

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: January 18, 2011

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

January 12, 2011

Date Prepared

Agenda Title: An Ordinance to Levy Assessments for Curb, Gutter, and Sidewalk Repairs

Recommendation: Approve

Discussion:

Through a series of Resolutions, the City Council has caused the repair of deficient curb, gutter, and sidewalk on parcels identified in the attached Exhibit "A" including:

May 2010 Resolution No. 4536 – Declaring the necessity to make improvements
August 2010 Resolution No. 4553 – Authorizing a contract to perform the improvements
December 2010 Resolution No. 4575 – Determination of the total cost of assessment by lot

The proposed assessment costs were advertised as required by Ohio Revised Code; no objections were received from parcel owners as detailed in Exhibit "A". Upon passage of this Ordinance, an owner may pay cash for the assessment within 30 days. Otherwise, the amount will be levied to the owner's property tax bill and must be paid in five (5) annual installments with City assessed interest on deferred payments at a rate of 5%.

Staff recommends City Council approve this assessment Ordinance, and authorize the City Manager or his designee to take all steps necessary to cause the amounts listed in Exhibit "A" to be levied upon the lots and lands enumerated in the listing.

Approved By:

Department Head:

Initial Date

MBD 1/13/11

City Manager:

[Signature] 1/18/11

ORDINANCE NO.

ORDINANCE LEVYING UPON THE LOTS AND LANDS ENUMERATED IN THE LIST OF ESTIMATED ASSESSMENTS (EXHIBIT A) THE AMOUNTS SET FORTH ON SUCH LIST AND SETTING FORTH TERMS FOR PAYMENT OF ASSESSMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Pursuant to Ohio Rev. Code 729.07, Council filed a list of estimated assessments (Exhibit A) with the Clerk of City Council and ordered it open for public inspection.

SECTION 2: Pursuant to Ohio Rev. Code 729.08, Council published a notice in *The Oxford Press*, beginning December 17, 2010, and ending December 31, 2010, stating that the list of estimated assessments (Exhibit A) was on file with the Clerk of City Council and was available for public inspections.

SECTION 3: The Clerk of Council has received no written objections to the assessments.

SECTION 4: Property owners may pay the assessment in five (5) annual installments with interest on deferred payments at 5%. Conversely, property owners may pay the assessment in cash within 30 days after passage of this Ordinance.

SECTION 5: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Build price was 67.7432% of estimate

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police
Originating Department

Council Meeting Of: January 18, 2011

Steve Schwein
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

January 12, 2011
Date Prepared

Agenda Title: An Ordinance Establishing age 60 as the Maximum Age for an Original Appointment to the Oxford Division of Police.

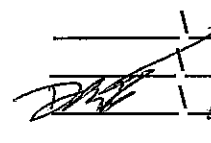
Recommendation: Pass the Ordinance.

Discussion: The Oxford Civil Service Commission abolished the maximum age limit of 35 for appointment to the position of Police Officer approximately ten years ago in favor of physical assessment and medical screening. The return of military service veterans from the Gulf War, and now Iraq, Iran, and Afghanistan who are in every way capable of performing the job of police officer along with a host of other applicants who, in many cases over the age of 35, but physically capable of performing police duties and in many cases already trained, certified, and experienced points out the need to extend the upper age limit.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 1/12/11

ORDINANCE NO.

AN ORDINANCE ESTABLISHING AGE 60 AS THE MAXIMUM AGE FOR AN ORIGINAL APPOINTMENT TO THE OXFORD POLICE DEPARTMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: In accordance with the provisions of Ohio Revised Code 124.41, which establishes a maximum age of thirty-four (34) years for original appointments to a police department unless a different maximum age is established by local ordinance, Council hereby determines that increasing the maximum age for such appointments to the Oxford Police Department will benefit the public interest and general welfare of the citizens of Oxford, Ohio.

SECTION 2: Council hereby establishes the age of sixty (60) as the maximum age for an original appointment to the Oxford Police Department. No person shall be declared disqualified for such appointment as over age prior to his or her sixty-first (61st) birthday.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in that formal action were in meetings open to the public, to the extent required by the Charter, by the ordinances of this city, and by any applicable state law.

SECTION 4: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 18, 2011

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

January 6, 2011
Date Prepared

Agenda Title:	Environmental Commission Meeting of January 5, 2011
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, January 5, 2011 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; City Council Representative, Mr. Greig Rutherford; Planning Commission Representative, Mr. Ted Wong, Mr. Kevin Armitage, and Mr. Vince Hand. A quorum was present.

Minutes from the December 5, 2010 meeting were unanimously accepted as presented.

Summaries of the Municipal Energy Efficiency and the Communication Sub-Committee meetings were presented. Copies of the Sub-Committee minutes as prepared by the Sub-Committee members accompany this Staff Summary Report.

Misters Ted Wong, Charlie Ford, Wright Gwyn, and Kevin Armitage of the Municipal Energy Efficiency Sub-Committee publically met at the Lane Library on December 8, 2010. Thoughts of how to assist Oxford address energy efficiency were discussed. The idea of requesting an energy service company (ESC) to conduct energy audits was presented. Typically, an ESC will perform a basic, initial energy audit at no charge to identify potential areas of improvement and cost savings. Should the community chose to continue, a more detailed survey for a fee is conducted, options are presented, and the ESC assists the community in securing low-cost loans or grants for the work option(s) the community chooses. Funds saved by the efficiencies could be applied to re- pay any loans, and once the loan is satisfied, the money saved by the energy efficiencies is then available for other work in the community. The Municipal Energy Efficiency Sub-Committee has scheduled a January 19, 2010 meeting with Oxford's Director of Service to investigate how the Sub-Committee may be of assistance to the City.

