

**CITY MANAGER'S NEWSLETTER  
DECEMBER 1, 2023**

Monday Council Meeting/Work Session: Our meeting next Monday begins at 5:30 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 NOVEMBER 6 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
  - PSO Swear-in
- VI. VISITORS
- VII. LEGISLATION
  - An Ordinance to increase the water and sanitary sewer rates, Mrs. Turben
  - An Ordinance to place a property tax issue on the March 19, 2024 ballot, Vice Mayor Byington
  - An Ordinance to approve the 2024 Budget, Vice Mayor Byington
  - An Ordinance to approve updates to the Traffic and General Offenses Codes, Mr. Stephens
  - An Ordinance to amend the personnel schedule, Vice Mayor Byington
  - An Ordinance to amend compensation rates for Oakwood Court, Vice Mayor Byington
  - An Ordinance to amend the organization and staffing schedule, Vice Mayor Byington
  - An Ordinance to provide a supplemental appropriation for the Far Hills Resurfacing Project, Vice Mayor Byington
  - A Resolution to proceed with the 2024 ODOT resurfacing project on Far Hills Avenue, Mr. Stephens
- VIII. STAFF REPORT
- IX. CITY MANAGER'S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

After our council meeting, we will conduct our annual CIC meeting.

**COMMUNITY IMPROVEMENT CORPORATION  
ANNUAL TRUSTEE & ORGANIZATION MEETING**

- I. CALL TO ORDER
- II. ROLL CALL
- III. ORGANIZATION MEETING
- IV. APPROVE MINUTES OF DECEMBER 5, 2022 MEETINGS
- V. BUSINESS
- VI. ADJOURN

Status Reports

- PSO Swear-in: Bill will administer the Oath of Office to Public Safety Officer Dustin Mitchell. Chief Hill will introduce him.

Visitors – NONE SCHEDULED

### Legislation:

- An Ordinance to increase the water and sanitary sewer rates. This is a second reading to increase the water and sanitary sewer rates.
- An Ordinance to place a property tax issue on the March 19, 2024 ballot. This is the second piece of legislation required to place the property tax levy on the March 19 ballot.
- An Ordinance to approve the 2024 Budget. This is the first reading to approve our 2024 Budget. We will need to waive the second reading to have the approved budget in place on January 1, 2024.
- An Ordinance to approve updates to the Traffic and General Offenses Codes. This is the first reading of our annual legislation that updates our code sections consistent with state law changes. This is an emergency ordinance so the updates are in place at the beginning of January 2024.
- An Ordinance to amend the personnel schedule. This is an emergency ordinance so the employee pay increases can be implemented beginning on December 18, 2023. The ordinance reflects a 2.95% pay increase in 2024 for all non-bargaining employees.
- An Ordinance to amend compensation rates for Oakwood Court. This is an emergency ordinance so the court employee pay increases can be implemented beginning on December 18, 2023. The ordinance reflects a 2.95% pay increase in 2024.
- An Ordinance to amend the organization and staffing schedule. This is an emergency ordinance so the changes take effect in January 2024.
- An Ordinance to provide a supplemental appropriation for the Far Hills Resurfacing Project. This is the first reading of an ordinance to make funds available for additional expenditures that were not included in the 2023 budget. We recommend waiving the second reading.
- A Resolution to proceed with the 2024 ODOT resurfacing project on Far Hills Avenue. The project will resurface Far Hills Avenue. We will pay 20% of the cost, with 80% being covered by state and/or federal dollars through ODOT.

Enclosed are suggested “Introductions for Legislation.”

### IMPORTANT COUNCIL DATES:

December 4, Monday, 5:30 p.m. – Regular Session (30 Park)  
December 10, Sunday, 6:30 p.m. – Holiday of Lights (Shafor Park)  
January 2, Tuesday, 6:30 p.m. – Regular Session (30 Park)  
January 22, Monday, 5 p.m. – Work Session (30 Park)  
February 5, Monday, 6:30 p.m. – Regular Session (30 Park)  
February 26, Monday, 5 p.m. – Work Session (30 Park)  
March 4, Monday, 6:30 p.m. – Regular Session (30 Park)  
March 18, Monday, 5 p.m. – Work Session (30 Park)

### BUSINESS UPDATE:

#### CITY MANAGER

- Monday Work Session: Enclosed is our agenda for the 5:30 p.m. work session. We will meet in the second-floor training room.
- CIC Meeting: After the regular session on Monday, we will conduct our annual CIC Meeting. Enclosed are the minutes from our last meeting.

Our current slate of officers is:

William Duncan, President  
Steven Byington, Vice President  
Norbert Klopsch, Secretary  
Anne Hilton, Treasurer  
Norbert Klopsch, Executive Director  
Cindy Stafford, Assistant Treasurer  
Lori Stacel, Assistant Secretary

- Board of Health: Enclosed are draft minutes from our November 21 meeting.
- Marijuana: Enclosed are three *DDN* articles about the vote to legalize recreational marijuana in Ohio... and some cities taking action to limit marijuana activity in their communities. We will discuss this in work session on Monday.
- Chabad of Greater Dayton: Rabbi Nochum Mangel and his wife Devorah run the Chabad Center on Grandon Road. They arrived in Dayton in 1993 to begin establishing a center. It started in the Mangels apartment in Kettering, and in 2003 moved to the Grandon Road site, formerly the home of the Miami Valley Unitarian Fellowship. In 2003 I lived at 25 Grandon Road, across the street and three properties west of Far Hills. It was in the fall of 2003, when dealing with zoning matters, that I first met the Mangels. The Mangels also moved their family to Oakwood in 2003, next door to the home of Dave and Virginia Foell (now both deceased). Mayor Judy Cook played an important role in publicly welcoming the Mangels and the Chabad to Oakwood. Enclosed is an article about Nochum's father from the latest edition of *The Dayton Jewish Observer* newspaper. In all the years that I have known the Mangels, I never knew that Nochum's father was a survivor of Auschwitz. The family photograph in front of Auschwitz is very moving.

#### FINANCE

- November 28 BRC Meeting: We had 19 committee members attend our meeting last Tuesday, 14 in person and five via Zoom. The committee voted unanimously to recommend approval of the proposed 2024 Budget.
- March 19, 2024 Levy: Enclosed is the Auditor's Certificate of Estimated Property Tax Revenue. The 2.41 mill levy will generate an estimated \$1,138,000.
- Income Tax Report: Enclosed is our November report showing gross receipts 0.06% below 2022 and net receipts 0.34% below 2022.

#### PUBLIC SAFETY

- FOP Family Christmas Party: Each year, our Public Safety Department FOP hosts a family Christmas party on the safety side of the building at 30 Park Avenue. The event this year will take place on the evening of Friday, December 15. Enclosed is a flyer.

#### LEISURE SERVICES

- Holiday of Lights: Our big event is at 6:30 pm on Sunday, December 10. Enclosed are *DDN* articles about the various tree-lighting ceremonies taking place in the Dayton region.

## ENGINEERING & PUBLIC WORKS

- Fall Leaf Collection: Our fall leaf collection is entering the final phase. The program is scheduled to continue until Friday, December 15, but will be extended as conditions warrant.
- Holiday Light Recycling: Enclosed is a *Register* article about holiday light recycling. We are once again partnering with Green Oakwood by providing drop-off containers for the recycling of holiday lights at the Public Works Center and the OCC.
- Debris Drop-off: The monthly drop-off event is from 8 a.m. to 12 noon tomorrow.
- Five Points: Enclosed are two more comment forms.
- Montgomery Solid Waste District: Enclosed are the two proposed 2024 budgets for our Montgomery Solid Waste District. At a November 15 meeting, the SWAC and SWMPC committees voted to recommend approval of the budgets. That recommendation now goes to the Montgomery County Commissioners. I will comment on this in work session on Monday.
- Miami Conservancy District: Enclosed is an article about the 1913 flood and the establishment of the Miami Conservancy District. It was printed in the November/December edition of Civil Engineering magazine... the magazine of the American Society of Civil Engineers (ASCE). ASCE is the largest professional organization for civil engineers and has over 150,000 members nationally. Fun Fact: Chris Kuzma, PE is co-chair of the Young Member Group for the Dayton Chapter of ASCE. I was Chapter President in 1999-2000.
- Licensures/Certifications: Enclosed is a list of our Public Works employees who hold licensures and certifications in various specialties. I share this with you to give you a sense of the talent we have in the department.
- Far Hills Storm Sewer: Enclosed is a *DDN* article about the project, along with the latest update sent to our email list and posted to our website.
- RTA Trolley Infrastructure: A few weeks ago, Chris Kuzma, Dave Shuey and Doug Spitler met Greater Dayton RTA staff to discuss the trolley line/pole removal project. The work will be done in two phases. Phase 1 is the wire removal and Phase 2 is the pole removal. RTA confirmed that Phase 1 will be completed prior to our 2024 Far Hills Resurfacing Project. The wire removal is estimated to take about three weeks, and will include all of the RTA wires in Oakwood... along Far Hills Avenue and also along Oakwood Avenue. Phase 2, the pole removal, will be completed intermittently throughout the remainder of 2024. Given that some of the RTA poles have other utility wires connected to them, Phase 2 will be more time consuming.

## LAW

- Oakwood Codes: Enclosed is a handy guide that Lori prepared to assist in finding answers to code questions. Of course, please don't ever hesitate to reach out to Lori, Rob J. or me if you need assistance on researching a particular code.



## PLANNING & ZONING/PROPERTIES

- 1313 Far Hills: Enclosed is a *Register* letter to the editor.
- Home Sales: Enclosed is the list of November home sales showing that 73% 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

BOH Draft Minutes

*DDN* articles re: Marijuana

*The Dayton Jewish Observer* article re: Chabad of Greater Dayton

Auditor's Certificate of Estimated Property Tax

Income Tax Report

FOP Family Christmas Party Flyer

*DDN* articles re: Holiday of Lights

*Register* article re: Holiday Light Recycling

Five Points Comments

Montgomery Solid Waste District Budgets

Civil Engineering article re: Miami Conservancy District

Licensures/Certifications

*DDN* article & Email Update re: Far Hills Storm Sewer

Oakwood Codes

*Register* article re: 1313 Far Hills

November Home Sales

CITY OF OAKWOOD  
COUNCIL AGENDA  
DECEMBER 4, 2023

7:30 P.M.

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- IV. MINUTES OF NOVEMBER 6 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION
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NEXT REGULAR SESSION SCHEDULED FOR JANUARY 2, 2024

**COMMUNITY IMPROVEMENT CORPORATION  
ANNUAL TRUSTEE & ORGANIZATION MEETING**

- VII. CALL TO ORDER
- VIII. ROLL CALL
- IX. ORGANIZATION MEETING
- X. APPROVE MINUTES OF DECEMBER 5, 2022 MEETINGS
- XI. BUSINESS
- XII. ADJOURN

PRE/POST COUNCIL WORK SESSION AGENDA  
DECEMBER 4, 2023

- STATUS REPORTS
  - PSO Swear-in
- VISITORS
- LEGISLATION
  - An Ordinance to increase the water and sanitary sewer rates, Mrs. Turben
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  - A Resolution to proceed with the 2024 ODOT resurfacing project on Far Hills Avenue, Mr. Stephens
- 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
    - Montgomery County Solid Waste District
  - Safety & Traffic, Mr. Stephens
    - Bikes and Electric Scooters
  - 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
  - Montgomery County Ombudsman
  - Marijuana

EXECUTIVE SESSION FOR PROPERTY MATTERS

**MINUTES**  
**OAKWOOD CITY COUNCIL WORK SESSION**  
**NOVEMBER 6, 2023**

The Council of the city of Oakwood, Ohio met in a work session on Monday, November 6, 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 reviewed the agenda for the regular session this evening. Thereafter, he led a discussion on the following agenda items:

- **STATUS REPORTS:** Mayor Duncan shared that he will read a Proclamation recognizing the week of November 12 -18, 2023 as “International Fraud Awareness Week.”
- **VISITORS:** Mayor Duncan noted that he will recognize winners of the 2023 Scarecrow Row contest at the regular session this evening.
- **LEGISLATION:** Council discussed the following legislation scheduled for presentation at the regular session this evening:
  - A Resolution of necessity for a property tax issue, Vice Mayor Byington
  - An Ordinance to increase water and sanitary sewer rates, Mrs. Turben
- **AN OAKWOOD MOMENT:** Mayor Duncan shared that he will highlight Veterans in Oakwood and Dr. Tom Hardy’s retirement as Chief of Staff of the Dayton VA Medical Center.
- **COUNCIL COMMITTEES**
  - Finance, Vice Mayor Byington
    - 2024 Budget: Mr. Klopsch mentioned that staff is preparing the 2024 budget based on the cost figures presented at the October 17 Budget Review Committee meeting and consistent with discussion at the October 23 City Council Retreat.
    - Income Tax Remittance: Mr. Klopsch explained the city’s plans to begin using Fifth Third Bank as our tax filing/payment processing center beginning in 2024.
  - Planning & Zoning, Vice Mayor Byington
    - Sign Ordinance: Mr. Klopsch mentioned that staff is working on a sign code amendment in regard to how the code addresses single and double-sided yard signs. This amendment will likely be presented to the Planning Commission and City Council in April/May 2024.
  - Public Utilities/Waterworks/Sewer, Mrs. Turben
    - Montgomery County Solid Waste District: Mr. Klopsch commented on how the Montgomery County Solid Waste District (MCSWD) is considering imposing a fee for the drop-off of Household Hazardous Waste (HHW) material, to begin in 2026. There is currently no fee for this service. As a member of the MCSWD Financial Advisory Committee, Mr. Klopsch is opposing the fee.

- MISCELLANEOUS

- Electricity Aggregation: Mr. Klopsch shared that a press release was distributed today about the electric aggregation program deadline. This information is available on the city's website and has been posted to Facebook.

At 7:10 p.m., Council moved to an executive session for personnel matters.

At 7:20 p.m., Mayor Duncan concluded the executive 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  
NOVEMBER 6, 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 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:

Amanda Malusky-Krauss, Southwest Ohio ACFE Chapter President  
Detective Robert Bell, Southwest Ohio ACFE Chapter Vice President  
Tom Hardy, 1776 Coolidge Drive  
Victoria Nilles, 1776 Coolidge Drive  
Colin & Holly Pohlman, 15 Shafor Boulevard  
Heather Heritage, 531 Woodview Drive  
Katy Dalrymple, 38 Spirea Drive  
The Cahoon Family, 356 Hadley Avenue  
Katherine Patrick  
Brian Barr, *Oakwood Register*

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the October 2, 2023 regular session and work session, October 16, 2023 work session and executive session, and October 23 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

Mayor Duncan read the following comments:

*“My apologies to the members of Oakwood City Council, who first heard this story in 2015 and again in 2020. If you are a parent of or a student graduating in 2024 or a new resident of our fine city, I especially urge you to listen to my message. Unfortunately, it is now time to tell my uncle’s story again.*

*This is the story of Richard Dutro of Lakewood, Ohio a suburb of Cleveland, Ohio. After graduating in Zanesville, Ohio in 1944, 80 years ago, he served in the famed 42<sup>nd</sup> Rainbow Division of the American 7<sup>th</sup> Army and was awarded two Bronze Stars. After walking across Europe, and 11 days after turning age 19, in April 1945 his division liberated the Dachau Concentration Camp.*

*He would not talk of his war time experiences for almost 60 years. In response to numerous reported instances of Holocaust deniers in the news media 20 long years ago, he started describing his personal experiences to middle school and high school students in Cleveland. I attended and listened to his story with the students, and it was compelling.*

*After the war he received an undergraduate degree from the University of Dayton, his master's from Miami University and his doctorate from Ohio State University. He was a teacher and administrator for over 40 years in the Lakewood City School District.*

*Over 10 years ago, he went to Washington D.C. with his family to visit the WWII Memorial. His son-in-law bought him a WWII veteran's ball cap which he reluctantly wore.*

*At his request, they also visited the Holocaust Museum in Washington D.C. The tour guide upon seeing his hat asked him where he served. He replied he served in Europe and liberated Dachau.*

*She exclaimed "you liberated me." They embraced and cried together.*

*In 1945 the Allies asked Alfred Hitchcock, the famous film producer, among others to film the atrocities at Dachau. Because of post-war global political concerns, the film was never released for over 50 years. Upon its release, there is the image of my 19-year-old uncle with a grappling hook removing a dead German guard from the mote surrounding the camp.*

*The Frontline documentary "Memory of the Camps" should be mandatory viewing for Oakwood High School seniors. I wonder if a single employee of the Oakwood City School District has ever seen or even heard of this documentary.*

*One month ago, Hamas terrorists supported by Iran committed the worst atrocities on Jewish people since the Holocaust. Within days, Holocaust deniers were out of the woodwork again, denying the atrocities occurred even though the terrorists themselves filmed and promoted their crimes against humanity.*

*While I have been disappointed with college liberal arts education for years, the recent virulent antisemitism we have seen on college campuses has been shocking. Where is the Board of Trustees of the University of Dayton denouncing such behavior? Where are the Board of Trustees of every public University in Ohio, two thirds of whom were appointed by Governor DeWine? At least the Ohio Senate unanimously passed a resolution condemning the actions of Hamas and their allies, including Iran, on their unjustifiable attack on the Israeli people.*

*Richard Dutro is a true American Hero. In 2020 he passed away at age 93. He did, in fact, disagree with me that he was an American hero. It was my honor to issue a proclamation in 2016 celebrating his 90<sup>th</sup> birthday. My final Whereas...was, Richard Dutro is known throughout the State as a patriot, educator, mentor, role model, friend, father, grandfather and Cleveland Indians fan.*

*Why do I tell this story? Many of you know, or should know, about the yellow star attached to the clothing to identify the Jews in the camp. Did you know about the pink triangle for homosexuals, the purple triangle for Jehovah's Witnesses, the green triangle for criminals, the red triangle for political prisoners or the black triangle for prostitutes?*

*As the German theologian Dietrich Bonhoeffer once said, "Silence in the face of evil is itself evil: God will not hold us guiltless. Not to speak is to speak. Not to act is to act."*

*What will you do when confronted with injustice?"*

**Proclamation** – Mayor Duncan read a proclamation recognizing the week of November 12 -18, 2023 as "International Fraud Awareness Week." He introduced from the audience Amanda Malusky-Krauss, Chapter President for the Southwest Ohio ACFE (Association of Certified Fraud Examiners) Chapter and Oakwood resident, and Detective Robert Bell, Chapter Vice President, from the West Carrollton Police Department. Mayor Duncan invited Chief Hill to comment on Oakwood's forgery, fraud and counterfeiting statistics.

Chief Hill congratulated Ms. Malusky-Krauss, Officer Bell and their team for receiving the 2023 Global Chapter of the Year – Small Market award. He then commented on fraud statistics. Fraud continues to be a major problem and Oakwood is not immune. The Federal Trade Commission's 2022 snapshot review reports 2.4 million fraud reports in 2022 totaling almost 9 billion in total loss. The average person suffers a loss of about \$1,400 locally. Last year, Oakwood's numbers from 2021 to 2022 almost doubled and 2023 will likely exceed 2022 numbers. The city's website has a lot of information and recommendations to help prevent, recognize, and report scams and fraud.

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

Ms. Malusky-Krauss shared that her team is proud to be the chapter that was recognized as small market chapter of the year. She thanked Chapter Vice President Detective Bell and the leadership team for their service. She then commented on the chapter's achievements, including promoting better fraud detection, providing training events, and creating networking opportunities. Ms. Malusky-Krauss thanked the city of Oakwood for placing a high priority on the topic of fraud, and for declaring next week Fraud Awareness Week so that everyone in the community is more aware of the issues.

VISITORS

Scarecrow Row Award Winners – Mayor Duncan recognized the following 2023 Scarecrow Row Award winners: Third Place – “Ghouling to the Chapel” by the Angel/Pohlman Wedding Group at Patterson Road and Shafor Boulevard; Second Place – “The Lumberjack” by the Cahoon, Kraczek and Patrick Families – at Telford and Shafor Boulevard; First Place – “Peaches, Peaches, Peaches” by the Woodview Crew – at Greenmount Boulevard and Shafor Boulevard; and Mayor’s Award – “ ‘Howl’ Oween” – a Howling Good Time by the Oakwood Beautification Committee at Peach Orchard and Shafor Boulevard.

Mayor Duncan thanked the groups of scarecrow builders and the judges for their participation in the event.

Judge Margaret Quinn thanked City Council and city staff for conducting such a fun community event.

LEGISLATION

A RESOLUTION  
BY VICE MAYOR BYINGTON NO 1915  
A RESOLUTION BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO,  
DECLARING THE NECESSITY OF A LEVY IN EXCESS OF THE TEN-  
MILL LIMITATION AND REQUESTING THAT THE COUNTY AUDITOR  
CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF  
OAKWOOD AND THE NUMBER OF MILLS FOR EACH ONE DOLLAR  
OF TAXABLE VALUE NECESSARY TO GENERATE A SPECIFIED  
AMOUNT OF REVENUE.

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 this resolution is the first legislative step towards placing a new levy on the ballot in March 2024. Council had originally planned to place this levy on the ballot for the election taking place tomorrow. It would have been a renewal of an existing 3.75 mill levy that was first approved by Oakwood voters in 2013. Unfortunately, the issue was not approved for the ballot by the Board of Elections due to a clerical error. As a result, the existing 3.75 mill levy will expire at the end of 2023 and Council will place a new replacement levy on the ballot in March of 2024. The exact millage rate for the new levy is not known at this time. The Montgomery County Auditor will determine the rate so that the new levy will generate the same amount of revenue as the expiring levy, meaning it will not raise property taxes above what is currently paid. The current effective millage rate of the expiring levy is 3.03. Council anticipates that the millage rate for the replacement levy will be lower than 3.03 due to strong property valuations in Oakwood. The second piece of legislation for this levy will be on the agenda for Council’s December meeting.

Thereupon, it was moved by Vice Mayor Byington 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.



AN ORDINANCE  
BY MRS. TURBEN NO 4983  
AN ORDINANCE TO AMEND “APPENDIX A – PUBLIC SERVICES RATE SHEET” OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE WATER SERVICE RATES AND THE SANITARY SEWER UTILITY RATES.

