

CITY OF OAKWOOD
COUNCIL AGENDA
MARCH 4, 2024

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF FEBRUARY 5 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION AND FEBRUARY 26 WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
 - Proclamation recognizing April 7 – April 13 as “National Library Week.”
 - Citizen Committee Appointments
- VI. VISITORS
- VII. LEGISLATION
 - A Resolution of Necessity for 2025 Street Lighting Program, Mr. Stephens
 - An Ordinance to Proceed with the 2025 Street Lighting Program, Mr. Stephens
 - A Resolution of Necessity for 2024 Sidewalk Repair Program, Mr. Stephens
 - An Ordinance to Proceed with the 2024 Sidewalk Repair Program, Mr. Stephens
 - A Resolution approving the Montgomery County 9-1-1 Services Final Plan, Mr. Stephens
- VIII. STAFF REPORT – ENGINEERING DEPARTMENT
- IX. CITY MANAGER’S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

NEXT REGULAR SESSION SCHEDULED FOR APRIL 1, 2024

A RESOLUTION

BY: _____

NO. _____

DECLARING THE NECESSITY OF IMPROVING CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY.

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

SECTION I.

That it is necessary to improve the following streets in the City of Oakwood, Ohio:

That street listing is set forth in Exhibit A which is attached to and made a part of this Resolution by such physical attachment as well as by the doctrine of incorporation by reference.

SECTION II.

That said streets shall be improved as shown on the plans and specifications hereinafter referred to and now on file in the office of the Clerk of Council, which are made a part hereof, by lighting the same with electricity for a period from January 1, 2025 through December 31, 2025.

SECTION III.

It is hereby determined and declared that said improvement is conducive to the public health, convenience and welfare of said City and the inhabitants thereof. It is further determined that such streets are so situated in relation to each other that in order to complete the improvement thereof in the most practical and economical manner, they should be improved at the same time, with the same kind of materials, and in the same manner.

SECTION IV.

That the plans, specifications, estimate of cost and profiles of the proposed improvements, heretofore prepared and now on file in the office of the Clerk of Council, are hereby approved.

SECTION V.

That the whole cost of said improvement, less one-fiftieth thereof and the costs of street lighting in intersections, shall be assessed in proportion to the benefits which may result from the improvement upon the following described lots and lands, to wit: all lots and lands bounding and abutting upon the proposed improvement between the termini aforesaid, which said lots and lands are hereby determined to be specially benefited by said improvement. The cost of said improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions, and ordinances, the amount of damages resulting from the improvement assessed in favor of any owner of land affected by the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating and otherwise acquiring therefore any required real estate or interest therein, expenses of legal services including obtaining an approving legal opinion, cost of labor and material and interest on bonds and notes issued in anticipation of the levy and collection of the special assessments together with all other necessary expenditures.

SECTION VI.

That the City Manager be and he is hereby authorized and directed to prepare and file or cause to be prepared and filed in the office of the Clerk of Council the estimated assessments of the cost of the improvement described in this Resolution. Such estimated assessments shall be based upon the estimate of cost of said improvement now on file in the office of the Clerk of Council and shall be prepared pursuant to the provisions of this Resolution. When such estimated assessments have been so filed, said Clerk of Council shall cause notice of the adoption of this Resolution and filing of said estimated assessments to be given to owners of all lots and lands to be assessed as proved in Section 727.14 of the Revised Code.

SECTION VII.

That the assessments to be levied shall be paid in one annual installment; provided that the owner of any property assessed may, at his option, pay such assessment in cash within thirty days after passage of the assessing ordinance.

SECTION VIII.

That the bonds of the city shall not be issued in anticipation of the collection of assessments by installments.

SECTION IX.

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

ADOPTED BY COUNCIL this 4th day March, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Publish the foregoing Resolution in the summary form set forth below.

City Attorney Robert F. Jacques

LEGAL NOTICE

Resolution No. _____ of the Council of the City of Oakwood, Ohio entitled “DECLARING THE NECESSITY OF IMPROVING CERTAIN STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE SAME WITH ELECTRICITY,” was passed the 4th day of March, 2024.

