

CITY MANAGER'S NEWSLETTER
SEPTEMBER 15, 2023

Monday Council Meeting/Work Session: Our meeting next Monday begins at 6 p.m. in the second-floor training room. 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 AUGUST 7 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSIONS
- V. STATUS REPORTS
 - Proclamation recognizing September 17-23 as “Constitution Week”, Mayor Duncan
 - Auditor of State Award, Mayor Duncan
 - Electricity Aggregation Program, City Attorney Rob Jacques
 - Staffing Changes, City Manager Norbert Klopsch
- VI. VISITORS
 - Oakwood Teen Court Advisor Chris Conard
 - July and August Beautification Award Winners
- VII. LEGISLATION
 - A Resolution appointing the Oakwood Law Director to the Board of Dayton Regional Energy Special Improvement District, Vice Mayor Byington
 - A Resolution to approve Existing Property Tax Amounts and Rates, Vice Mayor Byington
- VIII. STAFF REPORT – PUBLIC WORKS DEPARTMENT
- IX. AN OAKWOOD MOMENT
- X. CITY MANAGER’S REPORT
- XI. COUNCIL COMMENTS
- XII. ADJOURN

Status Reports:

- Proclamation recognizing September 17-23 as “Constitution Week”. Bill will present the enclosed proclamation.
- Auditor of State Award: Bill and I will recognize Cindy Stafford, CPA, for once again completing a successful financial audit and receiving the Auditor of State Award. Enclosed is a press release that we will distribute after the meeting.
- Electricity Aggregation Program: Rob Jacques will give an update on the MVCC program and the methods by which Oakwood electricity customers can now enroll in the program.
- Staffing Changes: I will comment on the promotion of Ethan Kroger to Planning and Zoning Manager and appointment of Sangita Anand to Human Resources Manager.

Visitors:

- Oakwood Teen Court Advisor Chris Conard: Teen Court Advisor Chris Conard will provide a brief update on the operation of the Oakwood Teen Court.
- July and August Beautification Award Winners: We will show a short video featuring each of the winning properties. After the video, Bill will read the name and address of each property (see enclosed). We invited the property winners to attend the meeting.

Legislation:

- A Resolution appointing the Oakwood Law Director to the Board of Dayton Regional Energy Special Improvement District. This legislation appoints Rob to the ESID Board. Jennifer Wilder previously served as our representative.
- A Resolution to approve existing Property Tax Amounts and Rates. This is the annual resolution accepting the calculation from Montgomery County of our expected 2023 property tax receipts to be collected in 2024.

Enclosed are suggested “Introductions for Legislation.”

An Oakwood Moment: Leigh will present “An Oakwood Moment” during the regular session on Monday. It will highlight the Oakwood Community Center Blood Drive.

IMPORTANT COUNCIL DATES:

September 18, Monday, 6 p.m. – Regular Session (30 Park)
October 2, Monday, 6:30 p.m. – Regular Session (30 Park)
October 8, Sunday, 2 – 5 p.m. – Family Fall Festival/Scarecrow Row (Shafor Park)
October 16, Monday, 5 p.m. – Work Session (30 Park)
October 17, Tuesday, 5:30 p.m. – BRC (30 Park)
October 23, Monday, 5 p.m. – Council Retreat (Smith Gardens)
November 6, Monday, 6:30 p.m. – Regular Session (30 Park)
November 20, Monday, 5 p.m. – Work Session (30 Park)
November 28, Tuesday, 5:30 p.m. – BRC Meeting (30 Park)
December 4, Monday, 6:30 p.m. – Regular Session (30 Park)
December 10, Sunday, 6:30 p.m. – Holiday of Lights (Shafor Park)

BUSINESS UPDATE:

CITY MANAGER

- Monday Work Session: Enclosed is our agenda for the work session. We will meet in the second-floor training room and will start the meeting at 6 p.m. We will begin with an executive session for personnel matters and for property matters.
- City Meetings: Enclosed is a *DDN* article announcing our upcoming public meetings.

FINANCE

- BRC Meeting: We had a good meeting last Tuesday. There were 21 committee members in attendance, 13 in person and 8 via Zoom.

