CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Account Code No. #:

Jung-Han Chen
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:		**Initial**	**Date**
	Department Head:		
	City Attorney:		
	City Manager:		

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:

	Initial	Date
Department Head:		1/15/09
City Attorney:		
City Manager:		

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

Clerk of Council
Originating Department

Council Meeting Of: January 20, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

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:

	Initial	Date
Department Head:	MAE	12/24/08
City Attorney:		
City Manager:		

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Account Code No. #:

Jung-Han Chen
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:

	Initial	Date
Department Head:	JHC	1/2/09
City Attorney:		
City Manager:		

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:

	Initial	Date
Department Head:		12/23/08
City Attorney:		
City Manager:		

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

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: January 20, 2009

Account Code No. #:

Jung-Han Chen
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:

	Initial	**Date**
Department Head:	JHC	1/2/09
City Attorney:	\	
City Manager:	\	

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: January 20, 2009

Account Code No. #:

Jung-Han Chen
Prepared By

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:

	Initial	Date
Department Head:	JC	1/2/09
City Attorney:		
City Manager:		

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

Report Date	January 20, 2009
Case Number	PC-26-2008
Applicant Information	Kathy Nickel, Applicant Tara Jones, Agent
Requested Action	Final Subdivision Replat
Summary of Request	To allow for the replat of Lots 1957 and 1958 into new Lots 3727 and 3728.
Public Hearing Information	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.
Commission Action	The Planning Commission voted 6-0-0 to recommend to City Council APPROVAL of this replat request.
Commission Findings and Conclusions	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.
Exhibits Submitted to the Commission	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
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:

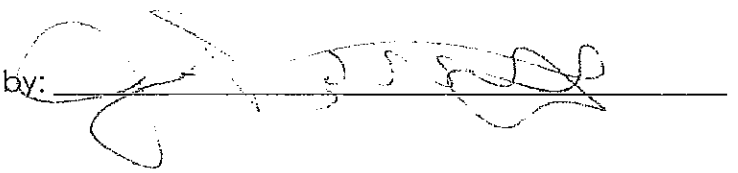
PC-26-2008 **FINAL SUBDIVISION REPLAT,** McKee Avenue, Juniper Hill Subdivision, Section Two, replat of Lots 1957 and 1958 into new Lots 3727 and 3728, **Kathy Nickel, Applicant**

____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
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: A. Dopson 11-19-08

RECEIVED
NOV 17 2008
City of Oxford
Engineering Division

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: S Seltzer

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
HOME OF MIAMI UNIVERSITY

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 EDBAUGH

Address: 709 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 A Edbaugh
Signature

11/24/2008
Date

W. Hardy Edbaugh

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. Nickol **Date:** 10/24/08

PRINTED NAME: KATHLEEN NICKOL

FEE / RECEIPT

$400.00 PLUS $100.00 PER LOT Fee Paid / Receipt Number: 14205

Letter of Agency for PC-26-2008

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

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

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.

