



Agenda

Oxford City Council

Court House

TUESDAY, JANUARY 20, 2009

EXECUTIVE SESSION

7:15 P.M.

1. Roll Call. Prudence Z. Dana, Mayor; Ken Bogard, Vice-Mayor; Doug Ross; Kate Currie; Alysia Fischer; Richard Keebler; Greig Rutherford

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.

3. Public Participation.

A. Proclamation - 'Dr. Martin Luther King Jr. Day'



Proclamation

C. Public Comments

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

A. Minutes of the December 16, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)



Minutes

B. Minutes of the January 6, 2009 City Council Strategic Planning Retreat. (Donna Heck, Clerk of Council)



Minutes

C. Report regarding the December 3, 2008 Historic and Architectural Preservation Commission. (Jung-Han Chen, Community Development Director)



HAPC Report

D. Accepting the Minutes of the December 5, 2008 Student Community Relations Commission Meeting. (Jung-Han Chen, Community Development Director)



SCRC Minutes

E. Report regarding the December 9, 2008 Records Commission Meeting. (Mary Ann Eaton, Deputy Clerk of Council)



Report

F. Report regarding the December 9, 2008 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

G. Report regarding the December 17, 2008 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- H. Report regarding the December 17, 2008 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- I. A Resolution authorizing the City Manager to enter into an agreement with Oce' for a 60-month lease for an Oce' CM 5520 color copier through State contract pricing. (Kim Newton, Assistant to the City Manager)



Staff Report/Resolution

- J. A Resolution authorizing the City Manager to enter into a contract with Zoll Medical Corporation for the purchase of two 12 Lead Cardiac Monitor/Defibrillators at a cost not to exceed \$39,998.00. (John Detherage, Fire Chief)



Staff Report/Resolution

5. Resolutions.

- A. None.

6. Ordinances. - Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

- A. First Reading.

1. An Ordinance Authorizing The City Manager To Purchase A Permanent Easement Over Approximately 4.09 Acres Of Land Owned By The Robert G. Sherman Trust At A Cost Not To Exceed \$61,500.00, For The Purpose Of Obtaining Compliance With Ohio Environmental Protection Agency Regulations Regarding The Reopening And Operation Of A Well Field Near Trenton-Oxford Road And Four Mile Creek. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

2. An Ordinance Approving The Final Subdivision Re-Plat Of Juniper Hill Subdivision, Section Two. (Jung-Han Chen, Community Development Director)



Staff Reports/Ordinance

- B. Second Reading.

1. An Ordinance Amending Salary Ordinance No. 3035, Section 3. Part-Time Positions. (Donna Heck, Human Resources Director)



Staff Report/Ordinance

- B. Presentation- Green Oxford - Lauren Saulino and Dori Bahir

7. Announcements and Communications. The comments expressed by individual members of Council or City staff during the 'Announcements' portion of a City Council meeting do not

necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

A. Announcements.

1. Remarks from City Council and City staff.

B. Future Meetings (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED-Jan 21 Board of Zoning Appeals Meeting 7:30 p.m.

FRI- Jan 23 Student Community Relations Commission Meeting 2:00 p.m.

MON-Jan 26 Housing Advisory Commission 7:00 p.m. Municipal Building 2nd Floor Conference Room.

WED-Jan 28 Environmental Commission Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

WED-Jan 28 Civil Service Commission Meeting 7:00 p.m.

TUES- Feb 3 City Council Meeting 7:30 p.m.

WED-Feb 4 Historic and Architectural Preservation Commission Meeting 7:30 p.m.

TUES- Feb 10 Planning Commission Meeting 7:30 p.m.

THUR- Feb 12 Police Advisory Board 7:00 p.m. Senior Citizens Center

MON-Feb 16 Holiday - City Offices Closed

TUES- Feb 17 City Council Work Session 6:00 p.m.

TUES- Feb 17 City Council Meeting 7:30 p.m.

WED-Feb 18 Board of Zoning Appeals Meeting 7:30 p.m.

THUR- Feb 19 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

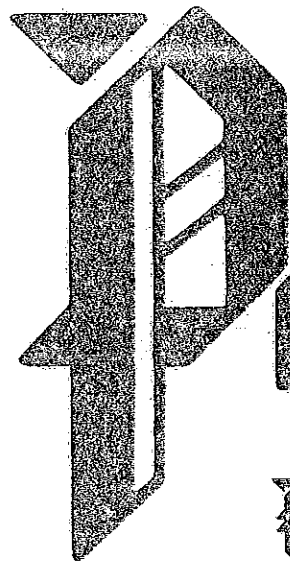
FRI- Feb 20 Community Improvement Corporation 12:00 p.m. LCNB 2nd Floor Meeting Room

MON-Feb 23 Housing Advisory Commission 7:00 p.m. Municipal Building 2nd Floor Conference Room

WED-Feb 25 Environmental Commission Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

WED-Feb 25 Civil Service Commission Meeting 7:00 p.m.

8. Adjourn



Office of the Mayor

Proclamation

Whereas: Dr. Martin Luther King, Jr. during his lifetime pursued a dream of justice and racial equality for all Americans; and

WHEREAS, Dr. King believed in the promotion and exercise of human rights and fundamental freedoms for all people; and

WHEREAS, Dr. King's leadership and notable contributions on behalf of civil rights gave fresh emphasis to democratic ideals and the recognition of equality of all people; and

WHEREAS, the memory of Dr. King and his achievements continue to inspire countless millions around the world in the face of oppression and discrimination; and

WHEREAS, Dr. King's contributions to freedom, equality, justice and humanity are of great importance and value to all our lives.

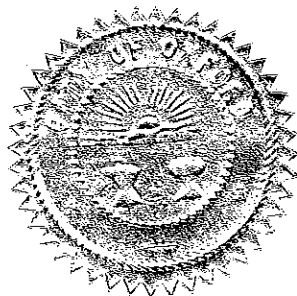
NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim January 19, 2009:

DR. MARTIN LUTHER KING, JR. DAY

in the City of Oxford and urge all citizens to honor Dr. King by showing understanding toward their fellow man, promoting peace, 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 16th day of January, 2009.

PRUDENCE Z. DANA, MAYOR



A regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, December 16, 2008 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie, Doug Ross, Richard Keebler and Greig Rutherford. Alysia Fischer was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr. John Detherage, Fire Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Ms. Donna Heck, Human Resources Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Dana requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Currie moved to approve the agenda. Mr. Keebler seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **'MICHAEL ALLEN** **TOURNAMENT OF** **ROSES PARADE DAY'**

Mayor Dana read the Proclamation and congratulated Mr. Allen for being selected to participate in the National Honor Band who would perform in the Tournament of Roses Parade in Pasadena, California on January 1, 2009.

Mr. Michael Allen, Country Club Drive, advised he was leaving for Pasadena on December 27th to begin rehearsing for the parade. Mr. Allen provided the itinerary scheduled for students participating in the band.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Mayor Dana requested removal of items F., G., and H., Resolutions regarding the Farmer's Market.

MINUTES

Minutes of the December 2, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

REPORTS

Report regarding the November 19, 2008 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Accepting the minutes of the November 21, 2008 Student Community Relations Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 25, 2008 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION **RELEASE BOND**

A Resolution No. 4397 authorizing the release of a performance bond for Western Knolls Subdivision, Section 7 in the amount of \$25,500.00. (Mike Dreisbach, Service Director)

Mr. Bogard moved to approve the consent agenda. Mr. Keebler seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **FARMER'S MARKET**

A Resolution No. 4398 authorizing the City Manager to close Lot 52 on Saturdays, from 5:00 a.m. to 12:30 p.m., from May 2, 2009 through November 21, 2009, to permit the operation of the Farmer's Market within Lot 52 during said time. (Doug Elliott, City Manager)

Mr. Larry Slocum, Market Manager, addressed Council by way of playing a song on the guitar regarding the Farmer's Market Uptown. Mr. Slocum noted it was the Market's job to grow farmers to participate in the market. Mr. Slocum noted 11 additional parking spaces would be available in 2009 due to Bella Place construction being complete. Mr. Slocum presented Council with a check in the amount of \$225.00 to off-set the use of metered parking spaces.

Mr. Bogard noted appreciation for the Market's extension later into the month of November.

Mr. Ross inquired if the City Manager had received any complaints with regard to the market and Mr. Elliott advised no. Mr. Ross inquired if \$225.00 covered the entire use of the meters or if it was a token sum of money. Mr. Bogard noted his feeling it would cover the entire use of the meters.

Mr. Rutherford inquired how many new vendors had applied for 2009 and if there was enough room. Mr. Slocum advised three new vendors had applied so far and he anticipated more. Mr. Slocum noted with the addition of 11 parking spaces there should be ample room for all of the vendors.

Mr. Bogard moved to adopt Resolution No. 4398. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Currie, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
FARMER'S MARKET

A Resolution No. 4399 authorizing the City Manager to close Lot 52 on Saturday, January 17, 2009, Saturday, February 21, 2009, Saturday, March 21, 2009, Saturday, April 18, 2009 and Saturday, December 19, 2009 from 5:00 a.m. to 12:30 p.m., to permit the operation of the Winter Farmer's Market within Lot 52 during said time. (Doug Elliott, City Manager)

Mr. Elliott advised Lot 52 was the incorrect lot number to refer to this location and in the future it would be referred to as the 'municipal lot'.

Mr. Bogard moved to adopt Resolution No. 4399. Mr. Rutherford seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
FARMER'S MARKET

A Resolution No. 4400 authorizing the use of the Memorial Park on Tuesdays from May 5, 2009 to November 17, 2009 from 3:00 p.m. to 7:30 p.m., to permit the operation of the Tuesday Mini Market within the Memorial Park during said time. (Doug Elliott, City Manager)

Mr. Bogard moved to adopt Resolution No. 4400. Mr. Rutherford seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTIONS

RESOLUTION
ODOT LEGISLATION

A Resolution No. 4401 authorizing the City Manager to sign Preliminary Legislation and other contracts with the Ohio Department of Transportation in connection with the rehabilitation of a portion of US-27 from High Street to Chestnut Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach summarized the staff report as listed on page 34 of the agenda noting final legislation for the project would come forward in the next couple of months.

Mr. Rutherford inquired how this construction would be coordinated with the anticipated intersection improvements which Mr. Dreisbach addressed noting the ODOT project would stop short of those areas.

Mr. Rutherford moved to adopt Resolution No. 4401. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Mr. Keebler, Ms. Dana (96)

NAY: None (0)

ABS: None (0)

RESOLUTION
AUDIT

A Resolution No. 4402 authorizing the City Manager to enter into a contract with Plattenburg & Associates to complete the audit of the annual statements for each year ending December 31, 2008 through December 31, 2012. (Joe Newlin, Finance Director)

Mr. Newlin outlined the staff report on page 40 of the agenda noting the State Auditors office awarded the bid to Plattenburg & Associates in the amount of \$117,110 over the next 5 years.

Mr. Bogard moved to adopt Resolution No. 4402. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Mr. Keebler, Mr. Ross, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
CAFR

A Resolution No. 4403 authorizing the City Manager to enter into a contract with Clark, Schaefer, Hackett and Co. to prepare the conversion of its financial statements from cash-basis to accrual-basis, assist with the preparation of the Comprehensive Annual Financial Report (CAFR), and GASB 34 infrastructure services for the City of Oxford, for each of the six years ending December 31, 2008 through December 31, 2013. (Joe Newlin, Finance Director)

Mr. Newlin outlined the staff report on page 41 of the agenda noting staff recommended that Clark, Schaefer, Hackett & Co. prepare the conversion of financial statements and assist in the preparation of the Comprehensive Annual Financial Report for the next 6 years.

Ms. Currie moved to adopt Resolution no. 4403. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Keebler, Mr. Ross, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
ADVANCED PAYMENT
OF PROPERTY TAX

A Resolution No. 4404 authorizing the City Manager to request advanced payment of property taxes to the City in 2009 from Butler County. (Joe Newlin, Finance Director)

Mr. Newlin outlined the staff report on page 44 of the agenda noting the County Auditor required the passage of this Resolution to advance the property tax payment.