PUBLIC SAFETY

- Rotary Presentation about CPA: Chief Hill spoke at Rotary this morning about the Citizen Police Academy. I was unable to attend but was told by Rotary President Joe Scott and Steve Byington that Alan gave an excellent presentation... and gave an excellent response to the first question he received... “What does the Oakwood Safety Department think about a roundabout at Five Points?”

LEISURE SERVICES

- 2023 Dog Splash: The event last Sunday was again a big hit. We had 33 dogs enjoying Gardner Pool. Enclosed are photos from this week's *Register*.

ENGINEERING & PUBLIC WORKS

- Five Points: Enclosed are citizen comments that we received this week. Also enclosed is a letter to the editor in this week's *Register*.

LAW

- Electricity Aggregation: Our website now includes information about how to enroll in the MVCC aggregation program... either via telephone or electronically. Enclosed are the following:
 - The information page from our website.
 - The draft of a letter that we plan to mail to all Oakwood residential and small business customers next Tuesday. We will discuss this in work session on Monday.
 - A press release that we plan to distribute after the meeting on Monday.

PLANNING & ZONING/PROPERTIES

- September 14 BZA: The BZA met yesterday to consider an application to vary the interior side yard setback for a new home at 1030 Runnymede. The BZA tabled the matter and requested that the applicant provide additional design details, particularly relating to architectural components and dimensions. This property is the last buildable lot that was created with the 2004 Runnymede Hills subdivision.

HAVE A GREAT WEEKEND!

ENCLOSURE LIST

TENTATIVE AGENDAS FOR MONDAY

TRANSMITTALS NOTED WITHIN NEWSLETTER

Minutes of Previous Meetings

Legislation

Introductions to Legislation

Constitution Week Proclamation

Auditor of State Award Press Release

July and August Beautification Award Winners

DDN article re: City Meetings

Register photos re: Dog Splash

Five Points Citizen Comments

Register article re: Five Points

Electricity Aggregation Website

Electricity Aggregation Draft Letter

Electricity Aggregation Press Release

CITY OF OAKWOOD
COUNCIL AGENDA
SEPTEMBER 18, 2023

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF AUGUST 7 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSIONS
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NEXT REGULAR SESSION SCHEDULED FOR OCTOBER 2, 2023

PRE/POST COUNCIL WORK SESSION AGENDA
SEPTEMBER 18, 2023

EXECUTIVE SESSION FOR PERSONNEL & PROPERTY MATTERS

- **STATUS REPORTS**
 - Proclamation recognizing September 17-23 as “Constitution Week,” Mayor Duncan
 - Auditor of State Award, Mayor Duncan
 - Electricity Aggregation Program, City Attorney Rob Jacques
 - Staffing Changes, City Manager Norbert Klopsch
- **VISITORS**
 - Oakwood Teen Court Advisor Chris Conard
 - July and August Beautification Award Winners
- **LEGISLATION**
 - A Resolution appointing the Oakwood Law Director to the Board of Dayton Regional Energy Special Improvement District, Vice Mayor Byington
 - A Resolution to approve Existing Property Tax Amounts and Rates, Vice Mayor Byington
- **AN OAKWOOD MOMENT**
- **COUNCIL COMMITTEES**
 - Court Liaison, Mrs. Hilton
 - Finance, Vice Mayor Byington
 - September 12 BRC Meeting
 - Law & Minutes, Mrs. Hilton
 - Planning & Zoning, Vice Mayor Byington
 - 1313 Far Hills
 - Public Properties, Mrs. Turben
 - Gardner Pool
 - Public Utilities/Waterworks/Sewer, Mrs. Turben
 - Water System Annual Report
 - Water and Sewer Agreements
 - Water and Sewer Rates
 - Safety & Traffic, Mr. Stephens
 - Streets & Alleys, Mr. Stephens
 - 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**
 - October 16 Work Session

MINUTES
OAKWOOD CITY COUNCIL WORK SESSION
AUGUST 7, 2023

The Council of the city of Oakwood, Ohio met in a work session on Monday, August 7, 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. Public Safety Captain Mike Tanner also attended for the executive session.