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

Mrs. Turben explained that this is an ordinance to make increases in the minimum charges and consumption rates for our water and sanitary sewer utility services. The city last raised water rates in January 2017 (seven years ago) and sanitary sewer rates in January 2018 (six years ago.) The city operates four services as public utilities: water, sanitary sewer, stormwater, and refuse. Each of these services are supported primarily by user fees and not by general tax revenues. The City Manager has recommended responsible rate increases for the water and sanitary sewer utilities in order to meet operational and upcoming capital needs. The increases would take effect in January of 2024. A typical residential customer in Oakwood uses between 300 and 900 cubic feet of water per month. During the summer months, the use can increase depending on the degree to which a property owner engages in outside irrigation. The monthly increase for water and sewer will be as follows:

<u>Water</u>		<u>Sanitary Sewer</u>	
300 cubic feet:	\$7.64	300 cubic feet:	\$7.95
900 cubic feet:	\$12.92	900 cubic feet:	\$13.24

The rate changes were presented to the citizen Budget Review Committee as part of the 2024 budget briefing on September 12 and October 16, and their response was positive.

This was a first reading of the ordinance, so Mrs. Turben made no motion.

**STAFF REPORT**

Leisure Services Report: Ms. Carol Collins, Leisure Services Director, referenced a PowerPoint and reviewed the following information:

Gardner Pool improvements began in the fall of 2022 and were completed in the spring of 2023. All of the construction was done in a timely manner and Oakwood residents were able to enjoy a summer of fun and activities for the family. Gardner Pool finished the 2023 season with 535 family pool memberships purchased, 56 single memberships and 121 senior memberships. The gate revenue was \$194,563 compared to \$166,367 in 2022. Swim lessons had 205 participants. The swim team had 224 participants. Water aerobics/deep water workout had 47 participants. The city plans to install a pool liner in 2024. After that project, the entire facility will be renewed.

The 13<sup>th</sup> annual Dog Splash was a lot of fun. There were 33 participants in the 2023 event.

A new playground structure and swings were installed at Orchardly Park, and the pickleball courts have become very popular within the community. New swings and new safety surfaces were recently installed at Shafor Park.

This year’s Scarecrow Row and the Family Fall Festival was held on Sunday, October 8. There were 30 participants in Scarecrow Row and the weather was beautiful for this great community event.

The Johnny Appleseed Street Tree Project began in 1976 in an effort to support Oakwood’s commitment to urban forestry and the environment. To date, this program has been responsible for planting 5,259 trees. The highlights of the program include: the cost of the selected species are discounted 50% to Oakwood residents and trees must be planted in the city right-of-way; species of trees will be 1 3/4” in diameter and are excellent for planting; the most needy areas of Oakwood, as determined by the city, will be given first priority; tree species selected are well-suited for planting and most are resistant to disease; and, the trees will be guaranteed for one growing season by the nursery that plants them. Oakwood was recognized as being a Tree City USA for 41 years. Ms. Collins displayed pictures of the different trees offered in 2023.

There were numerous activities that took place at Smith Gardens this year. Blanket concerts were held over the summer, Wright Library hosted story hour and there were several rentals and weddings at the gardens.

Ms. Collins thanked the 28 individuals that volunteered at the Houk Stream clean-up last Saturday. Over four truckloads of honeysuckle were removed.

Ms. Collins reviewed the following upcoming events: The Candy Cane Hunt in Shafor Park on Saturday, December 2 from 1:30 to 2:45 p.m.; Breakfast with Santa on Saturday, December 16 from 9 to 11:30 a.m.; and Lighting Up Oakwood/Holiday of Lights on Sunday, December 10 beginning at 6:30 p.m. at Shafor Park.

Mrs. Hilton asked about this year's poinsettia sale.

Ms. Collins shared that the Friends of Smith Gardens will be taking poinsettia orders until the nursery says they cannot take anymore. The proceeds go directly to the care and maintenance of Smith Gardens.

#### AN OAKWOOD MOMENT

Mayor Duncan recognized Veterans in Oakwood and Dr. Tom Hardy's retirement as Chief of Staff of the Dayton VA Medical Center. He thanked all Veterans for their service. Dr. Hardy was present for the recognition and thanked City Council for the tribute.

CITY MANAGER REPORT – Mr. Klopsch shared that he and Dr. Hardy have enjoyed volunteering Saturday mornings on the HAZMAT pick-up program conducted by the Oakwood Rotary Club. He then reported on the following:

A press release was distributed today about the Miami Valley Communications Council (MVCC) electricity aggregation program. The deadline to enroll in the program is November 15, 2023.

Construction work is continuing on Far Hills Avenue. Construction crews are actively engaged in work on the Far Hills Storm Sewer Reconstruction Project and curb replacement.

The Army West Point Black Knights with a record of 2-6 defeated rival Air Force Falcons by a score of 23-3 last Saturday. Air Force entered the game with a record of 8-0. It was one of the biggest upsets in Army college football history. The Army football team plays Navy for the Commander-in-Chief's Trophy on December 9.

#### COUNCIL COMMENTS

Mrs. Turben shared that the Oakwood Historical Society is hosting its 5<sup>th</sup> annual Holiday Home Tour on December 2, 2023. Tickets can be purchased on the Oakwood Historical Society's website.

Vice Mayor Byington reminded everyone that tomorrow is Election Day. He encouraged everyone to vote. Mr. Byington expressed his thanks and appreciation to all the candidates on this year's ballot and acknowledged their efforts to get involved and make a difference.

Mayor Duncan commented on meeting with Cub Scout Pack 101 and on the Harman third graders that toured the Public Works Center, City Hall and Public Safety. Mayor Duncan read a letter that was sent to the Public Safety Department from Beth Abraham Synagogue thanking them for their support.

The public meeting concluded at 8:29 p.m.

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MAYOR

ATTEST:

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CLERK OF COUNCIL

CITY OF OAKWOOD  
30 PARK AVENUE  
OAKWOOD, OHIO 45419  
DECEMBER 5, 2022

The Oakwood Community Improvement Corporation, State of Ohio, met on Monday, December 5, 2022, in the council chambers of the City of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419.

Mayor William Duncan called the Annual CIC Trustee and Annual Organization Meeting to order at 8:10 p.m.

In attendance were the following trustees:

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

Mr. Byington attended the meeting via remote teleconference.

The current slate of officers is as follows:

President... William D. Duncan, Mayor  
Vice President... Steven Byington, Vice Mayor  
Secretary... Norbert S. Klopsch, City Manager  
Treasurer... Anne Hilton, Council Member  
Executive Director... Norbert S. Klopsch, City Manager  
Assistant Treasurer... Cindy S. Stafford, Finance Director  
Assistant Secretary... Lori L. Stacel, Clerk of Council

It was moved by Mrs. Hilton and seconded by Mr. Stephens that the minutes of the December 13, 2021 Annual CIC Trustee and Annual Organization Meeting be approved. Upon a roll call vote on the question of the motion, same passed unanimously and it was so ordered.

Mayor Duncan stated that there was no business on the agenda.

The meeting adjourned at 8:12 p.m.

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PRESIDENT

ATTEST:

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SECRETARY

AN ORDINANCE

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

AN ORDINANCE TO AMEND “APPENDIX A – PUBLIC SERVICES RATE SHEET” OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE WATER SERVICE RATES AND THE SANITARY SEWER UTILITY RATES.

WHEREAS, the City of Oakwood operates three (3) enterprise utility services (water, sanitary sewer, and stormwater) and one (1) quasi-utility service (refuse), for a total of four (4) city services (collectively, “city utilities”), each of which is supported primarily by user fees and not by general tax revenues; and

WHEREAS, as enterprise utility operations, all costs of the Sanitary Sewer Utility and Water Utility are built into the rates charged to Oakwood residents for those services; and

WHEREAS, for its Sanitary Sewer Utility, the city of Oakwood incurs outside costs because it contracts for the use of sewer pipes and wastewater treatment infrastructure operated by the city of Dayton and by Montgomery County; and

WHEREAS, the costs of city personnel and infrastructure maintenance account for approximately 37% of Sanitary Sewer Utility rates charged to Oakwood residents, while the outside costs of contracting services from the city of Dayton and Montgomery County account for approximately 63% of those rates; and

WHEREAS, Oakwood has absorbed sanitary sewer rate increases by Dayton and Montgomery County since 2018 and expects additional increases in both 2024 and 2025; and

WHEREAS, the City Manager has determined that the Sanitary Sewer Utility cannot sustain further increases in these outside costs without an adjustment to Oakwood’s rate, and has proposed an increase to the Sanitary Sewer Utility base rates including both the minimum use charges and the standard consumption rates; and

WHEREAS, in addition, the City Manager has determined that the Water Utility rates must also be increased, including both the minimum use charges and the standard consumption rates, in order to meet operational and anticipated capital needs; and

WHEREAS, rates were last increased for water in 2017 and for sanitary sewer services in 2018; and

WHEREAS, the City Manager presented the recommended rate increases to the citizen Budget Review Committee (“BRC”) as part of the 2023 budget briefings on September 12, 2023 and on October 17, 2023; and

WHEREAS, Council, based on the positive response from the BRC and its own study of the matter, finds that the recommended changes are justified and necessary, and will benefit the general health, safety and welfare of the citizens of Oakwood, and desires to implement the same;

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

SECTION I.

Appendix A to the Streets and Public Services Code, which is incorporated by reference in the ordinances governing the city’s water, sanitary sewer, stormwater, and refuse utility programs, is hereby amended as shown on the attached exhibit to reflect increases in the minimum use charges and the standard consumption rates for both water and sanitary sewer utilities.

SECTION II.

The rate increases set forth herein shall be effective as of January 1, 2024.

SECTION III.

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 Council and any of its committees that resulted in that formal action were in meetings open to the public to the extent required by law.

SECTION IV.

This ordinance, as an ordinance to raise revenue, shall take effect upon passage as provided by Section 3.04 of the City Charter.

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

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Mayor William D. Duncan

ATTEST:

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Clerk of Council

TO THE CLERK:

Please publish the foregoing by incorporating the same into the Codified Ordinances of the city.

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City Attorney Robert F. Jacques

CITY OF OAKWOOD, 30 PARK AVENUE, OAKWOOD, OHIO 45419

**APPENDIX A -- PUBLIC SERVICES RATE SHEET****WATER UTILITY RATES****RATES FOR WATER INSIDE THE CITY**

1. Minimum charge per month according to size of meter:
- |                       |       |              |        |
|-----------------------|-------|--------------|--------|
| 5/8" or smaller . . . | 15.00 | 2" . . . . . | 81.17  |
| 3/4" . . . . .        | 18.65 | 3" . . . . . | 162.33 |
| 1" . . . . .          | 29.30 | 4" . . . . . | 244.79 |
| 1 1/2" . . . . .      | 48.72 | 6" . . . . . | 421.70 |
2. Consumption rate, per 100 cu.ft. . . . . 2.64

All bills due by last day of month. THEREAFTER a 10% charge on past due amount.

1 1/2% per month interest begins 30 days after due date.

**RATES FOR WATER OUTSIDE THE CITY**

Including \$0.10 per hundred cu. ft. Well Field Protection Fee and \$1.321 fixed fee

1. Minimum charge per month according to size of meter:
- |                       |       |              |        |
|-----------------------|-------|--------------|--------|
| 5/8" or smaller . . . | 33.50 | 2" . . . . . | 142.70 |
| 3/4" . . . . .        | 39.51 | 3" . . . . . | 276.59 |
| 1" . . . . .          | 57.11 | 4" . . . . . | 412.59 |
| 1 1/2" . . . . .      | 89.12 | 6" . . . . . | 704.55 |
2. Consumption rate, per 100 cu.ft. . . . . 4.50

**HYDRANTS**

1. Fire hydrants inside city per month, per hydrant . . . . . 12.50
2. Fire hydrants outside city per month, per hydrant . . . . . 25.00

**FIRE LINES**

For the furnishing of water service to fire lines within the boundaries of the City of Oakwood, the rates shall be \$21.00 per month, and for the furnishing of water service to fire lines beyond the boundaries of the City of Oakwood, the rate shall be \$31.50 per month.

**SANITARY SEWAGE RATES**

1. Minimum charge per month according to size of meter:
- | <u>Meter Size</u>      | <u>Inside City Rates</u> | <u>Outside City Rates<br/>(25% surcharge)</u> |
|------------------------|--------------------------|---|
| 5/8" or 3/4" . . . . . | 26.50                    | 33.13   |
| 1" . . . . .           | 27.21                    | 34.01   |
| 1 1/2" . . . . .       | 27.91                    | 34.90   |
| 2" . . . . .           | 28.49                    | 35.61   |
| 3" . . . . .           | 29.34                    | 36.66   |
| 4" . . . . .           | 30.04                    | 37.55   |
| 6" . . . . .           | 30.99                    | 38.75   |
2. Consumption rate, per 100 cu.ft. . . . . 4.409 5.511

**MONTHLY REFUSE COLLECTION & DISPOSAL RATES**

SINGLE FAMILY HOME	30.00
DUPLEX	60.00
TRIPLEX	90.00
FOUR-UNIT	120.00
MORE THAN FOUR UNITS	30.00 per unit

**MONTHLY STORMWATER MANAGEMENT RATES**

SINGLE FAMILY HOME	10.00
DUPLEX	10.00
TRIPLEX	10.00
EQUIVALENT RESIDENTIAL UNIT (ERU)	3,403 sq.ft.
FOUR OR MORE UNITS, or COMMERCIAL	

Formula: (Impervious area in sq.ft. / ERU) rounded to nearest whole number x 10.00

AN ORDINANCE

BY: VICE MAYOR BYINGTON NO.

PROVIDING FOR AN ELECTION ON THE QUESTION OF A TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY.

WHEREAS, Council of the city of Oakwood has previously declared the necessity of a tax levy in excess of the ten-mill limitation for the purpose of meeting current expenses for the general operation of the city's governmental services, and has requested that the county auditor certify the total current tax valuation of the subdivision, and the number of mills for each one dollar of taxable value necessary to generate a specified amount of revenue; and

WHEREAS, having received the county auditor's certification, Council desires to proceed with placing the matter on the ballot for the next special election;

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

SECTION I.

That pursuant to the provisions of Section 5705.03 of the Revised Code, Council hereby declares that the amount of taxes which may be raised within the 10-mill limitation will be insufficient to meet the current expenses for the general operation of the city's governmental services, and hereby determines to proceed with submitting the question of an additional tax levy to the electors of the city of Oakwood as set forth herein.

SECTION II.

The question of an additional levy of 2.41 mills for the purpose of meeting current expenses for the general operation of the city's governmental services for a period of five (5) years beginning with the tax list and duplicate for tax year 2024, the proceeds of which first would be available to the city in calendar year 2025, shall be submitted under the provisions of Section 5705.19(A) of the Revised Code to the electors of the city at the election to be held on the 19<sup>th</sup> day of March, 2024, as authorized by law. Said election shall be held at the regular places of voting in said District as established by the Montgomery County Board of Elections, or otherwise, within the times provided by law, and shall be conducted, canvassed and certified in the manner provided by law. If a majority of the voters voting thereon vote in favor thereof, said levy will be first placed on the tax list and duplicate for the tax year 2024 for collection in calendar year 2025.

SECTION III.

The form of the ballot to be cast at the election on the question of this tax levy shall be substantially as follows:

PROPOSED TAX LEVY  
CITY OF OAKWOOD

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the city of Oakwood for the purpose of meeting current expenses, that the county auditor estimates will collect \$1,137,224 annually, at a rate not exceeding 2.41 mills for each \$1 of taxable value, which amounts to \$84 for each \$100,000 of the county auditor's appraised value, for a period of five (5) years, commencing in 2024 and first due in calendar year 2025.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

SECTION IV.

The Clerk of this Council is hereby authorized and directed to certify a copy of this ordinance, along with the county auditor's certification of valuation and a copy of Resolution No. 1915, to the Montgomery County Board of Elections not later than December 20, 2023, and to provide any other notice of said election as provided by law.

SECTION V.

It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 VI.

This ordinance shall take effect and be in full force immediately upon its passage, as provided by Section 3.04 of the City Charter.

PASSED BY COUNCIL this 4<sup>th</sup> day of December, 2023.

ATTEST:

MAYOR WILLIAM D. DUNCAN

CLERK OF COUNCIL

TO THE CLERK:

Please certify a copy of this ordinance, together with the Montgomery County Auditor’s certification of valuation and a copy of Resolution No. 1915, to the Montgomery County Board of Elections.

Please also publish in the following summary form:

LEGAL NOTICE

On December 4, 2023, the Council of the City of Oakwood, Montgomery County, Ohio adopted Ordinance No. \_\_\_\_\_ entitled “AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY.”

Lori Stacel,  
Clerk of Council

CITY ATTORNEY ROBERT F. JACQUES

CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

Lori Stacel, Clerk of Council



AN ORDINANCE

BY \_\_\_\_\_

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

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.

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

SECTION I.

Council hereby accepting the submitted budget for fiscal year 2024, and desiring to provide for expenses and other expenditures of the city of Oakwood during the period commencing January 1, 2024 and ending December 31, 2024, the following sums shall be and they are hereby set aside and appropriated as follows:

Fund		Appropriation		
		Personnel	Operating	Total
MAJOR OPERATING FUNDS				
101	General Fund:			
	Total Expenditures	\$ 8,895,327	\$ 1,698,912	\$ 10,594,239
	Total Transfers			\$ 3,907,501
	Total General Fund			<u>\$ 14,501,740</u>
220	Street Maintenance and Repair Fund			
	Total Expenditures	\$ 1,069,805	\$ 284,110	\$ 1,353,915
	Total Transfers			\$ 206,922
	Total Street Maintenance and Repair Fund			<u>\$ 1,560,837</u>
228	Leisure Activity Fund			
	Total Expenditures	\$ 837,642	\$ 517,900	\$ 1,355,542
	Total Transfers			\$ 4,010
	Total Leisure Activity Fund			<u>\$ 1,359,552</u>
230	Health Fund			
	Total Expenditures	\$ 172,917	\$ 40,775	\$ 213,692
	Total Transfers			\$ 4,010
	Total Health Fund			<u>\$ 217,702</u>
308	General Equipment Replacement Fund		\$ 754,500	\$ 754,500
309	Capital Improvement Fund		\$ 2,229,900	\$ 2,229,900
510	Sidewalk, Curb & Apron Fund		\$ 201,700	\$ 201,700
707	Service Center Fund	\$ 278,560	\$ 543,155	\$ 821,715
TOTAL MAJOR OPERATING FUNDS				<u>\$ 21,647,646</u>
OTHER FUNDS				
208	Bullock Endowment Trust Fund		\$ 500	\$ 500
209	MLK Community Recognition Fund		\$ -	\$ -
210	Special Improvement District Assessment Fund		\$ 117,306	\$ 117,306
211	Smith Memorial Gardens Fund	\$ 83,600	\$ 69,650	\$ 153,250

Fund		Appropriation		
		<u>Personnel</u>	<u>Operating</u>	<u>Total</u>
212	Indigent Drivers Alcohol Treatment Fund		\$ 1,500	\$ 1,500
213	Enforcement and Education Fund		\$ 1,500	\$ 1,500
214	Law Enforcement Fund		\$ 10,500	\$ 10,500
215	Drug Law Enforcement Fund		\$ -	\$ -
216	Police Pension Fund		\$ -	\$ -
217	Court Clerk Computerization Fund		\$ 8,500	\$ 8,500
218	Court Computerization Fund		\$ 9,500	\$ 9,500
219	Court Special Projects Fund		\$ 28,500	\$ 28,500
221	OneOhio		\$ -	\$ -
224	State Highway Improvement Fund		\$ 47,600	\$ 47,600
240	Public Safety Endowment Fund		\$ 30,500	\$ 30,500
250	Special Projects Fund		\$ -	\$ -
310	Issue 2 Capital Projects Fund		\$ -	\$ -
311	Public Facilities Fund		\$ -	\$ -
312	Local Coronavirus Relief Fund		\$ -	\$ -
313	Local Fiscal Recovery Fund		\$ -	\$ -
414	Bond Retirement Fund		\$ -	\$ -
508	Electric Street Lighting Fund		\$ 172,400	\$ 172,400
706	Self-Funded Insurance Trust Fund		\$ 17,500	\$ 17,500
810	Fire Insurance Trust Fund		\$ -	\$ -
811	Contractor's Permit Fee Fund		\$ 2,000	\$ 2,000
<b>TOTAL OTHER FUNDS</b>				<b><u>\$ 601,056</u></b>
<b>REFUSE FUND</b>				
205	Refuse Fund			
	Total Expenditures	\$ 1,128,515	\$ 271,815	\$ 1,400,330
	Total Transfers			\$ 240,138
	Total Refuse Operating Fund			<b><u>\$ 1,640,468</u></b>
206	Refuse Improvement / Equipment Replacement Fund		\$ 140,000	\$ 140,000
<b>TOTAL REFUSE FUNDS</b>				<b><u>\$ 1,780,468</u></b>
<b>ENTERPRISE FUNDS</b>				
602	Water Operating Fund			
	Total Expenditures	\$ 644,855	\$ 671,149	\$ 1,316,004
	Total Transfers			\$ 618,072
	Total Water Operating Fund			<b><u>\$ 1,934,076</u></b>
603	Water Improvement / Equipment Replacement Fund		\$ 631,000	\$ 631,000
<b>TOTAL WATER FUNDS</b>				<b><u>\$ 2,565,076</u></b>

Fund	Appropriation		
	Personnel	Operating	Total
607 Sanitary Sewer Operating Fund			
Total Expenditures	\$ 595,230	\$ 1,772,000	\$ 2,367,230
Total Transfers			\$ 344,109
Total Sanitary Sewer Operating Fund			<u>\$ 2,711,339</u>
608 Sanitary Sewer Improvement / Equipment Replacement Fund			
Total Expenditures		\$ 428,700	\$ 428,700
<b>TOTAL SANITARY SEWER FUNDS</b>			<u><b>\$ 3,140,039</b></u>
615 Stormwater Operating Fund			
Total Expenditures	\$ 201,145	\$ 127,975	\$ 329,120
Total Transfers			\$ 277,806
Total Stormwater Operating Fund			<u>\$ 606,926</u>
616 Stormwater Improvement / Equipment Replacement Fund			
Total Expenditures		\$ 280,000	\$ 280,000
<b>TOTAL STORMWATER FUNDS</b>			<u><b>\$ 886,926</b></u>
<b>TOTAL ENTERPRISE FUNDS</b>			<u><b>\$ 6,592,041</b></u>
<b>TOTAL EXPENDITURES ALL FUNDS</b>			<b>\$ 30,621,211</b>
<b>TRANSFER ADJUSTMENT</b>			<u><b>\$ (5,602,568)</b></u>
<b>NET TOTAL EXPENDITURES</b>			<u><b>\$ 25,018,643</b></u>

SECTION II.

The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. The appropriation for contingencies can only be expended upon approval of three-fourths (3/4ths) vote of Council for items of expense constituting a legal obligation against the City, and for purposes other than those covered by the other specific appropriations herein made.

