

CITY MANAGER'S NEWSLETTER
DECEMBER 29, 2023

Monday Council Meeting/Work Session: Our meeting next Tuesday begins at 6:30 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. ORGANIZATION MEETING
 - Swear in Re-elected Council Members
 - Swear in Newly-elected Council Member
 - Election of Mayor
 - Election of Vice Mayor
- V. MINUTES OF DECEMBER 4 REGULAR SESSION, WORK SESSION & EXECUTIVE SESSION
- VI. STATUS REPORTS
 - Council Committee Assignments
- VII. VISITORS
 - State Representative Andrea White
 - Holiday Decorating Awards
- VIII. LEGISLATION
 - A Resolution recognizing Anne Hilton, Mayor Duncan
 - An Ordinance imposing a 1-year moratorium on Marijuana in Oakwood, Vice Mayor Byington
 - An Ordinance authorizing the sale of 1313 Far Hills Avenue, Vice Mayor Byington
- IX. STAFF REPORT – NONE
- X. AN OAKWOOD MOMENT
- XI. CITY MANAGER'S REPORT
- XII. COUNCIL COMMENTS
- XIII. ADJOURN

Bi-Annual Organization Meeting: In accordance with our City Charter, we will open Tuesday's meeting as follows:

- Norb strikes gavel and calls meeting to order...then leads Pledge of Allegiance.
- Norb asks Rob Jacques to swear in Bill and Steve, together.
- Norb asked Rob Jacques to swear in Healy.
- Norb asks for a nomination for Mayor and Vice Mayor...and second...then calls for a roll call vote.
- Norb passes gavel to elected Mayor.
- Mayor proceeds with leading the rest of the meeting.

Status Reports:

- Council Committee Assignments: We will discuss this in work session on Tuesday.

Visitors

- State Representative Andrea White: Representative White will present a proclamation from the Ohio Statehouse recognizing the Oakwood Finance Department's Excellence in Financial Reporting. Cindy Stafford will be present.
- Holiday Decorating Awards: Bill will announce the following award winners as the images are displayed via a PowerPoint presentation. We invited award recipients to attend the meeting and be recognized.

DAYTIME WINNERS

Area 1 – Kiersten & Brandon Cahill, 260 Ridgewood Avenue
Area 2 – Erica & Jon Williams, 124 Beverly Place
Area 3 – The O'Connor Family, 1306 E. Schantz Avenue
Area 4 – Beth & Jeremy Wilson, 324 Peach Orchard Avenue
Area 5 – Gracey & Al Weisbrod, 111 Park Road
Area 6 – Brad & Whitney Gibson, 1101 Ridgeway Road
Business – Lula Bell, 23 Park Avenue

NIGHTTIME WINNERS

Area 1 – Julie & Jonathan Lamb, 437 Volusia Avenue
Area 2 – Bethany & Aaron Reiff, 601 Hathaway Road
Area 3 – Allie & Timothy Shaw, 223 Harman Blvd
Area 4 – John & Vail McGuire, 360 East Drive
Area 5 – The Beecher Family, 25 Grandon Road
Area 6 – The Jerele Family, 814 Harman Avenue
Business – The Spicy Olive, 2510 Far Hills Avenue

Legislation:

- A Resolution recognizing Anne Hilton. Bill will present the attached resolution.
- An Ordinance imposing a 1-year moratorium on Marijuana in Oakwood. This is an emergency ordinance to impose an immediate moratorium on any cultivation, processing, or retail dispensing of marijuana for adult use business purposes in Oakwood.
- An Ordinance authorizing the sale of 1313 Far Hills Avenue. This is a first reading of an ordinance to authorize me to sell the property at 1313 Far Hills so it can be returned to the site of a single-family home. You may choose to waive the second reading.

Enclosed are suggested "Introductions for Legislation."

An Oakwood Moment: Leigh will present "An Oakwood Moment" during the regular session on Monday. It will highlight the Public Works Department.

IMPORTANT COUNCIL DATES:

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)
April 1, Monday, 6:30 p.m. – Regular Session (30 Park)
April 15, Monday, 5 p.m. – Work Session (30 Park)
May 6, Monday, 6:30 p.m. – Regular Session (30 Park)
May 18, Saturday – That Day in May
May 20, Monday, 5 p.m. – Work Session (30 Park)

BUSINESS UPDATE:

CITY MANAGER

- New Year: City offices will be closed next Monday, January 1, for the New Year holiday.
- Tuesday Work Session: Enclosed is our agenda for the 6:30 p.m. work session. We will meet in the second-floor training room.
- Committee Needs: Enclosed is the list of 2024 committee needs. We will discuss it in work session.
- Council Committee Assignments: Enclosed is the current list of assignments.
- Council Work and Executive Sessions: Enclosed is a draft policy that we will discuss in work session on Tuesday.

FINANCE

- Income Tax: Enclosed is the 2023 year-end report. We ended the year with gross collections at \$10.82 million, which is 0.76% above 2022 and net collections at \$10.52 million, which is 0.50% above 2022. We budgeted 2023 gross collections at \$11 million and net collections at \$10.725 million.
- 2024 Budget: Enclosed is a *DDN* article about next year's budget.

PUBLIC SAFETY

- Medic Vehicle Purchase: Our 2024 budget includes \$300,000 to purchase a replacement ambulance. The medic vehicle price is \$237,500, and the power cot is about \$70,000. We were informed this week that we are being awarded a \$40,000 grant towards the purchase of the power cot. The grant comes from the Ohio Bureau of Workers' Compensation. A couple months ago I informed you that the Whalen family is making a \$10,000 donation to our Public Safety Department. We will apply their \$10,000 towards the cost of the medic vehicle. Given the grant and donation, our city cost is reduced to \$260,000.

LEISURE SERVICES

- No report.

ENGINEERING & PUBLIC WORKS

- Salt Pollution: Enclosed is a *DDN* article about new funding available to local municipalities for equipment upgrades to help reduce salt runoff into waterways. We are researching the criteria to see if we have any applicable projects.

LAW

- Marijuana: Enclosed is a *DDN* article about Riverside enacting a 1-year moratorium.

PLANNING & ZONING/PROPERTIES

- No report.



HAVE A GREAT WEEKEND AND A VERY HAPPY NEW YEAR!

ENCLOSURE LIST

TENTATIVE AGENDAS FOR MONDAY

TRANSMITTALS NOTED WITHIN NEWSLETTER

Minutes of Previous Meetings

Legislation

Introductions to Legislation

Committee Needs

Council Committee Assignments

Council Work and Executive Sessions

Income Tax Year-end Report

DDN article re: 2024 Budget

DDN article re: Salt Pollution

DDN article re: Marijuana

CITY OF OAKWOOD
COUNCIL AGENDA
JANUARY 2, 2024

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. ORGANIZATION MEETING
 - Swear in Re-elected Council Members
 - Swear in Newly-elected Council Member
 - Election of Mayor
 - Election of Vice Mayor
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- VI. STATUS REPORTS
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- X. AN OAKWOOD MOMENT
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- XII. COUNCIL COMMENTS
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NEXT REGULAR SESSION SCHEDULED FOR FEBRUARY 5, 2024

PRE/POST COUNCIL WORK SESSION AGENDA
JANUARY 2, 2024

- ORGANIZATION MEETING
 - Mayor and Vice Mayor Election
- STATUS REPORTS
 - Council Committee Assignments
- VISITORS
 - State Representative Andrea White
 - Holiday Decorating Awards
- LEGISLATION
 - A Resolution recognizing Anne Hilton, Mayor Duncan
 - An Ordinance imposing a 1-year moratorium on Marijuana in Oakwood, Vice Mayor Byington
 - An Ordinance authorizing the sale of 1313 Far Hills Avenue, Vice Mayor Byington
- AN OAKWOOD MOMENT
- STAFF REPORT – NONE
- 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
 - Safety & Traffic, Mr. Stephens
 - Right-of-Way Management
 - April 8, 2024 Solar Eclipse
 - Streets & Alleys, Mr. Stephens
 - Harman Boulevard Median
 - 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
 - Committee Appointments
 - Work Sessions and Executive Sessions

MINUTES
OAKWOOD CITY COUNCIL WORK SESSION
DECEMBER 4, 2023

The Council of the city of Oakwood, Ohio met in a work session on Monday, December 4, 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, Councilmember Leigh Turben and Councilmember-elect Healy Jackson. Staff in attendance were City Manager Norbert Klopsch and Law Director Rob Jacques. Also attending as visitors were Andrew and Cheryl Lloyd.