Mr. Bogard moved to adopt Resolution No. 4404. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Currie, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
AUTHORIZED
CHECK SIGNERS

A Resolution No. 4405 authorizing the City Manager, Finance Director, Police Chief, and Accounting Manager to be authorized check signers on US Bank accounts. (Joe Newlin, Finance Director)

Mr. Newlin advised the City currently had two accounts with US Bank who held the City's investments. Mr. Newlin noted one of the accounts dealt with the landfill and each year some of the money from the proceeds was used to off-set the cost of refuse pick-up throughout the City. Mr. Newlin advised the proposed Resolution would update the authorized personnel who could make the transfer of approximately \$195,000.00. Mr. Newlin noted US Bank required two check signers for transactions over \$50,000.00.

Mr. Rutherford inquired if the \$50,000.00 ceiling was set by US Bank and Mr. Newlin advised yes. Mr. Newlin noted the City's own policy required two check signers for amounts over \$50,000.00. Mr. Rutherford questioned the checks and balances of these procedures which Mr. Newlin, Mr. Elliott, Mr. Keebler and Mr. McHugh addressed.

Mr. Rutherford moved to adopt Resolution No. 4405. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
AMEND SALARY
ORDINANCE

An Ordinance Amending Salary Ordinance No. 3035, Section 3. Part-Time Positions. (Donna Heck, Human Resources Director)

Ms. Heck outlined the staff report on page 48 of the agenda noting the proposed Ordinance would correct the pay rate for Firefighter and EMT personnel based on the various certifications and licenses each one possessed.

There were no comments or questions for Ms. Heck.

ORDINANCES
SECOND READING

ORDINANCE
SUPPLEMENTAL
BUDGET

An Ordinance No.3039 Amending Ordinance No. 2990. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2008. (Joe Newlin, Finance Director)

Mr. Newlin outlined the staff report on pages 51 and 52 of the agenda and noted he would like to appropriate an additional \$20,000.00 to the Health Insurance Fund to have a cushion for any unexpected bills that may come in over the next couple of weeks. Mr. Newlin noted if the funds were not spent they would transfer to the 2009 budget.

Ms. Currie moved to amend the proposed Ordinance to increase the appropriation to the Health Insurance Fund from \$76,000.00 to \$96,000.00. Mr. Bogard seconded. The motion passed 6-0-0.

Mr. Bogard moved to adopt Ordinance No. 3039 as amended. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3040 Approving A Conditional Use Permit For Residential Land Use In The Basement Of A Proposed Mixed Use Building In The Uptown Zoning District At 18 South Poplar Street. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the amendment Council made to condition b. at the last meeting was incorporated in the proposed Ordinance on page 55 of the agenda as follows: 'A clear trash collection facility must be designed into the building and approved by the Community Development Director.'

Mr. Ken Bowerman, Architect, advised he was in attendance with the applicant, Kathy Albrecht to answer any questions.

Mr. Rutherford noted concern with accessibility to the trash collection facility from the interior of the building. Mr. Rutherford advised his feeling 'the ground floor window wells shall remain free from obstructions and refuse' should be a separate item 'c' and the current 'c' would become 'd' and the current 'd' would become 'e'.

Mr. Ken Bowerman, Architect, advised access to the trash collection facility had to be from the inside of the building since the building would be built on the north and south property lines.

Mr. McHugh suggested amending 'A clear trash collection facility' to 'A designated trash collection facility'.

Ms. Currie noted concern with keeping the window wells free from obstructions and refuse and inquired how that condition would be enforced. Mr. Chen advised it was a code enforcement issue and the property owner would be notified if obstructions or trash were found in the window wells.

Mr. Rutherford moved to amend condition b to read: 'A designated trash collection must be designed into the building and must be accessible to all tenants from the building interior. The trash collection facility shall be approved by the Community Development Director prior to the building permit being issued. And condition c becomes 'The ground floor window wells shall remain free from obstructions and refuse.' Condition c becomes d in its entirety and condition d becomes condition e in its entirety. Mr. Keebler seconded. The motion passed 6-0-0.

Mr. Rutherford noted his feeling there was a procedural problem with regard to conditional uses and variances. Mr. Rutherford noted his feeling Council was passing an Ordinance which would become null and void if the variance was not granted. Mr. Rutherford advised his feeling zoning variances should be acquired prior to legislation coming before Council.

Mr. McHugh advised due to timing, sometimes applications went before the Board of Zoning Appeals and Planning Commission prior to Council and otherwise allowances were made in the legislation such as condition a. in this proposed Ordinance.

Mr. Rutherford noted his feeling the procedure needed to be addressed as it was an ongoing problem. Mr. Rutherford advised if the Board of Zoning appeals did not grant the variance the proposed building design would change dramatically.

Mr. McHugh advised the proposed Ordinance was conditioned upon the Board of Zoning Appeals granting the variance. Mr. McHugh noted the Ordinance would be invalid if the variance was not granted

Mr. Keebler moved to adopt Ordinance No. 3040 as amended. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Mr. Keebler, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mayor Dana noted as Council closed the year 2008 she would like them to share one thing they felt particularly proud of as a Council member. Mayor Dana advised this Council had operated together a full year and she felt they had done well.

Mr. Elliott advised City Hall would be closed Christmas Day and the day after Christmas.

Mr. Elliott noted he and staff had formed a potential list of economic stimulus projects based on discussions being held with regard to a national Public Works Project.

Mr. Elliott advised the City now owned a portion of the Western Knolls property and Council may want to consider installing a for-sale sign on the property.

Mr. Elliott noted a retreat was scheduled for Council and staff on Tuesday, January 6, 2009 at Hueston Woods from 4:00 p.m. to 8:00 p.m.

Mr. Elliott advised he and staff met with representatives of the Talawanda School District today to discuss the new high school project.

Mr. Dreisbach advised the street crews were out today at the first sign of ice and the roads should be safe. Mr. Dreisbach noted the sidewalks were very slick and advised everyone to be careful.

Mr. Bogard wished Council members and the public happy holidays and safe travels. Mr. Bogard noted his feeling the important accomplishments this year were the development of Locust Street, the completion of US-27 North improvements and the improvements to High Street between Main and Beech Streets.

Mr. Rutherford noted with regard to economic stimulus projects he would like to see a west-side Fire Station, rail transit use, alternative fueling for the City's fleet vehicles and storm water improvements. Mr. Rutherford noted he was sure citizens had ideas as well and encouraged them to send those to the City Manager. Mr. Rutherford noted he was thankful for this Council and he believed they worked well together. Mr. Rutherford advised he was appreciative for the new City Manager and Finance Director and the contributions they were making. Mr. Rutherford noted he was thankful for the projects undertaken in the Uptown District and the investments local citizens were making.

Ms. Currie stated she was proud of the way this Council worked together noting her feeling they were a disparate group of individuals with very different viewpoints and kinds of experiences who came to the table and worked well to hear each other and have an open mind and fruitful conversations. Ms. Currie advised she was proud of Council and staff's commitment to being very responsible stewards of the City's finances noting it was difficult as there were so many projects Council and the citizens wanted to see accomplished.

Mr. Keebler noted he agreed with everything said so far. Mr. Keebler advised he was proud of the Uptown zoning regulation changes which were adopted this year. Mr. Keebler noted his hope the zoning changes would continue to have an effect on people reinvesting in the Uptown District and that they made it easier and financially rewarding for people to do so.

Mr. Ross noted it was good to see Steve Flee and Darrell Olthaus in the audience. Mr. Ross advised he was proud to be part of this disparate group and noted his feeling the Mayor had done an excellent job. Mr. Ross stated his feeling Council was blessed with the addition of Mr. Elliott and other new additions to Council.

Mayor Dana noted she agreed with everything said so far. Mayor Dana advised she was proud of the Comprehensive Plan Update and the connector road discussions. Mayor Dana thanked President Hodge for the Open House he recently hosted. Mayor Dana expressed sympathy on behalf of Council for the passing of Jim Squance's father. Mayor Dana thanked Ms. Brahier for coordinating the Holiday Festival and wished everyone happy holidays.

Mr. Rutherford advised he was grateful for the addition of Alan Kyger to City staff and for all of his contributions.

ADJOURN

Mr. Keebler moved to adjourn at 8:53 p.m. Ms. Currie seconded. The motion passed 6-0-0.

Council Minutes

January 6, 2009

Page 1

The Oxford City Council Strategic Planning Retreat was called to order by Mayor Prue Dana on Tuesday, January 6, 2009 at 4:00 P.M. Those Council members present were: Doug Ross, Alysia Fischer, Kate Currie, Richard Keebler, Greig Rutherford and Ken Bogard.

Staff members present: Doug Elliott, City Manager; Steve McHugh, Law Director; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Donna Heck, Human Resources Director; Alan Kyger, Economic Development Director; Steve Schwein, Police Chief; Gail Brahier, Parks and Recreation Director; Jung-Han Chen, Community Development Director and John Detherage, Fire Chief.

APPROVAL
OF AGENDA

Ms. Fischer moved approval of the Agenda. Mr. Bogard seconded. The motion carried 7-0-0.

PURPOSE

The purpose of the Retreat was to review the various factors that may impact the City in the near future and to discuss strategic initiatives and areas of emphasis for 2009.

ADJOURNMENT

Ms. Fischer moved to adjourn at 8:00 p.m. Mr. Keebler seconded. The motion carried 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

January 2, 2009
Date Prepared

Agenda Title: HAPC Meeting Report – December 3, 2008
--

DISCUSSION:

Requests for Review:

HAPC-25-2008 ***20 W. High Street, window replacement, Buck Run Specialties, Applicant***

The Applicant requested replacement of nine windows that were beyond repair, identifying their location of four front windows on the second floor and five side windows on the second floor. The Commission agreed with the Applicant's choice to replace the windows with Marvin brand windows, wood interior and aluminum-clad exterior; however, suggested the windows have a center mullion. It was noted that the Commission would have hoped that the Owner of the rest of the building would have repaired their windows at the same time for consistency.

The HAPC voted 5-0-0 to **APPROVE** HAPC-25-2008 with the following conditions:

1. That, the windows shall have 1-1/2 inch-2 inch center mullions.
2. That, any changes to the approval would require approval from the Commission.

HAPC-26-2008 ***22 S. Campus Avenue, Alpha Delta Phi Fraternity, installation of Greek Fraternity letters on building, Patrick Armstrong, Applicant***

The Applicant was seeking a COA to install permanent Greek lettering to the second floor of the building. The lettering had been located on the first floor, but has been stolen twice.

The HAPC voted 5-0-0 to **APPROVE** HAPC-26-2008.

HAPC-27-2008 ***18 S. Poplar, construction of a new mixed use building, Uptown Real Estate LLC, Applicant***

The Applicant seeks a COA for a new mixed-use building; first floor commercial; basement, second and third floors residential. The Applicant reviewed the design of the building and responded to concerns regarding the amount of natural lighting entering the basement residences. Trash and delivery locations were also addressed.

The HAPC voted 5-0-0 to **APPROVE** HAPC-27-2008 with the following conditions:

1. That, any modifications to the proposed structure as presented tonight as a result of any other City Board or Commission or staff review during the permitting process, shall be brought back to the HAPC for review.
2. That, the building material for the south, west, and north shall be brick faced. The windows facing south should be similar in style. Detailed elevations shall be submitted to the HAPC for consideration at the next regular meeting.
3. Final detail of the building, including, but not limited to brick color, guardrails, entrance door, and streetscape are presented to the HAPC.

Other Business

The Beta House fence has been painted and landscaping installed. The University has agreed to take care of the fence and landscaping. The garage behind the former Township House has been demolished. A grant opportunity has come forward and this Commission hopes to work with other Commissions and

City Council in this endeavor. A review of the historic marker program will be presented at the January meeting.