SECTION III.

This annual appropriation ordinance shall become effective as of the first day of January, 2024, as provided by Section 6.05 of the City Charter.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD THIS 4th day of December, 2023.

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

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

TO THE CLERK:  
Please publish the foregoing Ordinance in the following summary form:

LEGAL NOTICE

Ordinance \_\_\_\_\_ of the Council of the City of Oakwood, Ohio was passed on the 4th day of December, 2023. Said ordinance was enacted to make appropriations for current expenses and other expenditures of the City of Oakwood, Ohio, for the period ending December 31, 2024.

LORI STACEL,  
CLERK OF COUNCIL

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

CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

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

AN ORDINANCE

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

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

TO APPROVE CURRENT REPLACEMENT PAGES TO THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; and

WHEREAS, such revision is presently before Council in the form of 2023 replacement pages to the Traffic and General Offenses Codes;

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

SECTION I.

The following sections of the Oakwood Traffic and General Offenses Codes are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

303.081	Impounding Vehicles on Private Residential or Agricultural Property. (Amended)
303.082	Private Tow-Away Zones. (Amended)
303.083	Impounding Vehicles on Public Property. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Amended)
331.35	Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)
333.01	OVI; Willful Misconduct; Speed. (Amended)
333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
333.11	Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
335.07	Driving Under Suspension or License Restriction. (Amended)
335.071	Driving Under OVI Suspension. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
335.073	Driving Without Complying With License Reinstatement Requirements. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Amended)
337.10	Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
337.22	Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
341.01	Commercial Drivers Definitions. (Amended)
351.20	Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
505.071	Cruelty to Companion Animals. (Amended)
505.14	Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
509.04	Disturbing a Lawful Meeting. (Amended)
509.14	Impeding Public Passage of an Emergency Service Responder. (Added)
517.08	Raffles. (Amended)
521.18	Spreading Contagion. (Added)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
525.15	Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.02	Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
529.07	Open Container Prohibited. (Amended)
533.01	Obscenity and Sex Offenses Definitions. (Amended)
533.06	Voyeurism. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.06	Menacing. (Amended)
537.07	Endangering Children. (Amended)
537.15	Temporary Protection Order. (Amended)
545.05	Misdemeanor Theft. (Amended)

SECTION II.

That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Oakwood, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
	None	

SECTION III.

The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Traffic and General Offenses Code. The publication of the 2023 replacement pages within the Codified Ordinances shall be deemed sufficient publication of all material contained therein as provided by Section 3.05(1) of the Charter.

SECTION IV.

This ordinance is hereby declared to be an emergency measure and as such takes effect immediately on the basis that it is necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the Traffic and General Offenses Codes to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements.

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

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

ATTEST:

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

TO THE CLERK: Please publish by including the 2023 Replacement Pages in the Codified Ordinances of this City.

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

## APPENDIX A

### Traffic Code

- 303.081 Impounding Vehicles on Private Residential or Agricultural Property. (Amends “Chief of Police” to more general “chief of a law enforcement agency”.)
- 303.082 Private Tow-Away Zones. (Amends “Chief of Police” to more general “chief of a law enforcement agency”.)
- 303.083 Impounding Vehicles on Public Property. (Amends “Chief of Police” to more general “chief of a law enforcement agency”.)
- 303.991(a)(1)A. Committing an Offense While Distracted Penalty. (Amends definition of “distracted”.)
- 331.35 Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Expands regulations to include fifth wheel vehicles.)
- 333.01 OVI; Willful Misconduct; Speed. (Amends restrictions for driving under the influence.)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Adds exception to subsection (j)(2).)
- 333.11 Electronic Wireless Communication Device Use Prohibited While Driving. (Adds new State regulations from SB 288.)
- 335.07(i) Driving Under Suspension or License Restriction. (Adds affirmative defense for emergencies.)
- 335.071(i) Driving Under OVI Suspension. (Adds affirmative defense for emergencies.)
- 335.072(f) Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Adds affirmative defense for emergencies.)
- 335.073(d) Driving Without Complying With License Reinstatement Requirements. (Adds affirmative defense for emergencies.)
- 335.074(d) Driving Under License Forfeiture or Child Support Suspension. (Adds affirmative defense for emergencies.)
- 337.10 Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Adds definitions, clarifies regulations generally, and for specific slow-moving vehicles, farm machinery, agricultural tractors and animal-drawn vehicles.)
- 337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amends regulations for flashing lights in subsections (c) and (d).)
- 337.22 Windshield and Windshield Wiper; Sign or Poster Thereon. (Adds “vehicle safety technology” to electronic device exceptions for windshields.)
- 341.01 Commercial Drivers Definitions. (Adds “harmful intoxicant” to definition of “drug of abuse”.)
- 351.20 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Expands regulations for accessible parking.)

### General Offenses Code

- 501.01 General Provisions and Penalty Definitions. (Adds ORC references to subsection (i), and amends ORC reference in subsection (k)(6).)
- 501.99(a) Penalties for Misdemeanors. (Amends regulations for victim restitution.)
- 505.071 Cruelty to Companion Animals. (Amends definitions and treatment of companion animals.)
- 505.14 Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amends the number of poultry.)
- 509.04 Disturbing a Lawful Meeting. (Expands violations. Adds virtual meeting regulations and definitions.)
- 509.14 Impeding Public Passage of an Emergency Service Responder. (Adds prohibition for obstructing emergency service responder.)

- 517.08 Raffles. (Amends exemptions for charitable raffle drawings.)
- 521.18 Spreading Contagion. (Adds restrictions on spreading contagion.)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amends reference to “persons with drug dependencies”.)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amends the application/definition of a “person who is blind, deaf or hearing impaired” or “a person with a mobility impairment”.)
- 529.02 Sales to and Use by Underage Persons; Securing Public Accommodations. (Amends subsection (i) to reflect new M3 penalty for violations of ORC 4301.69(E)(1) which is our subsection (e).)
- 529.07 Open Container Prohibited. (Adds 2 permit designations: D-9 and A-2f.)
- 533.01 Obscenity and Sex Offenses Definitions. (Adds two definitions.)
- 533.06 Voyeurism. (Amends to include place where person has a reasonable expectation of privacy.)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Expands regulations for engagement in sexual activity for hire.)
- 537.03(c)(10) Unlawful Restraint. (Amends ORC reference.)
- 537.03(c)(11) Unlawful Restraint. (Adds prosecution for violation provisions.)
- 537.03(d) Unlawful Restraint. (Adds definitions (21) to (26).)
- 537.06 Menacing. (Adds additional restrictions on menacing. Adds emergency service responders.)
- 537.07 Endangering Children. (Changes reference to a “child with a mental or physical disability”.)
- 537.15 Temporary Protection Order. (Removes provision for payment of indigent electronic monitoring device from state fund.)
- 545.05 Petty Theft. (Changes “petty theft” to “misdemeanor theft”.)



AN ORDINANCE

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

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

TO REPEAL ORDINANCE NUMBER 4968 AND ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER 4, 2023, AND TO DECLARE AN EMERGENCY.

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

SECTION I.

Ordinance No. 4968 adopted December 5, 2022 is hereby repealed.

SECTION II.

An amended Personnel Schedule attached hereto and dated December 4, 2023, is hereby ratified, confirmed, and approved. This schedule authorizes the City Manager to increase the top rates of compensation for office, management, part-time, seasonal, and support employees in the amount shown on the schedule. A copy of this Personnel Schedule has been filed with the Finance Director of the city of Oakwood and is made a part of this ordinance through the doctrine of incorporation by reference.

SECTION III.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to implement these Personnel Schedule changes and adjustments in maximum compensation as quickly as possible in order to maintain morale and promote efficiency and on the basis of the public peace, health, safety, and welfare. The compensation increases for the classifications covered by the Personnel Schedule shall be effective commencing with the pay period beginning December 18, 2023, and shall remain in effect until otherwise amended.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 4<sup>th</sup> day of December, 2023.

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

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

TO THE CLERK:

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

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

## LEGAL NOTICE

Ordinance \_\_\_\_\_ of the Council of the city of Oakwood, Ohio was passed on the 4<sup>th</sup> day of December, 2023. Said ordinance was enacted to ratify, confirm, and establish an amended Personnel Schedule to change certain provisions relating to maximum compensation rates and job classifications.

LORI STACEL  
CLERK OF COUNCIL

## CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

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

AMENDED  
PERSONNEL SCHEDULE

TO: CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: COMPENSATION AND FRINGE BENEFITS FOR MANAGEMENT,  
OFFICE, CLERICAL, PART-TIME, SEASONAL, AND SUPPORT  
PERSONNEL

DATE: DECEMBER 4, 2023

This Schedule is prepared to set forth total compensation (salaries and fringe benefits) for various management, office, and clerical personnel positions established within the city of Oakwood.

SALARY - TOP RATES. The figures set forth below represent the top rates of annual salary and/or wage compensation. The City Manager shall have the authority to create and apply, with regard to any such personnel position, various lower compensation rates, schedule of time, and satisfactory performance through which an employee may progress to the top rate of annual compensation. The top rates of compensation provided for in this Personnel Schedule shall be effective commencing with the pay period beginning December 18, 2023.

MANAGEMENT PERSONNEL

City Manager .....	\$172,312.65
Public Safety Director .....	\$137,105.59
Public Works Director .....	\$134,885.29
Finance Director .....	\$134,885.29
Leisure Services Director .....	\$134,885.29
Law Director .....	\$134,885.29
City Engineer .....	\$134,885.29
Public Safety Captain .....	\$127,356.73
Refuse Foreman .....	\$108,537.54
Streets Foreman .....	\$108,537.54
Public Works Foreman/Inspector/Engineering Tech.....	\$108,537.54
Water Plant Superintendent/Water & Sewer Foreman .....	\$108,537.54
Income Tax Administrator .....	\$99,324.98
Human Resources Manager .....	\$94,714.00
Planning & Zoning Manager .....	\$94,714.00
Assistant Finance Director .....	\$92,177.41
Horticulturist.....	\$90,596.00
Assistant Water Plant Superintendent .....	\$90,596.00
Leisure Services Program Supervisor .....	\$77,830.66
Health Commissioner .....	\$5,000.00

OFFICE PERSONNEL

City Manager's Administrative Assistant/Clerk of Council.....	\$39.76/hour
HR Administrative Assistant.....	\$35.33/hour
Accounting Specialist II .....	\$35.33/hour
Department Head Administrative Assistant/Records/Administrative Clerk.....	\$32.84/hour
Accounting Specialist I.....	\$27.57/hour
Receptionist/Clerk .....	\$26.50/hour

SUPPORT PERSONNEL

Custodian .....	\$24.18/hour
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PART-TIME CLERICAL AND SUPPORT PERSONNEL

Part-Time Code Enforcement Officer.....	\$26.50/hour
Part-Time Records/Administrative Clerk .....	\$26.50/hour
Part-Time Income Tax Clerk.....	\$19.59/hour
Part-Time Office Assistant/Desk Monitor/Receptionist.....	\$18.37/hour
Part-Time Athletic Field Maintenance/Groundskeeper .....	\$16.96/hour
Part-Time City Grounds Maintenance/Laborer .....	\$16.96/hour

TEMPORARY SEASONAL PERSONNEL

Intern.....	\$18.53/hour
Pool Manager.....	\$16.97/hour
Head Lifeguard.....	\$14.93/hour
Landscaping and Boulevard Maintenance including Smith Gardens.....	\$15.44/hour
Laborer.....	\$15.44/hour
Head Lifeguard .....	\$14.93/hour
Day Camp/Recreation Leader .....	\$14.41/hour
Lifeguard.....	\$12.87/hour
Teen Monitor .....	\$11.75/hour
Facility Supervisor.....	\$11.75/hour
Concession Worker .....	\$11.23/hour
Pool Desk Attendant.....	\$11.23/hour
Crossing Guard.....	\$61.91/day

PAY PERIODS. The City Manager shall have the authority to determine the length of pay periods. All employees are paid bi-weekly, resulting in 26 pays per calendar year. However, an anomaly occurs approximately every 11 years, resulting in a calendar year with 27 bi-weekly pays. During these years with 27 pays, the annual salary, vacation, and sick leave accrual rates set forth herein, as well as the rates set forth in applicable labor contracts, shall be exceeded to accommodate the additional pay.

COMBINATION OF POSITIONS. The City Manager shall have the authority to combine any of the positions referred to in this Personnel Schedule so as to reduce the workforce by decreasing the number of persons employed by the City. In the event the City Manager elects to combine positions as provided herein, he or she may, if he or she so chooses, make such adjustments to the compensation to be paid in connection with the combined positions as he or she, at his or her sole discretion, deems fair and equitable.

COMPENSATION ADJUSTMENTS FOR DEPARTMENT HEADS. The City Manager, at any time and from time to time, may grant to department heads, increases in compensation in excess of the rates established herein, when he or she, at his or her sole discretion, determines that adjustments are dictated by equity. Any such adjustment shall result in increased compensation to the subject department head and shall be paid as hereafter provided. In contemplating such adjustment, the City Manager may consider the expectations and performance of the subject department head; the department head's level of compensation as it relates to compensation levels of subordinate personnel in the same department; and other factors deemed relevant by the City Manager. Any supplement to a department head's annual compensation, as provided herein, shall be by way of additional city-paid compensation to designated deferred compensation plans made available by the city.

COMPENSATION ADJUSTMENTS FOR CITY MANAGER. City Council, at any time, may grant to the City Manager increases in compensation in excess of the rates established herein, when they determine that such adjustments are warranted. Any such adjustment shall result in increased compensation to the City Manager and shall be paid as hereafter provided.

TEMPORARY INCREASES IN SALARY. The City Manager is authorized to make a temporary increase in salary paid to any employee who is required to assume the duties of a higher position for an extended, but temporary, period of time (as opposed to being promoted to a higher position). This temporary addition to salary may not be greater than twenty percent (20%) of the rate of compensation paid for the lower position.

PARAMEDIC CERTIFICATION PAYMENT. In addition to annual salary compensation, an employee in the Public Safety Captain classification who holds and maintains a paramedic certification shall receive a lump sum payment of \$1,631.76. An employee who receives his/her paramedic certification during the course of a calendar year shall receive a pro-rated amount.

CLOTHING ALLOWANCE. In addition to annual salary compensation, an employee in the Public Safety Captain classification shall receive an annual lump sum clothing allowance payment of \$500 to be paid at the end of each calendar year.

FULL-TIME EMPLOYEES. These are employees scheduled to work at least 30 hours per week throughout the year. Said employees shall have all rights, benefits, and obligations as determined by the Personnel Schedule and Personnel Regulations.

REGULAR PART-TIME EMPLOYEES. These are employees working twenty-nine (29) hours or fewer per week on a year-round basis. Eligibility for regular part-time employees to be entitled to benefits as outlined in the Personnel Schedule or the Personnel Regulations shall be determined by the City Manager.

TEMPORARY EMPLOYEES. These are employees who work less than 1,250 hours per year. Said employees shall not be entitled to any benefits outlined in the Personnel Schedule or the Personnel Regulations, except for holidays which may occur during their employment.

SPECIAL EMPLOYEES. The City Manager is authorized to enter into agreements to hire individuals as employees so as to obtain their personal services which the City Manager determines are in the best interests of this city. Such employees shall be known as "Special Employees," whose status shall be temporary and whose term of employment shall be set by individual agreement. The compensation and benefits for such Special Employees shall be set and controlled by contractual agreements which shall be limited by budgetary authorization intended for such purposes. The city shall make deductions from the Special Employee's pay as required by law, such as federal, state, and

local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

HOLIDAYS. The City Manager may substitute holidays listed under this section, however, no additional holidays shall be granted to the personnel positions listed in this schedule. The holidays currently recognized are New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and the employee's birthday. Except as may be otherwise provided by law, if a holiday falls on a Saturday, the preceding Friday will instead be observed as a holiday; and where a holiday would fall on a Sunday, the following Monday will instead be observed as a holiday.

PERSONAL LEAVE. Employees in the positions covered by this Personnel Schedule shall receive three (3) days of paid personal leave annually.

SICK LEAVE. Sick leave for all the full-time personnel positions covered by this Personnel Schedule shall be accrued at a day and a quarter per month, per year, with a maximum accumulation of one hundred fifty (150) days. These amounts shall be pro-rated for regular part-time employees based upon their hours of work.

MILITARY LEAVE. All full-time and regular part-time employees who are members of the Ohio National Guard, the Ohio Military Reserve, the Ohio Naval Militia, or members of other reserve components of the US Armed Forces, or are otherwise members of the uniformed services as defined by Section 5923.05 of the Ohio Revised Code, are entitled to a leave of absence to perform military duty for a period of 30 days in any calendar year ("Short-Term Military Leave"), with no requirement to apply for reinstatement thereafter.

In addition, these employees are entitled to up to 24 months of active duty leave ("Active Duty Military Leave"), subject to timely application for reinstatement thereafter. For an employee returning from uniformed service of 31 to 180 days, an application for reinstatement must be made within 14 days of completing uniformed service. For an employee on leave for more than 180 days, an application for reinstatement must be made within 90 days of completing uniformed service. Except where reinstatement is impossible or would impose an undue hardship on the City, an employee on leave for less than 180 days shall be reinstated into his or her former position; employees on leave in excess of 180 days may be placed in any position of equivalent status, seniority and pay.

The City Manager is authorized to adopt policies as necessary to implement the military leave set forth in this section, including but not limited to policies pertaining to employee compensation and continuation of employment benefits during an employee's military leave. Any such policies shall be consistent with the requirements of Section 5923.05 of the Ohio Revised Code and shall also ensure that eligible employees are entitled to all rights and benefits conferred by the federal Uniformed Service Employment and Reemployment Rights Act of 1994 ("USERRA").

VACATIONS. Employees in the full-time positions covered by the Personnel Schedule receive the following annual vacations with pay, and such amounts shall be pro-rated for regular part-time employees based upon their hours of work:

- a. Employees who have completed a minimum of one year of service, but less than six work years, shall receive twelve (12) working days of vacation.
- b. Employees who have completed six work years, but less than eleven work years, shall receive fourteen (14) working days of vacation.
- c. Employees who have completed eleven work years, but less than sixteen work years, shall receive eighteen (18) working days of vacation.
- d. Employees who have completed sixteen work years, but less than twenty work years, shall receive twenty (20) working days of vacation.
- e. Employees who have completed twenty work years, but less than twenty-five work years, shall receive twenty-two (22) working days of vacation.
- f. Employees who have completed twenty-five work years or more shall receive twenty-five (25) working days of vacation.

- g. Every employee shall be entitled to one additional day of vacation for each three days of unused sick leave that the employee may have accumulated in excess of ninety days. This exchange of sick leave for vacation leave shall be limited to a maximum of five additional vacation days for any work year. The additional vacation leave obtained through this type of exchange must be used during the work year in which the exchange is made, except that up to two such additional vacation days may be accumulated so as to be carried forward to a succeeding year.

VACATION ACCUMULATION. The City Manager is hereby authorized to establish a regulation limiting the amount of vacation time an employee may accumulate. In so doing, the City Manager may distinguish between various employee classifications.

VACATION CONVERSION. Prior to September 30<sup>th</sup> of each year, the City Manager shall be permitted to convert to cash up to twenty-two (22) but not less than five (5) days of accumulated vacation. Department heads may be permitted to convert up to fourteen (14) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. The classifications of Assistant Finance Director, Income Tax Administrator, Public Safety Captain, Planning & Zoning Manager, and Human Resources Manager may be permitted to convert up to eight (8) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. In order to be eligible to convert vacation, the employee must meet certain performance standards which are to include, as a minimum, but not exclusively, better than satisfactory work toward completion of organization work goals and objectives and the discrete and conservative use of sick leave. The City Manager is authorized to promulgate such performance criteria and to approve such buybacks if, in his or her opinion, such criteria have been met. Under special circumstances, the City Manager may permit eligible employees to convert additional accumulated vacation over and above the maximum number of days enumerated above and allow vacation conversion for other salaried employees in special circumstances, subject to the same performance standards outlined above. Any decision on vacation conversion by the City Manager shall be his or her exclusive management right and shall be final. Since vacation conversion is compensation to the employee, it shall be subject to all of the applicable rules and provisions relative to the Ohio Public Employees Retirement System and the Ohio Police and Fire Pension Fund.

RETIREMENT OR DEATH. The following provision shall apply concerning the conversion of sick leave unused at the time of retirement or death into pay:

- a. If the employee has accumulated sick leave of between sixty and one hundred twenty days, he or she, or their beneficiary will be compensated for accumulated sick leave at the time of retirement or death upon the basis of one day's pay for every three days of sick leave.
- b. If the employee has accumulated over one hundred twenty days of sick leave, he or she, or their beneficiary will be compensated at retirement or death at one day's pay for each two days of sick leave.

MANAGEMENT BANQUET - CLERICAL AND OFFICE LUNCHEON - COFFEE. The council may from time to time, elect to give a Management Banquet for its management personnel and guests. The City Manager is authorized to furnish coffee or other amenities, from time to time, for office use at the location designated by him or her; and is also authorized to furnish a special luncheon for the office personnel, from time to time.

AUTOMOBILES. In the event a City employee must use his or her personal vehicle in the conduct of official City business, the employee shall receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for each mile driven while engaged in such official business provided, however, that:

- a. The employee has prior permission from his or her respective department head to utilize his or her personal vehicle; and
- b. Requests for reimbursement are filed on a monthly basis, not later than the last working day of each month. If, however, an employee's official business necessitates his or her absence from the City at month's end, he or she may file his or her reimbursement request immediately upon his or her return.

The City Manager, at his or her sole discretion, shall have the right to promulgate rules and regulations relating to the use of both City vehicles and employees' personal vehicles on City business. The City

Manager may also designate those employees who are subject to said rules and regulations and may determine which employees are authorized for the personal use of city vehicles.

JOB SPECIFICATIONS AND DUTIES. All compensation and fringe benefits referred to in this Schedule shall be paid and granted upon the basis of each employee performing the duties described in the job specification for each position, as those specifications may be amended from time to time, and in accordance with applicable state and federal requirements. Should an employee be hired with exceptional or professional skills, compensation paid to the employee may be increased by authorization from the City Manager.

DEFERRED COMPENSATION. The City is hereby authorized to enter into deferred compensation plans for any of its management, office, and clerical personnel. As additional compensation to the City Manager, the City Council may approve the payment of deferred compensation annually to the Ohio Public Employees Deferred Compensation Program.

CONTRACT PERSONNEL AS OPPOSED TO CITY EMPLOYEES. The City Manager is authorized to fill any of the positions listed in this Personnel Schedule by contract, as opposed to using employees of this City. When this occurs, the term of that contract will apply, up to the maximum allowed by this Schedule.