Lori Stacel
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

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

Lori Stacel
Clerk of Council

EXHIBIT A

STREET	FROM	TO
ABERDEEN AVENUE	Far Hills Avenue	Shroyer Road
ACACIA DRIVE	Irving Avenue	Schantz Avenue
ACORN DRIVE	Part Lot 2697	Shroyer Road
ALPINE LANE (North Side)	Hillview Avenue	Fairmont Avenue
ASCENT CIRCLE	Pointe Oakwood Way	Old River Trail
ASHRIDGE ROAD	Far Hills Avenue	Devereux Avenue
BEVERLY PLACE	Far Hills Avenue	Acorn Drive
BRIAR HILL ROAD	Park Avenue	Part Lot 93
BROAD BOULEVARD	Shroyer Road	E. Corporation Line
CATON DRIVE	Volusia Avenue	Schantz Avenue
CLARANNA AVENUE	Far Hills Avenue	Shroyer Road
COLLINGWOOD AVENUE	Schantz Avenue	Acorn Drive
COOLIDGE DRIVE	Park Road	Peach Orchard Road
CORONA AVENUE	Far Hills Avenue	Shroyer Road
DEEP HOLLOW ROAD	Ridgeway Road	Oak Knoll Drive
DELAINE AVENUE	Acorn Drive	S. Corporation Line
DELL PARK AVENUE	Far Hills Avenue	Fairmont Avenue
DELLWOOD AVENUE	Far Hills Avenue	Acorn Drive
DEVEREUX DRIVE	Raleigh Road	Forrer Road
DIXON AVENUE (E. & W.)	Runnymede Road	Acorn Drive
EAST DRIVE	Far Hills Avenue	E. Corporation Line
FAIRMONT AVENUE	Alpine Lane	S. Corporation Line
FAIRFOREST CIRCLE	Ridgeway Road	Westerly Terminus
FAR HILLS AVENUE	N. Corporation Line	S. Corporation Line
FORRER BOULEVARD	Far Hills Avenue	E. Corporation Line
FORRER ROAD	Far Hills Avenue	Ridgeway Road
GARDEN AVENUE	Patterson Road	Lookout Drive
GLENDORA AVENUE	Lookout Drive	N. Corporation Line
GRANDON ROAD	Far Hills Avenue	Ridgeway Road
GREENMOUNT BOULEVARD	Far Hills Avenue	Shroyer Road
HADLEY AVENUE (E.)	Far Hills Avenue	Shroyer Road
HADLEY ROAD (W.)	Far Hills Avenue	Ridgeway Road
HARMAN AVENUE	Far Hills Avenue, N. Term.	Far Hills Ave., S. Term.
HARMAN BOULEVARD	Shafor Boulevard	Acorn Drive
HARMAN TERRACE	Harman Avenue	Alley North of Dixon
HATHAWAY ROAD	Part Lot 2697	S. Corporation Line
HAYER ROAD	Rubicon Road	Kramer Road
HILLTOP AVENUE	Far Hills Avenue	Fairmont Avenue
HILLVIEW AVENUE	Alpine Lane	S. Corporation Line
IRVING AVENUE	Oakwood Avenue	E. Corporation Line
IVANHOE AVENUE	E. Thruston Boulevard	Collingwood Avenue
KATHERINE STREET	Oakwood Avenue	Runnymede Road
KATHERINE TERRACE	Runnymede Road	Westerly Terminus
KRAMER ROAD	Schantz Avenue, W.	W. Corporation Line
LEDGES TRAIL	Pointe Oakwood Way	West Terminus
LITTLE WOODS ROAD	Runnymede Road	East Terminus
LONSDALE AVENUE	Far Hills Avenue	Shroyer Road
LOOKOUT DRIVE	E. Thruston Boulevard	Schantz Avenue
LOOKOUT RIDGE	Lookout Drive	Northeasterly Term.
MAHRT AVENUE	Irving Avenue	Schantz Avenue
MAYSFIELD ROAD	Schantz Avenue, W.	Southview Road
MONTERAY AVENUE (E.)	Far Hills Avenue	Shroyer Road
MONTERAY ROAD (W.)	Far Hills Avenue	Coolidge Drive
NORTHVIEW ROAD	Rubicon Road	Kramer Road
OAK FOREST DRIVE	Hathaway Road	Acorn Drive