The Communications Sub-Committee met on December 15, 2010 at the Lane Library. Misters Wright Gwyn and Vince Hand were in attendance, and discussed options for effective communications with the public, identifying goals, possible methods of communication, and discussion of other electronic media avenues other than the City web site. The Sub-Committee concluded that Earth Day (April 22, 2011) would be an appropriate target date to have the various communication platforms implemented.

(Continued)

Approved By:

Department Head:
City Manager:

Initial	Date
<u>WBS</u>	<u>1/18/11</u>
<u>[Signature]</u>	<u>1/18/11</u>

Staff informed Commissioners that the Miami University Institute of Environmental Science mid-term presentation of the Bull Run channel erosion public service project is scheduled for 7:00 p.m. on Tuesday, January 18, 2011 in Boyd Hall on Western Campus.

Staff informed Commissioners of Oxford's application for an Ohio Department of Natural Resources, Division of Forestry Ash Tree Removal and Canopy Restoration grant. The 50-50 reimbursement grant application was for the removal of 27 Ash and the planting of 41 street trees at an approximate cost of \$25,500. Commissioners requested Staff provide Oxford's approved street tree list. The Commissioners intend to review the list for non-native trees to the region, removal of the non-native species, and investigate the inclusion of some additional regionally native trees that are currently absent from the list.

The Commission adjourned at 8:40 p.m. The next regularly scheduled meeting of the Environmental Commission is on Wednesday, February 2, 2011 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Meeting Minutes

City of Oxford Environmental Commission Energy Efficiency Subcommittee Meeting

Wednesday December 8, 2010
7:00 pm

Environmental Commission subcommittee members present:
Kevin Armitage, Wright Gwyn, Charles Ford, Ted Wong

The discussion started at 7:00 pm.

Kevin Armitage opened the discussions with an idea to explore the possibility of developing the old Nike missile site on the Western edge of town into a potential wind energy pilot study site.

He explained that Miami University owns the property and a collaborative could be formed between Miami, the city and Duke Energy. He will look into contacts and discuss the potential.

Ted Wong proposed that the subcommittee should begin its work by identifying the major categories of energy use and from there begin the process of auditing the specific components.

Charles Ford mentioned that the previous IES Carbon Sequestration study identified the energy uses in the city could be broken down into 3 components. Buildings consume 49% of total city energy use, water and sewage treatment use 35% and city lighting consumes 25%.

Wright Gwyn suggested the subcommittee try to get the city to put out a request for proposals to Energy Service Companies (ESCO's). ESCO's will come to community facilities and conduct an initial energy audit for free. Based on their recommendations on where the most cost savings are, the City will then need to decide whether or not they wish to continue with the process. If they do, continuing the process would involve conducting a more thorough and comprehensive energy audit and then complete the necessary energy retrofits. The fee for the more comprehensive energy audit and retrofits would be paid for from the guaranteed energy cost savings. Therefore, the money the City is now using to pay for more costly energy bills (and future energy increases) could be redirected to pay for energy improvements. Once the ESCO's bill is fully paid, the City would reap the 100% of the energy cost savings. The ESCO would also provide the time duration of how many years it would take to reach this point in their initial energy audit to help City leaders decide on what, if any, projects they wish to pursue.

Charles Ford recommended that the subcommittee schedule an initial meeting with the city service manager to inform them of our intentions and to investigate how we the

subcommittee could help the city facilitate any initiatives that they would like to undertake pending approval.

Wright Gwyn suggested we approach the city service manager and ask if an audit has ever been performed. Specific questions to ask are: Have they had an energy audit? How was it done? Who did it? What were the conclusions?

Charles suggested everyone review the IES report.

Ted Wong agreed to call city service manager and schedule a meeting with Mr. Driesbach and the Environmental Commission at the Jan. 5th meeting.

Kevin Armitage asked about grant opportunities and whether or not there might be any available that the subcommittee could look into and get the city to apply for. And if the city has a grant writer any opportunities should be forwarded to them.

Charles Ford raised the topic of visibility and awareness. If the Environmental Commission is to be a viable and respected organization it needs to build a presence in the community by organizing events that citizens may participate in and see the work that the commission does.

Wright Gwyn mentioned that the communications subcommittee will be working on restructuring the website, build the internet based social network and listserv.

Meeting adjourned at 8:00 pm

COMMUNICATION NETWORKING SUB-COMMITTEE
of the
ENVIRONMENTAL COMMISSION

Wednesday, December 15, 2010
7:00 p.m.