The next regular meeting is scheduled for January 7, 2009.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 1/2/09

1

SCRC Meeting Minutes

December 5th, 2008

In Attendance:

Members: Carole Katz, Alysia Fischer, Bobbe Burke, Ashley Perry, Thad Boggs, Kendall McCune, Lane Clegg (incoming), Matt Frazier (incoming), McLean Beto (incoming), and Jim Squance.

Non-members: Amy Numrich, Laura Esch, and Rachel Eck.

Public Comment:

On behalf of Dori Behir, Thad Boggs announced to the commission that Dori and Lauren Selena would be making a presentation to the Parking and Transportation Board regarding Bike Paths in Oxford. This presentation will be held December 8th at 12:30pm in the LCNB Community Room.

Approval of Minutes:

There were several amendments to the November 21st meeting minutes. Stew Meeker should have been in the non-member category, and all ex-officio members should be in the member category. Also, Jen House attended the meeting and was left off of the non-member list. Valerie Elliot's presentation should have been titled 'Oxford and the High Street Corridor' not 'Oxford and the Mile Square.' In the section about snow and parking, it should have been stated that along with clearing streets, both sidewalks and stairs also need to be cleared of all ice and snow. Alysia Fischer told the commission that there are still some issues with getting the minutes on City Council's agenda, but she feels that this will be resolved soon. Bobbe Burke said she would talk to Kim Newton regarding when the minutes need to be available to the City for them to be included. The minutes were then approved with these revisions.

Patterson Avenue Speeding:

Thad Boggs spoke to the group about an email that was forwarded to him and Bobbe Burke regarding speeding cars on Patterson Avenue. Stephanie Acheson, from the Symmes Community Council, sent this message hoping that a permanent cross walk and speed sign go up on Patterson Ave. Jim Squance suggested running radar, but OPD would need more detailed times of when this is a problem to do that. Alysia Fischer mentioned that there is a possibility that 27 will be rerouted, moving more people down Chestnut, which might alleviate some of the Patterson Ave. traffic. Bobbe Burke thought some of this problem may have to do with the

construction/construction drivers that are working near Symmes Hall. Carole Katz asked if SCRC should/was planning on taking any action to help resolve this issue and Bobbe responded that perhaps what SCRC could do was to determine how exactly SCRC should be involved or what steps SCRC could take to help. Carole Katz suggested sending this information along to Jung Han-Chen, as he is the City liaison for SCRC. Alysia Fischer brought up the fact that SCRC can make suggestions to City Council, and that perhaps the commission could do that, as this is a useful and valid issue. She said that if a representative from SCRC went to a City Council meeting and requested a crosswalk and/or speed sign at the end of the meeting that said request would be passed along to the appropriate person for review.

2008 Holiday Food and Gift Programs:

Bobbe Burke told the commission about a Holiday Gift program through the Family Resource Center where people could donate money instead of gifts, so parents could buy presents for their children. This program is done so that parents can choose for their children and be the gift giver. She wondered if the word had been spread about this in the community. Kendall McCune said that the Greeks had recently done a Holiday party at FRC, with different chapters buying gifts for different age groups. There were about 50 gifts donated, they did cookie decorating, had a Santa, and The Misfits preformed. Carole Katz asked Bobbe and the group if information about the Holiday Gift program had gone out to the student population. Bobbe said that it did go out on Fraternity and Sorority list serves. Ashley Perry and Matt Frazier said that they did not receive any information about this program. Carole Katz thought that perhaps more circulation about the Holiday Gift program would be beneficial, as many students are very giving. Bobbe asked Ashley Perry if she thought it was too late to spread the word about this, and Ashley said that as of now RHA was donating to Cincinnati Children's Hospital, but she would try. Kendall McCune offered to send the information out again via list serve, and Matt Frazier said that perhaps the surplus funding he had access to could be used to donate, but he would have to consult with the rest of his group.

People to People Inauguration Trip:

Thad Boggs told the commission that he has been in contact with the President of the College Democrats, and although he hasn't had confirmation yet, he thinks that they are going to donate to the students from Talawanda Middle School. He also confirmed that the College Republicans are going to be able to donate. Bobbe told the group that a fund cannot be created at the school because it is a fund for specific children, but she spoke to one of the children's mothers who said any help would be appreciated. Alysia Fischer also has information on the 1st child that SCRC spoke about so funds can be passed along to help her. Kendall McCune said that the Greek Project has money to donate; she just needs to know how much is reasonable. Carole Katz asked if the children were going regardless of if they make their donation goals, and

Alysia Fischer said yes, that they are going and they had already put deposits down. This means that even if the donated funds are not available before the trip, they could be reimbursed to the students afterwards.

Thanksgiving Break-Ins:

Thad Boggs spoke to the commission about the OPD reports of break-ins over Thanksgiving Break and wants to prevent these crimes from happening over Winter Break. There is a big push to encourage students to fill out Vacant House Cards, engrave their large appliances, and to write down serial numbers of large items. Jim Squance said that there were more break-ins than normal for such a short break. Thad added that this was also not a case of window or doors left unlocked, that most of these crimes were forced entry. Bobbe referred to the ad that the Office of Off-Campus Affairs put in the Miami Student regarding crime prevention. She said our office would pass the pdf along to the commission for further distribution. She reiterated that filling out the Vacant House Check cards and moving cars off the streets are the two most important things to remember to do before break. Only 48 Vacant House Check cards were filled out over Thanksgiving. She also told the commission that the Office of Off-Campus Affairs will send the ad on to Shriver and Marcum for distributions on their list serves. Carole Katz asked if there was a way to ask professors to mention this in their classes. Bobbe Burke said that we don't currently have access to any faculty list serves, but that is a good idea if they would be willing to do it. Matt Frazier asked if Fraternity Houses could sign up for Vacant House Checks and Jim Squance said yes, they could. Carole Katz asked Jim Squance if 48 was an unusual number of Vacant House Check cards for Thanksgiving Break. Jim Squance said that he was unsure, because there have never been so many crimes, so they don't usually count the cards over Thanksgiving Break. He also stated that these were crimes of opportunity, and to remind students to move any valuables or expensive items away from windows. Alysia Fischer asked if perhaps houses with house signs were being targeted, because she noticed that a house on Carole Katz's street was one of the ones broken into, and it is the only one on the street with a house sign (which was recently put up.) Jim Squance was unsure about that, but thought it was an interesting observation and something to think about and look into.

Walk About Survey Response:

Thad Boggs announced that the Walk About e-mail survey had been sent out and over 1,000 responses had come back. Carole Katz asked how many students were on the Off-Campus student list serve; Thad said 6,783. Alysia Fischer asked if this included graduate students, but Bobbe Burke said no, that this survey was really meant for the undergrad population, but that the survey could be changed to get different information from graduate students. She said that doing a graduate student survey would be a good idea to think about for the future. Bobbe reminded the commission

that the purpose of this survey was to see how much/what information students retained from the materials that were passed out in the Walk Abouts. The Walk Abouts are an expensive project, and it's important for the Office of Off-Campus Affairs to know what works and what doesn't. Carole Katz thought that doing a survey just for graduate students would be a good idea, Alysia Fischer pointed out that most graduate students live in apartments so that may skew the results. Bobbe agreed that the current survey would have to be changed almost entirely to work for the grad student population.

Membership:

Carole Katz wanted to thank all of the outgoing members of SCRC and said she was looking forward to our new members and next semester. She told the incoming members that she would send them some information about the history of SCRC. Carole also mentioned that there are 3 open positions in SCRC. Thad Boggs encouraged the current members of SCRC to think of people who might want to join and approach them in the next few weeks. Carole said that she has been pursuing a few people to join, but that GSA has not been very responsive to her. She spoke to Prue Dana about Lauren Salino, who is an interested grad student, and that she is going to get the ok from GSA to get her appointed. Kendall McCune suggested that for one of the Mile Square resident positions, a professor would be an interesting addition to SCRC. Carole Katz thought that was a good idea to consider, and that professors also need service hours, for which SCRC would count.

Announcements:

Matt Frazier told the group that some complaints about Phi Tau's trash have been reported. He has found out that they had many hay bales from a party/event and they are working to remove it over the weekend. Rumpke will not take them. Carole Katz suggested that if the hay is still useable maybe it can go to someone who needs hay.

Thad Boggs said he was going to send a message out to Off-Campus students to remember to bring their trash cans in and clean up outside before leaving for Winter Break.

Bobbe Burke wanted to tell the group how nice it's been that Matt Frazier has been attending Rumpke meetings with her regarding Fraternity Recycling. She is very impressed with his involvement and enthusiasm. She also reminded SCRC that there are 3 Fraternity members who are also members of ASG. They are elected to do work on behalf of Frats, so it may be a good idea to utilize them more in future endeavors.

Carole Katz talked to the commission about recycling Christmas Trees. If students decorate and put up Christmas trees before they leave for break, it would be nice if they sat them by the curb instead of leaving them up in their homes. This way less

fortunate people who can't afford a Christmas tree can pick them up and re-use them, and students won't have to deal with taking the tree down when they return to Oxford in January. She asked the commission to pass that information along.

The commission is still trying to determine a meeting day and time for Spring Semester 2009. All students are supposed to email their class schedules to Carole in order to come up with a time that works for everyone. When this is decided an email will be sent out.

Adjourn

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: January 20, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 24, 2008

Date Prepared

Agenda Title: Records Commission Meeting of December 9, 2008

Recommendation: N/A

Discussion:

Records Commission members present were Doug Elliott, Chair; Joe Newlin, Auditor, Secretary; Steve McHugh, City Attorney; Robert Schmidt, Valerie Elliott, Ex-Officio and Mary Ann Eaton.

Mr. Elliott called the meeting to order at 5:35 p.m.

Ms. Eaton provided information regarding 3 items the Commission denied for disposal at the previous meeting. Two of the items were approved for disposal and additional information was requested for the third item.

Mr. Elliott suggested City employees receive updated training from the City Attorney on records management early in 2009 and invited the commission members to attend.

Discussion took place regarding the records being stored at the Oxford Courthouse and Ms. Eaton noted she would provide a report summarizing the inventory of those records to the commission at the next meeting. Ms. Elliott advised the Smith Library also stored older City records.

Mr. McHugh noted a memo should be sent to City departments in March of 2009 asking for new records retention schedules.

The commission adjourned at 6:01 p.m. The next meeting was tentatively scheduled for April 14, 2009.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

MAE 12/24/08

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

January 2, 2009

Date Prepared

Agenda Title: Planning Commission Meeting Report – December 9, 2009

Recommendation: N/A

DISCUSSION:

Public Hearing

Items Related to Platting:

PC-26-2008 FINAL SUBDIVISION REPLAT, McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, Kathy Nickel, Applicant

The Applicant was seeking approval of a replat to add a 10 foot strip of land to an existing lot to allow sufficient side yard clearance for an existing residential building in a R1A-Single Family Low Density Residential District. The Applicant is seeking to purchase said strip of land from the adjoining property owner.

This action could typically be approved administratively; however, it is part of a platted subdivision, therefore requiring Planning Commission and City Council approvals. Additionally, there is a temporary strip of land being created to be annexed to an existing lot. Both lots, after the replat will still meet the dimensional regulations of the underlying zoning district.

The Planning Commission voted 6-0-0 to APPROVE PC-26-2008 with the following condition:

1. That, all proper recordings are filed and recorded at the Butler County Recorder's in one year or the approval shall be considered null-and-void.

Items Related to Zoning:

PC-27-2008 PRELIMINARY SUBDIVISION, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, Tim Myers, Applicant

PC-28-2008 PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant

The Chair of the Planning Commission moved to entertain the tabling of both PC-27-2008 and PC-28-2008 based on staff reviews and incomplete documents received from the Applicants.

The Planning Commission members were then given a chance to provide their individual opinions on these cases. These cases are planned to be heard at the February 10, 2009 Planning Commission meeting.

Other Business:

The Planning Commission scheduled a work session for January 15, 2009 to discuss the General Business District.

