

Office of the Mayor

Proclamation

Whereas: Oxford Seniors has been serving the Oxford and surrounding communities since 1953; and

WHEREAS, in 1977, Oxford Seniors Citizens became incorporated and began receiving funding from United Way and the area Council on Aging; and

WHEREAS, senior transportation began in 1978 as the 'Help Van', and the Congregate Meal Program followed the same year; and

WHEREAS, in 1990, Oxford Seniors became the provider for the Home Delivered Meals Program, and the Community Adult Day Service was added in 2000 to serve older adults with special needs; and

WHEREAS, in April of 2009, Oxford Seniors received a grant which was used to develop a new logo and marketing materials; and

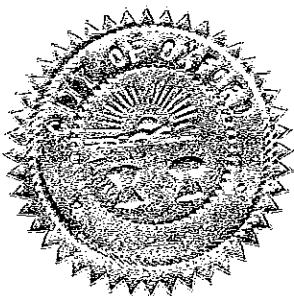
WHEREAS, Oxford Seniors offers an ever-expanding range of services to its members.

NOW, THEREFORE, I, Richard Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim Monday, January 25, 2010 as Oxford Seniors:

'NEW YEAR!, NEW LOGO!, NEW LOOK! DAY'

in the City of Oxford and encourage all citizens to help launch and celebrate their new look.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of January, 2010.



RICHARD KEEBLER, MAYOR

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: January 19, 2010

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

January 7, 2010

Date Prepared

Agenda Title: A Resolution affirming the City of Oxford's support of and partnership with the 2010 Census.

Recommendation: Adopt the Resolution

Discussion:

Census questionnaires will be delivered or mailed to households via mail or hand delivery in March 2010.

The theme for the 2010 Census is 'It's in Our Hands'.

The City's goal is to ensure that every resident is counted. A complete and accurate count is important for our community since the allocation of federal government dollars can be based, in part, on Census data. Census data also determine representation in the U.S. House of Representatives.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 1/12/10

RESOLUTION NO.

A RESOLUTION AFFIRMING THE CITY OF OXFORD'S SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS.

WHEREAS: the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population which provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS: our organization is committed to ensuring every resident is counted;

WHEREAS: more than \$400 billion per year in federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data, including health care, community development, housing, education, transportation, social services, employment and much more;

WHEREAS: Census data help determine how many seats each state will have in the U.S. House of Representatives and often is used for the redistricting of state legislatures, county and city councils and voting districts;

WHEREAS: the 2010 Census creates hundreds of thousands of jobs across the nation;

WHEREAS: every Census Bureau worker takes a lifetime oath to protect confidentiality. The Census Bureau ensures that the data identifying respondents or their household not be released or shared for seventy two (72) years;

WHEREAS: a united voice from business, government, community-based and faith-based organizations, educators, media and others will allow the 2010 Census message to reach a broader audience, providing trusted advocates who can spark positive conversations about the 2010 Census;

Now, therefore, BE IT RESOLVED that our organization:

1. Supports the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage participation.
2. Asks its affiliates and memberships to work together to achieve an accurate and complete count.
3. Encourages people in our community to participate in events and initiatives that will raise the overall awareness of the 2010 Census and increase participation among all populations.

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

MAYOR

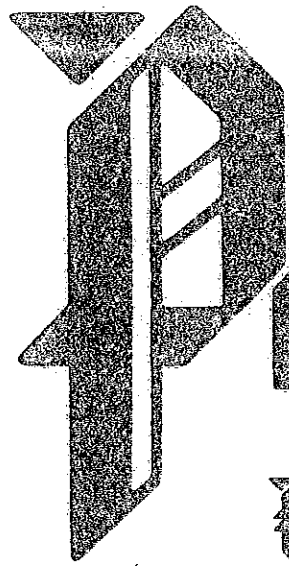
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)



Office of the Mayor

Proclamation

Whereas: the Reverend, Dr. Martin Luther King, Jr. believed "that social change comes most meaningfully through nonviolent action;" and

WHEREAS, Dr. King knew that it took whites and blacks together to march for change and justice; and

WHEREAS, Dr. King stated in a press conference before their 1966 march in Mississippi: "This isn't any time for organizational conflicts, this isn't any time for ego battles over who's going to be the leader. We are all the leaders here ... You see, to change Mississippi we've got to be together;" and

WHEREAS, the people of the greater Oxford community strive toward the goal of realizing that we, too, must all be leaders and truly be together to have justice and equality for all people in our community; and

WHEREAS, we must follow Dr. King's words and "rise up with a greater readiness. Let us stand with a greater determination," to make our community what it ought to be without biases based upon race, gender, color, orientation, or any other "ism."