Lane Library Community Room B
15 South College Avenue, Oxford, Ohio

MEMBERS

Kelly Church, Sub-Committee Leader

Wright Gwyn, Environmental Commission Vice-Chair
Vince Hand

Minutes

- I. Call to Order at 7:15 pm with Wright Gwyn and Vincent Hand attending
- II. There were no Public Remarks
- III. Discussion
 - 1) Effective Communications Tools
 - A. Identify Goals
 - i. Improved and Wider Broadcast of Environmental Commission's Actions to Community
 - ii. Improved and Effective Means of Communication from Citizens to Commission
 - B. A list of communications possibilities include:
 - a. Newspaper—specific articles, letters to the editor
 - b. Facebook—Who will run Facebook?
 - c. E-mail
 - d. Listserve
 - e. Commission webpage on city website
 - f. Twitter
 - g. Newsletter—print, or via e-mail
 - h. Cable TV public service announcements
 - i. City bulletins—are there any?
 - j. other
 - C. Delineate Between Means Appropriate to Environmental Commission Action Versus Private Citizen Action
 - a. Subcommittee thought Facebook/Twitter would be privately oriented, directing people to the City/Environmental Commission (EC) page and

identifying specific items. Could direct to other media outlets as appropriate

- i. Need a catchy name for Facebook (and Twitter)
- ii. Should it have a logo?
- b. Need to rewrite introductory letter from October and put on Facebook

2) Design of Action Template to Bring to Environmental Commission's Attention

A. Prioritize Communication Opportunities

- a. Intro letter needs to be re-written with updates
 - i. Could go in the paper as a letter to the editor introducing Facebook and the city EC webpage
- b. Add links from city webpage to other items, such as the Conservation Development Powerpoint presentation or Reports from subcommittees documenting progress on, for example, municipal energy conservation
- c. Can we make EC webpage more interesting and user friendly?
 - i. What is the procedure for doing this?
 - ii. It should contain more "reference materials" vs. things that change rapidly—These would go on Facebook

B. Timeframe

- a. Planned launch as part of Earth Day, April 22, 2011 (approximately)
 - i. Consider a booth for EC at the uptown festivities
 - ii. Newspaper articles
 - iii. Facebook launch
 - 1. May have pilot before that
 - iv. New EC webpage up and running
 - v. E-mail blast?
- b. Next steps
 - i. Get Facebook account
 - ii. Decide who runs and then develop Facebook account
 - iii. Redesign EC page including links
 - 1. Develop list of links with entire EC input
 - iv. Contact Megan Engle (newspaper ed.) to reserve space for Earth Day article or letter
 - v. Make sure letter is current
 - vi. Do research on internet marketing campaigns and on Search Engine Optimization (SEO) for EC webpage and for Facebook.

IV. Adjourned at 8 pm.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 18, 2011

Kathryn A. Dale
Prepared By

Account Code No. #:

Budgeted Amount:

January 12, 2011
Date Prepared

Agenda Title:	Planning Commission Meeting Report – January 11, 2011
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Recommendation:	N/A
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Election of Officers:

The election of Planning Commission officers took place. Ms. Susan Kay was re-elected to serve as Planning Commission Chair, Mr. David Prytherch will serve as Vice-Chair. Mr. Marvin Hurston was re-elected to serve as Secretary to the Commission.

Mr. David Prytherch was elected to continue to serve on CIC; Mr. Ted Wong will continue to serve on the Environmental Commission, as will Mr. Rich Daniels on the HAPC.

Reports from Commissions, Boards, Committees & Staff:

The 2010 Planning Commission Annual Report was accepted by the Commission for advancement to City Council.

Mr. Chen and Mr. Prytherch shared that January 31, 2011, Randall Arendt, a nationally recognized planner, will be speaking publically at 4:30 p.m. at 115 Shideler Hall on Conservation Development and New Urbanism. A dinner and workshop will be held at 6 p.m. for elected officials, administrators and commission members to discuss development scenarios for the south of Oxford City/Township. The event is sponsored by the Wilks Scholar program for Shaping Sustainable Communities.

DISCUSSION:

Public Hearing:

PC-13-2010 FINAL SUBDIVISION, Campus Commons, Phase 2 & 3, Robert Broestl, Paul W. Baer Trust, Applicant, Agent

The Applicant seeks approval of the Final Subdivision Plat Phase 2 and 3 of the Campus Commons Subdivision. Based on the submittal, Phase 2 and 3 are approximately 3.221 acres. The Preliminary Subdivision was approved by City Council in 2008; the Final Subdivision of Phase 1 was approved in 2009; and building construction was completed in 2010. The overall layout shows that there are a total of 14 building lots. The Applicant has eliminated one single-family lot along the new Wooster cul-de-sac. This Final Subdivision application is complete and substantially reflects the design and layout of the approved Preliminary Plan and all the proposed lots in these two phases appears to have met or exceeded the minimum dimensional standards of the "R2MS" Single and Two-Family Mile Square Residential District. The conditions of Ordinance #3030 appear to be satisfied at this time as well.

A neighboring property owner spoke and stated that while they were not in favor of the development initially, it has turned out to be very good and the developer has made changes during the construction to accommodate neighbor concerns. He asked that the developer consider two additional items: 1) that any existing, mature trees where Poplar Street will be extended northward will be preserved, and 2) that additional trees are provided in the tree lawn on the west side of Poplar Street.

After further discussion with the Planning Commission the Applicant was favorable to keeping the same number of trees shown on the landscaping plan, but redistributing them so that some are provided on the west side of Poplar Street. The Applicant indicated that they would try to preserve as many existing trees as possible, but was concerned that the grading and installation of utilities would damage the root systems, making it impossible to guarantee that the existing trees could be retained.

Upon reviewing the application, the Planning Commission found that the Final Subdivision application is complete and substantially reflects the design and layout of the approved Preliminary Plan and voted 4-0-0 to recommend **APPROVAL** as presented to City Council with the following conditions:

- 1.) That, the construction drawings must be approved by all City agencies prior to the commencement of any work for Phase 2 and 3.
- 2.) That, the number of trees shown on the landscaping plan is redistributed to provide trees on the west side of Poplar Street.
- 3.) That, the developer makes an amicable attempt to preserve any existing, mature trees on the site where possible.