Mayor Duncan called the work session to order at 6:30 p.m. and asked for a motion to go to executive session for property matters. Motion by Mr. Stephens; second by Vice Mayor Byington. Upon a viva voce vote, motion passed. At 6:46 p.m., Mayor Duncan concluded the executive session and Council moved to work session. Oakwood resident Sara Priest joined the work session. Mayor Duncan then reviewed the agenda for the regular session this evening. Thereafter, Mayor Duncan 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:** None scheduled.
- **LEGISLATION:** Council discussed the following items of legislation and the public hearing scheduled for the regular session this evening:
 - 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 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 amend a conditional Special Use permit for extended operating hours for Insomnia Cookies, Vice Mayor Byington
- **AN OAKWOOD MOMENT:** Mrs. Hilton shared that she will present the “Oakwood Moment” at the regular session highlighting RTA.
- **COUNCIL COMMITTEES**
 - Public Utilities/Waterworks/Sewer, Mrs. Turben
 - Far Hills Storm Sewer Reconstruction: Mr. Klopsch shared that the home at 1313 Far Hills was demolished this week. The storm sewer pipe installation will be underway this week. The project was delayed due to a supply issue and delivery of the storm sewer pipes.
 - Streets & Alleys, Mr. Stephens
 - 2023 Asphalt Resurfacing: Mr. Klopsch noted that the paving work was completed.

At 7:20 p.m., Mayor Duncan concluded the work session and Council moved to regular session.

Mayor

ATTEST:

Clerk of Council

CITY OF OAKWOOD
STATE OF OHIO
AUGUST 7, 2023

The Council of the city of Oakwood, State of Ohio, met in a work 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 BYINGTONPRESENT
MR. ROBERT P. STEPHENS.....PRESENT
MRS. ANNE S. HILTONPRESENT
MRS. LEIGH TURBENPRESENT

Officers of the City present were the following:

Mr. Norbert S. Klopsch, City Manager
Mr. Robert F. Jacques, City Attorney
Captain Mike Tanner, Public Safety Captain
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

Joan Cole, 611 Far Hills Avenue
Linda Grandfield, 607 Far Hills Avenue
Steve Stanley, 615 Oakwood Avenue
Brian Barr, *Oakwood Register*

The following Zoom visitors attended via remote teleconference:

Tyler Campbell

Mrs. Hilton advised Council she had read the meeting minutes of the July 17, 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

Steve Stanley, 615 Oakwood Avenue, stated that he opposes adopting the resolution to submit a grant application for the construction of a roundabout at the Five Points intersection. He believes that the proposed design will negatively impact traffic traveling north and east from Oakwood Avenue and Harman School. The alternate routes are not good solutions and are not considerate of the residents that Council represents.

Mayor Duncan shared that Council reviews citizen comments on a weekly basis and acknowledged the comments that were submitted by Mr. Stanley. He explained that the resolution is only to request potential funding and not a decision to move forward with constructing a roundabout.

Mr. Stanley opined that submitting the application at this point is an attempt to advance the construction of the roundabout which will be a significant change in the community.

Joan Cole, 611 Far Hills Avenue, shared that it is premature to submit a grant application to construct a roundabout. She lives close to the proposed roundabout and is concerned about getting out of her driveway. She believes that the roundabout will be an eye-sore. She does not believe the three open house events were adequate, and suggested that a true public forum be held to allow residents to hear each others’ concerns.

Linda Grandfield, 607 Far Hills Avenue, shared similar concerns. She suggests that Council hold off on approving the resolution and consider all of the feedback.

Mayor Duncan reiterated that a decision has not been made on constructing the roundabout. He also noted that the period for receiving public comments has been extended until the end of September.

Mr. Stephens noted that the resolution is to apply for a grant. Part of representing the citizens of Oakwood is to understand how the construction of a roundabout would impact city finances before a decision is made on pursuing the project.

LEGISLATION

A 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 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 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 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.

Mayor Duncan explained the public hearing procedure. He then asked Mr. Jacques to administer an oath to those who wish to testify.

Mr. Jacques proceeded to swear in Joan Cole, the only visitor who indicated that she planned to testify.

Mayor Duncan asked Law Director Rob Jacques to briefly comment on the MVCC aggregation program.

Mr. Jacques shared that Oakwood customers who 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. The city website

will soon provide information, including details on contract terms and conditions, and on how to opt-in to the aggregation program.