The next regularly scheduled Planning Commission meeting will take place on January 13, 2009.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 1/2/09

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Service Department
Originating Department

Council Meeting of: January 6, 2009

David Treleaven
Prepared By

Account Code #: N/A

Budgeted Amount: N/A

December 19, 2008
Date Prepared

Agenda Title: Environmental Commission Meeting of December 17, 2008

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, December 17, 2008 meeting were: Vice Chair, Ms. Gisela Bahr; City Council Representative, Mr. Greig Rutherford; Secretary, Ms. Heidi Schran; and Planning Commission Representative, Mr. Ted Wong. The meeting was moved from the regularly scheduled fourth Wednesday evening of the month due to Christmas Eve. A quorum was not present.

Councilor Rutherford informed the Commission that he was in contact with the planning departments of the cities of Fairfield, Lebanon, and Mason, and with West Chester Township regarding their regulations on open space cluster residential developments. Also, Councilor Rutherford was trying to locate developers with experience working with open space cluster residential developments and/or conservation zoning developments.

Potential public work projects utilizing federal funding were discussed. Conversion of City fleet vehicles to compressed natural gas (CNG) power and construction of a CNG fueling station, construction of a train/mass transportation station and encouragement of non-motor vehicle transport by citizens, and the installation (and subsequent maintenance) of intermittent stormwater sand-trap filters were suggested as potential public works projects to be considered.

The Commission touched on impacts associated with polyvinyl chloride (PCV) items used in construction (plumbing, siding, etc.), such as their negative health effects during manufacturing and incineration during structure fires, lack of recyclability, etc. The desire was expressed to encourage the use of non-PVC materials in new and renovation construction in the community.

The Commission adjourned at 8:50 p.m. The next Commission meeting is tentatively scheduled for Wednesday, January 28, 2009 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
<u>WBT</u>	<u>12/23/08</u>

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

January 2, 2009
Date Prepared

Agenda Title:	Board of Zoning Appeals – December 17, 2008 Meeting Report
----------------------	---

Recommendation:	N/A
------------------------	------------

PUBLIC HEARINGS:

BZA-13-2008 25 W. Spring St, Variance to Section 1149.03(a)(3) to allow gravel parking, Tom Kakachos, Applicant

The Applicant removed an existing garage without a permit, paved the area with gravel and desired to keep the area as gravel parking. The BZA voted 4-0-0 to **deny** the request of the application, as it did not meet the Decision Standards.

BZA 14-2008 129 W. Walnut Street. Variance to Section 1149.04(a)(3) to allow gravel parking. Tom Kakachos, Applicant

The Applicant removed an existing garage without a permit, paved the area with gravel and desired to keep the area as gravel parking. The BZA voted 4-0-0 to **deny** the request of the application, as it did not meet the Decision Standards.

The next regular meeting is scheduled for January 21, 2009

Approved By:	Department Head:	Initial Date
	City Attorney:	<u>JHC 1/2/09</u>
	City Manager:	<u> </u>

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

City Manager
Original Department

Council Meeting Of: 1/20/2009

Kim Newton

Account Code No. #: 110.411.52370

Prepared By

Budgeted Amount: \$18,000

1/5/2009

Date Prepared

Agenda Title:	5-yr. Lease Agreement for Oce' CM 5520 Color Copier
----------------------	--

Recommendation:	Approve
------------------------	----------------

Discussion: This Oce' copier will replace the 10-year old black and white Canon copier as well as the two HP color printers located on the second floor of City Hall, with the main users being, Community Development and the Service and Engineering Departments. The new copier will be networkable, which the Canon is not, and will include faxing, scanning and email. The two color printers will go to the fire station and the Canon may be sent to the City's annual auction or donated to a non-profit entity or local school.

After evaluating the costs and usage of the current copiers and printers, including the main networked copier (Sharp) in the last year (Dec. 07 – Dec. 09), the following is a breakdown of the current expenses:

\$1673 (Canon Maintenance Agreement)

\$3300 (Toner for HP Printers) does not include the cost of labor @ \$100 per hour

\$1900 (overage costs on Sharp copier used by CD/Service/Engineering)

Total expenses: \$6873.00

The annual lease and maintenance costs for the new Oce' copier include (based on a 5-year lease):

\$3694 (annual lease)

\$984 (monthly maintenance cost, includes 10,000 B&W copies; .008 per copy over 10,000)

\$1200 (approximately 20,000 color copies @ .06 per copy)

Total: \$5878.00 (variances in total costs may include overages in copies per month.)

Savings: \$995.00 per year

Note: Maintenance agreement includes all service and supplies, excluding paper and staples.

Approved By:	Initial Date

Department Head: /

City Attorney: /

City Manager /

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH OCE' FOR A 60-MONTH LEASE FOR AN OCE' CM 5520 COLOR COPIER THROUGH STATE CONTRACT PRICING.

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

SECTION 1: The City Manager having reviewed information submitted for replacement of the existing copier equipment hereby recommends the current copier equipment be replaced with the Oce' CM 5520 color copier.

SECTION 2: The City Manager recommends the City enter into a 60-month lease with Oce' for the Oce' CM 5520 color copier through State Contract pricing at an approximate annual cost of \$5878.00.

SECTION 3: Council having reviewed the City Manager's recommendation hereby authorizes the City Manager to enter into an Agreement with Oce' for a 60-month lease of the Oce' CM 5520 color copier.

SECTION 4: Funds have been appropriated in an amount in excess of the annual cost authorized.

SECTION 5: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:
ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: January 20, 2009

Account Code No. #: 150.50901

John Detherage

Prepared By

Budgeted Amount: \$40,000.00

January 15, 2009

Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to purchase two 12 Lead Cardiac Monitor/Defibrillators for the treatment of cardiac patients from Zoll Medical Corporation for a cost not to exceed \$39,998.00.

Recommendation: Adopt the Resolution.

Discussion: These cardiac monitors were included in the 2009 budget. The purchase of these full function cardiac monitors will provide the upgrade needed to increase our level of service from the basic AED's that we currently use. The addition of 12 lead EKG acquisition will allow our EMT's in the field to obtain diagnostic quality information that will speed the time it takes for the patient to receive heart muscle saving treatment by providing the information to hospital staff upon arrival. In the near future we hope to add the ability to transmit that data to the hospital from the field with the assistance of McCullough Hyde. These units will also have the ability to automatically monitor blood pressure and oxygen saturation freeing the EMT's for other treatment. The advanced manual uses of these monitors will also be needed should we upgrade our EMS service in the future. The supplier is currently running a special that will include an additional basic AED with this purchase. This unit will be placed in a vehicle currently not equipped with one.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JD 1/15/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ZOLL MEDICAL CORPORATION FOR THE PURCHASE OF TWO 12 LEAD CARDIAC MONITOR/DEFIBRILLATORS AT A COST NOT TO EXCEED \$39,998.00.

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

SECTION 1: The City Manager and Fire Chief recommend the purchase of two 12 Lead Cardiac Monitor/Defibrillators from Zoll Medical Corporation for use by the City's Emergency Medical Services in the treatment of cardiac patients at a cost not to exceed \$39,998.00.

SECTION 2: Zoll Medical Corporation is currently offering a special which would provide the City with an additional basic AED machine.

SECTION 3: Council hereby accepts the recommendation of the City Manager and Fire Chief and authorizes the City Manager to enter into a contract with Zoll Medical Corporation for the purchase of two 12 Lead Cardiac Monitor/Defibrillators and one additional basic AED machine at a total cost not to exceed \$39,998.00.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: January 20, 2009

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach
Prepared By

January 12, 2009
Date Prepared

Agenda Title: Ordinance to Approve an Easement for Well Field Protection

Recommendation: Approve

Discussion:

The City's 2009 Operating Budget includes funds for the rehabilitation of a major raw water resource for the City's water utility, Production Well #2 located in the Four Mile Valley aquifer and adjacent to the City's water treatment plant on SR73. Prior to issuing a permit for this project, the Ohio Environmental Protection Agency (OEPA) requires an isolation zone of 300' from the production well. The City may control this zone either as the property owner or through an easement specific for well field protection.

As "Exhibit B" indicates, the City has determined an area of approximately four acres is required to be controlled to help ensure the safety of the production well. This land is owned by Robert G. Sherman Trust. The target area is to the east and contiguous with the City owned parcel where Production Well #2 is located. The City hired Mr. Michael Moorhead (Cert. # 389833) to appraise the value of the target area, and Mr. Moorhead's report indicates a value of \$61,500 for the target area.

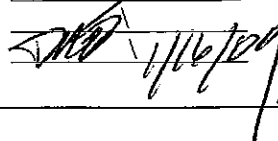
Anticipating this expense, the City applied for and was awarded a grant from the Miami Conservancy District in the amount of \$49,900. This funding will pay for approximately 80% of the easement acquisition costs; funds have been appropriated in the 2009 capital improvement budget to pay for the local share of the easement acquisition (\$11,600).

This Ordinance will authorize the City Manager to enter into an Agreement with Robert G. Sherman Trust for the acquisition of a well field protection easement for an area of approximately 4 acres. Restrictions and specifics of the easement language are specified in the Agreement.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
MBD 1/14/09

 1/16/09

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE A PERMANENT EASEMENT OVER APPROXIMATELY 4.09 ACRES OF LAND OWNED BY THE ROBERT G. SHERMAN TRUST AT A COST NOT TO EXCEED \$61,500.00, FOR THE PURPOSE OF OBTAINING COMPLIANCE WITH OHIO ENVIRONMENTAL PROTECTION AGENCY REGULATIONS REGARDING THE REOPENING AND OPERATION OF A WELL FIELD NEAR TRENTON-OXFORD ROAD AND FOUR MILE CREEK.

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

SECTION I: In order to reopen and operate a certain well field near Trenton Oxford Road and Four Mile Creek to provide potable water to the City of Oxford, it is necessary to secure compliance with Ohio Environmental Protection Agency (EPA) administrative rules, guidelines, and regulations that require an area of isolation whereby potential sources of ground water contamination are prohibited.

SECTION II: The City Manager recommends that in order to achieve compliance with Ohio EPA regulations, the City of Oxford purchase, at a cost not to exceed \$61,500.00, an easement from the Robert G. Sherman Trust, over approximately 4.09 acres of land owned by the Sherman Trust, as more fully described in the Exhibit "A" and graphically identified in Exhibit "B" as attached hereto.

SECTION III: Council for the City of Oxford hereby accepts the recommendation of the City Manager and authorizes the City Manager to purchase said easement, a draft of which has been attached hereto, at a cost not to exceed \$61,500.00.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA
PREPARED BY: LAW (STAFF)

EASEMENT FOR WELL FIELD PROTECTION

This agreement made and entered onto on this ____ day of January, 2009, by and between, The Sherman Trust, a _____, hereinafter known as "Grantor"; and the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City".

WHEREAS, the City desires to reopen and operate a certain well field in or near property belonging to Grantor to provide potable water to the City of Oxford; and

WHEREAS, it is necessary for the City to achieve certain access to property belonging to Grantor for the operation and protection of the well field, including a right of entry, ability to drill, and to remedy erosion issues and irrigation practices; and

WHEREAS, Ohio Environmental Protection Agency administrative rules, guidelines, and regulations require an area of isolation whereby potential sources of ground water contamination are prohibited; and

WHEREAS, the City desires to use certain property of the Grantor to provide said area of isolation.

NOW, THEREFORE, it is hereby agreed that Grantor, for the sum of SIXTY ONE THOUSAND FIVE HUNDRED DOLLARS (\$61,500), and other good and valuable consideration, paid by the City, hereby grants an easement of entry, use, for well field operation and protection purposes over and upon the entirety of the following parcel of land, including subterranean areas, as identified in the legal description attached hereto and incorporated by reference herein as Exhibit "A," (hereinafter "Isolation Easement") and further grants an easement for isolation for well field protection purposes upon the parcel of land, including subterranean areas, as identified in the drawing attached hereto and incorporated by reference herein as Exhibit "B" (hereinafter "Drawing")

It is further covenanted and agreed as follows:

- (1) The Isolation Easement, along with the rights, and privileges herein granted shall be for the benefit of the City of Oxford, State of Ohio, and Butler County, a municipal corporation, and its successors and assigns, and may not be revoked by Grantor or its successors and assigns.
- (2) The Isolation Easement, rights, and privileges shall be perpetual, and shall run with the land.
- (3) Grantor hereby warrants that Grantor has full power and authority to grant these easements and has a good and indefeasible fee simple title to the above-described easement premises, free and clear of all liens and encumbrances that would interfere with the City's express purposes as stated herein. Grantor further agrees to forever defend the above-described easement and rights unto City, City's legal representatives, successors, and assigns against any person or entity lawfully claiming or to claim the easement property or any part of it.