EMPLOYEE ASSISTANCE PROGRAM. The City Manager may enter into an agreement with a private institution to provide support services to employees to include alcohol and drug rehabilitation, family counseling, retirement planning, etc. The cost of such services may be paid for by the City or the employee as determined by the City Manager.

SECTION 125 BENEFIT PROGRAM. The City Manager is hereby authorized to make available to all eligible employees a Section 125 Benefit Program commonly referred to as a Cafeteria Benefit Plan. The benefits provided under such a plan shall be determined by the City Manager upon consultation with the City Council.

SICK LEAVE DONATION PROGRAM. The City Manager is hereby authorized to establish a sick leave donation program for full-time and permanent part-time employees. This program will be available to qualified employees, consistent with regulations adopted by the City Manager, and under those circumstances in which other available leave benefits have been exhausted.

HEALTH CARE, VISION AND DENTAL INSURANCE COVERAGE. All full-time city employees shall have access to health, dental, and vision insurance:

- a. Health insurance coverage for inpatient and outpatient services, preventative services, physician/office services, hospice, home health care, diagnostic services, emergency and urgent care, mental health and substance abuse services, and prescription drug coverage. Such healthcare coverage may be provided through a High Deductible Health Plan with a Health Savings Account (HSA) or a Health Reimbursement Account (HRA) for employees who do not qualify for an HSA. The city may contribute to an employee's HSA and HRA an annual amount as determined by the City Manager
- b. Dental insurance.
- c. Vision care coverage to include an annual eye exam and partial payment for ophthalmic lenses, contact lenses, and frames.

The City Manager is hereby authorized to adopt a policy requiring employees eligible for health and dental insurance to contribute towards a portion of the costs of the monthly premiums for said health and dental insurance coverage.

City Council members shall also be eligible to be covered by the city's health, vision, and dental programs provided, however, that participation shall be at the election of the City Council member who shall bear the full cost of the monthly premium.

PAYMENT IN LIEU OF HEALTH INSURANCE. Any employee eligible for health insurance benefits and who elects not to enroll in the city's health insurance plan and signs a form as required by the AFFORDABLE CARE ACT that he/she is covered under another health insurance plan shall be entitled to compensation equal to 25% of the annual insurance premium which would have been paid by the city on behalf of the employee. In order to qualify, an employee must be eligible at the start of the benefit year and may not be enrolled in the city's health insurance plan during any portion of the benefit year. Payment under this program shall be made at the conclusion of the benefit year.



LIFE INSURANCE. Except under medical or other exceptional circumstances which make the purchase of life insurance benefits impracticable, management personnel shall receive the following types of life insurance coverage.

- a. Forty thousand dollar (\$40,000) term life insurance for each person holding a management position, and
- b. Additional life insurance in the following amounts:

City Manager	\$200,000
Department Heads and Public Safety Captains	\$100,000
Assistant Finance Director, Leisure Services Program Supervisor, Horticulturist, Refuse Foreman, Streets Foreman, Public Works Foreman/Inspector/Engineering Tech, Water and Sewer Foreman/Water Plant Superintendent, Assistant Water Plant Superintendent, Income Tax Administrator, Human Resources Manager and Planning & Zoning Manager	\$75,000

The reference to dollar amounts of life insurance coverage shall not preclude the purchase of additional life insurance and related products, including but not limited to annuity investments, to enhance the current life insurance program for management personnel. If an employee retires from city service and is immediately eligible to receive retirement benefits, the employee shall have the option to: 1) receive any cash values that may have accumulated on his or her behalf; 2) convert the benefits under the terms and conditions of the policy; or, 3) continue the existing benefits as his or her own policy.

Office personnel and clerical and support personnel shall be provided with \$40,000 term life insurance for each person holding such a position.

Except as may be otherwise provided in an applicable collective bargaining agreement, all life insurance referred to in this Personnel Schedule shall be provided six months after the date of hiring, with the City Manager to have the authority to direct that it be provided at an earlier date within those first six months through a written memorandum to the Personnel Officer and the Finance Director.

I hereby certify that this Amended Personnel Schedule is a true and correct compilation of the Personnel Schedule and all amendments thereto previously enacted by the Council for the city of Oakwood.

NORBERT S. KLOPSCH, CITY MANAGER

DATE:

AN ORDINANCE

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

TO SET THE MAXIMUM COMPENSATION OF THE  
OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF  
COURT, AND BAILIFF, AND TO DECLARE AN EMERGENCY.

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

SECTION I.

Ordinance No. 4969 adopted December 5, 2022, is hereby repealed.

SECTION II.

The maximum annual salary for the Clerk of the city of Oakwood Municipal Court shall be \$64,510.60. The top rate of pay for the Bailiff of the Oakwood Municipal Court shall be \$665.40 per month. In accordance with O.R.C. 1901.31 (C) (3), three-fifths of the annual compensation for these positions shall be paid from the treasury of this City and two-fifths from the treasury of Montgomery County.

SECTION III.

The top rate of pay for the Deputy Clerk of Court shall be \$56,302.76.

SECTION IV.

The hourly rate for the part-time Probation Officer shall be \$26.34

SECTION V.

The foregoing maximum annual salaries shall be effective with the pay period beginning December 18, 2023.

SECTION VI.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to authorize such compensation as quickly as possible for the protection of morale among the court personnel and on the basis of preservation of the public peace, health, safety and welfare.

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

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

ATTEST:

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

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below under the heading Legal Notice.

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

LEGAL NOTICE

Ordinance No. \_\_\_\_\_ of the Council of the City of Oakwood, Ohio was passed on the 4th day of December, 2023. Said ordinance was enacted to determine the compensation of the Municipal Court employees, and to declare an emergency.

By order of the Council of the City of Oakwood, Ohio.

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

CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

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

AN ORDINANCE

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

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

AN ORDINANCE TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE FOR THE PURPOSE OF CREATING THE CLASSIFICATIONS OF CITY ENGINEER, HUMAN RESOURCES MANAGER, AND PLANNING AND ZONING MANAGER ELIMINATING THE STAFF ENGINEER AND DIRECTOR OF PROPERTIES AND PERSONNEL CLASSIFICATIONS; CLARIFYING TITLES FOR OTHER CLASSIFICATIONS FOR CITY’S OPERATIONAL NEEDS; AND DECLARING AN EMERGENCY.

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

SECTION I.

This Council hereby ratifies, confirms, and establishes an amendment dated the 4<sup>th</sup> day of December, 2023 to the Organization & Staffing Schedule, copies of which are being made a part of this ordinance as Exhibit A through the doctrine of incorporation by reference. This amendment shall supersede and replace any prior Organization & Staffing Schedule adopted by this Council. The purpose of this amendment is to create the classifications of City Engineer, Human Resources Manager, and Planning and Zoning Manager; to eliminate the Staff Engineer and Director of Properties and Personnel classifications; and to make miscellaneous clarifications to titles for other classifications.

SECTION II.

This Ordinance is hereby declared to be an emergency measure and as such shall take effect immediately on the basis that it is necessary to maintain morale and to promote efficiency, and on the basis of preservation of the public peace, health, safety, and welfare.

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

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

ATTEST:

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

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below under the heading Legal Notice.

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

LEGAL NOTICE

On December 4, 2023, the Council of the City of Oakwood, Montgomery County, Ohio adopted Ordinance No. \_\_\_\_\_ entitled, “AN ORDINANCE TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE.”

By order of the Council of the City of Oakwood, Ohio.

Lori Stacel, Clerk of Council

CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

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

**EXHIBIT A**  
**AMENDED ORGANIZATION AND STAFFING SCHEDULE**

Number of Authorized Positions for each <u>Classification</u>	<u>Title of Each Position</u>
	<u>Council</u>
1	Mayor
4	Members of Council
	<u>Administrative Staff</u>
1	City Manager
1	Human Resources Manager
1	Planning & Zoning Manager
1	City Manager's Administrative Assistant /Clerk of Council
1	Human Resources Administrative Assistant
1	Receptionist/Clerk
	<u>Public Safety</u>
1	Public Safety Director
2	Captain
4	Lieutenant
22	Public Safety Officer
4	Dispatcher
1	Part-time Dispatcher
4	School Crossing Guard (3 Substitutes)
1	Records/Administrative Clerk
1	Part-Time Records/Administrative Clerk
	<u>Engineering &amp; Public Works</u>
1	Public Works Director
1	City Engineer
1	Water Plant Superintendent/Water and Sewer Foreman
1	Public Works Foreman/Inspector/Engineering Tech
1	Refuse Foreman
1	Streets Foreman
1	Assistant Water Plant Superintendent
4	Maintenance Worker
14	General Service Worker
2	Water & Sewer Technician
2	Truck Driver I
2	Refuse Collection Driver III
1	Motor Equipment Mechanic II
1	Motor Equipment Mechanic I
1	Department Head Administrative Assistant
3	Part-Time Laborer
	<u>Public Finance/Income Tax</u>
1	Finance Director
1	Assistant Finance Director
1	Income Tax Administrator
2	Accounting Specialist II
1	Accounting Specialist I
1	Part-Time Account Clerk
	<u>Health Functions</u>
1	Health Commissioner
1	Part-Time Code Enforcement Officer
	<u>Municipal Court</u>
1	Judge
1	Clerk of Court*
1	Deputy Clerk of Court*
1	Bailiff*

1	<u>Law Department</u> Law Director
	<u>Leisure Services</u>
1	Leisure Services Director
2	Leisure Services Program Supervisor
1	Department Head Administrative Assistant
4	Part-Time Office Assistant/Desk Monitor/Receptionist
1	Horticulturist
1	Custodian
1	Part-Time Athletic Field Maintenance/Groundskeeper
4	Part-Time City Grounds Maintenance/Laborer

\* May also serve as Probation Officer, as directed by Judge

The City Manager is hereby authorized to revise any of the above position titles, add new positions and create the titles for them, and hire up to the maximum number of positions for each classification as authorized herein.

The City Manager is further authorized to transfer persons from one position to another, to combine one or more positions, and is authorized to fill temporary seasonal positions and hire up to five (5) additional full-time or part-time employees as long as such new hiring does not exceed budgeted personnel costs approved by this Council.

Any position titles that have formerly been a part of the organization of the City of Oakwood but that are not set forth above in this Schedule are hereby deemed to have been abolished.

I hereby certify that this Organization and Staffing Schedule is a complete and correct presentation of the authorized employment positions in the City of Oakwood.

Norbert S. Klopsch, City Manager

**APPROVED:**

\_\_\_\_\_  
Mayor, City of Oakwood

AN ORDINANCE

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

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

TO AMEND SECTION I, 2023 ORIGINAL APPROPRIATION ORDINANCE NO. 4967, AND ANY EXISTING SUPPLEMENTS THERETO, TO PROVIDE FOR THE APPROPRIATION OF:

- 1. AN ADDITIONAL AMOUNT OF \$140,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR ADDITIONAL COSTS FOR THE 2024 FAR HILLS RESURFACING PROJECT; AND
- 2. AN AMOUNT OF \$140,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND;

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023.

WHEREAS, Council previously adopted Resolution No. 1904 to authorize the city’s cooperation with the Ohio Department of Transportation (ODOT) in connection with the 2024 resurfacing of State Route 48, also known as Far Hills Avenue; and

WHEREAS, 80% of the project is funded by ODOT, with the remaining 20% to be paid by the city as a local match contribution to the project; and

WHEREAS, based upon ODOT’s preliminary cost estimate for the project, Council originally appropriated \$220,000.00 to be expended as the city’s local match contribution, but due to inflation and other market factors, the final cost is expected to exceed the preliminary estimate such that the city’s local match portion may approach \$360,000.00; and

WHEREAS, Council finds it necessary to appropriate the additional \$140,000.00 for this project to ensure that it can proceed as scheduled;

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

SECTION I.

To provide for the current expenses and other expenditures of the said city of Oakwood during the period commencing January 1, 2023 and ending December 31, 2023, the following revised sums shall be and they are hereby set aside and appropriated as follows, with added material in **bold** type and deleted material in ~~strike-through~~ type:

Fund	Appropriation	
101 General Fund	<del>\$6,100,890</del>	<b>\$6,240,890</b>
309 Capital Improvement Fund	<del>\$1,486,600</del>	<b>\$1,626,600</b>

SECTION II.

The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by this ordinance of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION III.

This ordinance, as an appropriation to meet current expenses of the City, takes effect immediately upon its passage as provided by Section 3.04 of the City Charter.



PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 4<sup>th</sup> day of December, 2023.

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

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below.

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

LEGAL NOTICE

Ordinance \_\_\_\_\_ of the Council of the city of Oakwood, Ohio was passed on the 4<sup>th</sup> day of December, 2023. Said ordinance was enacted to make a supplemental appropriation for current expenses of the city of Oakwood, Ohio, for the period ending December 31, 2023.

LORI STACEL  
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

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

\_\_\_\_\_

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

A RESOLUTION

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

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

TO PROCEED WITH THE 2024 RESURFACING OF FAR HILLS AVENUE  
(STATE ROUTE 48) IN COOPERATION WITH THE OHIO DEPARTMENT OF  
TRANSPORTATION (ODOT).

WHEREAS, on the 6th day of February 2023, the City of Oakwood, Ohio, hereinafter referred to as the Legislative Authority Local Public Agency or "LPA," enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of improvements to Far Hills Avenue (S.R. 48) from the South corporation limit (S.L.M 8.67) to the North corporation limit (S.L.M. 10.88), including pavement planing, pavement repair and patching, resurfacing, and pavement markings, lying within the City of Oakwood; and**

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

**The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**

**The share of the cost of the LPA is now estimated in the amount of Three Hundred Thirty-Two Thousand Eight Hundred Forty and 00/100 Dollars (\$332,840.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and**

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement;

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

SECTION I.

That the estimated sum of Three Hundred Thirty-Two Thousand Eight Hundred Forty and 00/100 Dollars (\$332,840.00) having been duly appropriated for the improvement described above, the fiscal officer is hereby authorized and directed to issue payment for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The city of Oakwood hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

**PID No. 108888**

SECTION II.

That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION III.

That the LPA shall enter into a contract with the State, and that the City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION IV.

That the LPA transmit to the Director of Transportation a certified copy of this Resolution.

SECTION V.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and 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 Ohio Revised Code Section 121.22.

SECTION VI.

This Resolution shall become effective at the earliest date allowed by law.

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 is not required.

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

**PID No. 108888**

**Introductions for Legislation  
12/4/2023 Council Meeting**

**Mrs. Turben**

AN ORDINANCE TO AMEND “APPENDIX A – PUBLIC SERVICES RATE SHEET” OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE WATER SERVICE RATES AND THE SANITARY SEWER UTILITY RATES.

This is the second reading of an ordinance to increase the rates for our water and sanitary sewer utility services, which is needed in order to meet operational and upcoming capital needs. The city last raised water rates in January 2017 (seven years ago) and sanitary sewer rates in January 2018 (six years ago). The increases would take effect in January of 2024.

The typical residential customer in Oakwood uses between 300 and 900 cubic feet of water per month. Based on that usage, the typical residential bill would increase by approximately \$7 to \$13 per month for water and \$7 to \$14 per month for sanitary sewer services.

These rate changes were presented to the citizen Budget Review Committee as part of the 2024 budget briefing on September 12 and October 16, and their response was positive.

**Motion: This is the second reading of this ordinance, and I move that Council adopt it tonight.**

---

**Vice Mayor Byington**

AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF A TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY.

This ordinance is the second and final legislative step toward placing a new levy on the ballot in March 2024.

Council had originally planned to place a levy on the ballot for the election that took place on November 7. It would have been a renewal of an existing 3.75 mill levy that was first approved by Oakwood voters in 2013. Unfortunately the issue was not approved for the ballot by the Board of Elections due to a clerical error. As a result, the existing 3.75 mill levy will expire at the end of 2023. Council is placing a new replacement levy on the ballot in March of 2024. Based on a determination by the Montgomery County Auditor, and strong property values in Oakwood, the new levy will be at the rate of 2.41 mills instead of 3.75. This will generate the same amount of revenue as the expiring levy, meaning it will not raise property taxes above what we pay today.

**Motion: In order to meet the filing deadline for the March 19, 2024 ballot, I move that Council waive the second reading and adopt this ordinance tonight.**

---

## **Vice Mayor Byington**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.

This is our annual budget ordinance, which appropriates the city's funding for 2024. This ordinance is required under Section 6.05 of the City Charter and, when adopted, provides formal authorization to the City Manager to spend public dollars in providing city services.

Our total city budget is divided into five primary parts with budgeted spending in each as follows:

General City Services:	\$18,126,259
Refuse Services:	\$ 1,680,468
Water Services:	\$ 1,980,076
Sanitary Sewer Services:	\$ 2,840,039
Stormwater Services:	\$ 636,926

The City Manager will now make some comments on the budget.

*(City Manager will give a budget message.)*

We have a citizen budget committee that includes 34 members and is represented by residents from each of our eight voting precincts. That committee met four times this year and at its November 28<sup>th</sup> meeting, voted to endorse this 2024 budget.

**Motion: Under Section 3.04 of the City Charter, this ordinance will take effect upon its passage. I move that Council waive the 2<sup>nd</sup> reading and adopt this ordinance tonight.**

---

## **Mr. Stephens**

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

Each year, we pass an annual house-keeping ordinance to align our local traffic and general offense codes with changes that have been made at the state level. This ordinance will adopt our 2023 replacement pages for the Traffic Code and the General Offenses Code.

This ordinance is being introduced as an emergency measure to ensure that the replacement pages will take immediate effect to avoid any practical and legal entanglements.

**Motion: I move that Council adopt this ordinance tonight as an emergency measure, for the reasons stated in the ordinance.**

---

**Vice Mayor Byington**

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 4968 AND ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER 4, 2023 AND TO DECLARE AN EMERGENCY.

This is an ordinance to update the city's personnel schedule. For all non-bargaining unit employees, the updated schedule authorizes pay increases of 2.95% in 2024. These are responsible increases for our non-union employees that are consistent with the raises authorized by current collective bargaining agreements for union employees.

This ordinance is being introduced as an emergency measure to ensure that it takes effect as of the first pay period of 2024, which begins on December 18, 2023.

**Motion: I move that Council adopt this ordinance tonight as an emergency measure, for the reasons stated in the ordinance.**

---

**Vice Mayor Byington**

AN ORDINANCE TO SET THE MAXIMUM COMPENSATION OF THE OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF COURT, AND BAILIFF, AND TO DECLARE AN EMERGENCY.

By law, the Oakwood Municipal Judge determines the actual salary for each court employee, but City Council is responsible for setting the maximum amount to be paid for each job classification within the court. This ordinance will increase the maximum compensation for all court employee job classifications by 2.95%, consistent with increases for union and non-bargaining unit employees.

**Motion: I move that Council adopt this as an emergency ordinance so that these pay increases will be effective consistent with the timing of pay increases being given to office and management staff.**

---

**Vice Mayor Byington**

AN ORDINANCE TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE FOR THE PURPOSE OF: CREATING THE CLASSIFICATIONS OF CITY ENGINEER, HUMAN RESOURCES MANAGER, AND PLANNING & ZONING MANAGER; ELIMINATING THE STAFF ENGINEER AND DIRECTOR OF PERSONNEL AND PROPERTIES CLASSIFICATIONS; MODIFYING TITLES FOR OTHER CLASSIFICATIONS FOR CITY'S OPERATIONAL NEEDS; AND DECLARING AN EMERGENCY.

This is the ordinance to update our Organization and Staffing Schedule so it reflects the city's current staffing needs.

**Motion: I move that Council adopt this ordinance tonight as an emergency measure, for the reasons stated in the ordinance.**

---

**Vice Mayor Byington**

AN ORDINANCE TO AMEND SECTION I, 2023 ORIGINAL APPROPRIATION ORDINANCE NO. 4967, AND ANY EXISTING SUPPLEMENTS THERETO, TO PROVIDE FOR THE APPROPRIATION OF:

1. AN ADDITIONAL AMOUNT OF \$140,000 TO BE EXPENDED FROM THE CAPITAL IMPROVEMENT FUND FOR ADDITIONAL COSTS FOR THE 2024 FAR HILLS RESURFACING PROJECT; AND
2. AN AMOUNT OF \$140,000 TO BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND;

FOR THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023.

This is a supplemental appropriation ordinance to make additional money available for the 2024 Far Hills Avenue Resurfacing Project. Because Far Hills is a state highway, this will be a cooperative project between the Ohio Department of Transportation (ODOT) and Oakwood. 80% of the project is funded by ODOT and the remaining 20% is paid by the city as a local match.

The 2023 budget originally included \$220,000 for the city's local match contribution. That figure was based on ODOT's preliminary cost estimate. Unfortunately, ODOT's revised cost estimate is significantly higher due to inflation and other market factors. As a result, the city's local match is now estimated to approach \$360,000, so Council needs to appropriate the difference of \$140,000. As a supplemental appropriation, this ordinance will take effect immediately and keep the project on schedule as planned.

**Motion: I move that Council waive the second reading and adopt this ordinance tonight.**

---

**Mr. Stephens**

A RESOLUTION TO PROCEED WITH THE 2024 RESURFACING OF FAR HILLS AVENUE (STATE ROUTE 48) IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT).

The entire length of Far Hills Avenue within Oakwood is scheduled to be repaved in 2024. Since Far Hills is a state highway, projects like this require cooperation and cost-sharing between the city, which pays 20% of the improvement cost, and the Ohio Department of Transportation, which pays 80%.

Council took the first legislative step of this process in February 2023. This resolution is the second and final legislative step of the project. It authorizes the Finance Director to issue payment for the city's 20% contribution and the City Manager to sign the final contract documents.

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

THE MINUTES OF THE MEETING OF THE BOARD OF HEALTH, CITY OF OAKWOOD,  
STATE OF OHIO

The meeting was conducted on Tuesday, November 21, 2023 in the council chamber at the Oakwood City Building, 30 Park Avenue, and was also accessible via Zoom.

Attending in person were:

Dr. David Denka, D.O., Chair  
Dr. Elizabeth Hardy, Ph.D., Member

Norbert Klopsch, Administrator/City Manager  
Matt Tyler, REHS, Environmental Health Director

Attending via remote teleconference were Dr. Elizabeth Maimon, DVM, M.P.H., Member and Mrs. Diane Scott, R.N., Member.

Excused absent were Dr. Steve Enseleit, M.D., Health Commissioner; Dr. Bill Coyne, D.D.S., Vice Chair and Mayor Bill Duncan, President.