Mrs. Turben asked if residents would be able to terminate their membership in the opt-in program during the two-year contract term.

Mr. Jacques explained that residents can choose to terminate without occurring any early termination fees.

Mr. Stephens asked if some type of administrative support will be available to residents who wish to opt-in to the MVCC aggregation program.

Mr. Jacques said that support will more than likely be available through MVCC or Palmer Energy. The details are still being worked out.

Mayor Duncan opened the public hearing.

Joan Cole, 611 Far Hills Avenue, shared that she is very excited about Oakwood's involvement in the aggregation program. She appreciates the city's efforts in this regard.

Mayor Duncan closed the public hearing.

Mayor Duncan commented that over the past 23 years, his utility costs have increased by about 60%.

Thereupon, it was moved by Mrs. Turben and seconded by Vice Mayor Byington 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.

A RESOLUTION

BY MR. STEPHENS NO 1911

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.

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 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.

Mr. Stephens reiterated that this resolution is only to request potential funding. It is not to approve the construction of a roundabout, which remains undecided at this time.

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

Mayor Duncan shared that Council has received more positive comments about the roundabout than any other city project since he’s been on Council. The three largest concerns so far, besides the cost of the project, are north access from Oakwood Avenue, pedestrian safety, and two lanes converting to one lane in the second leg of the roundabout moving north on Far Hills Avenue. The resolution is being presented this evening because the deadline to apply for grant funding is at the end of August. The funding awards will likely not be announced for possibly 4-6 months.

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

MR. WILLIAM D. DUNCAN.....YEA
MR. STEVEN BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA
MRS. ANNE HILTONYEA
MRS. LEIGH TURBENYEA

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

A RESOLUTION
BY VICE MAYOR BYINGTON NO 1912
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.

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

Vice Mayor Byington explained that 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, Council 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 these concerns were speculative. For that reason, Council 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.

Vice Mayor Byington reported 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 being introduced will eliminate the conditional “trial basis” part of their Special Use permit, converting it to a regular permit.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens 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 BYINGTONYEA
MR. ROBERT P. STEPHENS.....YEA

MRS. ANNE HILTONYEA
MRS. LEIGH TURBENYEA

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

AN OAKWOOD MOMENT

Mrs. Hilton highlighted the Greater Dayton RTA.

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

The large storm sewer replacement project is underway on Far Hills Avenue. The project was delayed because the storm sewer pipes along Far Hills Avenue were delivered 4-6 weeks later than originally anticipated. Mr. Klopsch thanked the Oakwood Schools for their cooperation. There will be a lot of construction activity on Far Hills Avenue that will require traffic maintenance and lane rerouting.

Mr. Klopsch thanked the Oakwood citizens who reside on the streets recently resurfaced for their patience and understanding.

Work is being done around Harman School and will be completed before school begins. Work will also be done in the southwest corner of Oakwood. Mr. Klopsch once again thanked Oakwood School officials for their cooperation.

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

COUNCIL COMMENTS

Mrs. Hilton encouraged everyone to attend the Ice Cream Social on Sunday, August 13 from 3:30 – 7 p.m. at Shafor Park.

Mr. Stephens reminded everyone of the importance of safety now that school will soon be back in session.

Vice Mayor Byington encouraged people to study Issue 1 and then get out and vote tomorrow on Election Day.

The public meeting concluded at 8:10 p.m.

ATTEST:

MAYOR

CLERK OF COUNCIL

A RESOLUTION

BY _____

NO _____

APPOINTING THE LAW DIRECTOR TO SERVE ON THE BOARD OF
DIRECTORS OF THE DAYTON REGIONAL ENERGY SPECIAL
IMPROVEMENT DISTRICT.

WHEREAS, the city of Oakwood is a participating political subdivision of the Dayton Regional Energy Special Improvement District, a special improvement district created pursuant to Chapter 1710 of the Ohio Revised Code; and

WHEREAS, Section 1710.04(A) of the Ohio Revised Code requires Council to appoint a person to serve on the Board of Directors for the Dayton Regional Energy Special Improvement District, and Council's prior appointee is no longer employed by the city;

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

SECTION I.