New Business:

There were none.

Other Business:

The Planning Commission was provided the 2011 meeting dates for acceptance.

The next regular meeting is scheduled for February 8, 2011. No cases are scheduled to be heard. The date may be tentatively reserved to meet with City Council regarding revised subdivision regulation language or to serve as a work session for other zoning language that needs to be discussed.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 1/13/11

DME 1/12/11

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 18, 2011

Account Code #: 332.831.51102

Budgeted Amount: \$375,000

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

January 12, 2011
Date Prepared

Agenda Title: Engineering Contract for Wastewater Treatment Plant Improvements

Recommendation: Approve

Discussion: The 2011 Capital Improvement Plan (CIP) includes \$375,000 for design and engineering of improvements at the City's wastewater treatment plant (WWTP). In 2010, the City completed a study of biosolids and return activated sludge processes at the WWTP. This study analyzed our current practices and made recommendations for improvements that will keep the City in compliance with OEPA permits as well as make the plant run as efficiently and economically as possible.

The City has an existing professional service contract with Arcadis for engineering services through the end of 2011. Arcadis has performed an update of the WWTP Master Plan and has designed several major improvements at the Plant including the installation of an ultraviolet light pathogen destruction system, clarifier improvements, and a disc aeration system. The City has been very pleased with Arcadis' work. Projects have been constructed with minimal change orders; being delivered on time and under budget.

As a result of the completed study and updated master plan, staff has prioritized improvements to include replacement of the anaerobic digester appurtenances including the sludge heater; digester tank floating covers; digester mixing system; all recirculation and transfer pumps, piping, and valves; ventilation system; and gas safety systems. Added priority was also placed on the Return Activated Sludge (RAS) pumping system to maximize compliance with our NPDES discharge permit from the OEPA. This project will also include a design to replace the non-potable water system throughout the plant so that treated wastewater may be recycled in Plant processes thereby minimizing the amount of potable water consumed by the Plant. These systems have been in service since 1970 and are in need of rehabilitation and modernization.

The City examined eight different technologies to determine the best method for biosolids processing. Four technologies were dismissed as not being economically viable including alkaline stabilization, composting, aerobic digestion, and air drying. Four other technologies were studied including auto-thermal digestion, thermal drying, microwaving drying, and anaerobic digestion. Based on process control and economics, it is clear that anaerobic digestion should be utilized to process biosolids at the WWTP.

(Continued)

Approved By:

Department Head:

City Manager:

Initial Date
MD 1/13/11
MD 1/14/11

Staff Summary Report for WWTP Improvements (continued)

The initial estimate of probable costs to construct these improvements is approximately \$2.7M. Staff is actively seeking grants (and/or loan principal forgiveness) through the Ohio Water Pollution Control Fund to help finance these improvements. Based on the projected costs of construction, Staff estimated design and engineering costs to be approximately \$300,000 (11-12% of estimated project costs). The City has a proposal from Arcadis detailing the scope of their proposed work at a cost of \$258,000.

Having design and engineering tasks completed for these improvements will place the City in a more competitive position for grant funding to help finance these projects. Ideally, some outside funding may be secured prior to the planned construction of these improvements in FY2012.

It is Staff's recommendation the City Council authorize the City Manager to enter into a Contract with Arcadis U. S., Inc. to design and engineer specified improvements at a cost of \$258,000. Staff is requesting a ten percent contingency in the amount of \$25,800; therefore the contract cost shall not exceed **\$283,800**.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCADIS U.S., INC. TO DESIGN AND ENGINEER SPECIFIED IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT AT A COST OF \$258,000 PLUS A TEN PERCENT (10%) CONTINGENCY FEE IN THE AMOUNT OF \$25,800 FOR A TOTAL COST NOT TO EXCEED \$283,800.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and Service Director recommend Council authorize the City Manager to enter into a contract with Arcadis U.S., Inc. to design and engineer specified improvements at the Wastewater Treatment Plant at a cost of \$258,000 plus a ten percent (10%) contingency fee in the amount of \$25,800 for a total cost not to exceed \$283,800.

SECTION 2: Council accepts the recommendation of the City Manager and Service Director to enter into a contract with Arcadis U.S., Inc. for the design and engineering of specified improvements at the Wastewater Treatment Plant at a cost of \$258,000 plus a ten percent (10%) contingency fee in the amount of \$25,800 for a total cost not to exceed \$283,800.

SECTION 3: Council authorizes the City Manager to enter into a contract with Arcadis U.S., Inc. to design and engineer specified improvements at the Wastewater Treatment Plant at a cost of \$258,000 plus a ten percent (10%) contingency fee in the amount of \$25,800 for a total cost not to exceed \$283,800.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: January 18, 2011

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 22, 2010

Date Prepared

Agenda Title: A Resolution adopting the Butler County Emergency Management Agency's Tornado Siren Activation Policy.

Recommendation: Adopt the Resolution

Discussion:

Under the proposed policy, Tornado sirens would be activated when the National Weather Service issues a tornado warning or Doppler radar indicates a tornado cell anywhere in Butler County. Sirens could also be activated if a credible source such as a local public safety official sights a funnel cloud. According to Jeff Galloway, Director of the Butler County Emergency Management Agency, if the City operated under this policy, the sirens would have been activated four times in 2009. If Council adopts the proposed policy, the City Public Safety Department will communicate the new policy to the community with a special focus on the Talawanda School District, McCullough-Hyde Hospital, Miami University and Schneider Electric.