Dr. Denka called the meeting to order at 5:30 p.m. and led a discussion on the following agenda items:

Minutes of Previous Meetings: Dr. Denka asked that the minutes of the September 26, 2023 meeting be reviewed. There being no requested edits, a motion to approve was made by Dr. Hardy and seconded by Dr. Maimon. Upon viva voce vote, the motion passed and the minutes were approved.

Report from Chair: No report.

Report from Environmental Health Director: No report.

Report from Board Administrator/City Manager: Mr. Klopsch commented on holiday decorations in Oakwood. He shared that residents may decorate their private property, but decorations cannot be placed in the public right-of-way. He discussed locations where decorations are being placed in the public right-of-way and shared how the city is addressing it.

Old Business:

- Dr. Hardy acknowledged the placement of a speed sign on the lower portion of the E. Schantz Avenue hill and stated that it has helped to reduce vehicle speeds. She thanked the Oakwood Public Safety Department for taking this proactive action.

New Business:

- Resolution 23-1 Fees for Food Establishment and Service Operations, Second Reading: The Board conducted a second reading of this resolution. Motion to approve by Dr. Hardy; second by Mrs. Scott. Upon viva voce vote, resolution passed.

There being no other business, at 5:44 p.m. Dr. Denka adjourned the meeting.

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Chair

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Secretary

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Commissioner of Health



## STATE ISSUE 2

# With Issue 2 passage, here's when you can legally possess pot in Ohio

**By Avery Kreemer**  
Staff Writer

Ohio adults excited by the state's legalization of recreational marijuana Tuesday will need to wait a month to partake if they want to be legally protected.

According to the state's final, unofficial results, the citizen-initiated statute that made Ohio the 24th state to legalize recreational marijuana passed with 57% of

the vote on Tuesday, winning in six of nine counties in the Miami Valley region. The law will legalize possession and home growing and creates the Division of Cannabis Control, which will eventually allow the sale and purchase of recreational marijuana products.

But Ohioans aren't protected by the law until Dec. 7, according to Tom Haren, spokesperson for the Coalition to Regulate Marijuana

### INSIDE

Complete election coverage,  
including full results, **A6-12**

Like Alcohol, the campaign that drafted the law and petitioned it onto the ballot over the course of two years.

Once the bill goes into effect, it will immediately allow Ohioans

over the age of 21 to possess up to 2.5 ounces of marijuana in plant form or up to 15 grams in extract form and grow up to six marijuana plants per adult (capped at 12 plants per household).

However, the legal market outlined in Issue 2 will take much longer to actually put in place. As of now, the Division of Cannabis Control has nine months

**Issue 2** continued on **A11**

## Issue 2

continued from A1

to establish its rules and licensing guidelines, but that timeline could be altered if Ohio lawmakers decide to amend Issue 2, which many legislators have highlighted as a definite possibility.

So, on Dec. 7, Ohioans 21 years old or older will have the ability to possess marijuana and grow cannabis in their own home but no way to legally obtain either plant or seed.

Haren said Issue 2 does not speak to how of-age Ohioans would get their hands on marijuana. While many Ohioans already travel to Michigan to partake in its legal market, it's a violation of federal law to carry it over state lines.

### Local action

The 30-day waiting period for possession protection gives local governments a window to decide what action, if any, they'd like to take.

"There is still home rule in Ohio, so cities can pass moratoriums on it to say, 'Hey, woah, let us look at it,' or they can turn around and pass a moratorium that

says 'Yea, this might be state law but we're not going to allow it in our jurisdiction.' So, there's a lot of local governments that are going to have to figure out what they're going to do about it," said Kettering Municipal Court Clerk Rob Scott, an attorney who previously served on the city council for 10 years.

According to Scott, those moratoriums could range from locally prohibiting recreational marijuana facilities to actually banning marijuana possession or home grow.

Absent any local restrictions, there's still the question of how the Dec. 7 deadline will impact Ohioans who are currently facing marijuana possession charges but have not yet been convicted or sentenced.

Scott said "it's very likely that (small marijuana charges) will potentially go away," throughout most of the state, with the caveat that local rules and the discretion of prosecutors and judges will play a big factor in those cases.

---

Contact this reporter at  
614-981-1422 or email  
[avery.kreemer@coxinc.com](mailto:avery.kreemer@coxinc.com)



**A sign supporting Issue 2 sits in a residential yard on Tuesday in Cincinnati. Ohio adults excited by the state's legalization of recreational marijuana Tuesday will need to wait a month to partake if they want to be legally protected. JOSHUA A. BICKEL / ASSOCIATED PRESS**

**THURSDAY, NOVEMBER 9, 2023 | DAYTON DAILY NEWS**



## ISSUE 2

# A look at where new law allows you to use marijuana

Legalization of pot  
takes effect Dec. 7,  
but there will be  
restrictions in place.

**By Josh Sweigart  
and Avery Kreemer**  
Staff Writers

After Ohioans voted Tuesday to legalize recreational marijuana in the state, adults 21 years old or older will be able to possess up to 2.5 ounces of marijuana starting Dec. 7.

However, there are restrictions around where you'll be able to use it.

Smoking marijuana is banned in indoor public places or places of employment by the state's indoor smoking ban, a law approved by Ohioans at the ballot box in 2006 – the most recent initiated statute to go into law before Tuesday's recreational marijuana victory.

"Anywhere that you can't smoke tobacco under that law, you also cannot smoke marijuana," said Tom Haren, spokesperson for the Coalition to Regulate Marijuana Like Alcohol, the organization that ushered Issue 2 onto the ballot and vouched for its passage.

There are provisions in Issue 2 banning Ohioans from using marijuana in outdoor public spaces or in vehicles.

"Again, sort of like alcohol, you can't drink a beer walking down the street, so you can't consume marijuana walking down the street either," he said.

**Marijuana** continued on A8

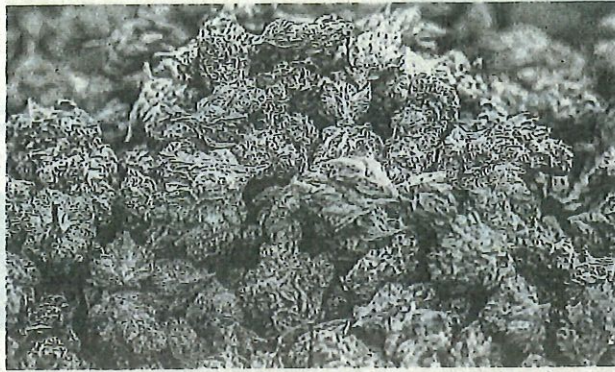
# Marijuana

continued from A1

Of-age Ohioans who consume in prohibited areas run the risk of getting a minor misdemeanor, as Issue 2 currently reads.

However, Issue 2 also explicitly notes that it does not require nor prohibit "any public place from accommodating an individual's use of adult use cannabis," — a set of provisions that attorney Rob Scott, clerk for Kettering Municipal Court and former city council member, said will give local governments the ability to set their own public-consumption rules.

"That allows for a local government to do exactly what they've done with alcohol and the DORA provisions," said Scott, who noted



Recreational marijuana is processed and packaged in a backroom at Amazing Budz in Adrian, Michigan.

JIM NOELKER / STAFF

that Ohio is a "home rule" state that gives local governments additional autonomy by default.

DORA, or Designated Outdoor Refreshment Areas, came about in 2015 when the Ohio legislature altered

the state's existing laws regulating alcohol consumption to allow local governments to set specific areas where people of-age could drink in public, outdoor spaces.

Haren said those provisions were put into Issue 2

merely to note that the law will not supersede pre-existing, status quo laws like Ohio's indoor smoking ban.

Even after all details of legality — and local governments' options — are made clear, enforcement of the new law could have varying challenges. If a person is walking down the street smoking marijuana, police likely can see it and smell it. But if that same person is in public eating a cannabis-infused edible, they may be indistinguishable from someone chewing gum.

The Ohio Attorney General's Office did not respond Thursday to questions about what enforcement guidance will be given to local law enforcement agencies.

The law is also subject to change, as the Ohio General Assembly has the power to repeal or amend it.

DDN 11/10/23



CENTERVILLE / WASHINGTON TWP.

# Cannabis moratoriums enacted

Washington Twp. and Centerville want to study pros and cons of the hot-button issue.

**By Eric Schwartzberg**  
Staff Writer

Centerville and Washington Twp. are the newest Dayton-area communities to put a hold the cultivation, processing and retail sale of "adult use" cannabis.

The move comes just weeks

after Ohio voters approved Issue 2, which legalized the growing, processing, selling and use of recreational marijuana.

"The state legislature is ... looking at that and may make some changes, but it allows cities to regulate the commercial cultivating, sale and distribution," Scott Liberman, Centerville's city attorney, told city council Nov. 20. "To give city staff a chance to research the legislation, it was my recommendation that we put a moratorium on, which cities in the state are

doing so they may study the new regulations."

Centerville City Council on Nov. 20 unanimously approved a moratorium for nine months on adult-use cannabis.

"The one thing it does not put a moratorium on because we can't regulate it, deals with the (personal) possession, use and growing of marijuana," he said. "The state will regulate that."

Issue 2 takes effect Dec. 7, so Centerville enacted the morato-

**Cannabis** continued on B5



A sign supporting Issue 2 sits in a yard on Election Day in Cincinnati. Voters approved the issue, which legalized the growing, processing, selling and use of recreational marijuana. AP

## Cannabis

continued from B1

rium “to study the pros and cons and evaluate how the state will move forward,” Liberman said Tuesday.

Centerville also approved a resolution dealing with medical marijuana. The city previously had enacted a moratorium and allowed it to lapse, he said.

“At this time, since we’re already studying recreational marijuana, we wanted to go ahead and include medical marijuana distribution and its sales as well,” Liberman said.

Washington Twp. also approved a resolution dealing with marijuana, enacting on Nov. 20 a 360-day moratorium on the “cultivation, processing and retail sale of ‘adult use’ cannabis.”

“Washington Township passed the emergency home rule resolution establishing a moratorium on recreational marijuana businesses to allow adequate review for the Township to consider the coming rules and regulations to be implemented by the Chapter 119 rulemaking process as well as any other changes adopted by the General Assembly and Governor,” township Administrator Mike Thonnerieux told this news outlet Tuesday.

During the moratorium, Washington Twp. staff “are prohibited from issuing or processing any permits or approvals for any cannabis-related businesses such as cannabis-related cultivators, processors, or adult use dispensaries” within the township, according



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# 'No Jew is ever alone'

Mangel family patriarch survived Auschwitz at age 10. At 90, he returned with three generations of descendants.

Photos by Yisroel Teitelbaum



Rabbi Nissen Mangel shows some of his great-grandchildren his tattoo in the barracks at Auschwitz, Oct. 23.

When Rabbi Nissen Mangel was 10 years old, he made it out of Auschwitz alive. He made it past the "Angel of Death," Dr. Josef Mengele. He survived the brutal death march in January 1945 just before liberation. None of his other relatives in Auschwitz — including his father — made it out alive.

Nearly 80 years later, the boy who survived Auschwitz returned there to celebrate his 90th birthday with his wife, children, grandchildren, and great-grandchildren — nearly 100 people in all.

A noted scholar and author in the Chabad-Lubavitch movement, Rabbi Nissen Mangel is the father of Rabbi Nochum Mangel, director of Chabad of Greater Dayton.

"My father, his entire life, was never bitter," Nochum Mangel says. "Never angry. No nightmares. This is how he saw it: it's a gift from God that he survived. He doesn't know why God chose him, but he's going to make the most of his life."

The children, grandchildren, and great-grandchildren came together from Ohio, Florida, Colorado, New Jersey, Georgia, New York, Italy, and Israel.

"He always wanted that we should see the hell that he survived," Nochum Mangel says. "And, that Judaism is never doomed."

Their first stop was Lizhensk, Poland to visit the grave of Rabbi Elimelech of Lizhensk, one of the founding rabbis of Chasidism.

"My father is a direct descendent of Rabbi Elimelech of Lizhensk," Nochum

Mangel says. "It was important to him to go to his grave."

Devorah Leah Mangel, Nochum Mangel's wife and Chabad of Greater Dayton's women's program director, says the day the family visited Auschwitz, there were about a thousand other visitors there.

"And they were staring at us, just because of our numbers and because nobody else had kids," she says.

Other than two 2-year-olds who stayed back with other family, all of Nissen Mangel's great-grandchildren were there.

"My father did ask the question, what's the point of bringing 7-year-olds? How are they going to appreciate what's happening?"

Nochum Mangel says. "The argument was that this is for the future. Even if you have a 3-year-old who doesn't understand what's going on, he's going to be standing in a picture. He's going to see that picture, and he's going to hear stories about these pictures,

and he's going to hear stories about his great-grandfather and then he'll say, 'I was there and here's the picture.'"

Devorah Leah Mangel says it was powerful to see the great-grandchildren constantly at her father-in-law's feet.

"At Auschwitz, they were standing by him and taking in every single word he had to say," she says. "Wherever we went, they were constantly surrounding him and just taking it all in. These children will really, really one day pass it on to their children, to make sure we never forget the Holocaust."

**'Wherever we went, they were constantly surrounding him and just taking it all in.'**





Rabbi Nissen and Ester Raizel Mangel surrounded by their children, grandchildren, and great-grandchildren at Auschwitz, Oct. 23.

The Mangel family did consider calling off the trip a few weeks before they departed, because of the Oct. 7 massacre, the ensuing Israel-Hamas war, and the worldwide explosion of antisemitism along with it.

"My brother in Cherry Hill knows somebody whose brother is the head of security of the Israeli embassy in Warsaw," Nochum Mangel says. "So we asked him. What he said was, 'Just don't post any pictures where you are. Don't let anyone know where you are. Once you're gone, then you can post pictures.'"

The family decided it was important to go now, more than ever.

"Because my father's message all his life was, 'Hodu l'Hashem ki tov, ki l'olam chasdo' (Psalm 136), thanking Hashem for the goodness and kindness that He bestowed upon him. That's how he tells his story."

Devorah Leah Mangel adds that the great-grandchildren all learned Nissen Mangel's message from Psalm 136 before the trip and were singing it the whole time.

"Wherever it was, we danced and sang my father's theme song, Hodu l'Hashem ki tov, and also about the future, *L'Shanah Haba'ah B'Yerushalayim* (next year in Jerusalem), *Am Yisrael Chai* (the Jewish people lives), *Vehi She'amda*," Nochum Mangel says.

*Vehi She'amda* is a passage in the Haggadah that is recited at the Passover Seder: "And this is what kept our fathers and what keeps us surviving. For, not only one arose and tried to destroy us, rather in every generation they try to destroy us, and Hashem saves us from their hands."

The family, Nochum Mangel says, intentionally chose songs about the past, present, and

future of Judaism.

"Jewish atrocities, for us, are a granted, a given. That we survive, that is the miracle. Therefore, we are singing."

"We're celebrating the survival of one," Devorah Leah Mangel notes. "And what kept on going through my mind is that this is one. But for each of the 6 million, you realize how many we lost."

"That's 6 million individuals," Nochum Mangel adds. "And look what could have happened: 100 people came from one individual. So you could imagine what could have come from 6 million. At all times, these dual feelings are in all of our minds."

**'Jewish atrocities, for us, are a granted, a given. That we survive, that is the miracle.'**

This was Nissen Mangel's fourth return to Auschwitz. Though family members were concerned about how his emotional state might be on this trip at age 90, he was in the mood to celebrate.

"He walks triumphantly, talking and showing where things happened," Nochum Mangel says.

"They treat survivors with great respect today. They gave him a golf cart, so they don't have to walk. My father goes into that, and he has a smile from ear to ear. And he's waving to everybody."

At the site where Dr. Josef Mengele selected Nissen Mangel out of the line to the gas chambers, the patriarch pointed and recited the prayer,

*"She'asah li nes b'makom hazeh,"* that God performed a miracle for me right here. Then, his progeny made the blessing as well.

Nissen Mangel showed his great-grandchildren the barracks where he slept.

"He says, 'In the barracks, six of us were lying in bed. How many of you can lie on this bed?'" Nochum Mangel relates of his father.

"He can take one of his grandchildren and say, 'This is how tall I was. This is how old I was.' It became very real. Even for me. You could see him in those kids."

Yad Vashem, Israel's memorial to the victims of the Holocaust, displays an installation at Auschwitz with the names of all victims who were killed there, along with the cities they came from. There, Nissen Mangel found his father's name with those of other relatives.

"The message wherever my father spoke was, no Jew is ever alone. God is with every single Jew. You can overcome the hardest things in your life," Nochum Mangel says.

"I would say the sad reality is that we cannot rely on the world. Antisemitism lives on. And we see it in our lifetime. The exact same nonsense. The exact same lies. We've got no one else to rely on but God. And it happens throughout Jewish history. And we're going to survive. We're going to take shots. We're going to be hurt. But ultimately, nobody's going to be able to destroy us."

— Marshall Weiss

## Happy Chanukah.

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## Certificate of Estimated Property Tax Revenue For the City of Oakwood

(Use this form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.)

The County Auditor of Montgomery County, Ohio, does hereby certify the following:

1. On November 27, 2023, the taxing authority of the City of Oakwood, certified a copy of its resolution or ordinance adopted November 6, 2023, requesting the county auditor to certify the current taxable value of the city and the amount of revenue that would be produced by two and forty-one hundredths (2.41) mills, to levy a tax outside the 10-mill limitation for the purposes of Current Expenses pursuant to Revised Code §5705.19(A), to be placed on the ballot at the March 19, primary election. The levy type is a 2.41 Mill Additional Levy for a five (5) year period of time.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the taxable value of the subdivision remains constant throughout the life of the levy, is calculated to be \$1,138,000.
3. The total taxable value of the subdivision used in calculating the estimated property tax revenue is \$472,562,840.
4. The millage for the requested levy is two and forty-one hundredths (2.41) mills per \$1 of taxable value, which amounts to \$84.00 for each \$100,000 of the county auditor's appraised value.

Karl L. Keith  
Auditor, Montgomery County, Ohio

By: Gloria A. Butler, Deputy

OAKWOOD CITY ESTIMATED REVENUE 2.41 MILL ADDITIONAL CURRENT EXPENSE LEVY				
PROPERTY CLASS	*ASSESSED VALUATION	MILLAGE RATE	DOLLARS GENERATED @100%	DOLLARS GENERATED @95%
Class 1 Res/Agr	448,801,560	2.406503	1,080,042	1,026,040
Class 2 Com/Ind	19,823,410	2.406503	47,705	45,320
Public Utility Personal Property	3,937,870	2.406503	9,476	9,003
Public UtilityReal	-	-	-	-
General Tangible Personal Property	-	-	-	0
<b>TOTAL:</b>	<b>472,562,840</b>	<b>TOTAL:</b>	<b>1,138,000</b>	<b>1,080,363</b>
			USE THIS NUMBER	
			*(ROUND TO THE NEAREST \$1,000)	
			\$ 1,137,224	

**\*\*Note:** Revenue Projections Based on ESTIMATED Values for Tax Year 2023/2024

OAKWOOD CITY				
100% Home Value	Taxable Value (35%)	Proposed Millage	Replacement/New	Renewal
20,000	7,000	2.410000	16.87	14.76
40,000	14,000	2.410000	33.74	29.52
60,000	21,000	2.410000	50.61	44.28
80,000	28,000	2.410000	67.48	59.05
100,000	35,000	2.410000	84.00	73.50
120,000	42,000	2.410000	101.22	88.57
140,000	49,000	2.410000	118.09	103.33
160,000	56,000	2.410000	134.96	118.09
180,000	63,000	2.410000	151.83	132.85
200,000	70,000	2.410000	168.70	147.61
220,000	77,000	2.410000	185.57	162.37
240,000	84,000	2.410000	202.44	177.14
260,000	91,000	2.410000	219.31	191.90
280,000	98,000	2.410000	236.18	206.66
300,000	105,000	2.410000	253.05	221.42
320,000	112,000	2.410000	269.92	236.18
340,000	119,000	2.410000	286.79	250.94
360,000	126,000	2.410000	303.66	265.70
380,000	133,000	2.410000	320.53	280.46
400,000	140,000	2.410000	337.40	295.23

\*(ROUNDED TO THE NEAREST \$1)

84.35

## OAKWOOD CITY

### Calculation of Millage

1. Tax valuation on the tax list most recently certified for collection:

1a. Class I Real (Res/Ag):	\$ 448,802,560
----------------------------	----------------

1b. Class II Real (Comm/Ind/PU Real):	\$ 19,823,410
---------------------------------------	---------------

1c. Public Utility Personal Property:	\$ 3,937,870
---------------------------------------	--------------