Council hereby terminates its previous appointment and appoints the Law Director to serve as the city's successor representative on the Board of Directors of the Dayton Regional Energy Special Improvement District, consistent with the requirements of Ohio Revised Code Section 1710.04(A).

SECTION II.

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

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD this ____ day of _____, 2023.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Publication of this resolution is not required.

City Attorney Robert F. Jacques

Tax Year 2023/2024

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of Oakwood, Montgomery County, Ohio met in regular session on the _____ day of _____ 2023, at the office of Oakwood City Council with the following members present:

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

_____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Oakwood, Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Tax Year 2023/2024

and be it further

RESOLVED, That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____,
_____,
_____,
_____,
_____,
_____.

Adopted the _____ day of _____, 2023.

Clerk of Council
Oakwood City
Montgomery County, Ohio

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County,

I, Lori Stacel, Clerk of this Council of Oakwood City, in said County, and in whose custody the Files and Records of said Board required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes _____ now on file with said Council, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2023.

Clerk of Council
Oakwood City
Montgomery County, Ohio

Tax Year 2023/2024

No:

COUNCIL OF THE CITY OF

MONTGOMERY COUNTY, OHIO

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(City Council)

Adopted _____, 2023

Clerk of Council

Filed _____, 2023

County Auditor

By _____
Deputy

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Oakwood - Tax Year 2023/2024	Column I	Column II	III	IV
General Fund.....	1,268,666		3.58	
General Fund.....		472,969		2.72
TOTAL	1,268,666	472,969	3.58	2.72

City of Oakwood - Tax Year 2023/2024

SCHEDULE B LEVIES OUTSIDE 10 MILL LIMITATION Carry to Sch A			
FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
GENERAL FUND:			
Current Expense Levy authorized by voters 11/02/21 not to exceed FIVE years	2.72	472,969	
Current Expense Levy authorized by voters 11/06/18 not to exceed FIVE years	3.75	0	TY22 EXPIRES 12/31/2023

**Introductions for Legislation
9/18/2023 Council Meeting**

Vice Mayor Byington

A RESOLUTION APPOINTING THE LAW DIRECTOR TO SERVE ON THE BOARD OF DIRECTORS OF THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT.

The city is a participating member of the Dayton Regional Energy Special Improvement District, or “ESID.” ESIDs are authorized by state law as a mechanism that allows residents and local businesses to finance certain energy efficiency projects through special assessments.

Since Oakwood is a participating member, Council is required by law to appoint a person to serve on the Dayton ESID’s Board of Directors. Our previous appointee no longer works for the city, so I am introducing a resolution to appoint the City Law Director to serve on that board.

Motion: I move that Council adopt this resolution.

Vice Mayor Byington

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Each tax year, the Montgomery County Budget Commission is required to certify its determination of the millage rates and amounts the city will receive from its existing property tax levies. For 2023-2024, the Budget Commission has determined that Oakwood will receive \$1,268,666 from inside-millage and \$472,969 from outside-millage tax levies. These figures are consistent with the city’s projections, although it should be noted that the outside-millage figure is lower than needed because it assumes the expiration of a 3.75-mill levy at the end of this year. That levy is on the ballot for renewal in November. As a renewal, it will not raise property taxes.

This is our annual resolution to accept the county’s determination.

Motion: I move that Council adopt this resolution.



CITY OF OAKWOOD PROCLAMATION

TO RECOGNIZE CONSTITUTION WEEK

WHEREAS, September 23, 2023, marks the two hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations that will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

WHEREAS, the preamble of the Constitution of the United States of America states “We the People of the United States, in Order to form a more a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

Now, therefore, under the power vested in me, I, William D. Duncan, Mayor of the city of Oakwood, hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the city of Oakwood, this 18th day of September 2023

William D. Duncan



PRESS RELEASE

The City of Oakwood
30 Park Avenue
Oakwood, Ohio 45419

Subject: Auditor of State Award

Date: September 18, 2023

OAKWOOD, OHIO: At the September 18 city council meeting, Oakwood City Manager Norbert Klopsch announced that Ohio Auditor of State Keith Faber recently recognized the City of Oakwood on successful completion of the 2022 financial audit. The recognition included presentation of the Ohio Auditor of State Award for "excellence in financial reporting in accordance with Generally Accepted Accounting Principles (GAAP) and compliance with applicable laws for the year ended in 2022." Only about __% of the local governments and other public agencies audited by the State of Ohio receive this recognition.