To date, Reily Township, the City of Fairfield, Liberty Township and the Village of Seven Mile have signed on to the policy. West Chester Township and the City of Monroe are in the process.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

The block contains handwritten signatures and initials. There is a large 'X' mark, a signature that appears to be 'D.E.', and another signature that appears to be 'J. Elliott'.

RESOLUTION NO.

A RESOLUTION ADOPTING THE BUTLER COUNTY EMERGENCY MANAGEMENT AGENCY'S TORNADO SIREN ACTIVATION POLICY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager, Police Chief and Fire Chief recommend that the City of Oxford adopt the Butler County Emergency Management Agency's Tornado Siren Activation Policy attached hereto as Exhibit "A" creating one County-wide Tornado alert system.

SECTION 2: The Oxford City Council has determined that the Tornado Siren Activation Policy would be of benefit to the citizens of Oxford and hereby accepts the recommendation of the City Manager, Police Chief and Fire Chief and authorizes the City of Oxford to adopt the Butler County Emergency Management Agency's Tornado Siren Activation Policy attached hereto as Exhibit "A".

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

BUTLER COUNTY EMERGENCY MANAGEMENT AGENCY**Standard Operating Guide**

ISSUING COMMAND: EMERGENCY MANAGEMENT		S.O.G.#: EMA 10-002
ISSUE DATE: JULY 1, 2010	EFFECTIVE DATE: SEPTEMBER 15, 2010	
SUBJECT: ACTIVATION OF TORNADO / WEATHER WARNING SIRENS		
SUB-TOPIC: PURPOSE, SCOPE, DISTRIBUTION, DEFINITIONS, POLICIES AND PROCEDURES		
REFERENCES:		

1.0 PURPOSE

The purpose of the Tornado activation policy is to provide one consistent County-wide activation procedure to warn the public of an immediate or threatening tornado to the citizens of Butler County. This Standard Operating Guideline (SOG) will also cover notifications of Tornado Warnings for Butler County by the National Weather Service and a County-wide activation.

Once one or any Agency in Butler County has activated their Tornado Sirens every and all Agencies will follow with the same Tornado activation creating one County-wide Tornado alert system.

In order to take advantage of this policy, the Butler County Emergency Management Agency in association with the Tornado Siren Committee has developed the following procedures and guidelines for the County-wide Tornado Siren activation

Please contact the Butler County Emergency Management Agency at 513-785-5810 with any questions.

2.0 SCOPE

This Standard Operating Guideline (SOG) applies to all political subdivisions and public safety organizations that own and operate a Tornado Siren in Butler County, Ohio.

The Butler County Emergency Management Agency (BCEMA) and the Tornado Siren Committee will continue to meet and improve this policy to better serve the citizens of Butler County during a Tornado threat.

3.0 DISTRIBUTION

To all political subdivisions and public safety responders who own and operate a Tornado Siren within Butler County, Ohio.

4.0 POLICY AND PROCEDURES

1. **National Weather Service issues a tornado warning:**
Upon receiving a Tornado Warning from the National Weather Service in all or any portion of Butler County, all Agencies responsible for activating Tornado Sirens will activate the sirens they are responsible for immediately. Each Agency responsible for activation will coordinate via BC Calling or via PSAP talkgroup to confirm their sirens have been activated. All County-wide Tornado Siren activations should last a minimum of 2 full cycles or 5 minutes.
2. **National Weather Service notification of Doppler indicated cell.**
Upon receiving notification from the National Weather Service in all or any portion of Butler County of a Doppler indicated Tornado cell, all Agencies responsible for activating Tornado Sirens will activate the sirens they are responsible for immediately. Each Agency responsible for activation will coordinate via BC Calling or via PSAP talkgroup to confirm their sirens have been activated. . All County-wide Tornado Siren activations should last a minimum of 2 full cycles or 5 minutes.
3. **Public Safety Official / (Sighting of a funnel cloud)
(Credible Accountability – weather spotter)**
Upon receiving notification from a credible source to include Law Enforcement Officials, Fire and EMS Officials, Emergency Management Officials, NWS Weather Spotters or numerous calls from the public in a specific area, all Agencies responsible for activating Tornado Sirens will activate the sirens they are responsible for immediately. Each Agency responsible for activation will coordinate via BC Calling or via PSAP talkgroup to confirm their sirens have been activated. All County-wide Tornado Siren activations should last a minimum of 2 full cycles or 5 minutes.
4. **Police Chief / Sheriff / Fire Chief / Emergency Management Officials or designee**
Any Police Chief, Fire Chief, Butler County Sheriff or Emergency Management Director or their designee's has the authority to activate the County-wide Tornado alert system with credible information or actual eye-witness sighting. All Agencies responsible for activating Tornado Sirens will activate the sirens they are responsible for imminently. Each Agency responsible for activation will coordinate via BC Calling or via PSAP talkgroup to confirm their sirens have been activated. All County-wide Tornado Siren activations should last a minimum of 2 full cycles or 5 minutes
5. **City Ordinance/Township Policy**
Activation according to any City ordinance or Township policy will be followed under this policy and all Agencies responsible for activating Tornado Sirens will activate the sirens they are responsible for immediately as well. Each Agency responsible for activation will coordinate via BC Calling or via PSAP talkgroup to confirm their sirens have been activated. All County-wide Tornado Siren activations should last a minimum of 2 full cycles or 5 minutes

6. **Communications Centers will make announcement on PSAP Talkgroup channel**
Once all Agencies responsible for activating Tornado Sirens have activated the sirens they are responsible for each agency dispatch center will coordinate via the internal PSAP talkgroup or BC Calling to confirm their sirens have been activated in accordance with All-County Broadcast Policy.