Mayor Duncan called the work session to order at 5:30 p.m. and reviewed the agenda for the regular session this evening. Thereafter, he led a discussion on the following work session agenda items:

- **STATUS REPORTS:**
 - PSO Swear-in: Mayor Duncan mentioned that he will administer the Oath of Office to Public Safety Officer Dustin Mitchell. Chief Hill will introduce him.
- **VISITORS:** Mayor Duncan mentioned that there are no visitors scheduled for the regular session this evening.
- **LEGISLATION:** Council discussed the following legislation scheduled for presentation at the regular session this evening:
 - 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
- **COUNCIL COMMITTEES**
 - Public Utilities/Waterworks/Sewer, Mrs. Turben
 - Montgomery County Solid Waste District: Mr. Klopsch commented on the Montgomery County Solid Waste District (MCSWD) considering imposing a fee for the drop-off of Household Hazardous Waste (HHW) material to begin in 2026. The County Commissioners are opposed to fee increases and have directed MCSWD staff to look for ways to stabilize the budget without fee increases.

- Safety & Traffic, Mr. Stephens
 - Bikes and Electric Scooters: Mr. Klopsch noted that Mrs. Turben had recently informed him of additional resident complaints about the manner in which operators of bikes and electric scooters use public sidewalks. Mr. Jacques reviewed state and city law in regard to operating these devices. A discussion ensued on the topic, culminating with the conclusion that this remains a challenging issue. Mr. Klopsch commented that the use of leaf blowers also remains a challenging issue.
- MISCELLANEOUS
 - Montgomery County Ombudsman: Mrs. Hilton mentioned that she recently visited the office of the Montgomery County Ombudsman and found it enlightening.
 - Marijuana: Mr. Klopsch commented on the recent passage of Issue 2 that legalizes the recreational use of marijuana. He explained that state lawmakers are debating actions to take to adjust this voter-initiated statute. Mr. Jacques explained that Issue 2 was a voter-initiated statute and not a constitutional amendment, which gives Ohio lawmakers flexibility to amend it. Mr. Klopsch noted that in the absence of clear statewide law on this topic, numerous political jurisdictions in Ohio have imposed, or are considering imposing, moratoriums relating to retail dispensaries, cultivators, or processors of marijuana. Mr. Klopsch recommended that Oakwood also impose a moratorium through legislation to be presented at the January 2, 2024 council meeting.

At 6:27 p.m., Mayor Duncan concluded the work session and Council moved to executive session for property matters. Andrew and Cheryl Lloyd departed the meeting.

At 7:25 p.m., Mayor Duncan concluded the executive session and Council moved to regular session.

Mayor

ATTEST:

Clerk of Council

CITY OF OAKWOOD
STATE OF OHIO
DECEMBER 4, 2023

The Council of the city of Oakwood, State of Ohio, met in a work session and executive session at 5:30 p.m. in the second-floor training room of the city of Oakwood, 30 Park Avenue, Oakwood, Ohio, 45419. Council then met in a regular session at 7:30 p.m. in the council chambers of the city of Oakwood.

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

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

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

MR. WILLIAM D. DUNCAN.....PRESENT
MR. STEVEN BYINGTONPRESENT
MR. ROBERT P. STEPHENS.....PRESENT
MRS. ANNE S. HILTON.....PRESENT
MRS. LEIGH TURBENPRESENT

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
Mrs. Cindy Stafford, Finance Director
Chief Alan Hill, Public Safety Director
Mr. Doug Spitler, Engineering & Public Works Director
Mr. Ethan Kroger, Planning & Zoning Manager
Mrs. Sangita Anand, Human Resources Manager
Ms. Lori Stacel, Clerk of Council

The following in-person visitors registered:

Public Safety Officer Dustin Mitchell & Family
Jessica Myers, 303 Wonderly Avenue
Joseph & Leigh Ann Fulford, 219 Orchard Drive
Healy Jackson, 118 Lonsdale Avenue
Andrew & Cheryl Lloyd, 465 Kramer Road
Brian Barr, *Oakwood Register*

There were no Zoom visitors in attendance.

Mrs. Hilton advised Council she had read the meeting minutes of the November 6, 2023 regular session, work session and executive session. Mrs. Hilton reported she found the minutes correct and complete. Therefore, it was moved by Mrs. Hilton and seconded by Mr. Stephens that the minutes of the sessions of Council aforementioned be approved as written and the reading thereof at this session be dispensed with. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

STATUS REPORTS

PSO Swear-In – Mayor Duncan recognized new Public Safety Officer Dustin Mitchell and his family. He then administered the Oath of Office. Chief Hill welcomed and introduced PSO Mitchell.

Five Points Roundabout – Mayor Duncan provided an update on the Five Points (Far Hills Avenue, Thruston Boulevard, Oakwood Avenue) intersection and proposed that Council suspend further work on pursuing a roundabout project at this time. He explained that there was input received about the roundabout alternative from numerous citizens, both pro and con. Also, the city submitted a funding application to the Ohio Department of Transportation and recently received word of a favorable outcome. However, there remains enough division throughout the community suggesting that now is not the right time to pursue the project. Many positive comments have been received and we believe that a roundabout could be a good project in the future.

Mrs. Turben stated that she supports suspending the work related to a possible roundabout. She believes that in the future a roundabout will be a better solution for the Five Points intersection, but not at this time.

Mrs. Hilton shared that she is also in favor of suspending further consideration of a roundabout. She stated that she does not love the project, for right now. That intersection is so tricky. She hopes that a future council will make the best decision for the intersection and at the right time.

Mr. Stephens shared that while a roundabout can do a lot of positive things, he has hesitations and also supports suspending this work. He has seen many successful roundabouts in flat areas but believes the north end of Five Points toward downtown could pose safety concerns during hazardous weather. He appreciated all of the work put into analyzing the roundabout option. The current traffic signal system at Five Points works well and moves traffic efficiently.

Vice Mayor Byington said that Council has done due diligence to consider a roundabout at Five Points. The project had a fantastic group of engineers and consultants who took the time to explain the issues and the different available options. He thanked the people who were open-minded and considered something that may not have been in their comfort zone. There are still some concerns that need to be explored in further detail to coincide with applying for future potential transportation funding. He agrees with suspending the project and reconsidering this in the future when Ohio and the region have more experience with roundabouts.

Mayor Duncan thanked City Manager Norbert Klopsch for taking the lead on this project. There were citizens that stated that a roundabout at Five Points was the greatest thing they had ever heard of, and others stated opposing comments such as “what were you guys thinking?” There was a lot of opposition a few years ago to the “road diet” project on Shroyer Road, but now there is pretty much unanimous agreement that it was the best thing we could have done in terms of safety and traffic calming, and in improving property values along Shroyer Road. The roundabout at Five Points is an interesting concept and something that will likely be reevaluated in the future.