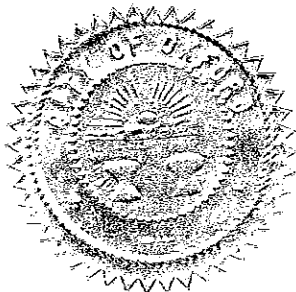
NOW, THEREFORE, I, Kenneth H. Bogard, Vice Mayor of the City of Oxford, Ohio, do hereby proclaim January 18, 2010 through January 22, 2010:

'REV.DR. MARTIN LUTHER KING, JR. WEEK'

in the City of Oxford and urge all citizens to honor Rev. Dr. King and his legacy by showing acceptance toward their fellow men and women, promoting peace, equality, justice, and helping freedom exist everywhere for all people.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of January, 2010.

KENNETH H. BOGARD, VICE MAYOR



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: January 19, 2010

John Detherage

Account Code No. #: 416.150.52520, 140.150.50902

Prepared By

Budgeted Amount: \$15,000 / \$10,000

January 4, 2010

Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to purchase three (3) Thermal Imaging Cameras with truck mounts and chargers.

Recommendation: Adopt the Resolution to purchase three (3) thermal imaging cameras with truck mounts and chargers from Trudo/Albert Fire Equipment at a price not to exceed \$25,000.00.

Discussion: These Thermal Imaging Cameras will replace three current units, one of which is non-functional and all three are no longer supported by the manufacturer making them impossible to have repaired. New technology will allow thermal image capture (pictures) for evidence and investigation, a zoom feature, and truck mounts with vehicle chargers to have the cameras ready to go at all times. The proposed units carry a two year complete warranty compared to a one year complete or two year partial coverage offered by most of the industry. Two of the cameras will be funded with the award from the 2008 Assistance to Firefighters Grant and the remaining camera, truck mounts, and chargers covered by budgeted CIP funds.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JDE 1-4-10
JDE 1-12-10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER AND FIRE CHIEF TO ENTER INTO AN AGREEMENT WITH TRUDO/ALBERT FIRE EQUIPMENT L.L.C. FOR THE PURCHASE OF THREE (3) THERMAL IMAGING CAMERAS WITH TRUCK MOUNTS AND CHARGERS AT A COST NOT TO EXCEED \$25,000.00 UTILIZING FUNDS IN THE AMOUNT OF \$15,000.00 AWARDED FROM THE 2008 ASSISTANCE TO FIREFIGHTERS GRANT AND THE BALANCE FROM BUDGETED CAPITAL IMPROVEMENT ("CIP") FUNDS.

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

SECTION 1: The City advertised for bids in the Hamilton Journal on December 14, 2009 and December 21, 2009. Two sealed bids were opened and publicly read on December 30, 2009. The lowest bid was provided by Trudo/Albert Fire Equipment L.L.C. in the amount of \$23,895.00.

SECTION 2: The City Manager and Fire Chief recommend and Council hereby accepts the recommendation of the City Manager and the Fire Chief that three (3) thermal imaging cameras with truck mounts and chargers be purchased from Trudo/Albert Fire Equipment L.L.C. at a cost not to exceed \$25,000.00.

SECTION 3: Council hereby authorizes the City Manager and Fire Chief to enter into an agreement with Trudo/Albert Fire Equipment L.L.C. for the purchase of three (3) thermal imaging cameras with truck mounts and chargers at a cost not to exceed \$25,000.00 utilizing funds awarded from the 2008 Assistance to Firefighters Grant in the amount of \$15,000.00 and the balance from budgeted Capital Improvement ("CIP") funds.