- (4) Said easements, rights, and privileges stated herein are exclusive, and Grantor covenants that it will not convey any other easement or conflicting rights within the areas covered by this grant.
- (5) This instrument shall be binding on, and shall inure to the benefit of, the heirs, legal representatives, successors, and assigns of the parties hereto. Wherever the term City or Grantor is used herein, the term shall be deemed to include the heirs, legal representatives, successors and assigns of that party.
- (6) Grantor further expressly agrees and grants to the City and its employees, agents, and independent contractors as part of the Isolation Easement, right of way, rights, and privileges herein expressly for the use and purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating, and removing a subterranean well and related appurtenances for the collection and monitoring of groundwater.
- (7) Upon the completion of the construction, installation, repair, maintenance, rebuilding, drilling or removal of the subterranean well and/or any pipelines, and appurtenances, or any repairs, alterations or other remedies to the landscape to remedy erosion, water run-off, or other water flow issues, the City shall replace and restore all fences, walls or other structures that have been relocated or removed during the construction period. City shall pay Grantor reasonable compensation for the fences, walls, or other structures that are not replaceable, and for any vegetation or crops that are damaged or destroyed during said activities. City shall also repair or return the surface of the land to reasonably similar circumstances to those prior to any activities, unless said alterations to the surface were the primary purpose of such activities. City shall also have the right to cut and trim trees or shrubbery that encroach upon the easement area, and City shall dispose of all cuttings and trimmings either by piling within the easement area or by loading and hauling away from the easement premises.
- (8) The use of all land within the Isolation Easement shall conform to Ohio Environmental Protection Agency rules, regulations, and guidelines.
- (9) No possible sources of contamination shall be established within the Isolation Easement. Possible sources of ground water contamination include, but are not limited to, septic tanks, leaching beds or wells, sewers, sewage force mains, livestock holding areas, industrial or agricultural activities, and underground tanks. Crops production without the use of herbicide, pesticide and fertilizer is allowed.
- (10) Should the City require the termination of all use of the land within the Isolation Easement, including but not limited to, grain or other agricultural activity within the Isolation Easement, the City shall provide written notice to the Grantor of such termination within thirty (30) days, unless an emergency necessitates the immediate termination of the land use. An emergency shall constitute an immediate threat to the health, safety, or general welfare of the community.
- (11) The Grantor agrees to cooperate with the City of Oxford, State of Ohio, and its employees, agents and independent contractors in enforcing the prohibitions of the Isolation Easement.

(12) This Isolation Easement for well field protection purposes is a permanent and perpetual easement and shall bind Grantor, its heirs, assigns, successors, or purchasers.

(13) This Isolation Easement shall be recorded in the Butler County Recorder's office by the City.

WITNESS OR ATTEST:

GRANTOR: THE SHERMAN TRUST

BY: _____

TITLE: _____

THE SHERMAN TRUST ACKNOWLEDGMENT

STATE OF OHIO

)

)

SS:

COUNTY OF BUTLER

)

On this _____ day of January 2009, before me, the undersigned notary public in and for said County and State, personally appeared before me _____ to me personally known, who, being by me duly sworn, did say that he/she is _____ of _____, and that said instrument was signed and sealed on behalf of said entity by proper authority, and said _____ acknowledged said instrument to be the free act and deed of said the Sherman Trust.

WITNESS MY HAND and notarial seal subscribed and affixed in said County and State the _____ day of _____, 2009.

NOTARY PUBLIC:

My Commission Expires: _____.

WITNESS OR ATTEST:

GRANTEE: THE CITY OF OXFORD, OHIO

BY: _____

Douglas R. Elliott, Jr., City Manager

CITY OF OXFORD ACKNOWLEDGMENT

STATE OF OHIO)

)

SS:

COUNTY OF BUTLER)

On this _____ day of January 2009, before me, the undersigned notary public in and for said County and State, personally appeared before me Douglas R. Elliott, Jr., to me personally known, who, being by me duly sworn, did say that he is City Manger of the City of Oxford, and that said instrument was signed and sealed on behalf of said entity by proper authority, and said Douglas R. Elliott, Jr., acknowledged said instrument to be the free act and deed of said City of Oxford.

WITNESS MY HAND and notarial seal subscribed and affixed in said County and State the _____ day of _____, 2009.

NOTARY PUBLIC:

My Commission Expires: _____.



SURVEYING, INC.



DAVID DOUGLAS SMITH, P .S.

REGISTERED LAND SURVEYOR

OHIO - INDIANA - KENTUCKY

WEST VIRGINIA - NEW YORK - VERMONT

DDS SURVEYING, INC.
P.O. BOX 150
OXFORD, OHIO 45056

OFFICE (513) 523-4270
FAX (513) 523-4270
E-MAIL DDS4111@AOL.COM

Legal Description
300 foot Isolation Easement
for the City of Oxford

Situated in Section 25, Town 5, Range 1 Oxford, Township, Butler County, Ohio, being part of the Lands of Robert G. Sherman Tr. As recorded in deed book 7531 page 29 of the Butler County Recorder's Office, being a 300 foot Isolation Easement, and being more particularly described as follows:

Commencing at the northeast corner of said Section 25;

thence with the north line of said Section 25 S 89°48'38" W for 3791.19 feet to a point, said point being the **True Point of Beginning**;

thence through said lands of Robert G. Sherman Tr. S 0°25'01" W for 588.36 feet to a point, said point being on the south line of said lands of Robert G. Sherman Tr.;

Thence with said south line of lands of Robert G. Sherman Tr. S 89°31'26" W for 302.95 feet to a point said point being on the west line of said lands of Robert G. Sherman Tr.;

Thence with said west line of lands of Robert G. Sherman Tr. N 0°25'01" E for 589.98 feet to a point, said point being on said north line of Section 25;

thence with said north line of Section 25 N 89°50'01" E for 300.02 feet to the **True Point of Beginning**, being subject to all legal highways, easements, restrictions and agreements of record.

Prepared by:
DDS Surveying, Inc.
August 1, 2006
Job # 26083

EXHIBIT

A

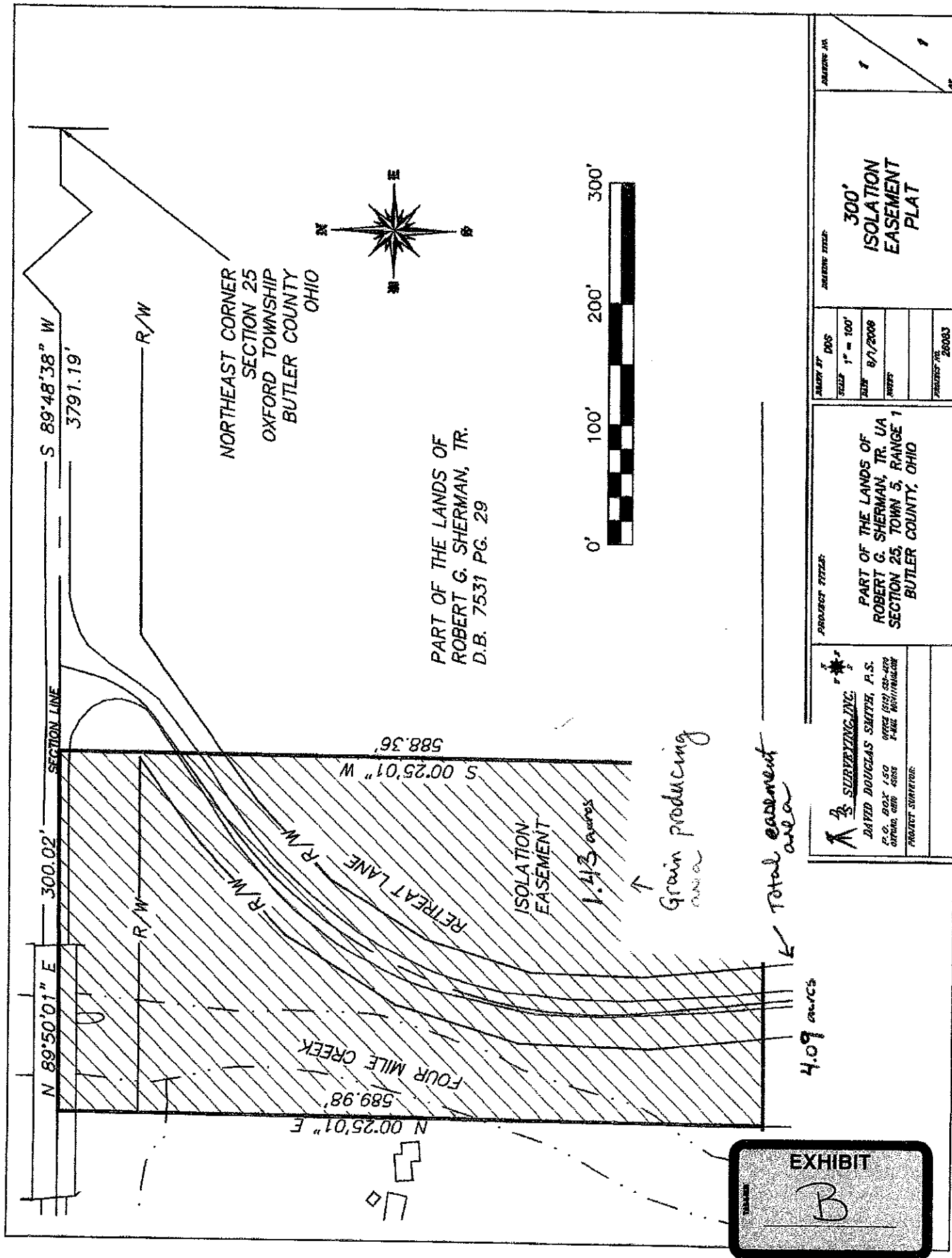


EXHIBIT
B

PROJECT TITLE: PART OF THE LANDS OF ROBERT G. SHERMAN, TR. UA SECTION 25, TOWN 5, RANGE 1 BUTLER COUNTY, OHIO		SHEDDING TITLE: 300' ISOLATION EASEMENT PLAT	
MAP BY: DGS	SCALE: 1" = 100'	DATE: 8/1/2008	PLAT NO.: 28083
PROJECT SURVEYOR: DAVID DOUGLAS SMITH, P.S. P.O. BOX 150 OXFORD, OHIO 43085 614-422-1111/1112			

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: January 20, 2009

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

January 2, 2009
Date Prepared

Agenda Title:	PC-26-2008 FINAL SUBDIVISION REPLAT McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, Kathy Nickel, Applicant
----------------------	--

Recommendation:	Approval
------------------------	-----------------

Discussion:

This application is to seek approval of a replat by adding a 10-foot strip of land to an existing lot. The Applicant seeks to purchase this strip of land from the adjoining property owner.

This normally would be approved administratively; however, the property is part of a platted subdivision, which requires Planning Commission/City Council approval. Both lots after the replat will still meet the dimensional requirements of the underlying zoning district.

This application is subject to the following condition:

1. That, all proper recordings are filed and recorded at the Butler County Recorder's office in one year or the approval shall be considered null-and-void.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
<u>JHC</u>	<u>1/2/09</u>
_____	_____
_____	_____

ORDINANCE NO.

AN ORDINANCE APPROVING THE FINAL SUBDIVISION RE-PLAT OF JUNIPER HILL SUBDIVISION, SECTION TWO.