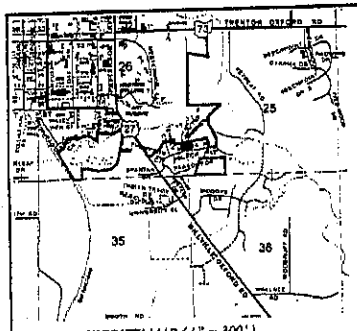
Client

10/15/08
Date

REPLAT OF LOTS 1957 AND 1958

JUNIPER HILL SUBDIVISION
SECTION TWO
NEW LOTS 3727 AND 3728

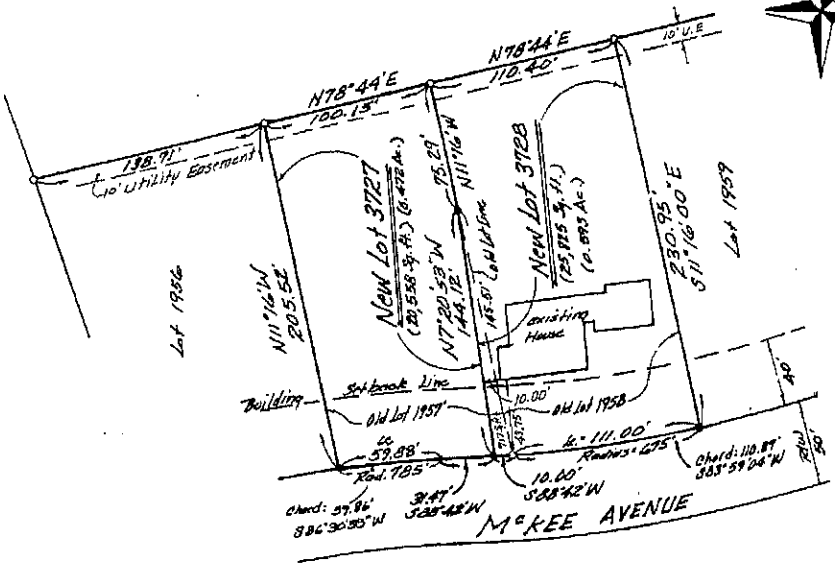
CITY OF OXFORD
BUTLER COUNTY, OHIO



VICINITY MAP (1" = 300')

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

N



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, AND OPERATION OF POLES, WIRES, CONDUITS, AND THE NECESSARY ATTACHMENTS IN CONNNECTION THEREWITH, FOR THE TRANSMISSION OF ELECTRIC, TELEPHONE, CABLE AND OTHER PURPOSES; FOR THE CONSTRUCTION AND MAINENANCE OF SERVICE AND UNDERGROUND STORM WATER DRAIN, PIPELINES FOR SUPPLYING GAS, WATER, HEAT AND OTHER PUBLIC OR QUASI PUBLIC UTILITY FUNCTIONS TOGETHER WITH THE NECESSARY LATERAL CONNECTIONS, AND ALSO THE RIGHT TO INGRESS TO AND EGRESS FROM SAID EASEMENTS, AND TO CUT, TRIM OR REMOVE TREES AND UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE THE CLEARENCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY OR (4) CREATE A HAZARD.

THE ABOVE EASEMENTS ARE ALSO PROVIDED FOR OTHER PUBLIC USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION OF STORM WATER DRAINS, OPEN CHANNELS, PUBLIC AND PRIVATE SEWERS, PIPELINES FOR THE SUPPLYING OF WATER, CABLE TELEVISION AND FOR ANY OTHER PUBLIC OF QUASI PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND TOGETHER WITH THE RIGHT OF INGRESS 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., 200

WITNESSES: Linda K. Charlwite

WITNESSES: John L. Thomas

OWNERS #1 (LOT 1957)

Robert Fraley
ROBERT FRALEY

Betty F. Fraley
BETTY F. FRALEY

OWNERS #2 (LOT 1958)

Kathleen A. Nickel
KATHLEEN A. NICKEL

Brian K. Nickel
BRIAN K. NICKEL

OWNERS (NEW LOT 3727)
ROBERT FRALEY
BETTY F. FRALEY

OWNERS (NEW LOT 3728)
KATHLEEN A. NICKEL
BRIAN K. NICKEL

LEGEND
- ○ Existing Monumentation (Iron Pin, Iron Pipe)
- ● Monumentation Set (This Survey)

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 ACKNOWLEDGED 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 HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTORIAL SEAL ON THIS DAY AND YEAR AFORESAID.

JAMES G. ROBINSON, Attorney at Law
NOTARY PUBLIC-STATE OF OHIO
My commission has no expiration
Gen. Section 147.03 R. C.