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
Originating Department

Council Meeting Of: January 19, 2010

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

January 3, 2010
Date Prepared:

Agenda Title:	An Ordinance Amending Section 1159.09(7) of the Codified Ordinances of the City of Oxford, Ohio, Entitled Definitions (Beginning with the Letter H)
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Discussion:

Recently, City Council amended Section 505.17 Codified Ordinance to allow the keeping of chickens in residential districts. The adoption of this section created conflicting language among various chapters of the Codified Ordinance and needs to be reconciled.

This is a housekeeping issue to clarify the intent and clean up inconsistencies between chapters of the Codified Code. The recommended change is fairly minor in nature.

The Planning Commission at its December 8, 2009 regular meeting, voted unanimously to recommend City Council adopt this amendment.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

JHC 1/11/10

EM 1/12/10

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 1159.09 OF THE CODIFIED ORDINANCE OF THE CITY OF OXFORD, OHIO, ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "H").

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on December 8, 2009 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended amending Oxford Codified Ordinance Section 1159.09 of the Definitions (Beginning with the letter "H") for the purpose of clarifying the City's Codified Ordinances.

SECTION II: Council hereby accepts the recommendation of the Planning Commission that Section 1159.09 of the Codified Ordinances of the City of Oxford, Ohio be modified to clarify the City's Codified Ordinances.

SECTION III: Section 1159.09 of the Codified Ordinances of the City of Oxford, Ohio is hereby amended to read as follows (language to be repealed is ~~stricken through~~ and language to be adopted is in **bold**):

1159.09 DEFINITIONS (BEGINNING WITH LETTER "H").

(1) **HABITABLE SPACE-** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, and halls.

(2) **HANDICAP** - With respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. This definition does not include current illegal use of, or addiction to, a controlled substance. For purposes of this part, an individual shall not be considered to have a handicap solely because that individual is a transvestite. As used in this definition:

- A. "Physical or mental impairment" includes: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genitourinary, hemic and lymphatic; skin, and endocrine; OR any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes but is not limited to such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular immunodeficiency virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current illegal use of a controlled substance) and alcoholism.
- B. "Major life activities" - functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- C. "Has a record of such an impairment" - has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- D. "Is regarded as having impairment":

1. Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by another person as constituting such a limitation;
2. Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
3. Has none of the impairments defined in subsection 1159.09 (2) of this definition but is treated by another person as having such an impairment.

(3) **HEDGE** - A dense row of shrubs, grasses or low trees.

(4) **HOME OCCUPATION** - A service occupation conducted within a dwelling unit by the residents.

(5) **HOSPITAL** - An institution providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient department, training facilities, central service facilities, and staff offices which are an integral part of the facility.

(6) **HOTEL** - A commercial facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.

(7) **HOUSEHOLD-PETS- ANIMALS** - dogs, cats, rabbits, birds and **chickens** for non-commercial family use only.

SECTION IV: 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)

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	January 7, 2010
<u>Case Number</u>	PC-16-2009
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To amend Section 1159.09(7) Definitions (beginning with the Letter H) of the Codified Ordinances of the City of Oxford, OH
<u>Public Hearing Information</u>	On December 8, 2009 the Planning Commission held a Public Hearing at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on November 6, 2009.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval of the Zoning Code Text Amendment.
<u>Commission Findings and Conclusions</u>	At the December 8, 2009 Planning Commission meeting, staff provided an overview of the language to clarify the intent and clean up inconsistencies between chapters of the Codified Code.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report submitted to the Planning Commission dated November 30, 2009 2. Interoffice Review responses dated November 30, 2009 3. Zoning Code Text Amendment Application submitted October 30, 2009

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-16-2009

Date – December 8, 2009

APPLICATION

Applicant: City of Oxford

Action Request: **ZONING CODE TEXT AMENDMENT**, Chapter 59 Definitions, Section 1159.09(7), to modify Definitions (Beginning with the letter “H”) Household pets to Household Animals including chickens, City of Oxford, Applicant

GENERAL DESCRIPTION

Regularly the Community Development Department staff proposes amendments to the Zoning Code, based on changes to other Codified Ordinances or by City Council directives to reflect the desire and expectations of the community. Recently, City Council amended Section 505.17 Codified Ordinance to allow the keeping of chickens in residential districts. The adoption of this section creates conflict among various chapters of the Codified Ordinance and needs to be reconciled.