Thereupon, it was moved by Mayor Duncan and seconded by Vice Mayor Byington, as a procedural matter without legislation, to suspend the further study of a roundabout at the Five Points intersection.

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 HILTONYEA
MRS. LEIGH TURBENYEA

There being five (5) yea votes and no (0) nay votes thereon, the motion carried.

VISITORS

Mrs. Cheryl Lloyd, 465 Kramer Road, suggested that the vacant lot at 1313 Far Hills Avenue be converted into a low-maintenance biodiversity-friendly park commemorating Oakwood resident Joseph Desch. He was the recipient of the medal for merit, was a brilliant NCR engineer, UD alumnus, and resided on Oakwood's Greenmount Boulevard. Mrs. Lloyd read a list of organizations supporting the Joseph Desch project including the Oakwood Historical Society and several others, including members of the Desch family and a nephew to Alan Turing.

Mrs. Jessica Myers, 303 Wonderly Avenue, shared that she is one of the residents displaying temporary holiday lights on Wonderly Avenue. The display requires a great deal of time, effort, and money, but is entirely worth it because it means a lot to the people who observe the decorations. She said that she was not aware that the decorations were not allowed on the sidewalk or else she would have worked with the city’s zoning department to come up with something equally creative. She apologized for any miscommunication and stated that there has been a lot of communication since November and some confusing discrepancies. Initially, an ordinance was cited prohibiting the sidewalk arches, and then she was told that the decorations were not prohibited by an ordinance, they were just not permitted. She stated that if never permitted, the city seems to be selectively targeting this display with the enforcement of its current processes. As a solution, she recommends that the city adopt a process for special seasonal permits, as long as the homeowner gets liability insurance to cover the areas on sidewalks.

LEGISLATION

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 the second reading of an ordinance to increase the rates for Oakwood’s 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.

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

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

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

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4984
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.

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

Vice Mayor Byington explained that 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.

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

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

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

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4985
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.

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

Vice Mayor Byington explained that this is the 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.

Oakwood’s 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

Mr. Klopsch briefly explained the city's annual budget and planning process. Staff begins to discuss the budget around April. In May, the Budget Review Committee is provided an update on the city’s financial status and is introduced to capital projects that are being considered for the following year. City staff begins putting together the budget in June and initially focuses on capital equipment and public infrastructure, which are two primary components of the budget. In September, the Budget Review Committee is presented with the capital expenditures that are planned for the next year. In October, the BRC discusses the details of the line item budgets. The final budget is then presented to the BRC in late November or early December.

Mr. Klopsch mentioned that he meets with other city managers regularly and there is often discussion on budget processes. Through these discussions, Mr. Klopsch has learned that there is no other community that has a budget committee or financial advisory committee that is as robust as Oakwood’s. Oakwood’s citizen budget committee includes 34 members who are very involved.

If not for the property tax levy that is expiring at the end of this year, 2024 revenues and expenses would likely be balanced. Because money will not be collected in 2024 for the expiring 3.75 mill tax levy, there will be a deficit, but the city has cash reserves to make up the difference without any negative impact on public services.

Vice Mayor Byington reiterated that Oakwood has a citizen budget committee that includes 34 members and is represented by residents from each of the eight voting precincts. That committee met four times this year and at its November 28th meeting, voted to endorse this 2024 budget.

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

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

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

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4986
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO
THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

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

Vice Mayor Byington explained that each year, an annual housekeeping ordinance is passed to align the local traffic and general offense codes with changes that have been made at the state level. This ordinance will adopt the 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.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben that the ordinance be passed as an emergency measure.

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 HILTONYEA
MRS. LEIGH TURBENYEA

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4987
AN ORDINANCE TO REPEAL ORDINANCE NUMBER 4968 AND
ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED
DECEMBER 4, 2023 AND TO DECLARE AN EMERGENCY.

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

Vice Mayor Byington explained that 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 the 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.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mr. Stephens that the ordinance be passed as an emergency measure.

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 HILTONYEA
MRS. LEIGH TURBENYEA

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4988
AN ORDINANCE TO SET THE MAXIMUM COMPENSATION OF
THE OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF
COURT, AND BAILIFF, AND TO DECLARE AN EMERGENCY.

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

Vice Mayor Byington explained that 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.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Hilton that the ordinance be passed as an emergency measure.

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 HILTONYEA
MRS. LEIGH TURBENYEA

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4989
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.

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

Vice Mayor Byington explained that this is the ordinance to update the Organization and Staffing Schedule so it reflects the city’s current staffing needs.

Thereupon, it was moved by Vice Mayor Byington and seconded by Mrs. Turben that the ordinance be passed as an emergency measure.

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 HILTONYEA
MRS. LEIGH TURBENYEA

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

AN ORDINANCE
BY VICE MAYOR BYINGTON NO 4990
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.

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

Vice Mayor Byington explained that 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.

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

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

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

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

A RESOLUTION
BY MR. STEPHENS NO 1916
A RESOLUTION TO PROCEED WITH THE 2024 RESURFACING OF FAR
HILLS AVENUE (STATE ROUTE 48) IN COOPERATION WITH THE
OHIO DEPARTMENT OF TRANSPORTATION (ODOT).

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

Mr. Stephens explained that 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.

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

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

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

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

STAFF REPORT – Mayor Duncan shared that there is no staff report this evening.

CITY MANAGER REPORT

Mr. Klopsch shared that he fully supports Council's decision to suspend the further study of a roundabout at the Five Points intersection. The process was a wonderful experience and the work that was done will be very useful in the future when the matter may be reconsidered. As an engineer, he recognizes the value of roundabouts, but there is currently not enough public familiarity with how they operate. He thanked Council for the opportunity to explore this option. The existing traffic signal remains fully functional and will be maintained for the foreseeable future.

Mr. Klopsch provided an update on the construction work on Far Hills Avenue. The curb work that is currently being done will be completed in the next 2-3 weeks. The catch basins will be replaced over the next few months.

Mr. Klopsch closed his comments by recognizing and thanking city staff for their service and dedication to the city of Oakwood.

COUNCIL COMMENTS

Mrs. Turben reminded everyone of the annual Holiday of Lights Ceremony held at Shafor Park at 6:30 p.m. on Sunday, December 10 and the Santa Tour on December 18. She wished everyone a happy and safe holiday season.

Mrs. Hilton shared that this was her last meeting as a member of Oakwood City Council. She stated that she learned so much from City Council and city staff and thanked everybody for everything. She recognized the outstanding city staff. Mrs. Hilton concluded by wishing Mrs. Healy Jackson all the best as a new member of City Council.

Mr. Stephens said that it has been an honor working with Mrs. Hilton. He recognized Mrs. Hilton's genuine care for the city.

Vice Mayor Byington said that it has been a pleasure working with Mrs. Hilton. He thanked all city employees for their hard work throughout the year. He recognized Law Director Rob Jacques and Planning & Zoning Manager Ethan Kroger for their integrity and professionalism when dealing with difficult situations. He wished everyone a happy holiday season.

Mayor Duncan thanked Mrs. Hilton for her service. He noted that he is looking forward to working with councilmember-elect Healy Jackson next year on City Council. He is thankful to live in the great city of Oakwood with a fine group of council members who have the city's best interest in mind. Mayor Duncan closed the meeting by announcing the city employees who will be recognized for their years of service in five-year increments at the December 15 holiday employee luncheon.

The public meeting concluded at 8:30 p.m.

