$ 369,430
52 SPIREA DR	7/19/23	\$ 479,000	5/10/16	\$ 325,000	\$ 248,540
250 FORRER BLVD	7/11/23	\$ 457,500	11/17/94	\$ 154,000	\$ 235,850
430 VOLUSIA AVE	7/12/23	\$ 440,000	6/7/19	\$ 384,900	\$ 330,890
140 LOOKOUT DR	7/17/23	\$ 435,000	NOT LISTED	NOT LISTED	\$ 379,190
251 MONTERAY AVE	7/12/23	\$ 400,000	10/12/22	\$ 217,000	\$ 206,000
117 HILLTOP AVE	7/3/23	\$ 377,000	11/17/22	\$ 350,000	\$ 298,520
74 PATTERSON RD	7/28/23	\$ 360,000	10/12/17	\$ 228,000	\$ 216,710
333 OAKWOOD AVE UNIT 1D	7/19/23	\$ 350,100	5/9/13	\$ 190,000	\$ 196,340
15 E DIXON AVE	7/20/23	\$ 350,000	4/9/09	\$ 197,000	\$ 257,770
27 SPIREA DR	7/27/23	\$ 317,000	5/5/23	\$ 256,200	\$ 212,100
219 CORONA AVE	7/11/23	\$ 308,000	10/27/16	\$ 219,000	\$ 203,430
410 CORONA AVE	7/12/23	\$ 305,410	NOT LISTED	NOT LISTED	\$ 189,560
1423-1425 SHROYER RD	7/7/23	\$ 300,000	8/6/03	\$ 120,000	\$ 156,860
357 MONTERAY AVE	7/25/23	\$ 285,000	6/29/18	\$ 185,000	\$ 158,620
1006 ACORN DR	7/20/23	\$ 271,500	7/5/22	\$ 185,600	\$ 155,410
415 E PEACH ORCHARD AVE	7/11/23	\$ 270,000	5/14/21	\$ 237,000	\$ 161,590
406 HARMAN BLVD	7/14/23	\$ 250,000	NOT LISTED	NOT LISTED	\$ 132,870
2122 SHROYER RD	7/26/23	\$ 233,000	3/14/22	\$ 197,000	\$ 139,210
2701 SHROYER RD	7/11/23	\$ 198,000	7/11/23	\$ 198,000	\$ 118,500
<b>96% ABOVE APPRAISED VALUE</b>					
<b>SALES BELOW APPRAISED VALUE</b>					
<b>ADDRESS</b>	<b>DATE SOLD</b>	<b>SALE PRICE</b>	<b>DATE LAST SOLD</b>	<b>LAST SALE PRICE</b>	<b>COUNTY APPRAISED VALUE</b>
32 W PEACH ORCHARD RD	7/31/23	\$ 259,900	11/10/05	\$ 200,000	\$ 295,810
<b>4% BELOW APPRAISED VALUE</b>					