STAFF ANALYSIS

The Community Development staff has been providing interpretations that no chickens would be allowed in residential districts, based on the definition of the code that does not include chickens as household pets. It is not common to have chickens as pets in urbanized communities.

Given the recognition of global environmental issues, many planning professions have begun to review the local land use regulations to encourage sustainable lifestyles in the urban environment. Keeping and raising chickens is one of many avenues to reduce carbon emission by encouraging locally produced products.

Essentially, staff is recommending a minor amendment to the Zoning Code by modifying the title of the definition and to include chickens as household animals. This is really a housekeeping issue to clarify the intent and clean up any inconsistency between chapters of the Codified Code. Please see the attached document for the recommended changes.

Based on inquiries, staff would guess that there may be a handful of residents currently housing chickens in their yards. With the amendments, those residents could legally keep/house chickens in their yard. The enforcement of any alleged violations would fall under the jurisdiction of the Oxford Police Department, specifically the Animal Control Officer.

DECISION CRITERIA

Any proposed amendment shall be considered and approved only if it meets at least one of the following criteria and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

- a. Make the Code conform more closely to the Comprehensive Plan.
- b. Improve the public health, safety, and general welfare of Oxford.
- c. Clarify the intent of the Code.
- d. Better implement the intent of the Code.
- e. Improve enforcement of the Code.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY: Jung-Han Chen
Jung-Han Chen, AICP
Community Development Director

DATE: November 30, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-16-2009

Description:

PC-16-2009 **ZONING CODE TEXT AMENDMENT, Chapter 1159 Definitions, Section 1159.09(7), to modify Definitions (beginning with the letter "H") Household Pets, to Household Animals including chickens, City of Oxford, Applicant**

 X Review Revisions Other

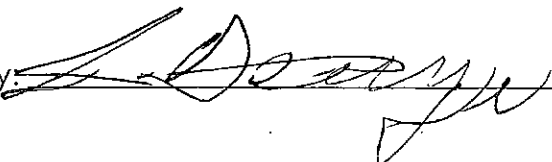
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Should you like to comment, please do so.

Drawings reviewed by: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-16-2009

Description:

PC-16-2009 **ZONING CODE TEXT AMENDMENT, Chapter 1159 Definitions, Section 1159.09(7), to modify Definitions (beginning with the letter "H") Household Pets, to Household Animals including chickens, City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

SEE MEMO DATED 11-30-09 AT

Should you like to comment, please do so.

Drawings reviewed by: *A. [Signature]* 11-30-09



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-16-2009
Zoning Code Text Amendment, Chapter 1159 Definitions

DATE: November 30, 2009

The following are our comments on the proposed definition change.

- Would the chickens be allowed to roam out of the owner's property (i.e. sidewalk, streets, etc.)?
- Would the chickens have to be restricted to an enclosed area?
- Are roosters included in the definition? If not, why?
- How would the waste be handled?
- What does a chicken have to do with the reduction of carbon emissions, and global environmental issues?

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-16-2009

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 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments ~~without/comments~~

Should you like to comment, please do so.

*Probably should define "Household
Animals" — Is a potbelly pig*

Drawings reviewed by: _____

*A household animal? They've
become very popular*

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-16-2009

Description:

PC-16-2009 ZONING CODE TEXT AMENDMENT, Chapter 1159 Definitions, Section 1159.09(7), to modify Definitions (beginning with the letter "H") Household Pets, to Household Animals including chickens, City of Oxford, Applicant

 X Review Revisions Other

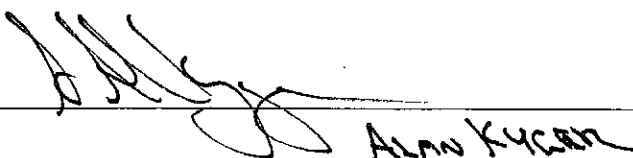
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Should you like to comment, please do so.