1d. General Personal Property:	\$ -
--------------------------------	------

2. Total Valuation:	\$ 472,563,840
---------------------	----------------

3. Revenue Requested:	\$ 1,137,224
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4. Personal Property Phase-out Payment:	\$ -
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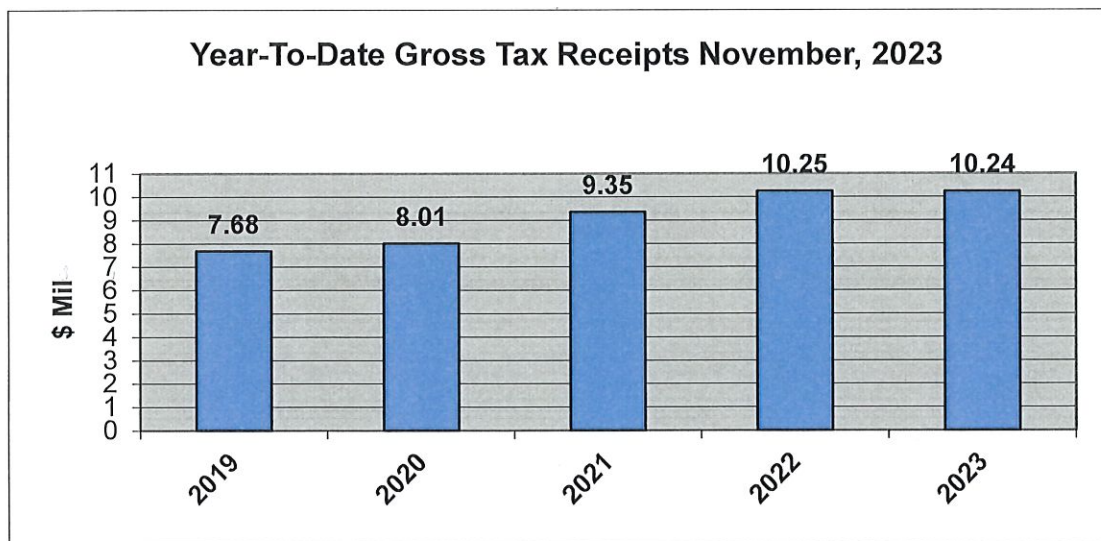
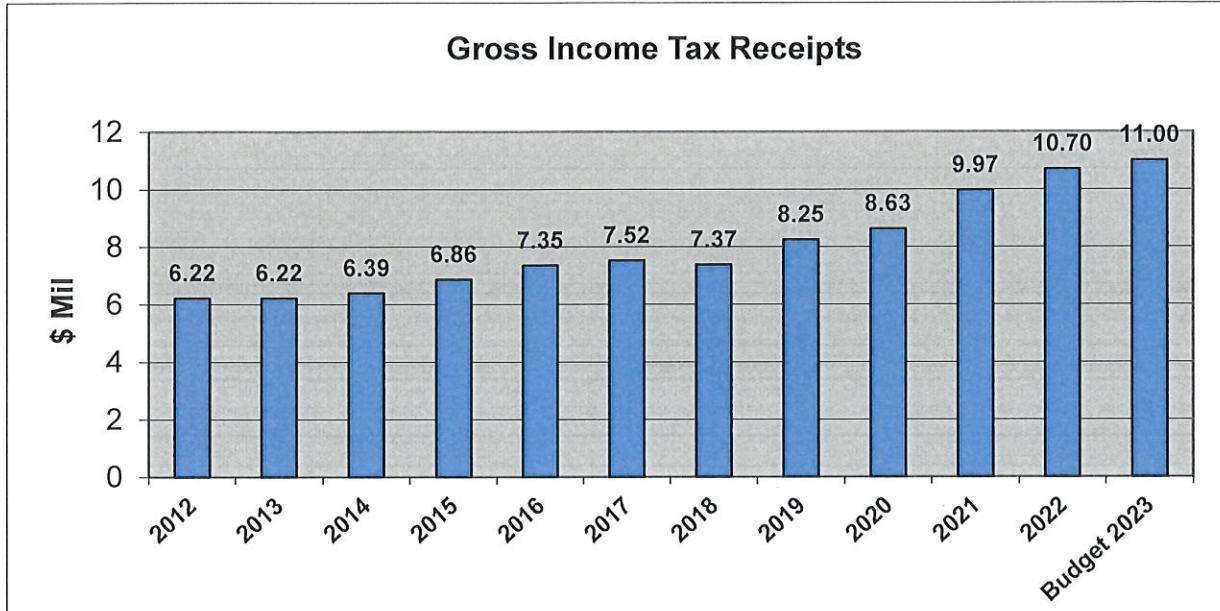
5. Revenue to be charged as tax:	\$ 1,137,224
----------------------------------	--------------

6. Millage Rate:	2.41
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# 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

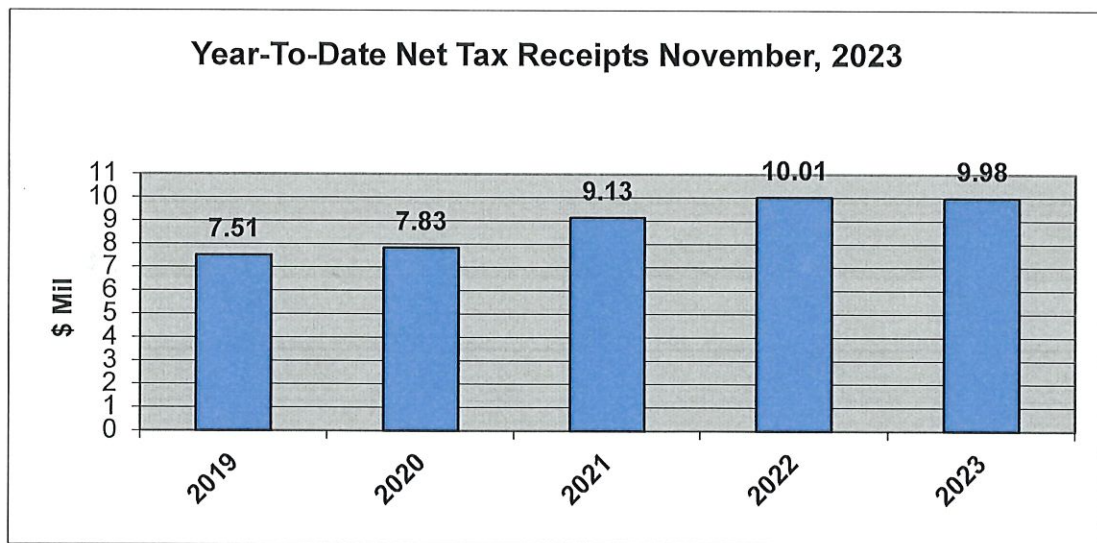
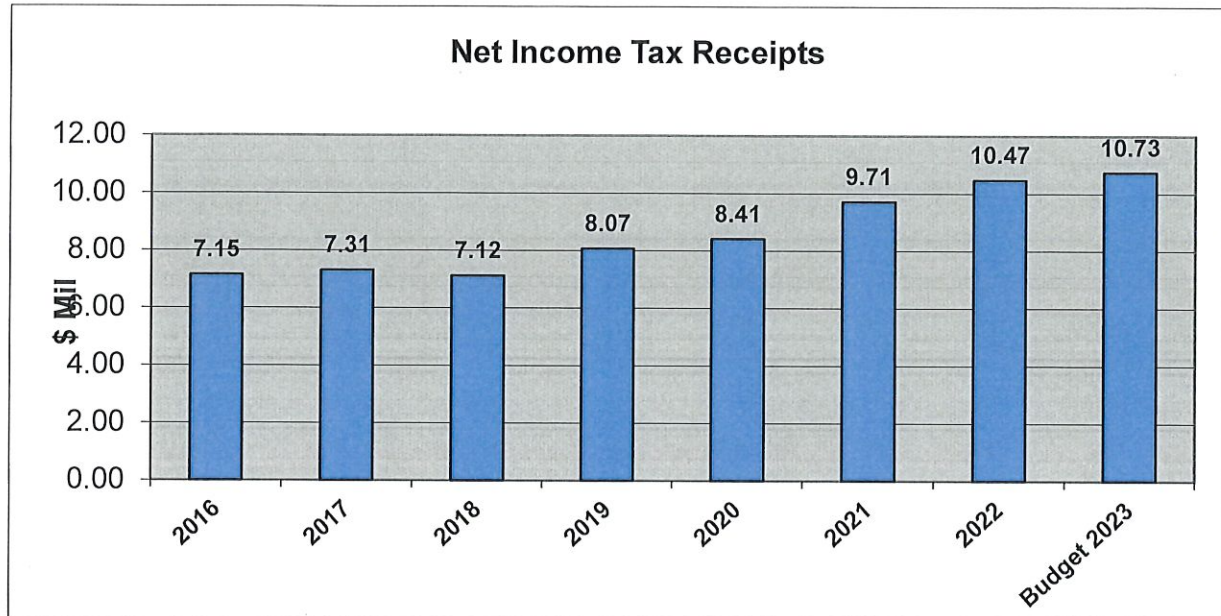
2022	\$10,245,139.59
2023	\$10,239,355.02
Change	-0.06%



# TAX REVENUE ANALYSIS

## 2023

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



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

2022	\$10,010,964.92
2023	\$9,977,172.30
Change	-0.34%

INCOME TAX COMPARISON - GROSS RECEIPTS						
	2021 through 2023					
				DAILY	MONTHLY	YEAR-TO-DATE
	2021	2022	2023	INCR / DECR	INCR / (DECR)	INCR / (DECR)
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	\$611,330.64	N/A	(\$167,544.01)	(\$45,836.33)
SEPTEMBER	\$783,154.97	\$789,166.14	\$764,411.27	N/A	(\$24,754.87)	(\$70,591.20)
OCTOBER	\$616,709.11	\$820,891.56	\$934,516.00	N/A	\$113,624.44	\$43,033.24
NOVEMBER	\$651,147.77	\$646,466.31	\$597,648.50	N/A	(\$48,817.81)	(\$5,784.57)
DECEMBER	\$618,792.43	\$494,045.92		<<<MONTH-TO-DATE		
TOTAL	\$9,969,986.63	\$10,739,185.51	\$10,239,355.02			
				DAILY	MONTHLY	YEAR-TO-DATE
NOVEMBER	2021	2022	2023	INCR /( DECR)	INCR / (DECR)	INCR / (DECR)
1	47,600.02	82,215.27	11,128.41	(\$71,086.86)	(\$71,086.86)	(\$28,053.62)
2	104,249.04	0.00	3,373.67	\$3,373.67	(\$67,713.19)	(\$24,679.95)
3	4,307.02	69,188.49	17,599.29	(\$51,589.20)	(\$119,302.39)	(\$76,269.15)
4	6,815.27	27,220.58	0.00	(\$27,220.58)	(\$146,522.97)	(\$103,489.73)
5	24,058.59	0.00	0.00	\$0.00	(\$146,522.97)	(\$103,489.73)
6	0.00	0.00	44,016.10	\$44,016.10	(\$102,506.87)	(\$59,473.63)
7	0.00	11,655.27	33,850.25	\$22,194.98	(\$80,311.89)	(\$37,278.65)
8	4,668.68	37,293.50	2,139.91	(\$35,153.59)	(\$115,465.48)	(\$72,432.24)
9	31,484.72	32,728.96	22,525.50	(\$10,203.46)	(\$125,668.94)	(\$82,635.70)
10	38,582.30	23,382.93	0.00	(\$23,382.93)	(\$149,051.87)	(\$106,018.63)
11	0.00	0.00	0.00	\$0.00	(\$149,051.87)	(\$106,018.63)
12	49,988.11	0.00	0.00	\$0.00	(\$149,051.87)	(\$106,018.63)
13	0.00	0.00	4,155.25	\$4,155.25	(\$144,896.62)	(\$101,863.38)
14	0.00	29,231.23	97,261.54	\$68,030.31	(\$76,866.31)	(\$33,833.07)
15	102,230.01	110,534.48	3,879.47	(\$106,655.01)	(\$183,521.32)	(\$140,488.08)
16	45,564.10	0.00	86,607.50	\$86,607.50	(\$96,913.82)	(\$53,880.58)
17	47,178.40	11,083.00	66,597.78	\$55,514.78	(\$41,399.04)	\$1,634.20
18	5,642.68	29,846.34	0.00	(\$29,846.34)	(\$71,245.38)	(\$28,212.14)
19	25,552.48	0.00	0.00	\$0.00	(\$71,245.38)	(\$28,212.14)
20	0.00	0.00	12,667.43	\$12,667.43	(\$58,577.95)	(\$15,544.71)
21	0.00	21,820.17	14,045.63	(\$7,774.54)	(\$66,352.49)	(\$23,319.25)
22	9,035.71	27,389.97	32,470.18	\$5,080.21	(\$61,272.28)	(\$18,239.04)
23	2,518.76	21,509.08	0.00	(\$21,509.08)	(\$82,781.36)	(\$39,748.12)
24	20,175.96	0.00	0.00	\$0.00	(\$82,781.36)	(\$39,748.12)
25	0.00	0.00	0.00	\$0.00	(\$82,781.36)	(\$39,748.12)
26	0.00	0.00	0.00	\$0.00	(\$82,781.36)	(\$39,748.12)
27	0.00	0.00	11,257.88	\$11,257.88	(\$71,523.48)	(\$28,490.24)
28	0.00	6,267.56	101,847.09	\$95,579.53	\$24,056.05	\$67,089.29
29	14,952.66	103,259.73	20,421.97	(\$82,837.76)	(\$58,781.71)	(\$15,748.47)
30	66,543.26	1,839.75	11,803.65	\$9,963.90	(\$48,817.81)	(\$5,784.57)
				NEED		
TOTAL	\$651,147.77	\$646,466.31	\$597,648.50	\$48,817.81		
				TO MATCH		
				NOVEMBER'22		





## FOP Family Christmas Party December 15, 2023

FOP Lodge 107 will be hosting a family Christmas party in the bay of the safety building on Friday, December 15th, from 6:30 - 9:00 p.m. To assist in our preparation for food & gifts, please complete the form below and return to Greg Ortel no later than Friday, December 1st.

*If you would like for Santa to present your child with a gift, please drop it off in dispatch. Gifts need to be unwrapped and clearly marked with your child's name.*

### Santa will be arriving on the engine at 7:00

Employee name: \_\_\_\_\_

- ☐ Yes, I will be attending & eating dinner
- ☐ Yes, I will be attending but will not need dinner

	First Name	Last Name	Age	Sex
Spouse or Adult Guest			N/A	N/A
Child				M F
Child				M F
Child				M F
Child				M F
Child				M F



# Tree-lighting ceremonies to illuminate holiday spirit

By Alex Cutler  
Staff Writer

Over the next few weeks, one of the most beloved holiday traditions will be taking place throughout the Miami Valley — holiday tree lightings.

Across the region, holiday trees large and small will be decorated with twinkling lights and ornaments while communities gather to ring in the official beginning of the holiday season.

Here's a collection of holiday tree-lighting ceremonies taking place around the region from Troy to Lebanon:

## Dayton Holiday Festival's Grande Illumination

**Where:** Courthouse Square, Third and Main Streets.

**When:** Friday, Nov. 24. Dayton Holiday Festival to take place from 3 to 8 p.m.; Tree lighting at 7 p.m.

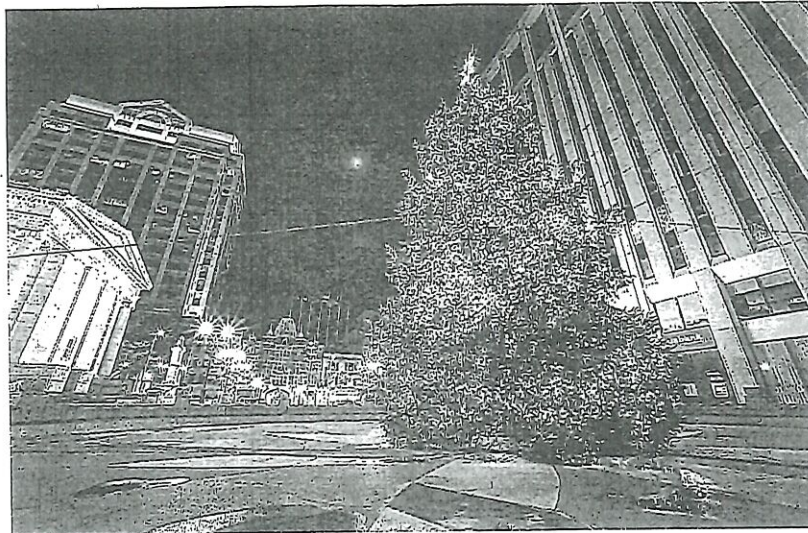
Thousands of lights encompassing Dayton's three-story-tall tree will be switched on at downtown Dayton's Grande Illumination on Friday, Nov. 24. The Grande Illumination is a part of the Dayton Holiday Festival, which will take place in downtown Dayton at a new time, from 3 to 8 p.m. on the same day.

The tree-lighting ceremony will be followed by the annual Children's Parade Spectacular in Lights, a nighttime parade for children that features more than 100,000 sparkling lights, decorative seasonal floats, horses, drill teams and bands and special holiday treats.

## Magic of Middletown Tree Lighting Ceremony

**Where:** The South Green, downtown

**When:** Friday, Nov. 24, 4-8 p.m.; Tree Lighting, 6 p.m.



Downtown Dayton's Grande Illumination on Courthouse Square will take place today.

Tom Gilliam / Contributed

Holiday on Main Street presents The Magic of Middletown holiday celebrations begin in Downtown Middletown on Thanksgiving weekend. The weekend festivities run until Christmas. The Magic of Middletown Tree Lighting Ceremony. The evening includes wagon rides, caroling, Santa's arrival, photos with Santa and more.

## Lebanon Holiday Illumination

**Where:** Christmas Tree Park in downtown Lebanon, at the corner of Broadway and Main St.

**When:** Friday, Nov. 24, from 6 to 8 p.m.

The city of Lebanon will be continuing their annual tradition by holding their Christmas Holiday Illumination on 6-8 p.m. Friday Nov. 24. Santa will also be making an appearance at this event to help kick off the holiday season.

## Urbana Holiday Horse Parade

**Where:** Downtown

Urbana

**When:** Friday, Nov. 24, 4-8 p.m.

**More info:** Website  
As a part of their annual Holiday Horse Parade, the city of Urbana will be lighting their Christmas tree in Legacy Park starting at 5:30 p.m. Throughout the evening, families can also experience activities like visiting Santa and watching the annual parade, which starts at 6:30 p.m.

## Troy Tree Lighting

**Where:** Troy Public Square, Troy 45373

**When:** Friday, Nov. 24, from 5 to 8:30 p.m.

The city of Troy is inviting residents to downtown Troy's Public Square on Friday, Nov. 24 to witness the lighting of Troy's holiday tree and levee.

## Springfield Holiday in the City- The Grand Illumination

**Where:** 100 S Fountain Ave, Springfield, OH 45502-1208, United States

**When:** Friday Nov. 24, from 5 to 8 p.m.

**More info:** Facebook  
Beginning at 4 p.m., the annual Holiday in the City kicks off in Springfield with live music, an outdoor market, wreath making, ice sculptures and more! The city has also confirmed that the ice skating rink will also return for its third year. Santa is planned to arrive at the event at approximately 6 p.m.

## Mayor Lehner's Annual Christmas Tree Lighting

**Where:** Lincoln Park Civic Commons, 675 Lincoln Park Blvd., Kettering

**When:** Friday, Dec. 1 from 6 to 8 p.m.

This year, guests can join Kettering Mayor Marguerite B. Lehner as he lights the city's holiday tree at Lincoln Park Civic Commons. Guests can experience other elements of the event as well, such as appearances by the Kettering Children's Choir, hot chocolate, and more.

The Santa Paws event also returns this year, which

encourages guests to bring their pups to the Mayor's Tree Lighting to take photos with special props and backgrounds.

## 2023 Huber Heights Christmas Parade

**Where:** 5310 Packard Rd Huber Heights, Ohio

**When:** Saturday Dec. 2, at 4 to 7 p.m.

The Huber Heights Christmas Parade, organized by Engage City Church, will feature all the lights and magic that families usually expect from the holiday season. The parade starts in the Meijer parking lot on Executive Boulevard and travels with Santa to the Eichelberger Amphitheatre, 8625 Brandt Pike, where the tree lighting will be held.

## Hometown Holiday Festival and Tree Lighting in Fairborn

**Where:** 103 W Main St, Fairborn, OH 45324

**When:** Friday, Dec. 1 from 4 to 7 p.m.

Fairborn will be kicking off this season with their Hometown Holiday Event and Tree lighting, featuring Santa's Candy Cane Land! This event, which starts at 4 p.m., will allow children to take part in free activities such as arts and crafts, pictures at an inflatable snow globe, and letter writing to Santa.

To cap off the event, at 7 p.m., Santa will arrive and light the holiday tree and officially start the holiday season in Fairborn.

## Miamisburg's Holiday Celebration

**Where:** Riverfront Park, 3 N. Miami Ave., Miamisburg

**When:** Saturday, Dec. 2 from 4 p.m. to 8 p.m.

**More info:** www.

playmiamisburg.com

Mayor Michelle Collins will be lighting Miamisburg's holiday tree at Riverfront Park. The tree lighting will take place after the city's holiday parade, which begins at 5:30 p.m. and travels down Main Street. The tree lighting is planned for 6:05 p.m. Guests coming to the festival can also stop by the Holiday bazaar, take photos, experience dance shows, and partake in arts and crafts.

## Vandalia Tree Lighting Ceremony

**Where:** Vandalia Recreation Center, 1111 Stonequarry Rd., Dayton

**When:** Sunday, Dec. 3, from 4 to 7:30 p.m.

The city of Vandalia will hold its annual holiday tree-lighting ceremony at the Vandalia Recreation Center. The tree-lighting ceremony will take place at the Vandalia Sports Complex at 6 p.m. Guests will also be able to enjoy refreshments, music and visits with Santa Claus.

The Holiday Market will also be up and running from 4 p.m. to 7:30 p.m. inside of the Vandalia Recreation Center Gymnasium.

## Lighting Up Oakwood

**Where:** Shafor Park, located on Shafor Boulevard and Patterson Road in Oakwood

**When:** Sunday, Dec. 10 at 6 p.m.

Beginning at 6 p.m., lit luminaries will line the boulevards on Far Hills Avenue, Shafor Boulevard and other prominent buildings in Oakwood. At 6:30 p.m., the illumination of the city's holiday tree will take place at Shafor Park, along with live entertainment, refreshments, visits with Santa Claus and horse-drawn carriage rides.

bbw  
11/24/23

## **23. Holiday Festival of Lights**

This event will take place at Shafor Park in Oakwood at 6 p.m. on Sunday, Dec. 10. Residents are invited to put luminarias out in front of their house and to consider participating with their neighbors. At 6:30 p.m. bring the family to Shafor Park for an evening of community fellowship with lights, songs and refreshments, and a visit from Santa Claus. Cost: Free. More info: [www.oakwoodohio.gov](http://www.oakwoodohio.gov)



## **Green Oakwood recycling holiday lights**

Starting Dec. 1, Green Oakwood will be collecting unserviceable holiday lights to benefit Five Rivers MetroParks.

Holiday Lights will continue to be collected at Foell Public Works Center, 210 Shafor Blvd. in Oakwood.

Cohen group recycles the lights and makes a donation based on the amount received; in the last 3 years over \$6,600 has been raised.

**THE OAKWOOD REGISTER November 29, 2023**

## Klopsch, Norbert S.

---

**From:** Traffic Signal Study  
**Sent:** Monday, November 27, 2023 12:47 PM  
**To:** Klopsch, Norbert S.  
**Subject:** FW: Website Feedback - Five Points

FYI,  
Sherri

**From:** notify@proudcity.com <notify@proudcity.com>  
**Sent:** Sunday, November 26, 2023 4:31 PM  
**To:** Traffic Signal Study <fivepoints@oakwoodohio.gov>  
**Subject:** Website Feedback - Five Points

### Name

Timothy Ippisch

### Address

300 Volusia Ave  
Oakwood, OH 45409  
[Map It](#)

### Phone

(937) 694-9042

### Email

[timothy.ippisch@gmail.com](mailto:timothy.ippisch@gmail.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
- 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?

- Daily

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

- Automobile

### Questions/Comments

I am FOR the roundabout. After (finally) seeing the video which was produced based off of actual traffic count, I think the roundabout will be far more safer and efficient than keeping the current 5 point intersection.