MAYOR

ATTEST:

CLERK OF COUNCIL

A RESOLUTION

BY: MEMBERS OF COUNCIL

NO. _____

**TO EXPRESS APPRECIATION
FOR THE PUBLIC SERVICE OF ANNE HILTON AS
A MEMBER OF COUNCIL OF
THE CITY OF OAKWOOD.**

WHEREAS, on November 3, 2009 Anne Hilton was elected by the citizens of Oakwood to serve on City Council, the governing body of our fine city; and

WHEREAS, on January 4, 2010 Anne Hilton was sworn into office; and

WHEREAS, during her 14 years in elected office, Anne Hilton served Oakwood with distinction as she worked to maintain the wonderful attributes of our city and always kept an eye out for ways in which we could improve; and

WHEREAS, during Anne's 14 years as a member of City Council, she served as Council's liaison to the Oakwood Sister City Association and Oakwood Municipal Court, and as chair of the Council committee for Law and Minutes; and

WHEREAS, during Anne's 14 years of active and consistent involvement on Council, the city of Oakwood completed the following significant projects:

- Approved the Oakwood Athletics & Recreation Master Plan;
- Constructed and dedicated the Creager Field Dog Park;
- Purchased parking lot on Orchard Drive behind the Oakwood Club;
- Approved opening of the Grace Learning Academy at St. Paul's Church;
- Signed reciprocal lease with UD for use of Old River fields and tennis courts;
- Installed Far Hills Business District decorative streetlights;
- Navigated the financial challenges associated with the elimination of the Ohio estate tax;
- Aided in creation of the Oakwood Farmers' Market;
- Approved construction of the Routsong Retail Center;
- Approved opening of the Top of the Hill Preschool at Lutheran Church of Our Savior;
- Completed Far Hills Business District Street Tree Replacement Project;
- Partnered with the Oakwood City Schools on construction of Lane Stadium;
- Accepted donation of the Virginia Hollinger tennis facility;
- Settled a property use dispute leading to construction of 84 condominiums at Pointe Oakwood;
- Approved business office uses at Sugar Camp;
- Approved multiple amendments to the Pointe Oakwood development master plan;
- Approved construction of the Russell Total Wealth and Wellness office building at Sugar Camp;
- Constructed and dedicated Cook Park at Oakwood Avenue and Schenck Avenue;
- Completed the Shroyer Road Reconstruction project, including "road diet;"
- Reconstructed the Shafor Park tennis facility, in partnership with the Oakwood City Schools;
- Constructed the Oakwood Community Center (OCC) parking lot;
- Oversaw CenterPoint's multi-year project to rebuild the natural gas distribution infrastructure;
- Established the Oakwood Citizen Police Academy;
- Established the "Assisting and Contributing to Oakwood Resident Needs" (ACORN) Program;
- Implemented the online registration system at the OCC;
- Constructed the Recycling and Yard Waste Drop-off Facility;
- Converted an Orchardly Park tennis court into two pickleball courts;
- Improved the Creager Field Dog Park parking lot;
- Completed major improvements at Gardner Pool, including replacement of the concrete deck;
- Completed a comprehensive study of the traffic signal system;
- Analyzed and considered building a roundabout at the Five Points intersection; and

WHEREAS, during her entire 14 years of service, Anne consistently based her public policy decisions on what was best for the community, yet always heavily considered the impact of those decisions on individual Oakwood citizens, businesses and on Oakwood neighborhoods; and

WHEREAS, Anne distinguished herself through her consistent willingness to hear from any and all citizens, for as long as necessary, in order to provide everyone the opportunity to express their feelings and opinions on issues; and

WHEREAS, during her service on City Council, Anne was always a staunch supporter of projects and programs that improved the environment and living conditions for all citizens in Oakwood and in the Miami Valley; and

WHEREAS, Anne always made decisions that recognized the reality and necessity of change yet stressed the importance of retaining the charm and storied history of our unique community; and

WHEREAS, during her public service career Anne was a responsible guardian of the public checkbook and participated in the operation and adoption of 14 annual city budgets, and consistently attended regular meetings with the citizen’s Budget Review Committee (BRC); and

WHEREAS, throughout her entire public service career, Anne respected the Council-Manager form of government prescribed by Oakwood City Charter and was a stalwart advocate for empowering and supporting city staff.

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

SECTION I.

The Council of the city of Oakwood accords special public recognition to Anne Hilton for her 14 years of exemplary service as a member of the City Council of the city of Oakwood.

SECTION II.

Fellow members of Council, members of the city staff, and all Oakwood residents will miss the special way in which Anne Hilton made every citizen feel they were an important part of the community.

SECTION III.

Through this resolution the City Council hereby declares and expresses sincere gratitude and appreciation of the citizens, public officials, and employees of the city of Oakwood for the 14 years of dedicated public service that Anne Hilton has rendered to this community.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD this 2nd day of January, 2024.

<hr/> William D. Duncan Mayor	<hr/> Steven Byington Vice Mayor	<hr/> Robert P. Stephens Member of Council
<hr/> Leigh Turben Member of Council	<hr/> Healy Jackson Member of Council	<hr/> Norbert S. Klopsch City Manager

AN ORDINANCE

BY: _____ NO. _____

IMPOSING AN IMMEDIATE MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY PERMITS RELATING TO RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF ADULT USE MARIJUANA; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio voters approved State Issue 2 on November 7, 2023 adopting proposed legislation authorizing the cultivation, sale and use of marijuana products for recreational purposes; and

WHEREAS, pursuant to the operation of Article II, Section 1(b) of the Ohio Constitution, the proposed legislation now approved by Ohio voters has been incorporated into the Ohio Revised Code as Sections 3780.01 through 3780.99 and became effective on December 7, 2023, with no further action required by the Ohio General Assembly (the “Act”); and

WHEREAS, since the passage of Issue 2, members of the Ohio General Assembly have expressed an intention to amend the Act but have not yet clarified whether and/or how the Act will be repealed, modified, or materially altered; and

WHEREAS, Section 3780.03 of the Act provides that a newly created “Division of Cannabis” shall adopt rules establishing standards and procedures for the implementation of the adult use marijuana program, including licensing requirements for cultivators, processors, and retailers; and

WHEREAS, the Act, as currently constituted, provides the Division of Cannabis a period of nine months after December 7, 2023 to implement rules and regulations regarding the adult use marijuana program; and

WHEREAS, Council intends to adopt legislation that provides for the orderly implementation of adult use cannabis in the City consistent with State laws and regulations; and

WHEREAS, pursuant to the Ohio Constitution and local ordinances, Council possesses the inherent power to enact appropriate planning, zoning, and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, at least until such time as regulations are adopted, the amendments to the Act are adopted and the City has had an opportunity to study the foregoing, Council has determined it to be in the best interests of the public health, safety, and welfare to impose an immediate moratorium on any cultivation, processing, or retail dispensing of marijuana for adult use business purposes in any form within the city of Oakwood, except as required by the Act;

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

SECTION I.

Except as required by the Act, Council hereby imposes an immediate moratorium on the issuance and processing of any permits for cultivators, processors, and retail dispensaries of adult use marijuana as defined in Sections 3780.01 through 3780.99 of the Ohio Revised Code.

SECTION II.

The purpose of this moratorium is to allow city staff and Council to consider amendments to pertinent Codified Ordinances, including the Oakwood Zoning Code, to prepare regulations which may be necessary, and to determine where, whether, and how to allow, limit or prohibit cultivators, processors, and retail dispensaries in the city.

SECTION III.

Council hereby directs and orders that no permits for cultivators, processors or retail dispensaries of adult use marijuana shall be issued or processed by the city during the moratorium, including but not limited to any zoning certificate, except as may be required by the Act.

SECTION IV.