Drawings reviewed by:  Alan Kycan

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

101 E. High Street, Oxford OH
45056

Telephone Number(s)

524-5204

Email Address

CityofOxford.org

SUBMISSION REQUIREMENTS

A written, detailed description, where applicable, is required for each subsection.

All applications must include:

- A. A general description of the proposed amendment.
- B. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- C. A statement that identifies potential negative consequences of the proposed amendment.
- D. Any existing section number and text that is proposed to be deleted or amended.
- E. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- F. A narrative statement that describes the expected effects of the proposed text.
- G. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Planning Commission and Council Review The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

Decision Standards A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

- A. make the Code conform more closely with the Comprehensive Plan.
- B. improve the public health, safety, and general welfare of Oxford.
- C. clarify the intent of the Code.
- D. better implement the intent of the Code.
- E. improve enforcement of the Code.

All materials and the application fee in the amount of \$150.00 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056 45 days prior to the proposed meeting date. Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT:

Jung-Han Chen

Date: 10/30/09

PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number:

NA

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/17/09

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

1/12/10
Date Prepared

Agenda Title: 2010 SUPPLEMENTAL BUDGET #1

Recommendation: Approve

Discussion: Supplements to the 2010 Budget

Affordable Housing Trust Fund

Housing Trust (5,000.00)

Reduction of appropriation needed due expenditure of 5,000 not anticipated for 2009 when the Budget 2010 was completed.

FEMA Funds

Increase in Revenue

Funds to be reimbursed from FEMA in 2010 for 2009 Grant 35,504.00

CDBG Fund

Increase in Revenue

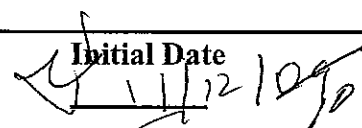
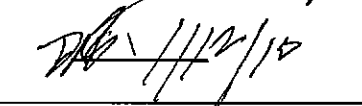
Funds to be reimbursed from CDBG in 2010 for 2009 Grant 101,590.00

Approved By:

Department Head:

City Manager:

Initial Date

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3089. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010.

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

SECTION 1: The following increase/(decrease)in appropriations from unencumbered balances be made:

AFFORDABLE HOUSING TRUST FUND 212	(5,000.00)
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SECTION 2: The following increase/(decrease)in estimated revenues be made:

FEMA FUND 416	35,504.00
CDBG FUND 126	101,590.00

SECTION 3: In all other respects, Ordinance No. 3089 shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon its adoption.

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
Originating Department

Council Meeting Of: January 5, 2010

Kathryn A. Dale
Prepared By

Account Code No. #:

December 10, 2009
Date Prepared

Budgeted Amount:

Agenda Title:	Planning Commission Meeting Report – December 8, 2009
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Recommendation:	N/A
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DISCUSSION:

Public Hearing:

PC-16-2009 ZONING TEXT AMENDMENT Adopting Section 505.17 of the Codified Ordinances & Amending Section 1159.09 to modify the definition of household pets to include chickens, **City of Oxford, Applicant.**

Recently, City Council amended Section 505.17 Codified Ordinance to allow the keeping of chickens in residential districts. Unfortunately, the adoption of this section created a conflict among the definitions in the Planning & Zoning Code and needed to be reconciled. Essentially, staff is recommending a minor amendment to the Zoning Code by modifying the title of the definition and to include chickens as household animals. With the amendment, residents could legally keep/house chickens in their yard. The enforcement of any alleged violations would fall under the jurisdiction of the Oxford Police Department, specifically the Animal Control Officer.

The question was raised as to whether or not the language should specifically exclude roosters. Staff, Legal Counsel and City Council Representatives indicated that the intent of the legislation passed by Council was specific and would exclude roosters. The Planning Commission voted unanimously 7-0-0 to recommend **APPROVAL** as presented to City Council.