"One of City Council's primary responsibilities is to oversee the use of public funds in the delivery of Oakwood public services", said Mayor Bill Duncan. "We commend Finance Director Cindy Stafford, CPA, her Finance Department employees, and all of city staff for once again earning this recognition."

FOR ADDITIONAL INFORMATION, PLEASE CONTACT:

City Manager Norbert S. Klopsch
937-298-0600
klopsch@oakwoodohio.gov

###

July 2023 Beautification Winners

NAME	ADDRESS
David & Carolyn Schoeff	115 E. Schantz Avenue
Aaron & Kathlyn Delidow	227 E. Dixon Avenue
Therese Nyholm & David Becker	232 Collingwood Avenue
Rachel Kostoff	247 Forrer Boulevard
Mark & Denise Kemper	315 Wiltshire Avenue
Eric Grupe & Dair Arnold	315 Telford Avenue
James Tunison & Billie Sue Williams	242 Wiltshire Boulevard
Andrew and Carly Hall	413 Corona Avenue
Luke & Madison Hill	29 Triangle Avenue
Tom & Mary Lou Williams	133 Lonsdale Avenue
William & Jean Rieger	20 Dellwood Avenue
Judy Heller	1400 Runnymede Road

August 2023 Beautification Winners

NAME	ADDRESS
Todd & Kimberly Howell	661 Garden Road
Mark & Andrea Nelson	583 Acorn Drive
Sean & Kimberly Johnson	222 Aberdeen Avenue
Christopher Adams	1516 Shroyer Road
Drew & Karina Moore	316 E. Peach Orchard Avenue
Sean & Darlene Weaver	1216 Raleigh Road
Timothy & Valerie Walker	2508 Hillview Avenue
John & Autumn Johnson	1220 Runnymede Road
Michael & Stacy McCloskey	121 Park Avenue

Oakwood public meetings

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

Monday of the month at 5 p.m. at 30 Park Ave.

■ **Next Monday:** Regular Session, 7:30 p.m. in Council Chambers (Work Session and Executive Sessions for Personnel & Property Matters begins at 6 p.m. in the second-floor Training/Community Room)

■ **Oct. 2:** Regular Session, 7:30 p.m. in Council Chambers (Work Session begins at 6:30 p.m. in the second-floor Training/Community Room)

Board of Health meetings: Unless otherwise noted, Board of Health meetings are held the fourth Tuesday at 5:30 p.m. every other month (January,

March, May, July, September, November) at 30 Park Ave.

■ **Sept. 26:** 5:30 p.m. in Council Chambers

■ **Nov. 21,** 5:30 p.m. in Council Chambers

Planning Commission Meetings: Unless otherwise noted, Planning Commission meetings are held the first Wednesday of each month at 4:30 p.m. at 30 Park Ave.

■ **Oct. 4:** 4:30 p.m. in Council Chambers

Board of Zoning Appeals Meetings: Unless otherwise noted, Board of Zoning Appeals meetings are held the second

Thursday of each month at 4:30 p.m. at 30 Park Ave.

■ **Thursday:** 4:30 p.m. in Council Chambers

■ **Oct. 12,** 4:30 p.m. in Council Chambers

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

STAFF REPORT



Dog Splash wraps up swim season

Gardner Pool went to the dogs Sunday during an annual end-of-summer outing that saw the city pool turned over to Oakwood canines and their human companions. The weather was perfect as black labs, golden retrievers, huskies, poodles and mixed breeds of all sorts took a few laps around the pool literally - as the No Running at the Pool rule was relaxed for Oakwood's four-legged aquanauts.