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

SECTION 1: In accordance with Oxford Code Section 1101.03, the Oxford Planning Commission held a public hearing on December 11, 2008, on an application from Kathy Nickel, Applicant, for approval of a final subdivision re-plat of Juniper Hill Subdivision, Section Two.

SECTION 2: The Oxford Planning Commission, after due deliberation recommended the approval of a re-plat of Juniper Hill Subdivision, Section Two, to re-plat lots 1957 and 1958 into new lots 3727 and 3728 for the purpose of adding a 10 foot strip of land to an existing lot.

SECTION 3: Oxford City Council hereby accepts the recommendation of the Planning Commission and approves the final subdivision re-plat of Juniper Hill Subdivision, Section Two with the following condition:

- a) All proper recordings shall be filed and recorded at the Butler County Recorder's office within one-year (1 year) or the approval shall be considered null-and-void.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY 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 20, 2009
<u>Case Number</u>	PC-26-2008
<u>Applicant Information</u>	Kathy Nickel, Applicant Tara Jones, Agent
<u>Requested Action</u>	Final Subdivision Replat
<u>Summary of Request</u>	To allow for the replat of Lots 1957 and 1958 into new Lots 3727 and 3728.
<u>Public Hearing Information</u>	On December 11, 2008 a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on November 7, 2008.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 to recommend to City Council APPROVAL of this replat request.
<u>Commission Findings and Conclusions</u>	Since this property was part of a platted subdivision, it was necessary to bring this case before the Planning Commission. It is also noted that both lots, after the replat, still meet the dimensional requirements of the underlying zoning district.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated December 9, 2008 2. Interoffice Review Transmittal Sheets from Fire, Engineering, Police & Economic Development 3. Review and Comment form from neighboring property owner 4. Final Subdivision Application 5. Letter of Agency dated October 1, 2008 6. Plat of Survey 7. Photographs

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-26-2008

Date – December 9, 2008

APPLICATION

Applicant:	Kathy Nickel
Location:	208 McKee Ave
Owner:	Kathy Nickel and Robert Fraley
Action Request:	Final Subdivision Replat
Current Use:	Single family, vacant lot
Surrounding Existing Land Uses:	Single Family Residence

DESCRIPTION

The Applicant is seeking approval of a replat by adding a 10 feet strip of land to the existing lot to allow sufficient side yard clearance for an existing residential building in a R1A-Single Family Low Density Residential District. The Applicant is seeking to purchase said strip of land from the adjoining property owner.

COMPREHENSIVE PLAN

Not applicable

ANALYSIS

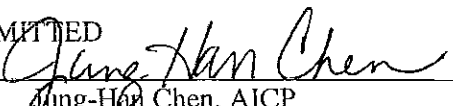
This action could typically be approved administratively; however it is part of a platted subdivision, therefore requiring Planning Commission and City Council's approval. Additionally, there is a temporary strip of land being created to be annexed to an existing lot. Both lots, after the replat still meet the dimensional regulations of the underlying zoning district.

RECOMMENDATION

Staff recommends approval of this re-plat as presented with the following condition:

1. That, all proper recordings are filed and recorded at the Butler County Recorder's in one year or the approval shall be considered null-and-void.

SUBMITTED

BY: 
Jung-Han Chen, AICP
Community Development Director

DATE: November 17, 2008

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-26-2008

Description:

PC-26-2008 **FINAL SUBDIVISION REPLAT, McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, Kathy Nickel, Applicant**

☒ Review ☐ Revisions ☐ Other

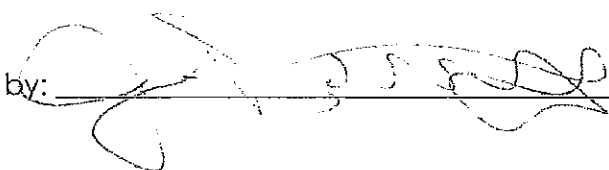
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments (without/comments)

Drawings reviewed by: _____



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-26-2008

Description:

PC-26-2008 **FINAL SUBDIVISION REPLAT**, McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, **Kathy Nickel, Applicant**

☒ Review ☐ Revisions ☐ Other

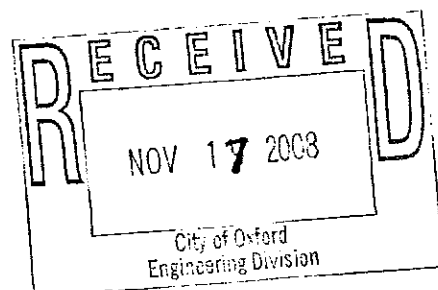
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: *A. Popescu* 11-19-08



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-26-2008

Description:

PC-26-2008 **FINAL SUBDIVISION REPLAT**, McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, **Kathy Nickel, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: SS Setlow

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-26-2008

Description:

PC-26-2008 **FINAL SUBDIVISION REPLAT**, McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, **Kathy Nickel, Applicant**

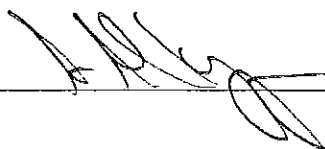
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____





**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

Case No.: PC-26-2008

Date of Hearing: December 9, 2008

PC-26-2008 FINAL SUBDIVISION REPLAT, McKee Avenue, Juniper Hill
Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots
3727 and 3728, Kathy Nickel, Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by December 1, 2008 to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: BARBARA + HARDY EISBAUGH

Address: 309 MCKEE AVE
OXFORD, OH 45056

Telephone: Home: 513-523-8305 Work: NA

COMMENTS:

WE HAVE NO OBJECTION TO THIS REPLAT OF
LOTS 1957 AND 1958

Barbara & Eisbaugh
Signature

11/24/2008
Date

W. Hardy Eisbaugh

Case No.: PC-26-2008
Date filed: 10/24/08

Final Subdivision Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: KATHY NICKEL
Mailing Address: 208 MCKEE AVENUE
OXFORD, OHIO 45056
Telephone Number(s): (513) 255-3819

Name of Subdivision: JUNIPER HILL SUBDIVISION
Date of Planning Commission preliminary approval: 12/9/08
Zoning District: R1A
Number of Lots: 2
Total Acreage: 1.065 Acres
Surveyor/Engineer: DANIEL BROSEY - BROSEY SURVEYING COMPANY
Address: 4045 STILLWELL ROAD, HAMILTON, OHIO 45013
Phone Number: (513) 863-0237

DRAWING REQUIREMENTS

Please submit one copy of the plat on mylar and twelve copies of the plat on bond. Drawing size must be at least 18" x 24" and should never exceed 24" x 36 ". The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford. Scale should not exceed 1" = 100'. The following information must appear on the plat:

- a) Boundary lines of the area being subdivided with accurate distances and bearings.
- b) The accurate outline of any portions of the property to be dedicated for public use.
- c) A statement dedicating all proposed public streets and alleys with their names.
- d) The lines of adjoining streets and alleys with their widths and names.
- e) All lot lines together with an identification system for all lots and blocks. Lot numbers shall be secured from the County Auditor's office.
- f) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets and alleys, easements and any other areas for public or private use. Linear dimensions are to be given to the nearest one hundredth of a foot.
- g) The radii, arcs, lengths, points of tangency and central angles for all curvilinear streets and the radii and lengths for rounded corners.
- h) The location of all survey monuments and bench marks together with their descriptions. There shall be a minimum of four permanent markers in each subdivision section located at or near the outer corners.
- i) The certificate of the surveyor attesting to the accuracy of the survey and to the correct locations of all monuments shown.
- j) A vicinity map, drawn to scale, showing the general location within the City.
- k) The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.
- l) Size of the tract in acres and lots in square feet and the boundary lines along with the linear measurement thereof.
- m) Any existing water mains, culverts, water or sewer lines, easements, buildings and streets within the tract or immediately adjacent thereto.
- n) The proposed location and width of streets, alleys lots and easements.

- o) The name of the proposed subdivision and the name of the surveyor, engineer and owner at the time of subdivision.
- p) The names and record owners of all adjoining subdivisions and the names of recorded owners of adjoining parcels of un-subdivided land.
- q) North arrow, scale and date.
- r) The seal, registry number and signature of the public surveyor who prepared the plat.
- s) Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) Community Panel Number 390731 0001- 0003, revised January 3, 1997, must be clearly illustrated and labeled on the plat.

Submit this application, required copies of the preliminary plan containing all required information and the required fee **(\$400.00 PLUS \$100.00 PER LOT)**, made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. All required information must be submitted at least fourteen (14) days in advance of the Planning Commission meeting at which action is requested.

NOTE: Incomplete applications will not be processed.

SIGNATURE OF APPLICANT:

Kathleen A. Dickel

Date:

10/24/08

PRINTED NAME:

KATHLEEN DICKEL

FEE / RECEIPT

\$400.00 PLUS \$100.00 PER LOT Fee Paid / Receipt Number:

14205

ROBINSON & LIPNICKEY CO., L.P.A.

ATTORNEYS AND COUNSELORS AT LAW

PARK PLACE WEST
OXFORD, OHIO 45056-1841
(513) 523-4111
FAX (513) 523-0900

JAMES G. ROBINSON*
SUSAN C. LIPNICKEY
TARA R. JONES**

* Also admitted in Indiana
** Also admitted in Kentucky

*Letter of Agency
for PC-26-2008*

October 1, 2008

FEE AGREEMENT

Kathy Nickel
208 McKee Ave.
Oxford, OH 45056

Re: Lot Split for McKee Avenue

Dear Kathy:

We are pleased that you have selected our firm to serve as counsel for you in the above-captioned matter. This letter contains the terms under which we understand our firm has been retained to represent you. If these terms do not correctly set forth your understanding, please notify us immediately. If you are agreeable to the terms, please sign below, indicating your understanding of these terms, and return this letter to us in the enclosed self-addressed envelope.

Although I will be the attorney at the firm who will primarily be responsible for this matter, other attorneys and staff may also provide legal support services. This permits us to take advantage of their respective expertise in a more economical manner. It is our understanding that you have retained us to assist with and complete a lot split for the property located at 208 McKee Avenue, Oxford.

Legal services will be charged as follows:

There will be a flat fee of [REDACTED] charged for services in assisting and completing the lot split.

In all matters, in addition to attorney fees, the firm must typically incur on behalf of our clients, a variety of out-of-pocket costs, such as filing fees, overnight postage charges, copying costs, delivery fees, and long distance phone charges. **These charges are your responsibility.** As a matter of convenience, the firm may elect to pay these charges upfront and then the charges will be billed to your attention. By executing this document, you agree to pay all fees and costs within 30 days of billing or this law firm may terminate its representation of you.

We will at all times act on your behalf to the best of our ability. However, any statements on our part concerning the outcome of your real estate matter are expressions of our legal judgment, and are not guarantees of results.

You may terminate our representation of your interests by notifying us in writing of your wish to do so. If such termination occurs, your papers and property will be returned to you promptly upon our receipt of payment by you for all advanced costs incurred prior to termination. We will retain our files.

We practice pursuant to the Code of Professional Responsibility for the jurisdictions in which we are licensed. These Codes list and describe several types of conduct or circumstances that allow, or in some cases, require us to withdraw as your counsel. These instances include misrepresentations by you, conflicts of interests with another firm client, non-payment of fees or costs, clients becoming unmanageable or uncooperative, and clients disappearing or abandoning the case. We reserve the right to withdraw should any of these conditions arise.

Finally, this law firm always maintains the highest level of professional standards and confidentiality with respect to its clients.

Please sign and return this letter for our file. Please keep the enclosed copy for your future reference.