STREET	FROM	TO
OAK KNOLL DRIVE	Far Hills Avenue	W. Corporation Line
OAKMEAD PLACE	Runnymede Road	Easterly Terminus
OAKWOOD AVENUE	Irving Avenue	Ridgeway Road
OLD RIVER TRAIL	Far Hills Avenue	Westerly Terminus
ORCHARD DRIVE	Far Hills Avenue	Shroyer Road
ORLANDO TERRACE	Mahrt Avenue	Acacia Drive
PARK AVENUE	Far Hills Avenue	Oakwood Avenue
PARK ROAD	Far Hills Avenue	W. Corporation Line
PATTERSON ROAD	Far Hills Avenue	E. Corporation Line
PEACH ORCHARD AVENUE (E.)	Far Hills Avenue	Shroyer Road
PEACH ORCHARD ROAD (W.)	Far Hills Avenue	Ridgeway Road
POINTE OAKWOOD WAY	Old River Trail	Southerly Terminus
RALEIGH ROAD	Harman Avenue	Ridgeway Road
RIDGEWAY ROAD	Harman Avenue	S. Corporation Line
RIDGEWOOD AVENUE	Oakwood Avenue	Schantz Avenue
ROANOKE AVENUE	Alpine Lane	S. Corporation Line
RUBICON ROAD	Springhouse Road	Thruston Boulevard
RUNNYMEDE LANE	Runnymede Road	Westerly Terminus
RUNNYMEDE ROAD	Thruston Boulevard	S. Corporation Line
SCHANTZ AVENUE (E.)	Far Hills Avenue	Forrer Boulevard
SCHANTZ AVENUE (W.)	Far Hills Avenue	W. Corporation Line
SCHENCK AVENUE	Oakwood Avenue	Schantz Avenue
SHAFOR BOULEVARD	Irving Avenue	S. Corporation Line
SHAFOR CIRCLE	Shafor Boulevard	Lots 3737 & 3738
SHROYER ROAD	N. Corporation Line	S. Corporation Line
SORRENTO AVENUE	E. Schantz Avenue	N. Corporation Line
SOUTHVIEW ROAD	Thruston Boulevard	Kramer Road
SOUTHWOOD LANE (E. & W.)	Grandon Road	Park Road
SPIREA DRIVE	Far Hills Avenue	Acorn Drive
SPRINGGROVE AVENUE	Schenck Avenue	N. Corporation Line
SPRINGHOUSE ROAD	Oakwood Avenue	Far Hills Avenue
SUGAR CAMP CIRCLE	Schantz Avenue, West	Schantz Avenue, West
SWEETWOOD LANE	Runnymede Road	W. Corporation Line
TALBOTT COURT	Runnymede Road	Southerly Terminus
TELFORD AVENUE	Far Hills Avenue	Shroyer Road
THORNHILL ROAD	Oakwood Avenue	Runnymede Road
THRUSTON BOULEVARD (E.)	Far Hills Avenue	Easterly Terminus
THRUSTON BOULEVARD (W.)	Far Hills Avenue	W. Corporation Line
TRIANGLE AVENUE	Far Hills Avenue	Shroyer Road
VOLUSIA AVENUE	Far Hills Avenue	Mahrt Avenue
WALNUT LANE	Oakwood Avenue	Lots 2723 & 2724
WALNUT SPRINGS DRIVE	Runnymede Road	W. Corporation Line
WILTSHIRE BOULEVARD	Far Hills Avenue	Shroyer Road
WISTERIA DRIVE	Far Hills Avenue	Acorn Drive
WONDERLY AVENUE	Far Hills Avenue	Shroyer Road
WOODBURN AVENUE	Schantz Avenue	Shafor Boulevard
WOODS ROAD	Patterson Road	Thruston Boulevard
WOODSTOCK DRIVE	Raleigh Road	Forrer Road
WOODVIEW DRIVE	Thruston Boulevard, E.	Collingwood Avenue

AN ORDINANCE

BY: _____

NO. _____

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

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

SECTION I.

That it is hereby determined to proceed with the improvement in the City of Oakwood of the streets designated, between certain termini set forth, in Resolution No. _____ adopted on the 4th day of March, 2024.

SECTION II.

That said improvement shall be made in accordance with the provisions of Resolution No. _____ adopted on the 4th day of March, 2024, and with the plans, specifications, estimate of cost and profiles heretofore approved and now on file in the office of the Clerk of Council by lighting said streets with electricity for a period from January 1, 2025 through December 31, 2025.

SECTION III.

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

SECTION IV.

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

SECTION V.

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

SECTION VI.

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

SECTION VII.

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

SECTION VIII.

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

PASSED BY COUNCIL this ____ day of _____, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

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

City Attorney Robert F. Jacques

LEGAL NOTICE

On _____, Council of the City of Oakwood, passed Ordinance No. _____ entitled
“DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS
BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, BY LIGHTING THE
SAME WITH ELECTRICITY.”

Lori Stacel
Clerk of Council
City of Oakwood

CERTIFICATION OF PUBLICATION

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

Lori Stacel, Clerk of Council

A RESOLUTION

BY: _____

NO. _____

DECLARING THE NECESSITY OF REPAIRING SIDEWALKS AND APPURTENANCES THERETO ON FAR HILLS AVENUE AND CERTAIN OTHER STREETS BETWEEN CERTAIN TERMINI IN THE CITY OF OAKWOOD, OHIO, AND PROVIDING THAT ABUTTING PROPERTY OWNERS REPAIR THE SAME.

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

SECTION I.