OAKWOOD FIVE POINTS INTERSECTION

Public Comment Form

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

Name: Debbie Sherk

Mailing address (or nearest cross streets): _____

1316 Raleigh Rd

Email address: DSherk50@gmail.com Phone: 937-293-0580

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 against the installation of a
roundabout at Five Points. My principal concern is
for the children who are crossing at the roundabout
on their way to Harman School. I do not think

(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
- By telephone at 937-298-0600
- Online at oakwoodohio.gov



Additional Questions/Comments:

that a flashing red light is sufficient to prevent cars from stopping in time for children crossing through the roundabout. I understand that there will be crossing guards at the roundabout before and after school. However, there will be other times that children will be crossing at the roundabout without a crossing guard being present, particularly when there are events at the sport fields down the block. I am also concerned that there is only one lane heading north towards Downtown, which I believe is not sufficient to handle traffic during peak hours, particularly as Downtown continues to develop. Further, the roundabout will not provide access to either Oakwood Ave. or Thruston Blvd. This will force parents dropping off children at Harman School to use Park Ave to exit onto Far Hills and cause great congestion as parents drop off children for school. For these reasons and others I believe that the majority of Oakwood residents are against the roundabout. Please consider these issues when determining whether to proceed with the roundabout.

A response to a recent article in the oakwood register concerning AI on roundabouts.

The article "sounded" professional and well documented but I strongly disagree on several very important points.

1. Safety. Roundabouts are known for their continuous movement of Traffic.

i.e. no stopping, only slowing down if necessary. In our situation here in oakwood, we have a large population of young children which have to cross Far Hills to get to Harman elementary school. The danger of kids having to cross Far Hills on a roundabout with continuously moving traffic is great, and in my opinion should immediately eliminate the consideration for a roundabout there all together.

2. Roundabouts are best suited for two streets intersecting in a fairly uncrowded area. When you have three streets intersecting in a busy area, this complicates the movement of cars exponentially.

then there is the very real possibility
of side to side collisions if one
wants to get off at the first street
and some one else wants to get off
at the second street.

In summary, I don't want my
grand kids trying to cross a road
about where drivers assume they
don't have to stop. I am very
happy with a traffic light which
stops traffic and the kids can
cross safely. AI is wrong on
this one.

Ted K Pyne
69 Waveria Dr.
Oakwood, Ohio
45419

Are Oakwood residents due a tax rebate?

It has been nice to see the recent letters questioning the logic of a possible roundabout replacing the hillside intersection at the north end of the city. Trying to get clarification as to the seriousness of the accidents and how they compare to other localities' major intersections is certainly valid. The safety of kids walking to and from Harman School is a big question. When we lived on the lower portion of Schantz, we would occasionally walk home with

our kids after school, crossing Far Hills on Oakwood Avenue at said intersection. Can't imagine any feasible way for kids to continue to do this safely with proposed traffic "circle." Mr. Dalrymple's effort was intriguing and a pleasant surprise.

I can't help but wonder if this proposal is related to another facet of city affairs which was mentioned much earlier in the year in the coverage of a city council meeting and later mentioned in the city's annual financial

report which is mailed to every household. At the end of 2022, the city of Oakwood had more than enough funds to cover this year's budget. The city did not have to collect a penny in taxes of any sort to fund the 2023 budget. In the annual report, it listed several reasons for this large surplus, including many projects not completed due to the great Covid crisis. The actual beginning year balance was \$18.8 million. Surprisingly, the mayor and our council chose not to issue a

tax rebate to the citizens of Oakwood, nor did they eliminate the reduction of the amount of income tax paid to other cities that one could use to offset their Oakwood income tax.

What to do with such a bounty? Interestingly, at about the same time, talk started about a possible traffic circle at the 5-way intersection. I'm sure Mayor Duncan and/or a council member will be able to refute such a connection, perhaps even in the same issue of the Register that this letter

is printed. To be fair, the previous leaders of this city have been just as eager to spend surpluses as this one appears to be.

The traffic circle is a solution looking for a problem, and a very expensive one at that. We'd like some of our money back, Oakwood City Council. That would be the right thing to do. If I somehow missed your announcement of a tax rebate, I apologize.

Panos Kokoropoulos

Electric Aggregation for Oakwood Residents and Small Businesses

Oakwood residents and eligible small businesses may begin enrolling in a governmental electric energy aggregation program.

Oakwood is a member community of the Miami Valley Communications Council (MVCC), which sponsors a regional electric energy aggregation program. The program offers a competitive rate of 6.57 cents per kWh for conventional electric energy. There is also a 100% renewable energy option at 6.97 cents per kWh. The current provider is Energy Harbor (through December 2025).