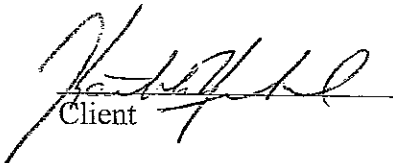
Very truly yours,

ROBINSON & LIPNICKEY CO., LPA

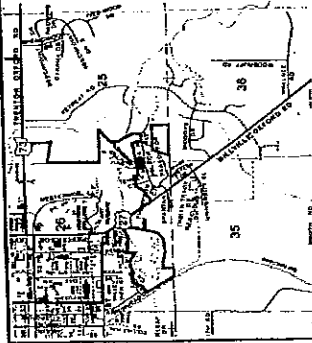


Tara R. Jones

By signing below, I affirmatively state that I understand and agree to the terms and conditions explained in this document. I understand that the law firm of ROBINSON & LIPNICKEY CO., L.P.A. will represent my interests to the best of its ability. I also understand that the fees I pay are not contingent on the outcome of this matter.


Client

10/15/08
Date



VICINITY MAP (1" = 300')

THE CITY OF OXFORD WILL NOT BE RESPONSIBLE FOR ADJUSTING MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., AS A RESULT OF GRADE CHANGES. THE GRANTOR SHALL BE RESPONSIBLE FOR THE PROPER ADJUSTMENT OF MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., TO THE SATISFACTION OF THE CITY OF OXFORD, DUE TO GRADE CHANGES, PAVING, REPAVING, ETC., INITIATED BY THE GRANTOR.

KNOWN ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, BEING THE OWNERS OF LOTS 1957 AND 1958, JUNIPER HILL SUBDIVISION SECTION 2, CITY OF OXFORD, BUTLER COUNTY, OHIO, DOES HEREBY ASSENT TO ADOPT THIS PLAT OF SUBDIVISION TO BE KNOWN AS JUNIPER HILL SUBDIVISION SECTION 2, REPLAT OF LOTS 1957 AND 1958 (NEW LOTS 3727 AND 3728).

EASEMENT ON SAID PLAT, DESIGNATED AS UTILITY EASEMENTS ARE PROVIDED FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, OPERATION OF POLES, WIRES, CONDUITS, AND TELEPHONE CABLES, ATTACHMENTS IN CONNECTION THEREWITH, FOR THE TRANSMISSION OF ELECTRICITY, TELEPHONE CABLE AND OTHER UTILITIES, AND FOR THE CONSTRUCTION AND MAINTENANCE OF SERVICE PIPES FOR SUPPLYING GAS, WATER, HEAT AND OTHER PUBLIC OR QUASI PUBLIC UTILITY FUNCTIONS TOGETHER WITH THE NECESSARY LATERAL CONNECTIONS, AND ALSO THE RIGHT TO ENTER UPON AND EGRESS FROM SAID EASEMENTS, AND TO CUT, REMOVE OR REMOVE TREES AND UNDERGROWTH WITHIN SAID EASEMENTS, NO EGRESS FROM SAID EASEMENTS MAY BE PHYSICALLY SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES, (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES, OR (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY OR (4) CREATE A HAZARD.

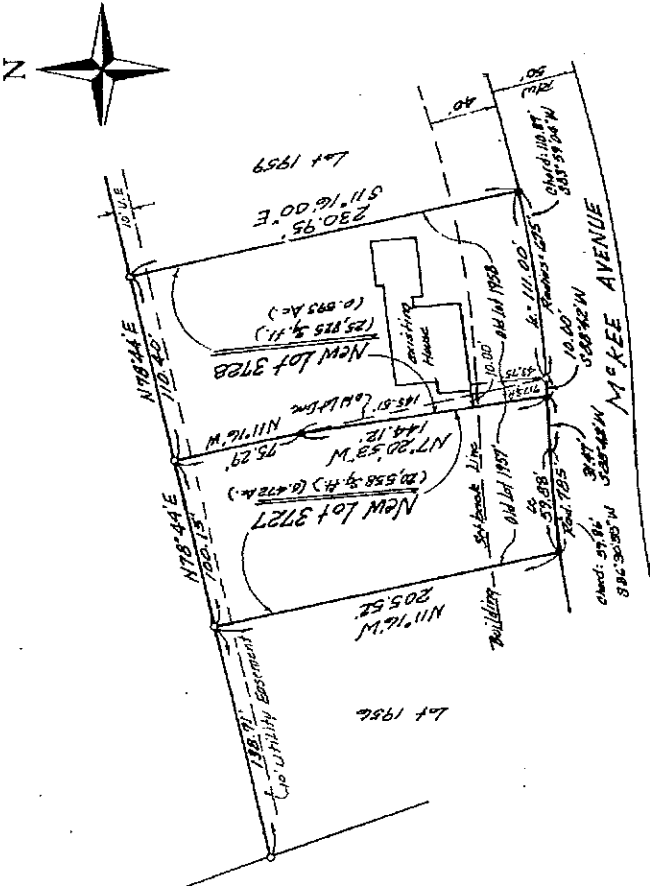
THE ABOVE EASEMENTS ARE ALSO PROVIDED FOR OTHER PUBLIC AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION OF STORM WATER DRAINS, OPEN CHANNELS, PUBLIC AND PRIVATE SEWERS, PIPELINES FOR THE SUPPLY OF WATER, CABLE TELEVISION AND FOR ANY OTHER PUBLIC OR QUASI PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR USED BY ORDINARY METHODS BENEATH OR ABOVE THE EASEMENT OR THE GROUND TOGETHER WITH THE RIGHT OF ENTRY UPON AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE SET OUR HAND THIS 24th DAY OF OCTOBER, A.D., 2008

WITNESSES: John K. Charney OWNERS #1 (LOT 1957)
Robert F. Fraley ROBERT F. FRALEY
Kathleen A. Nickel KATHLEEN A. NICKEL
Brian K. Nickel BRIAN K. NICKEL

REPLAT OF LOTS 1957 AND 1958 JUNIPER HILL SUBDIVISION SECTION TWO NEW LOTS 3727 AND 3728 CITY OF OXFORD BUTLER COUNTY, OHIO

Bearings shown hereon are based on an assumed meridian and are used to denote angles only.



OWNERS (NEW LOT 3727)
 ROBERT F. FRALEY
 BETTY F. FRALEY
 OWNERS (NEW LOT 3728)
 KATHLEEN A. NICKEL
 BRIAN K. NICKEL

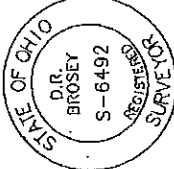
STATE OF OHIO S. S.
 BE IT REMEMBERED THAT ON THIS 24th DAY OF OCTOBER, 2008, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, PERSONALLY CAME (OWNER #1) AND (OWNER #2), WHO ARE THE OWNERS OF THE FOREGOING INSTRUMENT AND THAT THEY SAID TO ME THAT THEY DID SIGN THE FOREGOING INSTRUMENT AND THAT THE SAME IS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HEREBY SUBSCRIBE MY NAME AND AFFIX MY NOTORIAL SEAL ON THIS DAY AND YEAR AFORESAID.

JAMES E. HENDERSON, Notary Public
 My Commission Expires 12/31/2011
 Notary Public, State of Ohio

MY COMMISSION EXPIRES

SCALE IN FEET 1" = 50'
 Date: 10/14/08

PREPARED BY:
 BROSEY SURVEYING COMPANY
 4045 STILLWELL ROAD
 HAMILTON, OHIO 45013 513-863-0037



Daniel R. Brosey
 D. R. Brosey, P.S.
 Registered Surveyor No. 6492

THE STREET TREES ARE TO BE PLANTED AS PER THE CITY'S LANDSCAPE ORDINANCE BY THE BUILDER OF EACH HOUSE AT THE TIME OF COMPLETION.

ALL LOTS TRANSFERRED SHALL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE PLAT, AND ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

ANY FUTURE SPLITTING OF ANY LOT THAT RESULTS IN AN ADDITIONAL BUILDING SITE BEING CREATED SHALL BE BY REPLAT ONLY.

THE CITY OF OXFORD DOES NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF OXFORD IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE EASEMENT AREA OF EACH LOT, THE OWNERS OF THE LOT, IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNERS OF THE LOT. WITHIN THE EASEMENTS, NO STRUCTURES, BUILDINGS, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN, WHICH MAY OBSTRUCT, RETARD OR CHANGE THE DIRECTION OF THE FLOW OF WATER.

ALL EASEMENTS SHALL BE KEPT CLEAR OF DECKS, POOLS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE UTILITIES. EAVES MAY ENCRoACH NO MORE THAN 18 INCHES INTO ANY EASEMENT.

ALL BUILDINGS ARE TO BE SERVED BY THE PUBLIC SEWER SYSTEM AS SHOWN ON THE PLAT. ALL BUILDINGS SHALL BE CONSTRUCTED SO AS TO PROVIDE GRAVITY FLOW TO THE SANITARY SEWER MAIN.

APPROVED AND ACCEPTED BY THE CITY OF OXFORD COUNCIL BY ORDINANCE PASSED AT THE MEETING OF _____, 2008.

ORDINANCE # _____
 CLERK OF COUNCIL _____ MAYOR _____
 PLANNING DIRECTOR _____ DATE _____
 ENGINEERING DIRECTOR _____ DATE _____

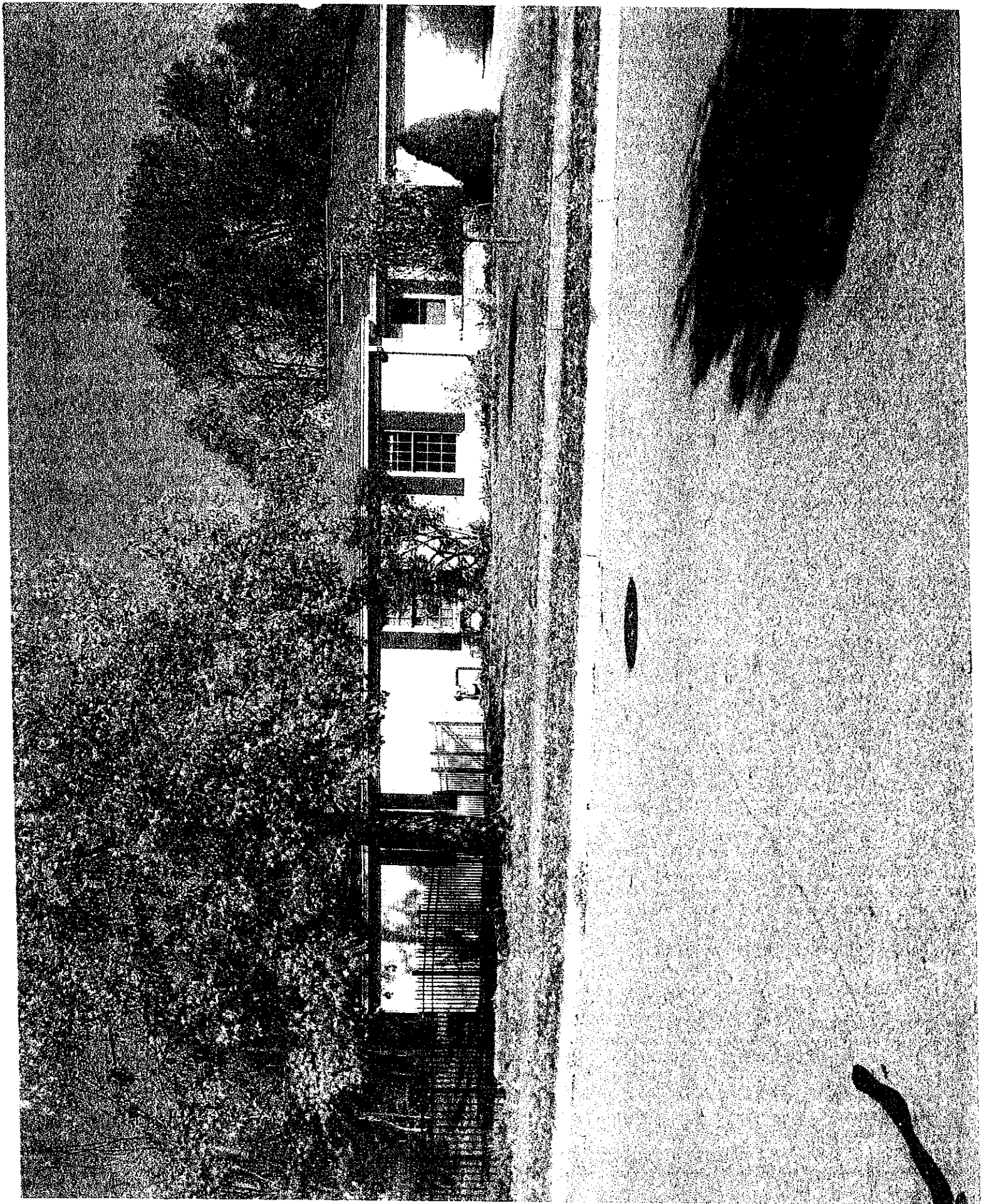
RECEIVED FOR TRANSFER _____ A.D. 20____
 TRANSFERRED _____ A.D. 20____
 AUDITOR, BUTLER COUNTY, OHIO: _____