The moratorium shall be in effect for a period of one (1) year beginning from the effective date of this Ordinance, or until changes are enacted and take legal effect to amend the Codified Ordinances of the City of Oakwood to address these issues, or until Council enacts legislation explicitly revoking this moratorium and the same takes legal effect, whichever occurs first.

SECTION V.

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

SECTION VI.

This ordinance is hereby declared to be an emergency measure and as such takes effect immediately on the basis that it is necessary to avoid any practical or legal entanglements that may arise during the developmental roll-out of the State of Ohio's adult use marijuana program, and on the further basis that doing so will promote the immediate preservation of the public peace, health and safety of the City and its inhabitants.

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

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 ____ day of _____, 2024. Said ordinance was enacted as an emergency measure to provide for a moratorium on the issuance of permits relating to retail dispensaries, cultivators, and processors of adult use marijuana.

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. _____

TO AUTHORIZE THE DISPOSITION OF CERTAIN REAL PROPERTY WHEN NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

WHEREAS, pursuant to Ordinance No. 4912, adopted April 6, 2020, the city acquired a parcel of real estate located at 1313 Far Hills Avenue (the “Property”) and subsequently demolished the single-family home thereon in order to facilitate a major capital improvement known as the 2023 Far Hills Storm Sewer Reconstruction Project (the “Project”); and

WHEREAS, the Project was specifically engineered and designed in such a way as to ensure that the Property could be utilized for the construction of a new single-family home upon its completion; and

WHEREAS, upon conclusion of the Project, Council intends to sell the Property in order to (1) partially recoup the public funds invested in its acquisition and demolition, and (2) ensure that it is returned to single-family use, which is the highest and best use for this residential location;

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

SECTION I.

Pursuant to Section 151.02(B), it is hereby found and determined that the real property located at 1313 Far Hills Avenue is no longer needed for municipal purposes, with the exception of a utility easement that shall be retained over the location of a storm sewer pipe installed as part of said Project, such determination to take effect upon conclusion of the 2023 Far Hills Storm Sewer Reconstruction Project. A copy of the legal description for said real estate is attached as Exhibit A and is hereby incorporated by this reference.

SECTION II.

At such time as Section I shall take effect, the City Manager is hereby authorized and directed to offer and sell the real property described on Exhibit A upon such terms and conditions as, in his managerial judgment, are deemed to be the most practical and beneficial to the city, provided that in doing so, he shall be guided by the fair-market value as determined by a licensed appraiser or realtor, and shall retain for the city an appropriate utility easement for the future maintenance and replacement of the storm sewer pipe installed upon the property.

SECTION III.

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

SECTION IV.

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

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

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 ____ day of _____, 2024. Said ordinance was enacted to provide for the disposition of a parcel of real property when no longer needed for municipal purposes.

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

For APN/Parcel ID(s): Q71-00807-0006 and Q71-00807-0007

Situate in the City of Oakwood, County of Montgomery and State of Ohio, and being Lot Numbered Three Thousand Three Hundred Fifty Three (3353) excepting ten (10) feet taken by parallel lines of the south side, and Lot Numbered Three Thousand Three Hundred Fifty Four (3354) of the consecutive numbers of lots on the plat of the said City of Oakwood, Ohio.



**Introductions for Legislation
1/2/2024 Council Meeting**

Mayor Duncan

A RESOLUTION TO EXPRESS APPRECIATION FOR THE PUBLIC SERVICE OF ANNE HILTON AS A MEMBER OF COUNCIL OF THE CITY OF OAKWOOD.

(Bill will make some comments about Anne and will read the resolution. He will then invite other council members to comment.)

Motion: I move that Council adopt this resolution tonight.

Vice Mayor Byington

AN ORDINANCE IMPOSING AN IMMEDIATE MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY PERMITS RELATING TO RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF ADULT USE MARIJUANA; AND DECLARING AN EMERGENCY.

At the November 7, 2023 election, Ohio voters passed State Issue 2, which effectively legalizes recreational marijuana. The new law took effect on December 7th, but it was adopted as a voter-initiated statute rather than a constitutional amendment. That means it can be amended at any time by the state legislature, and a number of changes are being debated right now in both the Ohio House and Senate.

The law provides for a newly created Ohio “Division of Cannabis,” and authorizes that department to come up with rules and licensing requirements for retailers, cultivators, and processors of marijuana. The state has 9 months to issue these standards...which do not currently exist.

The legalization of marijuana is a major change in the law, particularly when it comes to the potential impact of marijuana business operations on a small residential community. It is important for Council to carefully consider appropriate regulations to promote the orderly implementation of the law. This will preserve the public health, safety, and welfare, as well as the community character we value in Oakwood.

This moratorium ordinance will preserve the status quo for up to one year, allowing time for the legal landscape surrounding this new law to become more settled. This will give the State time to come up with appropriate rules and standards for the licensing and operation of marijuana businesses, and it will give Council time to consider these issues and adopt appropriate regulations here in Oakwood.

The moratorium only affects permits for marijuana business operations. It does not have any effect on adult marijuana use and possession, which are now legal as provided by state law.

I am introducing this ordinance as an emergency measure to ensure that it takes effect before the state begins issuing any rules, procedures, or state licenses for retail dispensaries, cultivation or processing.

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 AUTHORIZE THE DISPOSITION OF CERTAIN REAL PROPERTY WHEN NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

A few years ago, the city acquired a single family home located at 1313 Far Hills Avenue. It was purchased because we were in the planning stages of the 2023 Far Hills Storm Sewer Reconstruction Project, and a critically important section of failing sewer culvert was located directly beneath that house. The house had to be demolished to facilitate the project, which has been ongoing for the last few months.

In planning the project, the replacement pipe was specifically engineered and designed in such a way as to ensure that 1313 Far Hills could be reused for the construction of a new single-family home. Council believes that is the appropriate use for this property because it allows the city to partially recoup the public funds invested to purchase and demolish the home, helping to offset costs associated with this major storm sewer project. A residential use is also desirable when considering the existing use of adjacent properties and the mid-block location of 1313 Far Hills.

This ordinance will authorize the City Manager to sell the property at fair market value for residential use upon conclusion of this major storm sewer project.

Motion: This is the first reading of this ordinance, so I make no motion at this time.

2024 COMMITTEE NEEDS

<u>Committee</u>	<u>Term</u>	<u>Name</u>	<u>Phone</u>	<u>Appt</u>	<u>New Term</u>	
					<u>Yes</u>	<u>No</u>
ADA Compliance Committee	3	Tom Hardy	937-307-2008	3/2020		
Beautification Committee	3	Katy Dalrymple	937-474-2667	2/2005		
		Nancy Drozd	937-294-6266	6/2011		
Board of Zoning Appeals	5	Nick Endsley	952-210-7253 937-222-2500 (o)	11/2018		
Budget Review	4	(A) Dan Ferneding	937-293-0046 937-294-1755 (o)	2/1996		
		(B) Dave Dickerson	937-294-8451 937-528-4000 (o)	12/1987		
		(B) Jeff Woeste	937-299-3400	5/2011		
		(D) Heidi Edwards	937-206-6507	9/2016		
		(F) William Meyer	937-298-9405	5/2011		
		(F) Bill Rieger	937-776-5369 937-296-1711	9/2016		
		(G) John Gray	937-293-9313 (o)	5/2003		
		(G) Beth Ritzert	937-903-0127 937-626-5393	6/2011		
		(H) Mike Ruetschle	937-461-5390 (o)	5/2011		
		(H) Mark Risley	937-750-3569	6/2016		
Property Maintenance Board	5	Kathy Lockett	937-294-8925	3/2008		

Planning Commission

Need a new member to replace Healy Jackson.