6.57 ¢ per kWh

Fixed Price | through December 2025

Fixed Price: A guaranteed fixed price over the term of your contract.

- Click [HERE](#) to enroll
- [Download Terms and Conditions](#)



6.97 ¢ per kWh

Green Energy | through December 2025

100% Green Fixed Price: The benefits of renewable energy with a fixed price.

- Click [HERE](#) to enroll
- [Download Terms and Conditions](#)

Review the eligibility requirements in the FAQs below prior to submitting an enrollment request. Energy Harbor will review your enrollment request for eligibility. Ineligible enrollment requests will be declined, notified, and when applicable, returned to the utility for default generation service.

Eligibility Requirements and FAQ's: <https://energyharbor.com/en/community-programs/find-your-program/oakwood-montgomery-dpl>.

If you have questions, wish to join, or leave the program, please contact Energy Harbor directly at [1-866-636-3749](tel:1-866-636-3749), Monday - Friday, 8 a.m. to 5 p.m. EST.

For all other questions not covered by Energy Harbor or above, contact Oakwood Law Director Rob Jacques at [\(937\) 298-0600](tel:937-298-0600).



City of Oakwood

Government Administration

City Manager

September 19, 2023

Dear Oakwood Resident or Small Business,

The city of Oakwood is pleased to announce that residents and eligible small businesses may now begin enrolling in a governmental electric energy aggregation program.

Oakwood is a member community of the Miami Valley Communications Council (MVCC), which sponsors a regional electric energy aggregation program. Following two public hearings, Oakwood City Council adopted legislation at its August 7 meeting to authorize the city's participation in the MVCC aggregation program.

How You Benefit

By participating in the aggregation program, you will receive the following exclusive pricing on your electric generation:

	Your Electric Utility	Fixed Price	Term End	Early Termination Fee
Residential	AES Ohio	6.57 cents per kWh	December 2025	NONE
Small Business	AES Ohio	6.57 cents per kWh	December 2025	NONE

For the duration of this contract term, the electric generation portion of your bill will be provided by a third party supplier called Energy Harbor. AES is still responsible for the delivery of electricity to your home or business and you will still only receive one bill from AES. If you have an outage or issue with your electric service you would contact AES for assistance.

Opt In Information

Residents who wish to participate must self-enroll in order to opt into the program. You may choose to leave the program at any time, without penalty, and will NOT be charged a cancellation fee. If you wish to participate in the aggregation program, you must complete **one** of the following:

ONLINE	Visit the City's website at www.oakwoodohio.gov/electricaggregation to enroll online.
PHONE	Call Energy Harbor at (866) 636-3749 to opt-in over the phone.

Energy Harbor will review your enrollment request for eligibility. Ineligible enrollment requests will be declined, notified, and when applicable, returned to the utility for default generation service.

If you have questions, or wish to join the program, please contact Energy Harbor directly at [1-866-636-3749](tel:1-866-636-3749), Monday - Friday, 8 a.m. to 5 p.m. EST.

Sincerely,

Norbert S. Klopsch
City Manager

c: Oakwood City Council

PRESS RELEASE



City of Oakwood
30 Park Avenue
Oakwood, Ohio 45419

Subject: Electricity Aggregation

Date: September 18, 2023

OAKWOOD, OHIO: In August, Oakwood City Council approved a resolution to join a governmental electricity aggregation program sponsored by the Miami Valley Communications Council (MVCC). That program is now active and Oakwood electricity customers may begin enrolling, if they so choose.

Through the program, Oakwood residential and small business electricity customers can receive the electrical generation (supply) component of their electric utility service from Energy Harbor, a third-party supplier, at a rate of 6.57 cents per kilowatt-hour. The current standard rate through AES is 10.8 cents per kilowatt-hour.

Detailed information about the aggregation program, including instructions on how to enroll, is posted on the Oakwood city website at www.oakwoodohio.gov. Additionally, in the next 2-3 weeks, all Oakwood residential and small business customers will receive a mailing from the city with information about the program and instructions on how to enroll.

Oakwood customers are not automatically enrolled in the MVCC program, and must choose to enroll, if so desired. In addition to the website and city mailer, electricity customers can obtain information about the program by calling Energy Harbor at 866-636-3749.

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 about electricity choice, 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