New Business:

Conceptual Review – 5990 Contreras Road, Peter & Connie McCarthy

The Applicant was seeking advisory comments regarding the possibility of rezoning the subject property to a district that would permit office use. Staff discussed the options of the “RO” and “GB” districts with the property owner; however the owner indicated that should a rezoning be approved, they would prefer the “GB” designation because the “RO” limits the office space to 2,500 sq.ft. and the house on the property has over 5,000 sq.ft. Staff has also reviewed the concerns of rezoning property to a district that it is not contiguous with. Nonetheless, the property owner wished to discuss this conceptually with the Planning Commission before pursuing any further.

Planning Commission members voiced that offices would be appropriate for this location. The overall consensus from the Commission was that the “GB” General Business would not be appropriate for this area and should the rezoning to “RO” or “RO-PUD” occur, many conditions would have to be placed on the project to keep the integrity of the property and neighborhood. There is also the possibility that review and approval by the BZA may be necessary in order to have office space in excess of 2,500 sq. ft.

Other Business:

Your Town Grant Application

Ms. Prue Dana and Ms. Bethany Bower, who is a Wilks Scholar, are working on obtaining a grant to conduct a 2½ day planning forum with 35 members of the community to discuss development and planning issues which would most likely include development issues at the boundaries of the City and work conjointly with the Township. The Planning Commission indicated that they were in favor of having this type of format to take place but voiced concerns on how much staff time would be required and taken away from day-to-day duties.

FEMA – brief discussion regarding regulations

Staff presented the first DRAFT of the proposed floodplain regulation amendments. Staff explained that the City of Oxford participates in the National Flood Insurance Program (NFIP) Community Rating System (CRS). The NFIP CRS provides flood insurance premium discounts to policy holders in communities that implement floodplain management practices that exceed the Federal requirements. FEMA is currently in the process of conducting a Flood Map Modernization which will provide digital flood hazard information. The City has submitted necessary map amendments for this process; however, the floodplain regulations also need to be updated in order to stay eligible for the NFIP program.

FEMA must review and comment on these regulations before they are officially modified and adopted by a community. Staff intends on sending FEMA our DRAFT regulations for review and comment after the first of the year and requested that the Planning Commission provide any comments by January 4, 2010. Once FEMA's comments are received back we will be formally presenting these to the Planning Commission and City Council as a Zoning Text Amendment for formal hearing and adoption by spring 2010.

Kroger Development

Mr. Keebler commented and other members of the Commission agreed that the recessed light in the canopy of the gas station are very nice and that this may be a stipulation that the City considers to incorporate into the code permanently.

The next regular meeting is scheduled for January 12, 2010.

Approved By:**Department Head:****City Attorney:****City Manager:****Initial Date**

JNC 12/23/09

JKE 1/15/10

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 19, 2010

Kathryn A. Dale

Account Code No. #:

Prepared By

Budgeted Amount:

January 8, 2010

Date Prepared

Agenda Title: HAPC Meeting Report – January 6, 2010

Election of Officers:

The election of HAPC officers took place. Mr. Mike Smith will remain as the Chair and Ms. Laura Henderson will remain as the Vice-Chair.

DISCUSSION:

Requests for Review:

HAPC-01-2010 *19 E. Walnut, Holy Trinity Episcopal Church, to allow for the replacement of porch columns, Susan Kay Applicant/Agent.*

The Applicant was seeking a COA to replace the existing front porch columns (2; 5” columns on each corner) with a single, 8” column on each corner. The pillars are rounding, Doric, Roman Tuscan with unfluted shaft with base. The Applicant is proposing fiberglass columns to match the existing white.

Mr. Smith shared that he had researched the property and said he thought that because of the odd size for exterior columns that they were actually interior columns or columns reused when a full sized porch once existed on the front of the house. He also said with his recent research of pillar restoration, to properly replace the bases where most of the damage occurred, may cost the same or even more than to just replace the columns as presented.

Ms. Kay shared multiple pictures of the pillars and identified where the most damage and cracking/splitting occurred. Ms. Kay shared that the column bases were actually installed upside down and the tops of the columns was where the extensive water damage originated. Additionally, the columns are not properly installed; currently on the crossbeam of the porch overhang. Ms. Kay stated they were not sure of the columns’ dates, but since there is pressure treated wood on the bases that it would date post 1970’s and the contractor for this project previously worked on this building and knows they were installed in the 1980’s.