That it is necessary to repair sidewalks, curbs, gutters, driveway aprons and appurtenances thereto on Far Hills Avenue, both sides from Peach Orchard Road to south corporation limit; Peach Orchard Road, both sides from Hillview Avenue to Far Hills Avenue; Peach Orchard Avenue, both sides from Far Hills Avenue to public alley east of Far Hills Avenue; Triangle Avenue, both sides from Far Hills Avenue to public alley east of Far Hills Avenue; Hilltop Avenue, both sides from Far Hills Avenue to Hillview Avenue; Orchard Drive, both sides from Far Hills Avenue to public alley east of Far Hills Avenue; Wonderly Avenue, both sides from Far Hills Avenue to Shafor Boulevard; Dell Park Avenue, both sides from Hillview Avenue to Far Hills Avenue; Claranna Avenue, both sides from Far Hills Avenue to Shafor Boulevard; Oak Knoll Drive, both sides from Hillview Avenue to Far Hills Avenue; East Drive, both sides from Far Hills Avenue to Shafor Boulevard.

SECTION II.

That the owners of the lots and lands bounding and abutting upon the sidewalks described in Section I of this Resolution shall repair sidewalks in front of their premises in accordance with the plans and specifications now on file, such sidewalks to be repaired within a period of forty-five (45) days after the service of notice of adoption of this resolution; and, if such sidewalk repair shall not be completed within such period of forty-five (45) days, then this Council shall have the same done and the entire cost thereof shall be assessed upon the property of each defaulting owner and made a lien thereon, to be collected in the manner provided by law, with penalty and interest as provided by law. The cost of said improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the cost incurred in connection with the preparation of the levy and collection of the special assessments, expenses of legal services, including obtaining an approving legal opinion, cost of labor and material, and interest on bonds and notes issued in anticipation of the levy and collection of the special assessments, together with all other necessary expenditures.

SECTION III.

That the Clerk of this Council is directed to cause written notice of the adoption of this resolution to be served as required by law.

SECTION IV.

The plans, specifications and estimates of cost for said repair, as above mentioned and heretofore filed, are hereby approved.

SECTION V.

It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 Section 121.22 of the Ohio Revised Code.

SECTION VI.

This resolution shall take effect and be in full force immediately upon its passage.

PASSED BY COUNCIL this 4th day of March, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:
No publication required.

City Attorney Robert F. Jacques

AN ORDINANCE

BY: _____

NO. _____

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

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

SECTION I.

It is hereby determined to proceed with the improvement referred to in the title of this ordinance in accordance with the Resolution of Necessity adopted as No. _____ on the 4th day of March, 2024.

SECTION II.

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

SECTION III.

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

SECTION IV.

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

SECTION V.

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

SECTION VI.

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

SECTION VII.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in that formal action were in meetings open to the public, to the extent required by the city charter, by the ordinances of this city, and by any applicable state law.

SECTION VIII.

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

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this _____ day of March, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Please publish in summary form set forth below.

City Attorney Robert F. Jacques

LEGAL NOTICE

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

Lori Stacel, Clerk of Council, City of Oakwood

CERTIFICATION OF PUBLICATION

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

Clerk of Council

A RESOLUTION

BY: _____

NO. _____

APPROVING THE COUNTYWIDE 9-1-1 SERVICES FINAL PLAN AS APPROVED BY THE COUNTYWIDE 9-1-1 PROGRAM REVIEW COMMITTEE

WHEREAS, pursuant to Ohio Revised Code Section 128.06, the Countywide 9-1-1 Program Review Committee is required to maintain and amend a final plan for implementing and operating the countywide 9-1-1 system; and

WHEREAS, as provided by Ohio Revised Code Section 128.08(B)(1), the final plan is effective if further approved by the Board of County Commissioners and the legislative authorities of municipal corporations and townships that contain at least sixty percent (60%) of the County’s population; and

WHEREAS, the Countywide 9-1-1 Program Review Committee for Montgomery County, Ohio, has unanimously approved the Final Plan for Countywide 9-1-1 Services throughout Montgomery County, and has submitted the same for approval by the Board of County Commissioners and the various municipal and township legislative authorities within Montgomery County;

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

SECTION I.

Council of the city of Oakwood hereby approves the Countywide 9-1-1 Services Final Plan, as approved by the Montgomery County Countywide 9-1-1 Program Review Committee.

SECTION II.

The Clerk of Council is hereby directed to certify a copy of this resolution and transmit the same to the Board of County Commissioners.

SECTION III.

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

SECTION IV.

This resolution shall take effect and be in full force immediately upon its passage.

PASSED BY COUNCIL this 4th day of March, 2024.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

No publication required.

City Attorney Robert F. Jacques