City of Oakwood - 2024 Council Committee Assignments

Committee	Name	Regional Agencies	
Court Liaison	Anne Hilton, Chair Leigh Turben	Miami Valley Communications Council	Rob Stephens, Vice Chair Leigh Turben, Alternate
Finance	Steve Byington, Chair William Duncan	Miami Valley Regional Planning Commission	Steve Byington William Duncan, Alternate
Law and Minutes	Anne Hilton, Chair Steve Byington	EMA Regional Advisory Council	William Duncan Norbert Klopsch, Alternate
Planning and Zoning	Steve Byington, Chair Leigh Turben	First Suburbs Consortium	Steve Byington Norbert Klopsch
Public Properties	Leigh Turben, Chair Rob Stephens		Leigh Turben, Alternate
Public Utilities/ Waterworks/Sewer	Leigh Turben, Chair Rob Stephens	South Suburban Coalition	Alan Hill William Duncan, Alternate
Safety and Traffic	Rob Stephens, Chair Anne Hilton	Boards, Commissions and Citizen Ad Hoc Committees	
Streets and Alleys	Rob Stephens, Chair Healy Jackson	Planning Commission	Steve Byington
Community Relations/ Promotion & Appointments	William Duncan, Chair Steve Byington	Beautification Committee	Rob Stephens
		Sister City Association	Anne Hilton
<u>The Mayor also serves as ex-officio member of each council committee.</u>		Historical Society	Leigh Turben

COUNCIL WORK SESSIONS AND EXECUTIVE SESSIONS

This policy sets forth the process by which agendas are set for city council work sessions and executive sessions. It also sets forth the process to be followed in regard to extending invitations to any persons other than City Council and city staff to attend work sessions or executive sessions.

Chapter 111.08 of the Administrative Code reads as follows:

111.08 AGENDA; DUTIES OF MANAGER.

To enable the Council to review a proposed order of business, the City Manager at each meeting shall furnish the Council a written agenda for that meeting. The agenda shall list business expected to come before Council at that meeting in the order in which it is to be taken up as required by Section 111.13. A reasonable number of copies of the agenda shall be available for use by persons attending public meetings of Council.

The City Manager has the discretion to include on work session and executive session agendas any and all business that he deems necessary, pertinent and timely to address the needs of the city. City Council members interested in adding items to work session and executive session agendas may do so by notifying the City Manager by any method desired. This may be done with or without the consent of other City Council members.

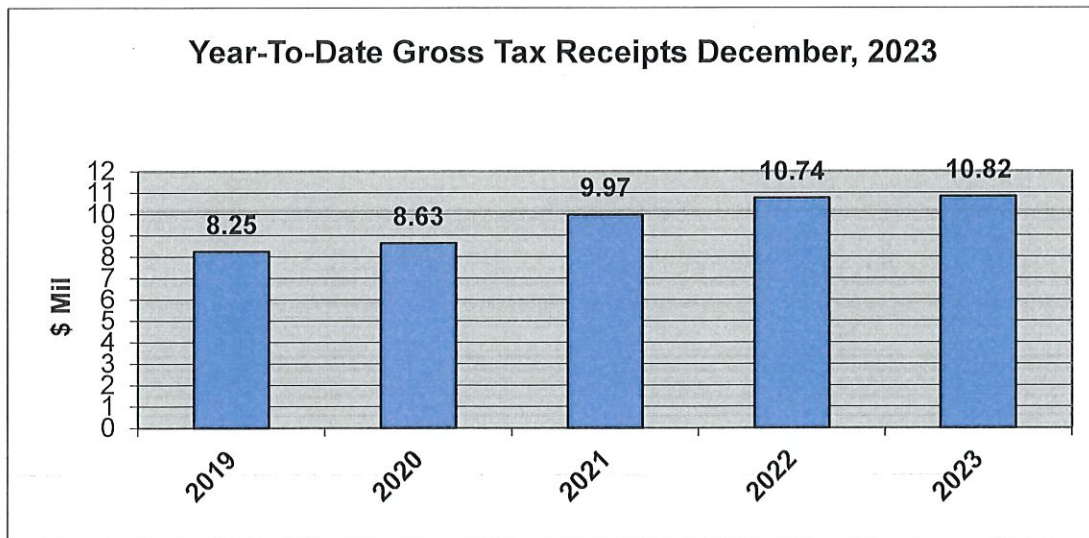
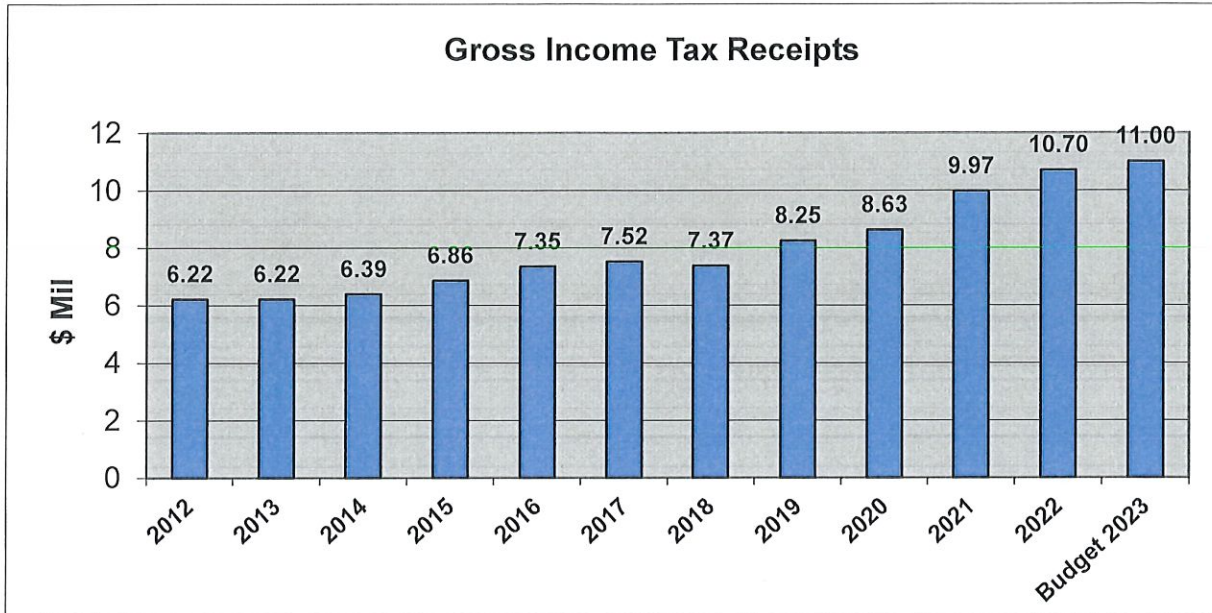
Work sessions are public meetings and anyone may attend in an observational capacity, whether on their own initiative or by invitation of a City Council member or the City Manager. However, for persons other than City Council members and city staff, work session attendance in a participatory capacity, and executive session attendance in any capacity, shall require (a) the invitation of a City Council member or the City Manager and (b) the consent of a majority of City Council. Such consent shall be obtained in a work session or executive session.