Cars have to slow down, pedestrians are less exposed when walking on the physical asphalt street since they have an island to also walk on and congestion is not worse. I absolutely hate sitting at one of the lights when there's no traffic. Thumbs up to roundabout!



November 27, 2023

To Mayor William D. Duncan:

I am writing to express my deep concern about the roundabout proposal for Five Points. I attended two of the presentations at the Community Center, spoke with one of the City Council members, and expressed my reservations in writing on the forms provided. It was helpful for attendees to see the various charts and other visuals as we walked around the room. Unfortunately, these were not town-hall type meetings where citizens could ask questions of the staff and for us all to hear the reply. This was, I would suggest, a missed opportunity and I am hopeful such meetings will be scheduled before final decisions are made. City staff can learn a lot when they "read the room" and hear public response to specific points.

Speaking with others in the community, I have yet to hear any favorable comments about building the roundabout. Nor have I heard convincing arguments for the project. The accident-rate evidence has been unconvincing. Concerns include, but are not limited to, the issue of school crossings, accessing residential properties adjacent to the roundabout, and the negative impact on property values along the roads leading to it. These concerns plus the expense, the inconvenience, the upheaval to the neighborhood join to make us question the wisdom of this proposal. My husband and I regularly travel through the Five Points intersection and visit friends in the 600 block of Far Hills. It is always a challenge to turn in either direction onto Far Hills from this point and we depend on the light at Five Points to create a traffic break so we can turn safely. If the roundabout were in place, such turns would be dangerous if not impossible.

We might look to our neighboring city of Kettering for some guidance on considering a roundabout. Kettering is exploring the possibility of a roundabout at Marshall Road and Lincoln Park Boulevard. (Please note this is a 3-way intersection on much less-heavily traveled roads.) A news article in the 11/20/23 Dayton Daily News stated that city officials are soliciting comments from the community through December while a feasibility study is done. "'Then we'll determine whether or not the people are strongly in favor of it, strongly opposed to a roundabout or some other option we're looking at', Kettering Assistant City Manager Steve Bergstresser said. 'Depending on the public feedback and results of the feasibility study, public meetings may be held on the issue.'"

I urge the Oakwood City Council to create town-hall meetings to address our concerns and answer our questions as a group. Then, look at the number of those in favor and those opposed to the plan and honor the will of the citizens.

There are other options to consider: Adjusting the timing of the traffic lights and adding signage regarding turns would address issues which prompted the question of a roundabout. Just because we can build a roundabout does not mean we should.

Sharlyn Stephens Radcliffe  
2 Ivanhoe Avenue



**SOLID WASTE MANAGEMENT POLICY COMMITTEE**

**H.B. 592/RECYCLING AND EDUCATION BUDGETS**

**Financial Advisory Committee 10-25-2023**

	2022 ACTUAL	2023 BUDGET	2023 ESTIMATE	2024 BUDGET
<b>RECYCLING &amp; EDUCATION SERVICES FUND:</b>				
BEGINNING CASH BALANCE	\$ 4,026,504	\$ 3,679,164	\$3,679,164	\$ 2,716,537
REVENUES:				
Disposal Fee from Local Landfill	\$ 454,882	\$ 473,820	\$ 480,000	\$ 400,000
Generation Fee (Current \$3 per ton)	1,816,096	1,834,074	1,750,000	1,800,000
Miscellaneous	49,459	65,000	50,000	50,000
<b>TOTAL REVENUES</b>	<b>\$ 2,320,437</b>	<b>\$ 2,372,894</b>	<b>\$2,280,000</b>	<b>\$ 2,250,000</b>
EXPENDITURES:				
<b>BASE BUDGET &amp; RECYCLING PROGRAMS</b>				
Salary & Fringes	\$ 678,269	\$ 809,487	\$ 706,500	\$ 819,034
Consultant & Professional Services	37,525	215,394	205,000	260,050
Health District Contract	184,984	213,840	236,695	213,840
Local Jurisdictions Incentive Grants	491,193	295,000	295,000	300,000
Hazardous Waste/Electronics	419,973	605,000	425,000	605,000
Charitable Organization Discounts	125,333	135,000	110,000	100,000
Promotions/Advertising	61,720	79,000	109,000	148,000
Operating Expenses	74,312	101,222	84,753	101,022
Capital	8,656	20,000	15,000	2,000
Other	3,445	19,220	5,000	26,320
Total	\$ 2,085,410	\$ 2,493,163	\$2,191,948	\$ 2,575,266
<b>EDUCATION &amp; OUTREACH</b>				
Consultant Services - Program Development	\$ -	\$ 10,000	\$ 600	\$ 80,000
Advertising - Program	7,043	30,000	26,000	68,000
Printing & Other Services	2,583	38,000	20,000	28,000
Payments to local governments	97,439	102,000	120,000	30,000
Operating & Office Supplies	8,388	22,800	8,000	22,800
Utilities	19,346	85,050	22,000	85,050
Recycling Education School Awards	10,000	10,000	10,000	14,512
Other	6,879	16,925	7,000	17,264
Total	\$ 151,677	\$ 314,775	\$ 213,600	\$ 345,625
<b>KEEP MONTGOMERY COUNTY BEAUTIFUL</b>				
Litter Control - Sheriff Contract	\$ 254,556	\$ 264,883	\$ 264,000	\$ 275,590
Tire Buyback & Municipal Tire Collection Programs	\$ 76,538	140,000	130,000	140,000
Advertising	\$ 5,010	25,000	8,000	25,000
Litter Prevention Grant	\$ 24,353	30,000	24,000	30,000
Operating & Office Supplies	\$ 19,829	37,450	20,000	36,511
Other	\$ 50,403	30,250	25,000	30,550
Total	\$ 430,690	\$ 527,583	\$ 471,000	\$ 537,651
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,667,777</b>	<b>\$ 3,335,521</b>	<b>\$2,876,548</b>	<b>\$ 3,458,542</b>
Revenues Over/(Under) Expenditures	\$ (347,341)	\$ (962,627)	\$ (596,548)	\$ (1,208,542)
ENDING CASH BALANCE	\$ 3,679,164	\$ 2,716,537	\$3,082,616	\$ 1,507,995
<b>DEVELOPMENT FUND:</b>				
BEGINNING CASH BALANCE	\$ 4,126,558	\$ 4,126,558	\$4,126,558	\$ 4,126,558
EXPENDITURES:				
Legal Services-Superfund/Solid Waste Issues	\$ -	\$ 80,000	\$ -	\$ 80,000.00
ENDING CASH BALANCE	\$ 4,126,558	\$ 4,046,558	\$4,126,558	\$ 4,046,558
<b>TOTAL COMBINED ENDING CASH BALANCE</b>	<b>\$ 7,805,722</b>	<b>\$ 6,763,095</b>	<b>\$7,209,174</b>	<b>\$ 5,554,553</b>
<b>(Recycling &amp; Education and Development Fund)</b>				



Montgomery County Solid Waste  
Operations - Financial Budgets

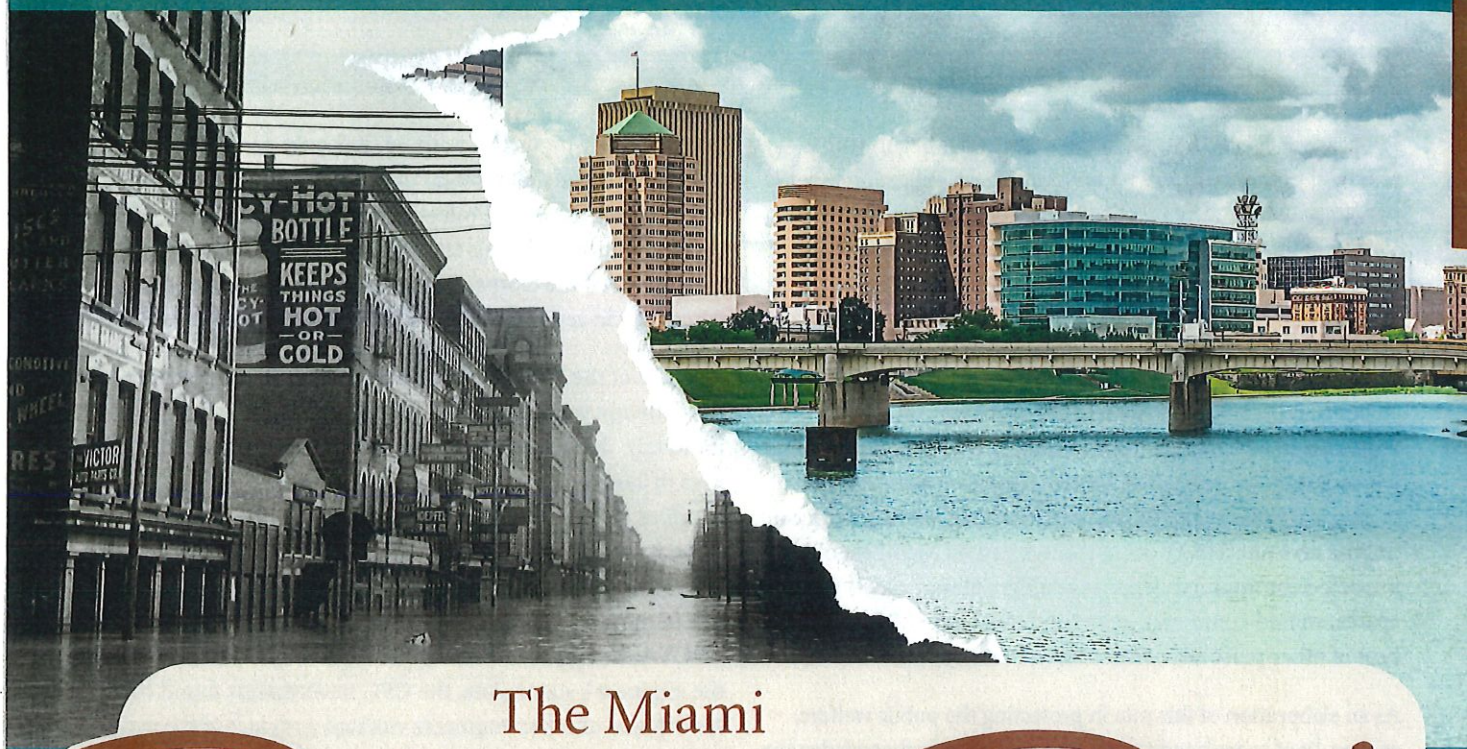
TIPPING FEE  
In-District - \$30.50  
Out-of-District - \$55.00 (Effective Jan 1,2022)

	2022 ACTUAL	2023 BUDGET	2023 ESTIMATE	2024 PROPOSED BUDGET
Beginning Cash Balance	\$ 17,959,991	\$ 21,729,447	\$ 21,729,447	\$ 21,960,339
<b>REVENUES</b>				
Regular Tipping Fees	\$ 14,944,255	\$ 14,138,290	\$ 13,990,000	\$ 13,728,351
Transloading Tipping Fees	1,877,343	2,030,400	1,750,000	2,071,200
Annual Property Charge (APC)	10,033,637	10,000,000	10,000,000	10,000,000
Investment Income	424,817	500,000	450,000	500,000
Other	348,359	289,392	170,000	114,000
<b>TOTAL</b>	<b>\$ 27,628,411</b>	<b>\$ 26,958,082</b>	<b>\$ 26,360,000</b>	<b>\$ 26,413,551</b>
<b>EXPENDITURES</b>				
Landfill Costs	\$ 5,855,254	\$ 7,992,680	\$ 7,900,000	\$ 7,728,940
Contractor Hauling	6,010,319	4,588,000	4,800,000	4,862,780
Salary & Fringes	5,921,446	6,277,245	5,986,500	6,510,345
Operating Expenses	2,305,152	3,031,308	2,940,000	3,242,715
Mobile Equipment Replacement	730,000	750,000	750,000	750,000
Debt Service	388,382	384,382	385,000	387,000
All Other	1,971,402	2,503,575	1,929,780	2,386,125
<b>TOTAL</b>	<b>\$ 23,181,955</b>	<b>\$ 25,527,190</b>	<b>\$ 24,691,280</b>	<b>\$ 25,867,905</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>\$ 4,446,456</b>	<b>\$ 1,430,892</b>	<b>\$ 1,668,720</b>	<b>\$ 545,646</b>
Capital/Other Interfund Transfer	\$ (677,000)	\$ (1,200,000)	\$ (1,150,000)	\$ (17,500)
<b>NET REVENUES Over/(Under) EXPENDITURES</b>	<b>\$ 3,769,456</b>	<b>\$ 230,892</b>	<b>\$ 518,720</b>	<b>\$ 528,146</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 21,729,447</b>	<b>\$ 21,960,339</b>	<b>\$ 22,248,167</b>	<b>\$ 22,488,485</b>
Ending Unencumbered Balance	\$ 19,613,331	\$ 20,460,339	\$ 20,248,167	\$ 20,988,485
RESERVE - 50% OF OPERATING EXPENSES	\$ 5,609,960	\$ 6,180,248	\$ 5,970,320	\$ 6,261,426
<b>UNRESERVED CASH BALANCE</b>	<b>\$ 14,003,371</b>	<b>\$ 14,280,092</b>	<b>\$ 14,277,847</b>	<b>\$ 14,727,059</b>
<hr/>				
Tons w/o Transload	410,022	422,000		413,000
Tons - Transload	228,807	220,000		220,000
<b>TOTAL TONS</b>	<b>638,829</b>	<b>642,000</b>		<b>633,000</b>

Cash Balances:

Capital Reserve Fund as of 9/30/2023 = \$11,778,203
Equipment Replacement Fund as of 9/30/2023 = \$8,109,117





# The Miami Conservancy District Proves a Point

**I**t took four days in 1913 for the future of the Miami Valley in Ohio to change forever. Starting on March 23, roughly 10 in. of rain fell on ground that was already saturated from melting snow and ice. The stretch of the Great Miami River meandering through the southwestern part of the state began to overflow, flooding a constellation of surrounding cities. More than 360 people died and property damage exceeded \$100 million (\$3 billion in today's economy), according to the Miami Conservancy District website.

"A large share of the blame for the resulting damage must be laid to man ... because of the entire absence of any comprehensive engineering works built for the prevention of such damage by floods," wrote A.H. Horton and H.J. Jackson in the 1918 U.S. Geological Survey report, "The Ohio Valley Flood of March-April, 1913," which assessed the outcome of the flooding.

Ohio towns like Hamilton and Piqua organized individual construction programs within days of the disaster. Dayton did too, creating a flood prevention committee on May 2, 1913. Led by local industrialists John Patterson and Edward Deeds, the organization fundraised \$2 million, part of which was to be spent on an engineer.

The committee landed on Arthur E. Morgan for the job. Morgan, a college dropout, learned the ins and outs of drainage solutions from his civil engineer father, John. By 1913, Morgan had been running his own engineering company out of Memphis, Tennessee, for several years and was known for his specialization in drainage engineering, wrote Aaron D. Purcell in "Reclaiming Lost Ground: Arthur Morgan and the Miami Conservancy



*The Great Miami River in Ohio breached its banks, flooding nearby cities, left. To help protect surrounding cities like Dayton, right, from the ravages of flooding, the Miami Conservancy District was formed.*

PHOTOGRAPHS COURTESY OF EVERETT COLLECTION/SHUTTERSTOCK (LEFT);  
PATRICIA ELAINE THOMAS/SHUTTERSTOCK (RIGHT)

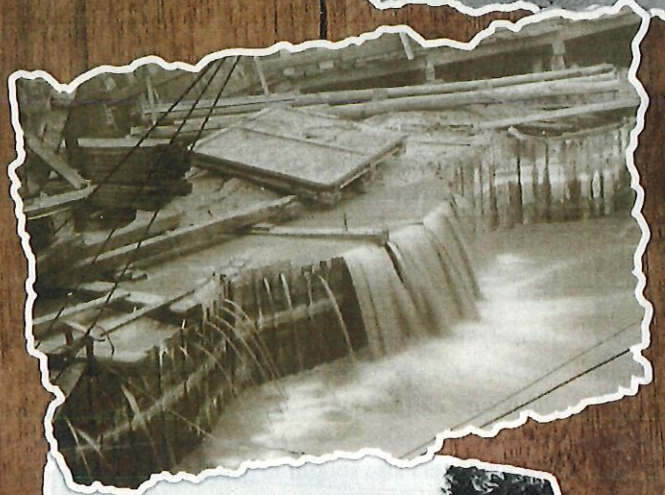
District Labor Camps” (*The Historian*, Vol. 64, No. 2, Winter 2002).

In the summer of that year, Morgan and his engineers and surveyors set out across the Miami Valley to assess the scope of the work. The report Morgan delivered in early October to Dayton’s committee concluded that widening the river channel would not be enough to prevent future catastrophes. Instead, Morgan recommended channel improvement measures along with the construction of five reservoirs or dry dams (with hydraulic-fill cores) stationed along the Great Miami River channel. Only when the valley flooded would the dams hold water, according to Purcell.

Morgan’s suggestion was communal — if one town needed the network of dams to avoid local disaster, then all Miami Valley municipalities needed to cooperate for the project. Ohio state law did not allow for projects to stretch across local governments, so a Dayton representative brought the Conservancy Act of Ohio to the state legislature. Passed in February 1914, the law permitted flood control agencies to build and run infrastructure in multiple communities. Lawsuits challenging the constitutionality of the bill proceeded until late in 1917 when the Supreme Court of Ohio deemed the act was lawful. When the legal opposition wrapped, the newly minted Miami Conservancy District was free to start construction.

Morgan and his crew of nearly 50 hand-picked civil engineers decided dam construction would proceed simultaneously in each location. Every site had a “gravel washing and screening plant” to supply aggregate for concrete as well as a cement storage facility, hydroelectric plant, and power distribution station, according to Chas H. Paul in his 1925 book *Construction Plant, Methods and Costs: Technical Reports Part X*.

The district originally planned to hire contractors but opted instead to bid out the work in 1917 — in the middle of World War I, when labor was challenging to find. When the applicants proved scarce and expensive, the district decided to do the work itself, hiring its workers directly and buying its own equipment, including 21 dragline excavators. The



*At a location along the river valley, workers built a concrete arch bridge as part of the infrastructure to mitigate the effects of flooding, top. A cofferdam struggled to hold back the floodwaters, middle. The district used dragline excavators and other tools to clear the land, bottom.*

PHOTOGRAPHS COURTESY OF THE MIAMI CONSERVANCY DISTRICT (TOP AND BOTTOM); PHOTOGRAPH COURTESY OF THE CLEVELAND PUBLIC LIBRARY PHOTOGRAPH COLLECTION (MIDDLE)



technology was so crucial to the work — and so novel — that Paul dedicated an entire chapter of his book to the machines. The excavators were particularly useful for carving borrow pits into gravel beds that sat below water level.

With equipment at the ready, construction began in 1918. The district engineers decided hydraulic fill — a method by which sand is excavated from one location, deposited in another by using water to move it, and then the water is drained off — would be the best construction method for each dam, despite the broader skepticism others had of the technique.

“The hydraulic method of dam construction has great advantages, but too many dams built by it have failed,” wrote Allen Hazen, M.ASCE, in a 1919 issue of the *Transactions of the American Society of Civil Engineers* (Vol. 83, No. 1). To avoid this fate, Morgan and his team drew samples from possible borrow pits throughout the valley and had the U.S. Bureau of Soils compare them with extractions from other hydraulic fill dams.

The engineers also sought to gauge how well the dam cores would solidify. Their solution was the Goldbeck earth pressure cell, which they had read about in reports from the U.S. Department of Agriculture. The Miami team contacted the federal lab, and A.T. Goldbeck, the inventor of the device, went to Ohio to help install his designs.

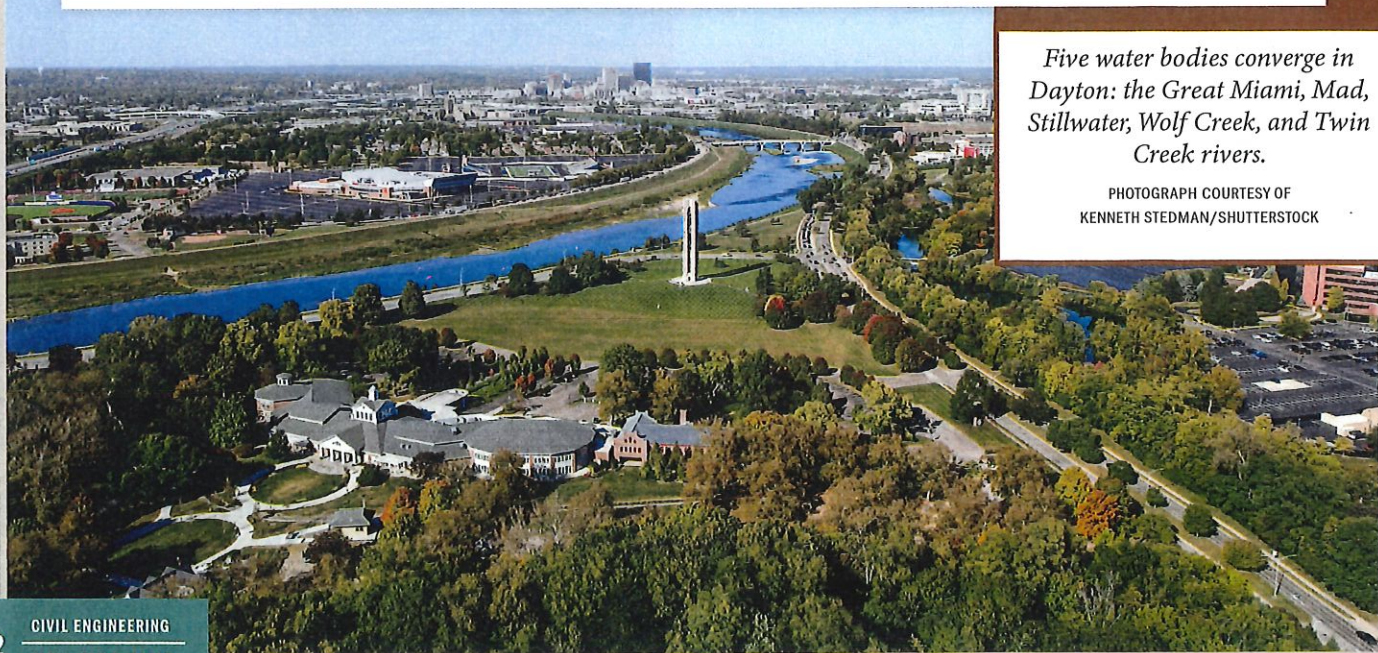
In *Construction Plant, Methods and Cost*, Paul described the cell in this way: “Briefly, the Goldbeck cell is a closed,

flat, circular box, 5 1/2 inches in diameter, similar in shape to a shoe-blackening box, the top or bottom of which acts as a movable diaphragm.” As each dam grew in height, workers buried the flat Goldbeck cells at different elevations. Some went in horizontally, others vertically.