5.0 MAINTENANCE AND REPAIRS

- A. Any and all political subdivisions, Cities or Townships who own or lease a Tornado Siren shall be responsible for any and all costs associated with normal maintenance, repairs and up keep of their sirens. At no time will Butler County Emergency Management Agency or the Tornado Siren Committee be responsible for costs associated with maintenance or repairs of any and all Tornado Sirens within Butler County..
- B. In accordance with these guidelines, procedures and policies all political subdivisions in Butler County accept and authorize the Butler County Emergency Management Agency and the Tornado Siren Committee to officially place **S.O.G.#: EMA 10-002** into County-wide policy.

6.0 TESTING AND REPORTING

- A. All Tornado Sirens will be activated the first Wednesday of each month at 12:00 pm by each responsible dispatch center for the purpose of testing the sirens.
- B. The primary political subdivision will provide Butler County Emergency Management Agency a list of all new siren locations when installed.
- C. The primary political subdivision will provide Butler County Emergency Management Agency a list of all siren locations which currently are not working or are being repaired as well as completed repairs to out of service sirens.

ISSUING AUTHORITY: _____

Jeff Galloway, Director
Butler County Emergency Management Agency

ISSUING AUTHORITY: _____

TITLE: _____

REPRESENTING AGENCY: _____

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 18, 2011

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

January 3, 2011

Date Prepared

Agenda Title: Release of a Performance Bond in the amount of \$196,400.05 for Reckford Woods Subdivision and acceptance of a new Performance and Maintenance Bond.

Recommendation: Approval

Discussion:

The Engineering Division has inspected Reckford Woods Subdivision and determined that the subdivision is being constructed in conformance with approved plans and specifications for the project.

Approximately 85% of planned public improvements have been constructed. The remaining work to be completed within the right-of-way consists of concrete sidewalk installation, street asphalt surface layer, street lighting poles, and minor grading and seeding. The value of the work to be performed is established at \$33,800.

The City of Oxford holds a performance bond of \$196,400.05; the Developer has requested the posted bond be reduced to \$33,800.

Staff recommends City Council approve the release of the initial performance bond in the amount of \$196,400.05 and the acceptance of a new performance and maintenance bond in the amount of \$33,800.00.

Approved By:

Initial

Date

Department Head:

MJD 1/3/11

City Manager:

MD 1/6/11

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND IN THE AMOUNT OF \$196,400.05 FOR RECKFORD WOODS SUBDIVISION, PHASE I, AND ACCEPTING A NEW PERFORMANCE BOND IN THE AMOUNT OF \$33,800.00.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The developer, having partially met the terms and conditions for which a performance bond in the amount of \$196,400.05 was given, is hereby released by Council, and a new performance bond in the amount of \$33,800.00 is hereby accepted.

SECTION 2: The City Manager and the Clerk of Council are hereby authorized to execute the necessary paperwork, reducing the performance bond and to take all other steps necessary.

SECTION 3: This reduction is hereby given upon report of the City Engineer that a portion of the work secured by the performance bond has been satisfactorily completed.

SECTION 4: This Resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: January 4, 2011

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

December 20, 2010
Date Prepared

Agenda Title:	A Resolution Authorizing the City Manager to Amend and Continue the Professional Services with the National Inspection Corporation (NIC) for the Chief Building Official/Plans Examiner Duties, Inspection Services for Building and Housing, and Property Maintenance Compliance Inspections for the City of Oxford
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Recommendation:	Approval
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Discussion:

A service contract between the City and NIC has been in place since 1998, and property maintenance services were added to the contract in 2006. The objective in contracting NIC for these functions was the cost savings generated by not having to employ additional staff for property inspections or Chief Building Official duties.

Due to changes in the 2011 fee schedule and the desire to capture the increased portion from 2010 fee schedule to offset the increasing cost on the City's portion, Staff recommends amending the existing NIC contract to reflect these changes.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

JHC 1/7/11

[Signature] 1/14/11

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED CONTRACT WITH NATIONAL INSPECTION CORPORATION FOR THEIR SERVICES AS CHIEF BUILDING OFFICIAL/PLANS EXAMINER, INSPECTION AND PROPERTY MAINTENANCE COMPLIANCE INSPECTION SERVICES FOR THE CITY OF OXFORD.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and Community Development Director recommend the continuation of Chief Building Official/Plans Examiner, inspection and property maintenance compliance inspection services by National Inspection Corporation of Centerville, Ohio.

SECTION 2: The City Manager is hereby authorized to enter into an amended contract with National Inspection Corporation, Centerville, Ohio, for Chief Building Official/Plans Examiner, inspection and property maintenance compliance inspection services for the City of Oxford.

SECTION 3: This resolution shall take effect at the Earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

AGREEMENT

The City of Oxford, Ohio (“Oxford”), 101 E. High Street, Oxford, OH 45056-1887, and National Inspection Corporation, 311 Regency Ridge, Centerville, Ohio 45459 (“NIC”), an Ohio corporation, hereby enter into this Agreement upon the terms and conditions as set forth herein.