Adopted on __, 20__

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

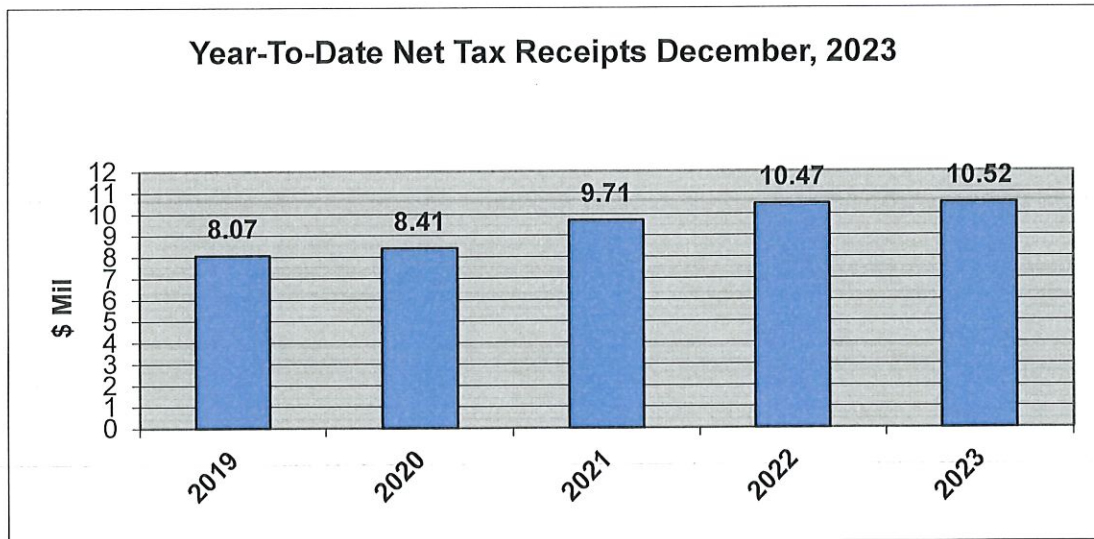
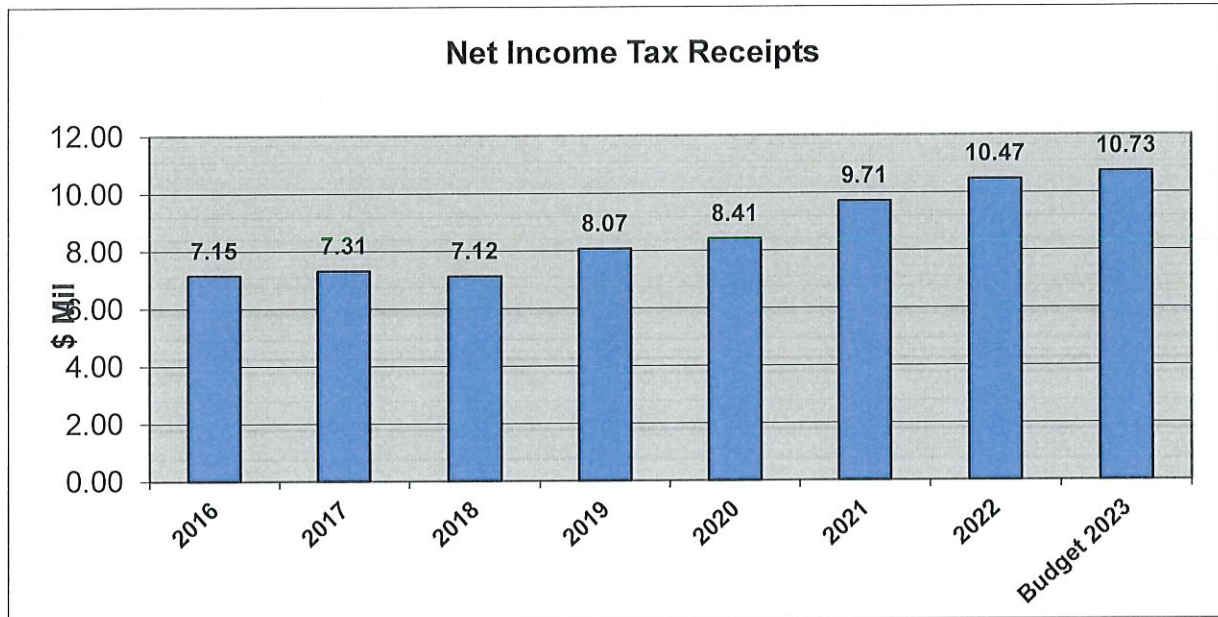
2022 \$10,739,185.51
 2023 \$10,820,757.65

Change 0.76%

TAX REVENUE ANALYSIS

2023

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



Year-To-Date Net Collections vs Prior Year

2022	\$10,469,459.48
2023	\$10,521,944.49

Change	0.50%
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INCOME TAX COMPARISON - GROSS RECEIPTS

2021 through 2023

				DAILY	MONTHLY	YEAR-TO-DATE
				INCR / DECR	INCR / (DECR)	INCR / (DECR)
	2021	2022	2023			
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	\$581,402.63	N/A	\$87,356.71	\$81,572.14
TOTAL	\$9,969,986.63	\$10,739,185.51	\$10,820,757.65			
				DAILY	MONTHLY	YEAR-TO-DATE
DECEMBER	2021	2022	2023	INCR / (DECR)	INCR / (DECR)	INCR / (DECR)
1	1,173.45	11,170.43	10,940.51	(\$229.92)	(\$229.92)	(\$6,014.49)
2	3,174.85	8,072.24	0.00	(\$8,072.24)	(\$8,302.16)	(\$14,086.73)
3	12,507.98	0.00	0.00	\$0.00	(\$8,302.16)	(\$14,086.73)
4	0.00	0.00	3,691.16	\$3,691.16	(\$4,611.00)	(\$10,395.57)
5	0.00	2,632.66	6,802.91	\$4,170.25	(\$440.75)	(\$6,225.32)
6	19,216.48	5,857.59	238.83	(\$5,618.76)	(\$6,059.51)	(\$11,844.08)
7	55,830.22	16.00	21,727.35	\$21,711.35	\$15,651.84	\$9,867.27
8	788.47	4,380.75	17,837.22	\$13,456.47	\$29,108.31	\$23,323.74
9	5,866.76	23,592.90	0.00	(\$23,592.90)	\$5,515.41	(\$269.16)
10	73,159.29	0.00	0.00	\$0.00	\$5,515.41	(\$269.16)
11	0.00	0.00	16,523.99	\$16,523.99	\$22,039.40	\$16,254.83
12	0.00	38,429.05	65,432.17	\$27,003.12	\$49,042.52	\$43,257.95
13	6,251.84	30,318.25	40,386.54	\$10,068.29	\$59,110.81	\$53,326.24
14	49,980.84	46,378.25	30,998.91	(\$15,379.34)	\$43,731.47	\$37,946.90
15	182,329.81	97,838.46	115,514.33	\$17,675.87	\$61,407.34	\$55,622.77
16	10,281.56	46,145.07	0.00	(\$46,145.07)	\$15,262.27	\$9,477.70
17	20,917.64	0.00	0.00	\$0.00	\$15,262.27	\$9,477.70
18	0.00	0.00	34,385.16	\$34,385.16	\$49,647.43	\$43,862.86
19	0.00	31,492.53	32,725.71	\$1,233.18	\$50,880.61	\$45,096.04
20	4,165.50	36,239.46	3,780.42	(\$32,459.04)	\$18,421.57	\$12,637.00
21	17,726.50	9,482.09	16,940.51	\$7,458.42	\$25,879.99	\$20,095.42
22	299.00	5,341.02	57,268.95	\$51,927.93	\$77,807.92	\$72,023.35
23	6,492.49	16,802.23	0.00	(\$16,802.23)	\$61,005.69	\$55,221.12
24	0.00	0.00	0.00	\$0.00	\$61,005.69	\$55,221.12
25	0.00	0.00	0.00	\$0.00	\$61,005.69	\$55,221.12
26	0.00	0.00	0.00	\$0.00	\$61,005.69	\$55,221.12
27	6,378.53	25,212.01	2,532.06	(\$22,679.95)	\$38,325.74	\$32,541.17
28	67,700.80	36,069.35	89,789.98	\$53,720.63	\$92,046.37	\$86,261.80
29	0.00	7,221.03	13,885.92	\$6,664.89	\$98,711.26	\$92,926.69
30	74,550.42	11,354.55	0.00	(\$11,354.55)	\$87,356.71	\$81,572.14
31	0.00	0.00	0.00	\$0.00	\$87,356.71	\$81,572.14
				NEED		
TOTAL	\$618,792.43	\$494,045.92	\$581,402.63	(\$87,356.71)		
				TO MATCH		
				DECEMBER'22		

OAKWOOD

Oakwood budget to include deficit spending

Error caused continuing operating levy to be left off November ballot.