The HAPC voted 6-0-0 to **APPROVE** the COA for 2; 8” fiberglass pillar replacements as presented.

HAPC-02-2010 *11 W. Church Street, Will’s Pizza, Signage, ABC Signs Applicant/Agent.*

The Applicant sought a COA for approximately a 1.83’ x 15’ wall sign facing Church Street. The sign installed at this location will be plastic formed, individual letters. The “Will’s” lettering is script style and yellow, while the “Pizza” letter is block style and red. Four existing, external gooseneck lighting fixtures will illuminate the sign.

Staff shared that the Applicant may pursue a sign variance for an additional sign, same style, on the corner of the building and asked the Commission to allow the Chairman to administratively review if approved by the BZA. The Commission agreed.

The HAPC voted 6-0-0 to **APPROVE** the COA for the new wall sign as presented.

The Applicant was seeking a COA for two new awnings and signage at the former Great Steak & Potato. The proposed awnings are downward sloping consisting of a stainless steel, brushed aluminum frame and an orange sunbrella canvas material. The Applicant provided a sample of the canvas color at the hearing because the submission appeared to be more red than orange. The frame ends have a side support with the SoHi name cut into the metal. One awning would be over the entry of the existing Great Steak & Potato, a second and new awning is proposed across the center bay of the Minnis Building, which has never had an awning. The Applicant also proposed a new 2.5' x 5' wall sign with stainless steel letters on a brown dimensional background. Lighting will be recessed into the awning and directed toward the sign panel. The Applicant also proposed window appliques on the entry door and two commercial storefront windows associated with this retail space.

Staff brought to the Commission's attention that the stained glass window transom for Steinkeller's is covered over with the proposed new awning in the center bay. This is the only form of signage available for this business in the lower level of the building. Additionally, according to the drawings, the window appliques vary in height in order to clear the visibility over a sidewalk bench. Staff indicated that the Applicant should apply all the appliques uniformly.

The Applicant, based on earlier staff comments, provided a revised drawing addressing staff concerns. The revised drawing showed Steinkeller's stained glass transom sign no longer hidden by the awning and the window appliques were made uniform in height.

The HAPC voted 6-0-0 to **APPROVE** the COA for the signage, awning and window appliques as revised and presented at the hearing.

Administrative Findings / Approvals:

None.

Correspondence and Announcements:

Ms. Dale shared that the Historic Marker Workshop scheduled at the Smith Regional History Library for January 14, 2010, had five RSVP's scheduled. Mr. Smith and Ms. Henderson indicated they would also be in attendance.

Ms. Dale distributed to the members the December 3, 2009 opinion titled "State Sovereign Immunity from Municipal Zoning Regulations". Staff shared with the Commission that this was the document Ms. Dana shared with them prior to her last meeting and asked them to review. Ms. Dale asked the Commission if they would still like to hold the special worksession with Legal Counsel the next evening. The Commission indicated that due to the weather threat of heavy snow they would prefer to review the document and then if they still had questions they would reschedule. Staff also suggested that if any of the members had a specific question, they could forward such inquiry directly to Legal Counsel for a response.

Old Business:

Pillar restoration -- Mr. Smith stated that he was making substantial progress in gathering information on pillar restoration and shared some of his findings. He stated he hoped to have it completed by next month as he was still waiting on some information to be sent to him.

New Business:

Mr. Smith shared that the pregnancy center at 23 E. High Street has submitted a new sign application and asked the Commission if they had any comments as he was going to likely review administratively. Ms. Henderson stated that she would like to see the phone number removed from the sign. Mr. Lloyd concurred and asked if the phone number could be placed at eye level on the door. Material of the sign also needed to be confirmed.

Other Business:

Ms. Peterka asked that one correction be made to the year-end summary. Ms. Henderson also asked that the administrative approvals related to 1 W. High be included on the summary.

The next regular HAPC meeting is scheduled for February 3, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initials Date

JHC / 1/11/10

WCH / 1/12/10