WHEREAS, Ohio Revised Code Section 3781.10(E)(1) provides in part:

“Enforcement authority for approval of plans and specifications may be exercised, and plans and specifications approved on behalf of a municipal corporation or county, by any of the following who meet the qualifications established by the Board of Building Standards:

- a. Officers or employees of the municipal corporation or county;
- b. Persons, or employees of firms or corporations, when such persons, firms or corporations are under contract to furnish architectural or engineering services to the municipal corporation or county, and such authority is exercised pursuant to such contract; and

WHEREAS, Ohio Revised Code Section 3781.10(E)(2) provides in part:

“Enforcement authority for inspections may be exercised, and inspections made on behalf of a municipal corporation or county by any of the following who meet the qualifications established by the Board of Building Standards:

- a. Officers or employees of the municipal corporation or county;
- b. Persons or employees of firms or corporations when such persons, firms or corporations are under contract to furnish inspection services to the municipal corporation or county and such authority is exercised pursuant to such contract”; and

WHEREAS, Oxford and NIC desire to enter into a contract for NIC to perform plans review and to exercise enforcement authority for plan review and inspections as set forth in this Agreement and to provide Building Officials services and supervision of the Building Department for the City of Oxford; and

WHEREAS, the services to be performed by NIC are of a technical, non-competitive and professional nature;

NOW, THEREFORE, Oxford and NIC agree as follows:

1. NIC will provide Chief Building Official (“CBO”) and Deputy services for the City of Oxford which shall be the relevant functions described in The Ohio

Building Code and local city ordinances. The CBO will be available in person or by telephone during regular business hours to perform his/her duties. Additionally, NIC will manage the operations and staff of the Building Department under the supervision of the Community Development Director.

2. Oxford agrees that NIC shall exercise enforcement authority for inspection on behalf of Oxford and shall review plans and specifications. Such authority conveyed to NIC by this Agreement shall be no more than authority conveyed to Oxford, Ohio by its Building Code and by the Revised Code Sections 3781.10(E)(1) and (E)(2).

3. NIC agrees to fully and diligently exercise enforcement authority for inspections and complete plan reviews within Oxford and to conduct plan reviews on behalf of Oxford. No waiver of code requirements shall be issued by NIC. Plans are to be submitted to Oxford's municipal office at its address as written above. Plans will be reviewed in the order received.

4. NIC agrees that Plan Reviews will maintain state certification as required by law. Plan review shall be performed by a certified Plans Examiner for all plans submitted for a permit under the requirements of the Ohio Building Code (OBC).

5. NIC agrees to fully and diligently perform the following inspections and related administrative tasks in a timely manner:

- a. CBO/Plan Examiner Service
- b. OBC and OBOA construction
- c. Electrical Safety
- d. Existing construction/Rental Housing
- e. ***Property Maintenance***

6. Collection of permit fees shall be the sole responsibility of Oxford.

7. NIC agrees to indemnify Oxford for any loss or liability, caused by or arising out of action or inaction of NIC or any of its employees taken or required to be taken under this Agreement. NIC further shall be required to carry a policy of general liability insurance with limits not less than \$1,000,000.00 and errors and omission coverage with limits of not less than \$500,000.00, and shall provide Oxford with certificates evidencing said insurance coverage, as well as a certificate evidencing worker's compensation coverage if applicable to Oxford upon request.

8. NIC agrees to submit any dispute regarding the City of Oxford building code to the City Manager for final decision and to accept such decision of the City Manager. Disputes of a technical nature shall follow the normal adjudication and appeals process.

9. NIC agrees to furnish the following specific services to Oxford:

- a. Examine plans and specifications for proposed work as required by the Oxford Building Code, the Ohio Building Code and all other related

laws and ordinances. Such examination and plan approval pertains only in general to technical and energy code compliance. Any part which may be in violation will not be considered as being approved. NIC will not approve the issuance of any building permit until a zoning certificate has been issued.

b. Upon request, advise applicants on code requirements, but shall not perform design services for the completion of inadequate applications.

c. Sign permits and certificates of occupancy when the plans and work complies with all applicable regulations, ordinances and statutes.

d. Upon request of the Oxford Law Director or Mayor, make itself reasonably available for and shall testify in any judicial proceeding or any formal or informal dispute resolution proceeding involving issues arising from the performance of the services herein described. NIC shall be paid \$75.00 per hour for the time any of its employees or principals shall take to fulfill the requirement as set forth in this section.

e. Provide utility companies with certificates of approval when necessary for the release of new services.

f. Provide city-wide property maintenance inspection and enforcement services for compliance purposes.

10. All documents, including applications, plan review, job progress reports and inspection reports shall remain the property of Oxford.

11. Oxford and NIC will mutually agree to the personnel to be assigned to perform the provisions of the services provided for in this Agreement. While this Agreement is in effect and for one year after termination, Oxford will not offer employment to, nor solicit any employment applications from employees or contractors of NIC.

12. This Agreement shall be effective upon the date of execution and shall continue until terminated. Either party may cancel this agreement upon 90 days notice.