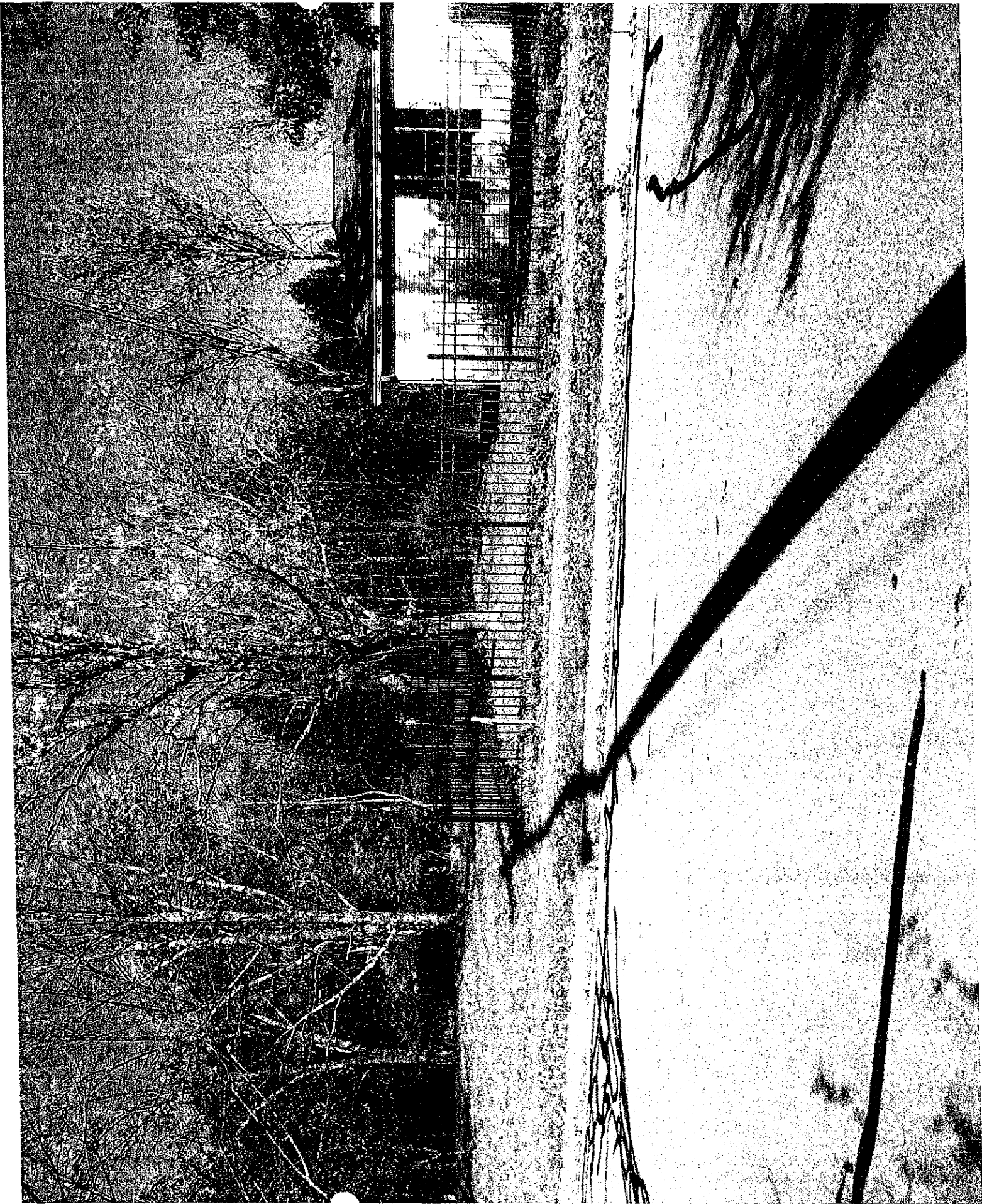
FILED FOR RECORD _____ DATE _____ TIME _____
 RECORDED _____ A.D. 20____

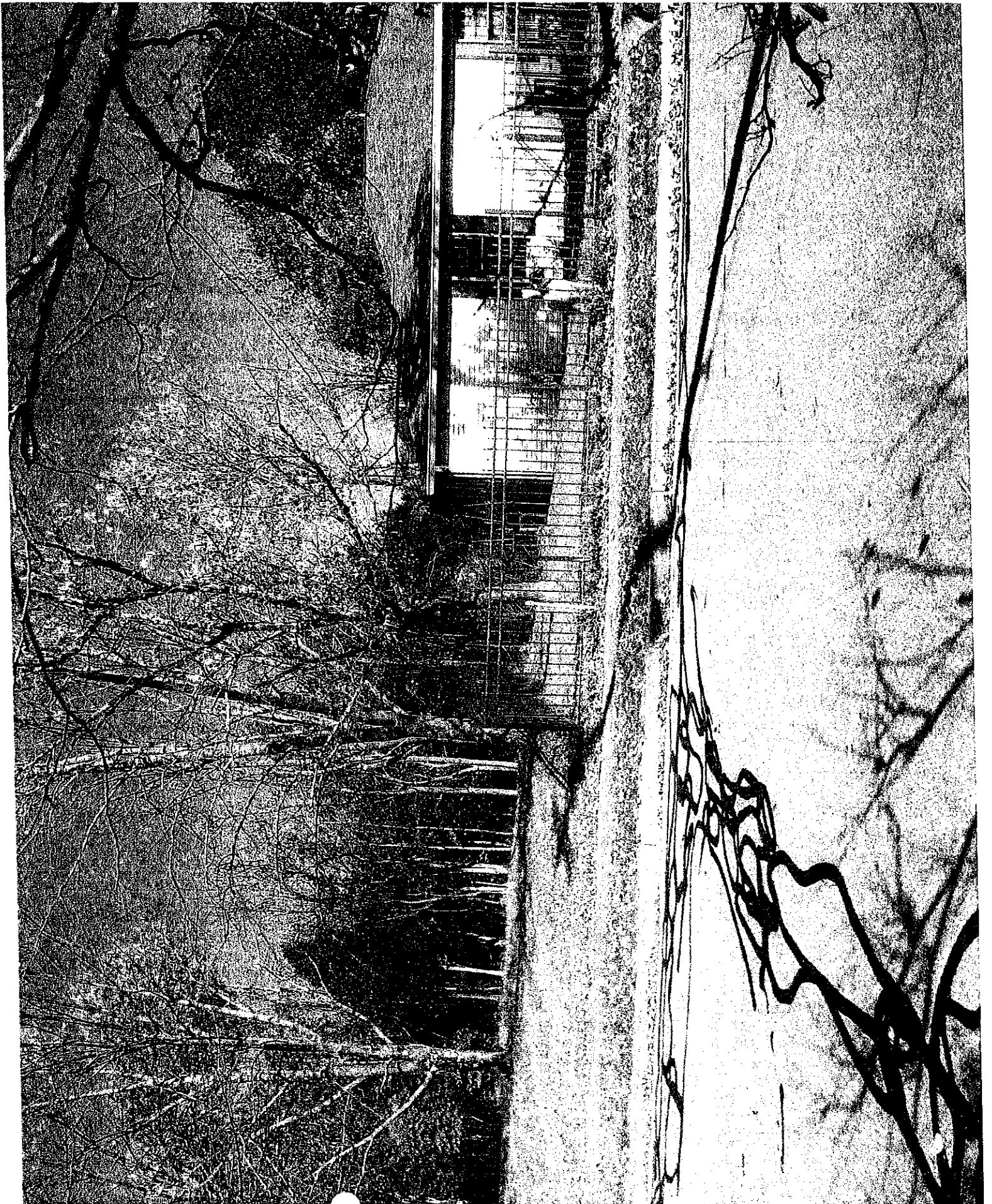
RECORDER, BUTLER CO., OHIO
 DEPUTY _____

PLAT ENVELOPE _____ PAGES _____
 FEE: _____

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN SURVEY MADE UNDER MY DIRECTION, THAT ALL MONUMENTS ARE SHOWN AND THAT ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.







CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: December 16, 2008

Donna Heck

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 10, 2008

Date Prepared

Agenda Title: An Ordinance Amending Salary Ordinance No. 3035, Section 3. Part-Time Positions.

Recommendation: Approve.

Discussion: The proposed Ordinance provides clarification with regard to the pay rates for the Part-Time positions in the Fire Division. The correction allows individuals to be paid up to the amount shown depending on the various certifications and licenses they possess.

The amendment is a correction only to the pay rates and does not change the number of part-time or volunteer positions.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

Djh 12/10/08

ORDINANCE NO. _____

AN ORDINANCE AMENDING SALARY ORDINANCE NO. 3035, SECTION 3. PART-TIME POSITIONS.

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

SECTION 1: The City Manager, Fire Chief and Human Resources Director recommend Council amend the Salary Ordinance, Section 3. Part-Time Positions to correct the Fire Division's hourly rates of pay.

SECTION 2: Council hereby accepts the recommendation of the City Manager, Fire Chief and Human Resources Director and amends Section 3 of the Salary Ordinance to correct the Fire Division's hourly rates of pay.

SECTION 3: In all other respects Ordinance No. 3035, except as herein amended, shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

SECTION 3: The following part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

<i>POSITION TITLE</i>	<i>AUTHORIZATION</i>	
	<i># OF</i>	<i>PAY</i>
	<i><u>EMPLOYEES</u></i>	<i><u>RATE</u></i>
<i>ADMINISTRATION</i>		
Receptionist	1	\$14.00/hr
<i>FINANCE DEPARTMENT</i>		
Accounting Assistant	1	\$14.00/hr
<i>PARKS & RECREATION DEPARTMENT</i>		
Park/Recreation Technician	5	\$11.00/hour
Program/Facility Coordinator	3	\$14.00/hour
<i>SERVICE DEPARTMENT</i>		
Laborers	4	\$12.00/hour
Streets & Maintenance Division		
Wastewater Collection		
Water Plant Operators	2	\$20.2528/hour
<i>SAFETY DEPARTMENT - FIRE DIVISION</i>		
Part-Time Firefighters/EMT's	15	\$13/hr-meeting \$14.50
All-Other Firefighters and/or EMT's	64 24	\$13/hr-meeting \$14.50
Fire Division Captains	3	\$14/HR+\$650/yr \$15.50 (add'l)
Fire Division Lieutenants	3	\$13.50/hr+\$350/yr \$15.00 (add'l pay)
Life Squad Members	40	\$14.50/12-hr shift One-run \$29/24-hr shift 2 runs \$15.50/12-hr shift 1 run \$31/24-hr shift 2 runs \$14.50/add'l hr spent on scene- \$14.50/meeting
<i>SAFETY DEPARTMENT - POLICE DIVISION</i>		
Police Officer	6	contract base pay
Public Safety Assistant	3	contract base pay
Public Safety Communications Officer	4	contract base pay
Parking Interns	8*	\$14.00/hr *Reimbursed
TOTAL Part-Time Authorized Strength: 122		
<i>CITY-WIDE</i>		
Intern/Temporary Part-time		\$14.00/hour