By Nick Blizzard
Staff Writer

Oakwood's \$25 million city budget next year will include deficit spending as officials don't plan to cut services while being without about \$1.1 million commonly generated by a tax levy.

An operating levy approved by voters since 2013 failed to make the November ballot due to a

clerical error. It is scheduled to go before voters in March, but if approved funds will not be collected until 2025, Oakwood officials said.

"If not for the property tax levy that is expiring at the end of the year ... we would have a balanced budget for 2024," Oakwood City Manager Norbert Klopsch said.

The city has enough cash reserves to fill the gap and "there will certainly be no impact to the public services," he added. "Everything that we're planning to do in 2024 will mirror what we provided this year and pre-

vious years."

Oakwood's \$18.1 million for general city services includes a \$14.5 million general fund, nearly \$7 million of which finances police and fire operations, Finance Director Cindy Stafford said.

Wages and salaries for the 88 full-time and 16 part-time workers consume nearly 40% of the next year's spending plan, which Stafford said is "very conservative," factoring in inflation and other rising costs.

All non-union employees will

Oakwood continued on B2



Oakwood plans to spend \$18.1 million for general city services in 2024. That includes nearly \$7 million of which finances police and fire operations, Finance Director Cindy Stafford said. FILE

Oakwood

continued from B1

receive 2.95% raises, the same rate of increase as union public safety workers and dispatchers, she said.

The union contract for 26 public works employees calls for a 3.75% increase next year. Stafford added. Total personnel costs – including benefits – consume 55.59% of the budget, she said.

Oakwood is projecting \$10.8 million for income tax revenue, slightly less than this year's \$11 million, Stafford added.

City council voted a few weeks ago to increase water and sanitary sewer rates next year, the first hike for those services since 2018. Two other services involving customer fees – refuse and stormwater – will not

change, officials said.

Oakwood plans to spend \$2.29 million for capital improvements projects, much more than this year's \$1.43 million, according to city records. The increase is mainly due to the planned Ohio 48/Far Hills Avenue resurfacing, a joint project with the Ohio Department of Transportation.

ODOT will fund 80% of the work, which is currently projected to cost \$1.8 million, according to the state. The city's share is \$360,000 at this point, but that could increase depending on the bidding process, Stafford said.

ODOT officials said the work is expected to go out to bid next month.

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OAKWOOD CITY BUDGET

Category	2023	2024
Total net expenditures	\$24.2M	\$25M
General fund	\$14.8M	\$14.5M
Income tax revenue	\$11M	\$10.8M
Capital improvements	\$1.436M	\$2.29M
Street maintenance/repair	\$1.5M	\$1.56M
Leisure activity	\$1.32M	\$1.36M

SOURCE: CITY OF OAKWOOD

JDW
12/26/23

Gov. DeWine announces program to reduce road salt runoff

The Ironton Tribune

COLUMBUS – Ohio Gov. Mike DeWine and Ohio Environmental Protection Agency Director Anne M. Vogel announced this week that funding is now available to help local communities improve road salt storage and distribution practices in a manner that reduces salt pollution in Ohio's waterways.

The H2Ohio Chloride Reduction Grant Program will award a total of approximately \$1 million in funding to local municipalities for equipment upgrades that will prevent the over application of salt on Ohio roads and reduce the amount of salt running off into Ohio's streams, rivers, and lakes.

"Road salt plays an incredibly important role in road safety, but we must also consider the impact of this salt on the quality of Ohio's water," DeWine said. "This program will help local communities apply salt in a way that effectively treats slippery roads while also reducing the amount of salt that runs off the roads and into the water."

According to the Ohio EPA, heavy salt runoff is toxic to aquatic life and can also pollute drinking water sources, leading to higher treatment costs and infra-

structure corrosion.

"This is what H2Ohio is all about," Vogel said. "This is why Governor DeWine started this program four years ago. It's connecting hometowns all over Ohio with no-strings-attached funding that will then be used to make communities stronger, safer, and healthier."

Among the items that qualify for funding are live-edge blades, salt spreader control systems, brine mixers, and structural upgrades to salt storage facilities to prevent ground water contamination. Municipalities, townships, counties, and other governmental agencies can apply for single grants of up to \$75,000 through Jan. 31, 2024. The request for proposals, application materials, and contact information are available at epa.ohio.gov.

To further reduce salt runoff in Ohio, the Ohio Department of Transportation (ODOT) will support Ohio EPA in a public education campaign for local governments on the problem of the overapplication of salt. The campaign will encourage those using road deicer salts to follow best management practices, apply less salt, and use best available technologies for applying salt.

Riverside OKs 1-year permit ban, includes recreational marijuana, businesses

By Nick Blizzard
Staff Writer

A 12-month suspension on issuing business permits for specific land uses – including recreational marijuana – has been approved by Riverside.

The city council Thursday night voted for the moratorium, which freezes certificates and all approvals for allowed or conditional land uses and development, the legislation states.

The moratorium does not include any residential uses, Riverside City Manager Josh Rauch said.

“The uses that are described in this moratorium tend to be the kinds of things that we want to look at very closely to be sure we’re putting the right uses in the right place,” he said. “This gives us a little bit of time to study that issue in detail.”

It “discusses several commercial and industrial uses that the city will be evaluating closely as we rewrite our zoning code,” Rauch said in an email. “It also includes uses for which state regulations are still being developed, such as recreational marijuana.”

Recreational marijuana use is now legal in Ohio. But until rules and regulations are put in place and licenses are issued, locals can’t buy it. The law allows adults 21 and older to legally possess up to 2.5 ounces of marijuana, use it and grow up to six plants per person and 12 per household. It also imposes a 10% sales tax.

Riverside

continued from B1

Moratoriums also have passed in Beavercreek, Carlisle, Centerville, Fairfield, Franklin, Hamilton, Kettering, Miamisburg, Monroe, Springboro, Vandalia, Waynesville, Xenia, and several other cities throughout Ohio.

In Riverside, about 17 permits were approved during 2021-22 in the categories the moratorium specifies, according to Lori Minnich, economic development specialist.

The goal is to allow staff time to prepare, research and develop proper regulations and reforms for business land use in general, Riverside records show.

The city will look to hire an organization “capable of implementing essential code updates and improvements” to align with the city’s new comprehensive land use plan, Rauch and Minnich said in a memo.

The city intends to seek proposals for a zoning code

rewrite in the first quarter of next year, Rauch said.

The aim is to “create a more stable environment in Riverside in order to allow city staff time to evaluate uses” not within the guidelines of the comprehensive plan approved earlier this year, according to city records.

The plan, called ONE Riverside, went into effect Sept. 2. The 100-page document is the result of a two-year process to update one approved in 2005.

“The temporary pause will create a space for revisions to the zoning code and other regulatory

ordinances to be considered and amendments adopted,” according to city records.

The moratorium will also “allow the city to encourage and facilitate orderly, efficient, and appropriate growth and development,” documents show.

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