13. Oxford has established a statutory permit fee schedule as enumerated in the Ordinances of Oxford. ~~A copy of the relevant permit fees in appended hereto as exhibit "A" and incorporated by reference herein. The fee schedule shall not be lowered without 90 days prior notice to NIC. Oxford shall pay to NIC as the fee for the services described herein ninety percent (90%) of all fees charged by Oxford pursuant to the aforesaid ordinance (excluding the supplemental 3% fee paid directly to the Ohio Board of Building Standard.)~~ ***Oxford shall pay to NIC as the fee for the building and rental services described herein ninety percent (90%) of all fees charged by Oxford based on the approved 2010 Fee Schedule Ordinance (excluding the supplemental fee paid***

directly to the Ohio Board of Building Standards). The fee schedule is appended hereto as exhibit "A" and incorporated herein. Furthermore, Oxford shall pay to NIC \$900 per week for the enforcement of City's International Property Maintenance Code.

14. This Agreement may be terminated by either party hereto for cause if the other party breaches any material term of this Agreement.

15. All notices to be given by or to either party to this Agreement shall be sent by U.S. Mail, Certified, returned receipt requested to the address as is noted above or as it is duly noticed by either party. All such notices shall be effective as of the date received.

16. This Agreement shall be construed under and in accordance with the laws of the State of Ohio, and all obligations to the parties created under this Agreement are performable in Butler County, Ohio.

17. This Agreement shall be binding and inure to the benefit of the parties of this Agreement and their respective heirs, executors, administrators, legal representatives, successors and assigns as permitted by this Agreement.

18. In the case of one of more of the provisions contained in this Agreement shall for a reason be held invalid, illegal or unenforceable in any respect, that invalidity, illegality or enforceability shall not affect any other provisions. This Agreement shall be construed as if the invalid, illegal or unenforceable provision had never been contained in it.

19. This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.

20. This Agreement may not be assigned to an unrelated third party.

The City of Oxford, Ohio

Date _____

By: _____
City Manager

National Inspection Corporation

Date: _____

By: _____
President

Exhibit "A"

C. INSPECTIONS

1) One, Two, and Three-Family Dwellings and Accessory Buildings (OBOA - Ohio Building Officials Association)

a. New Construction

Building	25.00 plus 10.00 per 100 square feet of gross floor area.
Mechanical	25.00 plus 4.00 per 100 square feet of gross floor area.
Electrical	25.00 plus 3.00 per 100 square feet of gross floor area.

b. Miscellaneous

Accessory Buildings

0-600 square feet	40.00 per structure
601 + square feet	7.00 per 100 square feet
Furnace installation/replacement	30.00
Central air condition installation/replacement	30.00
Combination furnace/central air Installation/replacement	60.00
Minor Electric	30.00
Demolition	50.00
Alterations/Remodeling/Fire Repair	
0-600 square feet	40.00
601 + square feet	10.00 per 100 square feet
Partial permits (where granted)	50.00
Temporary Certificate of Occupancy	40.00
Swimming Pool	
In-ground	90.00
Above ground	40.00

2. Commercial and Residential Buildings (Ohio Basic Building Code)

Commercial and residential

a. New Construction

Building	120.00 plus 7.00 per 100 square feet of gross floor area, including accessory buildings
Mechanical	100.00 plus 3.00 per 100 square feet of gross floor area, including accessory buildings
Electrical	150.00 plus 2.50 per 100 square feet of gross floor area, including accessory buildings
Alterations/Remodeling/Fire Repair	80.00 plus 3.00 per 100 square feet

Fire Suppression Systems	150.00 plus 3.20 per 100 square feet of gross floor area.
Hood Suppression Systems	100.00
Hood System	80.00
Fire Alarm System	100.00 plus 1.00 per 100 square feet of gross floor area
Minor Electric	80.00
Second and Subsequent plan review	75.00 per hour

b. Miscellaneous

Demolition	80.00
Furnace/AC Replacement	80.00
Partial Permit (where granted)	100.00
Temporary Certificate of Occupancy	80.00

OBBC Surcharge

Applications covered by the OBBC will be assessed an additional 3% surcharge fee as mandated by Ohio Administrative Code Section 4101:2-1-50(b).

3. Other Fees

(Applies to both OBOA and OBBC buildings unless otherwise noted.)

Moving or relocating buildings	250.00
Building Permit Renewal	50.00
Electric Service Upgrade	35.00
Temporary Pole	30.00
Change of Building Plans (after approval)	50.00 plus cost of plan review
Fuel Storage Tank (per tank)	25.00
Certificate of Use and Occupancy (not associated with building permit)	80.00
Awnings, tents	25.00
Signs	50.00
Reinspection Fee	30.00
Work without a permit	Greater of \$200.00 or twice the cost of the permit fee
(Starting construction without a permit)	
Gas Line (per meter)	30.00
Re-review fee (charge for Re-review of building/ Site plans for 3 rd Revision or beyond)	30.00

5. Rental Housing Permits

Initial Establishment (or if inactive for 2 years or more)	
First unit	100.00
Each additional unit	25.00
Fraternity	300.00 for first 50 persons, 10.00 for each additional person

Annual Renewal & Ownership Transfer

First unit	50.00
Each additional unit	25.00
Rooming house or lodging house	100.00
Fraternity	300.00 for first 50 persons, 10.00 for each additional person

Re-inspection (charge for a second site visit to re-inspection and each subsequent re-inspection. This charge also applies to additional site visits due to "no show" by agent/owner/designee)

First unit	75.00
Each additional unit	10.00
Rooming house or lodging house	75.00
Fraternity	75.00