Compressed air was forced into the cells via small pipes. As the embankments got taller, the weight of the dams pressed the lids of the boxes into place, closing an electrical circuit. Engineers could gauge the amount of pressure building inside the structure by pumping air into the boxes. When the internal air pressure equaled the external dam pressure, the lid on the box would lift enough to break the circuit and turn off the indicator light, according to Paul in “Core Studies in the Hydraulic-Fill Dams of the Miami Conservancy District” (*Transactions of the American Society of Civil Engineers*, 1922, Paper No. 1502).

The readings from the horizontal and vertical boxes showed that vertical pressures eventually surpassed lateral pressures. “The Conservancy dams are the first in which such cells have ever been applied to such a purpose,” wrote an unknown author in the April 1920 issue of the *Miami Conservancy Bulletin* (Vol. 2, No. 9). “The first, in fact, in which any consistent attempt has been made to know, as the work goes on, just what happens to the core materials.”

The favorable pressure readings boosted district confidence as two dam designs were implemented across the valley. The first approach, as seen in the German-town and Englewood dams, relied on pairs of concrete



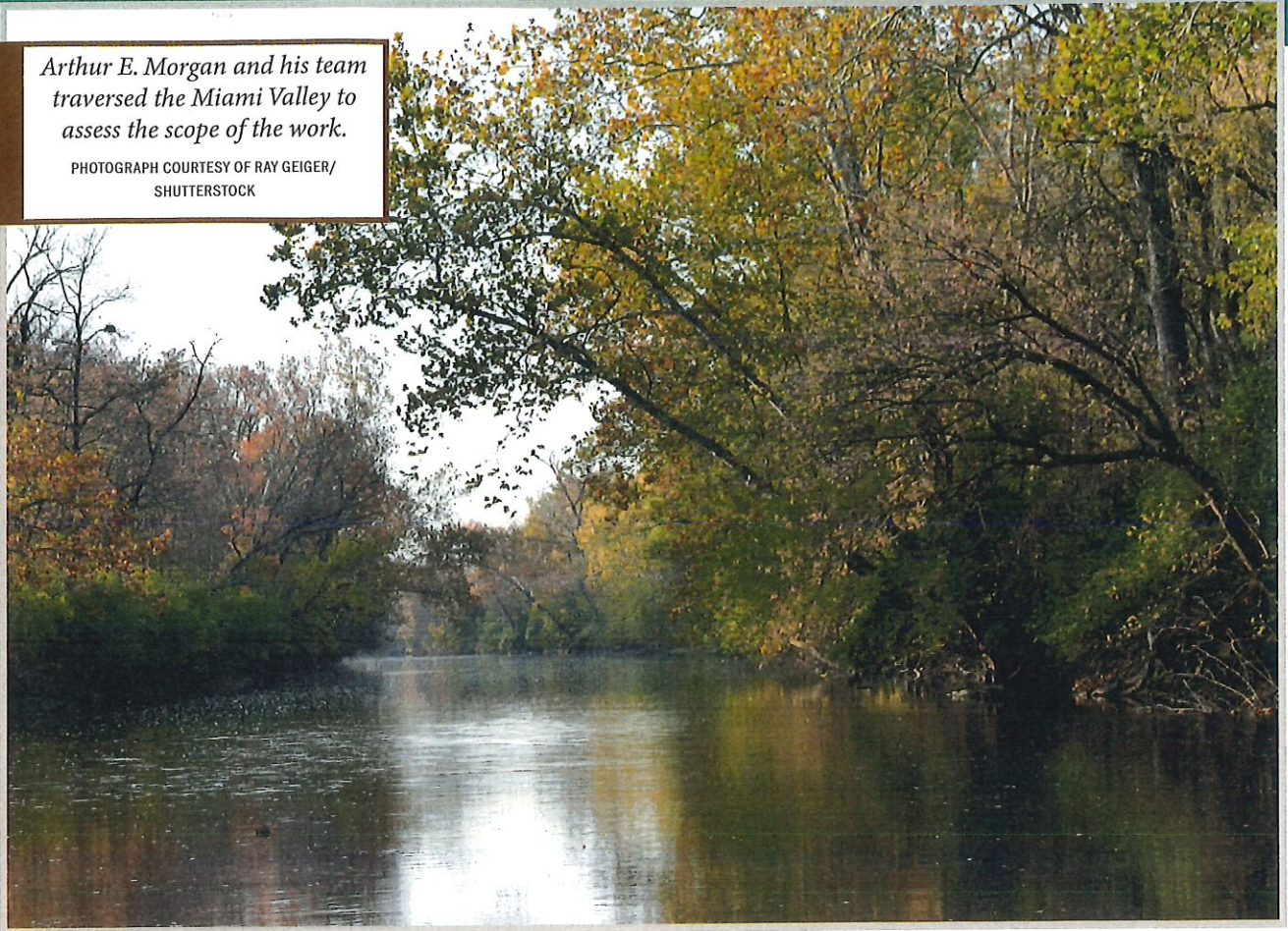
*Five water bodies converge in Dayton: the Great Miami, Mad, Stillwater, Wolf Creek, and Twin Creek rivers.*

PHOTOGRAPH COURTESY OF  
KENNETH STEDMAN/SHUTTERSTOCK



Arthur E. Morgan and his team  
traversed the Miami Valley to  
assess the scope of the work.

PHOTOGRAPH COURTESY OF RAY GEIGER/  
SHUTTERSTOCK



horseshoe conduits going through the earthen embankments. To make sure communities were not flooded during the work, the district team built the conduits first — and to depths that the team later filled in and reduced — so that the channels could handle any flooding experienced before the rest of the construction finished.

The Germantown Dam, the sole structure south of Dayton, was made of 835,000 cu yd of material, 800,000 cu yd of which was placed using the hydraulic fill method. The valley site was too narrow for temporary spillways, so over the course of a summer, the time of year the team deemed least likely to experience flooding, teams had to get the embankment to a height tall enough to stave off flooding with help from the conduits.

The Englewood Dam, which was 10 mi north of Dayton, was the biggest and tallest (124 ft tall at its maximum) of the five dams. Made from 3.6 million cu yd of material, all but 200,000 cu yd came from hydraulic fill. Borrow pits extended for about 1 mi alongside the dam and reached almost a third of a mile across in some places, wrote Paul in *Construction Plant, Methods and Cost*. However, unlike Germantown, this dam was too large to build up sufficient

embankment height in one season. Instead, workers created the conduits while starting a hydraulic fill structure on the opposite side of the river.

The next summer (1919), the team closed off the river and raised the hydraulic fill embankments high enough that they could divert any flooding into a temporary spillway. Only in 1920 was the fill high enough that the spillway could be removed.

Elsewhere across the valley, workers completed the second dam design. Whereas the Germantown and Englewood dams had spillways far away from their outlet conduits, the Lockington, Huffman, and Taylorsville dams merged the two features into a single location. Concrete floors at the level of the riverbed connected to two parallel retaining walls. Sandwiched between the vertical structures was an ogee overflow spillway with conduits at the base.

The Lockington Dam put this design to use 5 mi north of Piqua. The longest of all the dams at 6,400 ft, the two-conduit design was also on the shorter side. "A considerable portion of the dam at either end is nothing more than an earth levee 15 feet or less in height," Paul wrote in



“As of the end of 2021, the dams had collectively kept floodwater at bay 2,085 times.”

*Construction Plant, Methods and Cost.* Of the 1 million cu yd of fill used to build the dam, 795,000 cu yd was deposited by hydraulic fill, sluiced from a higher elevation upstream.

The Huffman Dam was constructed 8 mi east of Dayton. At 73 ft tall and with a volume of 1.396 million cu yd, the Huffman structure had three outlets. While not the biggest or smallest dam on the project, it was possibly the most frustrating. The construction schedule had to navigate relocating three railway lines that went through the area. And though the dams would never hold water permanently, the town of Osborne sat in the Huffman flood zone. So to protect their homes and businesses, from 1922 to 1925 residents moved every building 2 mi south.

The Taylorsville Dam site was one of the last to be completed. Nestled into a valley 10 mi north of Dayton at 78 ft tall, the outlet installed here was the project's largest concrete structure. Its four conduits are flanked by two retaining walls reaching about 90 ft tall. Workers built up much of the embankment first, drawing on some of the material carved out for the conduits. The dam site abutted Cincinnati rock, so some excavated material had too much shale and hard clay to work as fill. Nevertheless, it could not go to waste, so the team placed it on the toes of the embankments upstream and downstream.

Meanwhile, construction teams fixed minor mistakes made in the pressure cell installations at other locations. Some air pipes developed leaks, while wooden support towers installed to hold the cells suffered structurally because the foundations sat in solidified material while the tops moved as upper fill started to settle. So at Taylorsville, the cells were attached instead to the concrete retaining wall, while larger, airtight pipes fed them air. “The results to date have every indication of being reliable,” wrote Paul in his *Transactions* article.

A couple of happy accidents along the way also reassured Morgan and the district team of their dam designs. With about 12 ft of construction left to go at the Lockington Dam embankment, the core pool overflowed. The runoff carved a depression into the slope of the dam exposing the core. Only about 10% of the solidified core moved with the runoff, and in the 3-4 weeks needed to repair the gap, the engineering team did not notice any sloughing of the core.

Workers also used the opportunity to carve away more of the dam face to take a core sampling in what Paul called a “biscuit-cutter fashion.” Each segment showed a low moisture content hovering around 23%. A similar accident (and results) played out at Englewood. “In the face of the evidence offered by these core exposures, there is no doubt that consolidation of these cores has progressed at a highly satisfactory rate,” Paul concluded in his *Transactions* article.

The district announced the project's completion on April 17, 1923, though the construction on all aspects of the \$30 million (more than \$500 million today) flood protection system wrapped before the end of 1922, according to the district's website. By then, the dams had consumed 8 million cu yd of earth and more than 160,000 cu yd of concrete. Channel improvements, including straightening, deepening, and cleaning, required crews to excavate 5.3 million cu yd of material. Furthermore, about 50 mi of railway was shifted to make room for the dams, Paul wrote in his book.

The first major test of the infrastructure came during a 12-day period in January 1937 when the amount of rainfall equaled the epic four-day rainfall in 1913. All the dams and levees worked as expected. As of the end of 2021, the dams had collectively kept floodwater at bay 2,085 times, according to the Miami Conservancy District.

If the original project engineers felt confident when their dams passed core sampling and cutting-edge pressure detection tests, then they would be pleased to hear the structures have so far passed the test of time.

The Miami Conservancy District was named a National Historic Civil Engineering Landmark in 1972. **CE**



**LESLIE NEMO**  
contributing editor

Employee	Certifications	
Chris Branscomb	OEPA Wastewater Operator Class I	
	OEPA Water Supply Operator Class II	
	Backflow Prevention Certificate	
Jaycob Burns	OEPA Wastewater Collection Class I	
Chris Harold	OEPA Water Supply Operator Class II	
	OEPA Wastewater Collection Operator Class II	
Adam Jones	OEPA Water Distribution Operator Class II	
	OEPA Water Supply Operator Class I	
	OEPA Wastewater Collection Operator Class II	
	Backflow Prevention Certificate	
Chris Kuzma	Professional Engineer # 87331	
Tom Long	OEPA Water Distribution Class I	
	OEPA Water Distribution Class II (Operator-in-Training)	
Scott Loper	OEPA Water Supply Operator Class II	
	OEPA Wastewater Operator Class I	
	OEPA Wastewater Collection Operator Class II	
	Backflow Prevention Certificate	
David Shuey	OSHA 30 Construction Safety Certification	
Doug Spitler	Professional Engineer #65514	
		AS OF: 11/28/23



# All lanes reopen on Ohio 48 in Oakwood as delayed work paused

By Nick Blizzard  
Staff Writer

All lanes on Ohio 48 in Oakwood are expected to be open this week during a pause in a sewer project that is behind schedule.

Traffic on the four-lane state route, also known as Far Hills Avenue, for months has been down to one lane in each direction in segments as Oakwood's \$2.1 million storm sewer recon-

struction project moves forward.

All Ohio 48 lanes are expected to be open today while the work, which has seen several delays, is on hold for the holiday weekend, project engineer Chris Kuzma said.

While the project is under budget, "we've encountered delays throughout," said Kuzma, noting that many setbacks came while digging and installing pipes.

Kinnison Excavating was

awarded the contract. This week's openings are a result of the contractor not wanting "to get into anything more ahead of the holidays and leave it for five to six days," he said. "So, it timed out well where we can open everything up and move on to the next phase."

Starting the week of Dec. 4, Ohio 48 lane closures will resume

**Oakwood** continued on B8



All lanes on Ohio 48, or Far Hills Avenue, in Oakwood are expected to reopen this week during a temporary pause in a sewer project that is behind schedule. JIM NOELKER / STAFF

## Oakwood

continued from B1

for the work, which was originally targeted for completion by the end of October, Kuzma said. The project is expected to be finished in early 2024, he said.

Specifics of the upcoming Far Hills lane closures should be known by early next week, if not before, Kuzma said. "But there will be a traffic shutdown on Far Hills though," he said. "It will be shifting traffic entirely to one side of the median or the other."

The project involves Far Hills at Greenmount Boulevard; Dellwood from Far Hills to East Schantz Avenue; Forrer Boulevard from Far Hills to East Schantz;

and a section of Devereux Drive north of Forrer Road, according to the city.

The work had to be done this year as the stretch is set to be resurfaced next year, city officials have said.

The sewer project involves replacing about 3,050 feet of pipe on several Oakwood roads, including Ohio 48. Much of the sewer system in the work zone was installed before the 1950s, officials have said.

Ohio 48 is one of the most-traveled roads in the Montgomery County suburbs south of Dayton. It also runs through Kettering, Centerville and Washington Twp.

Contact this reporter at 937-610-7438 or email Nick.Blizzard@coxinc.com.

DNW  
11/23/24



**From:** City of Oakwood Dept. of Engineering <[fhss+oakwoodohio.gov@ccsend.com](mailto:fhss+oakwoodohio.gov@ccsend.com)>

**Sent:** Thursday, November 30, 2023 11:16 AM

**To:** Klopsch, Norbert S. <[Klopsch@oakwood.oh.us](mailto:Klopsch@oakwood.oh.us)>

**Subject:** Far Hills Storm Sewer Reconstruction Project Update - 11/30/2023

## **Far Hills Storm Sewer Reconstruction Update - 11/30/2023**



### **Schedule Change for Upcoming Work:**

- It was last reported that the curb on the north side of Dellwood would occur this week, week of 11/27. Due to sustained freezing temperatures, the subcontractor (Oglesby) is now tentatively scheduled to replace the curb early in the week during the week of 12/3. Kinnison Excavating will begin demolition of the curb today or tomorrow (11/30-12/1).
- Work along Devereux is expected to begin late this week or early next. Kinnison will begin their work on Devereux at the southernmost portion of the work limits, between Forrer and Ashridge, and work their way northward in the coming weeks.

### **Far Hills Traffic Pattern Shift:**

- It is anticipated that once the curb on Dellwood is complete, traffic patterns along northbound Far Hills will shift. The inside/median lane on northbound Far Hills will be closed for construction while traffic will be routed along the right-hand, outside/curb lane. We anticipate this shift to occur in the next couple weeks. Details to follow.

### **Contact Information Reminder:**

If you have any questions or concerns during this project, please reach out to Chris Kuzma, City Engineer, at (937) 298-0777 or via email at [fhss@oakwoodohio.gov](mailto:fhss@oakwoodohio.gov). Your questions, concerns, and comments are always welcome.

# Oakwood Ordinance Guide

1. ADMINISTRATIVE CODE		
Description	Contains information regarding general provisions, legislative (council), administrative (city manager, dept heads) and Boards, Commissions and Committees.	
Common Inquiries	Public Notice of Meetings	Section 111.13
	Executive Session Procedures	Section 111.16
	Public Hearing Audience Conduct	Section 111.23
3. TRAFFIC CODE		
Description	Contains information regarding enforcement, street obstructions, traffic control devices, parking and traffic violations, vehicle operations, pedestrians, bicycles and motorcycles.	
Common Inquiries	Scooters, roller skates, toy vehicles on roadway	Section 311.05
	General parking rules	Chapter 351
	Scooters-Skateboards on public rights-of-way	Section 371.14
5. GENERAL OFFENSES CODE		
Description	Contains information regarding animals, disorderly conduct, health, safety and sanitation, property offenses, landscape management and other items with respect to the general health and well-being of our residents.	
Common Inquiries	Chickens on property	Section 505.02
	Barking/howling dogs	Section 505.09
	Trapping raccoons, squirrels, etc.	Section 505.15
	Construction Noise	Section 509.13
	Smoking in public places	Section 513.03
	Snow & debris on streets and public rights-of-way	Section 521.12
	Signs on public property	Section 521.14
	Trimming bushes and trees	Section 521.17
	Landscape Management	Chapter 551
7. BUSINESS REGULATIONS CODE		
Description	Contains information regarding licensing, solicitors and canvassers, carnivals, eminent domain and other atypical business types.	
Common Inquiries	Garage Sales	Section 702.2
	Food Trucks	Chapter 729
	Solicitation	Chapter 733
9. STREETS & PUBLIC SERVICES CODE		
Description	Contains information regarding city parks, refuse pickup, public street infrastructure, public utility standards and rates.	
Common Inquiries	Public Utilities (water, sanitary sewer, storm sewer, water)	Chapter 913
	Yard Debris in Street Violations	Section 913.07
	Unauthorized use of public rights-of-way	Section 951.114
	Appendix A – water, sanitary sewer, refuse and stormwater rates	Appendix A

**OAKWOOD ZONING CODE**

Description	Regulates the type of activity that may occur within specific areas of the city.	
Common Inquiries	Accessory Structures	Section 402.1
	Fences, Walls, Hedges	Section 403
	Temporary Uses/Events	Section 404
	Medical Marijuana	Section 408
	Residential Zoning Districts (permitted uses, special uses, etc.)	Section 600
	Business Zoning Districts	Section 700
	Planning Commission – Board of Zoning Appeals Procedures	Section 1001
	Off-street Parking	Section 1101
	Signage	Title 12

**11. SUBDIVISION CODE**

Description	Contains regulations to divide plots of land.	
Common Inquiries	Preliminary/Final Plat Approval Process	Section 1171.02
	Preliminary Plat Requirements	Section 1171.05
	Lot Splits without plat	Section 1171.09

**12. STORMWATER REGULATIONS CODE**

Description	Establishes methods for controlling the introduction of pollutants into the storm sewer system.	
Common Inquiries	Illicit Discharges	Section 1203.01
	Operation & Maintenance	Chapter 1206
	Violations	Section 1208.01

**13. BUILDING CODE**

Description	Supplements the Ohio Building Code and establishes additional specific rules and regulations regarding buildings and structures within the city.	
Common Inquiries	Permit Applications	Section 1302.01
	Demolitions	Section 1303.02
	Swimming Pools	Chapter 1321
	Construction Noise	Chapter 1331

**15. FIRE CODE**

Description	Supplements the Ohio Fire Code and establishes additional specific rules and regulations regarding fire prevention for buildings and structures within the city.	
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**17. OAKWOOD PROPERTY MAINTENANCE CODE**

Description	Regulates and governs the conditions and maintenance of all properties, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use.	
Common Inquiries	Building Commissioner Responsibilities	Section 105
	Property Maintenance Violations	Section 109
	Inspections – Certificate of Occupancy	Section 111.6.1
	General Requirements	Section 301

## Supporting a new park to remember Joe Desch

Thank you for the outstanding "Joe Desch" article and a big thank you to Andy and Cheryl Lloyd for championing the long overdue recognition of Joe Desch's accomplishments.

The Lloyds have spotlighted one of Oakwood's significant roles in World War II and it would be fitting to honor Joe Desch by naming a park after him. Additionally, the Oakwood Historical Society should consider

adding Joe Desch's home to the list for an Oakwood Historical Marker.

**Chris Froehlich**

*Editor's note: To read more about the proposal contact [unsungoakwoodheroes@gmail.com](mailto:unsungoakwoodheroes@gmail.com).*

THE OAKWOOD REGISTER November 29, 2023

**NOVEMBER 2023 OAKWOOD PROPERTY SALES**

<b>SALES ABOVE APPRAISED VALUE</b>					
<b><u>ADDRESS</u></b>	<b><u>DATE SOLD</u></b>	<b><u>SALE PRICE</u></b>	<b><u>DATE LAST SOLD</u></b>	<b><u>LAST SALE PRICE</u></b>	<b><u>COUNTY APPRAISED VALUE</u></b>
223 OAK KNOLL DR	11/21/23	\$ 600,000	12/10/20	\$ 460,000	\$ 310,330
17 WILTSHIRE BLVD	11/22/23	\$ 469,900	9/26/12	\$ 160,000	\$ 316,040
419 GREENMOUNT BLVD	11/22/23	\$ 399,900	3/10/17	\$ 227,500	\$ 311,200
239 EAST DR	11/6/23	\$ 383,000	8/5/20	\$ 245,000	\$ 273,360
107 DELL PARK AVE	11/15/23	\$ 369,500	1/12/07	\$ 229,900	\$ 343,820
10 WILTSHIRE BLVD	11/21/23	\$ 355,000	12/31/13	\$ 191,000	\$ 281,830
311 EAST DR	11/30/23	\$ 275,000	NOT LISTED	NOT LISTED	\$ 246,800
401 E PEACH ORCHARD AVE	11/3/23	\$ 263,500	11/23/16	\$ 177,000	\$ 240,960
<b>73% ABOVE APPRAISED VALUE</b>					
<b>SALES BELOW APPRAISED VALUE</b>					
<b><u>ADDRESS</u></b>	<b><u>DATE SOLD</u></b>	<b><u>SALE PRICE</u></b>	<b><u>DATE LAST SOLD</u></b>	<b><u>LAST SALE PRICE</u></b>	<b><u>COUNTY APPRAISED VALUE</u></b>
320 FAIRFOREST CIR	11/22/23	\$ 740,000	NOT LISTED	NOT LISTED	\$ 1,170,210
1401 FAR HILLS AVE	11/16/23	\$ 324,000	9/2/20	\$ 275,000	\$ 337,370
302 E PEACH ORCHARD AVE	11/6/23	\$ 127,500	NOT LISTED	NOT LISTED	\$ 221,870
<b>27% BELOW APPRAISED VALUE</b>					