MY COMMISSION EXPIRES

James G. Robinson
NOTARY PUBLIC, STATE OF OHIO

0' 50' 100'
SCALE IN FEET 1" = 50'

Date: 10/14/08

PREPARED BY:
BROSEY SURVEYING COMPANY
4045 STILLWELL ROAD
HAMILTON, OHIO 45013 513-863-0237

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, AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNERS OF THE LOT. WITHIN THE EASEMENTS, NO STRUCTURES, PLANTING 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 TOTHE 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 AND 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:

BY: _____

FILED FOR RECORD _____ DATE _____ TIME

RECORDED _____ A.D. 20____

RECORDER, BUTLER CO., OHIO

BY: _____ DEPUTY

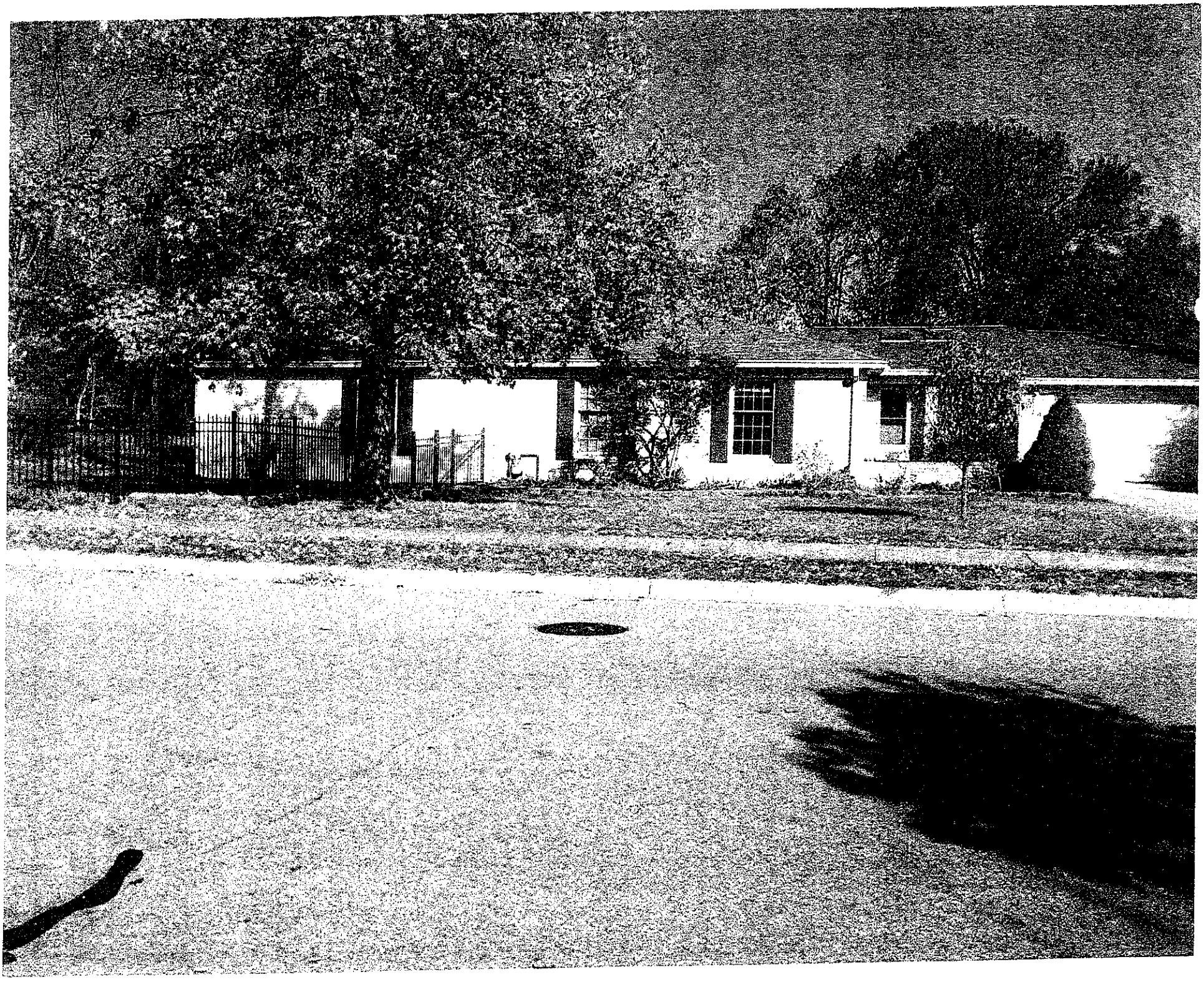
PLAT ENVELOPE _____ PAGES _____

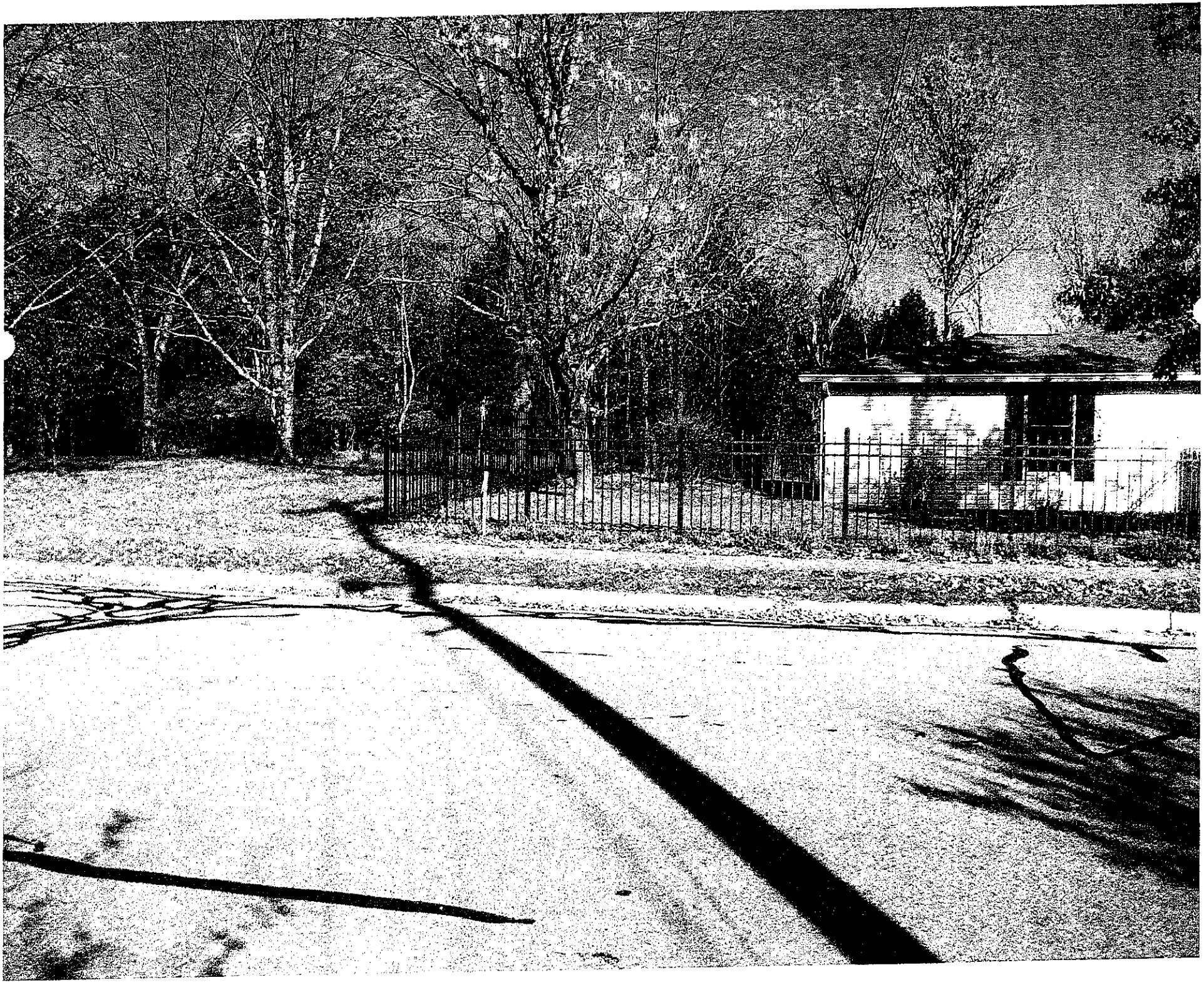
FILE: _____ FEE: _____

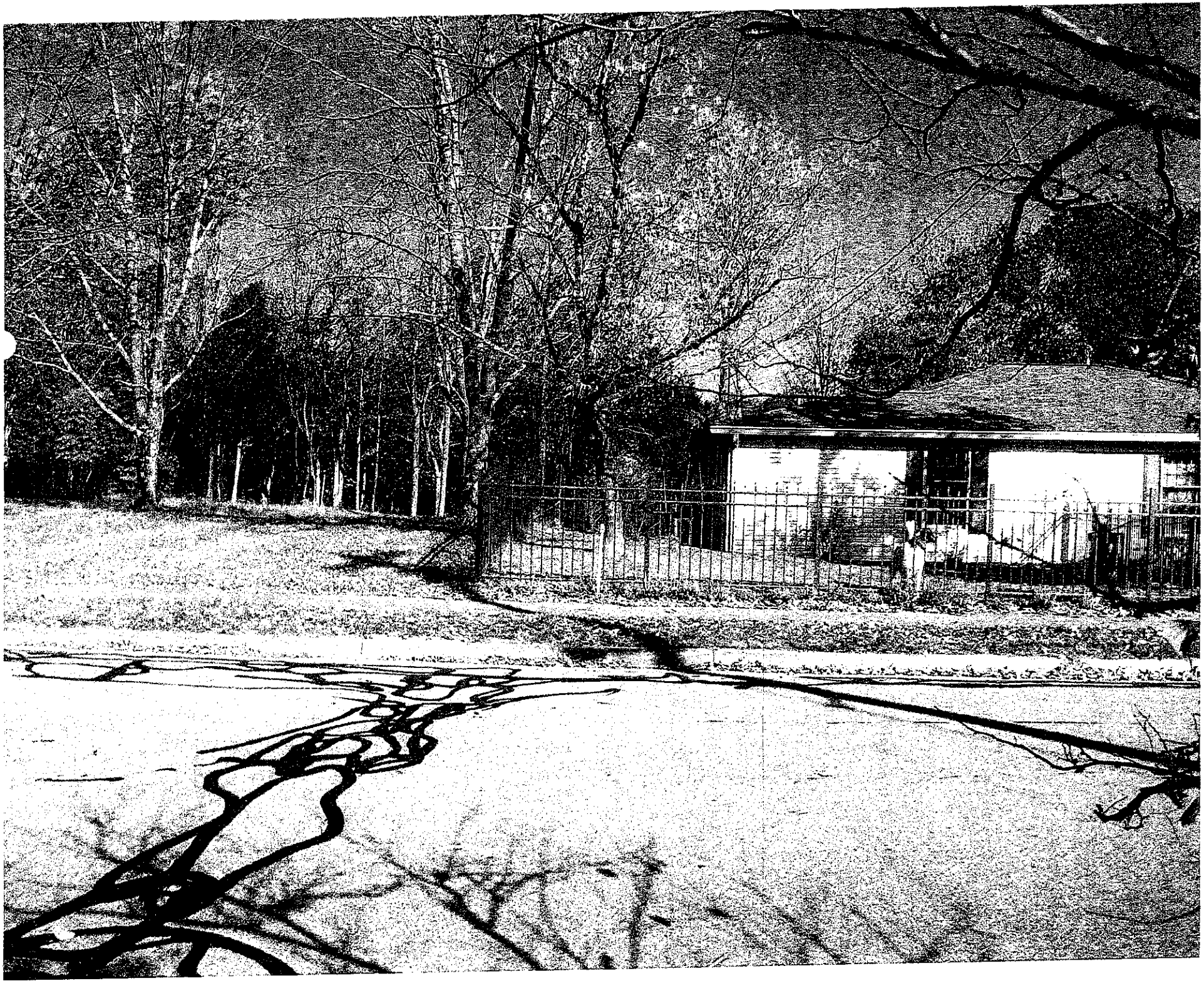
I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION, THAT ALL MONUMENTS ARE AS SHOWN AND THAT ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

STATE OF OHIO
D.R. BROSEY
S-6492
REGISTERED SURVEYOR

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







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:

	Initial	Date
Department Head:	MBD	1/14/09
City Attorney:		
City Manager:		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 scaled 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:_____.

DDS 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.;

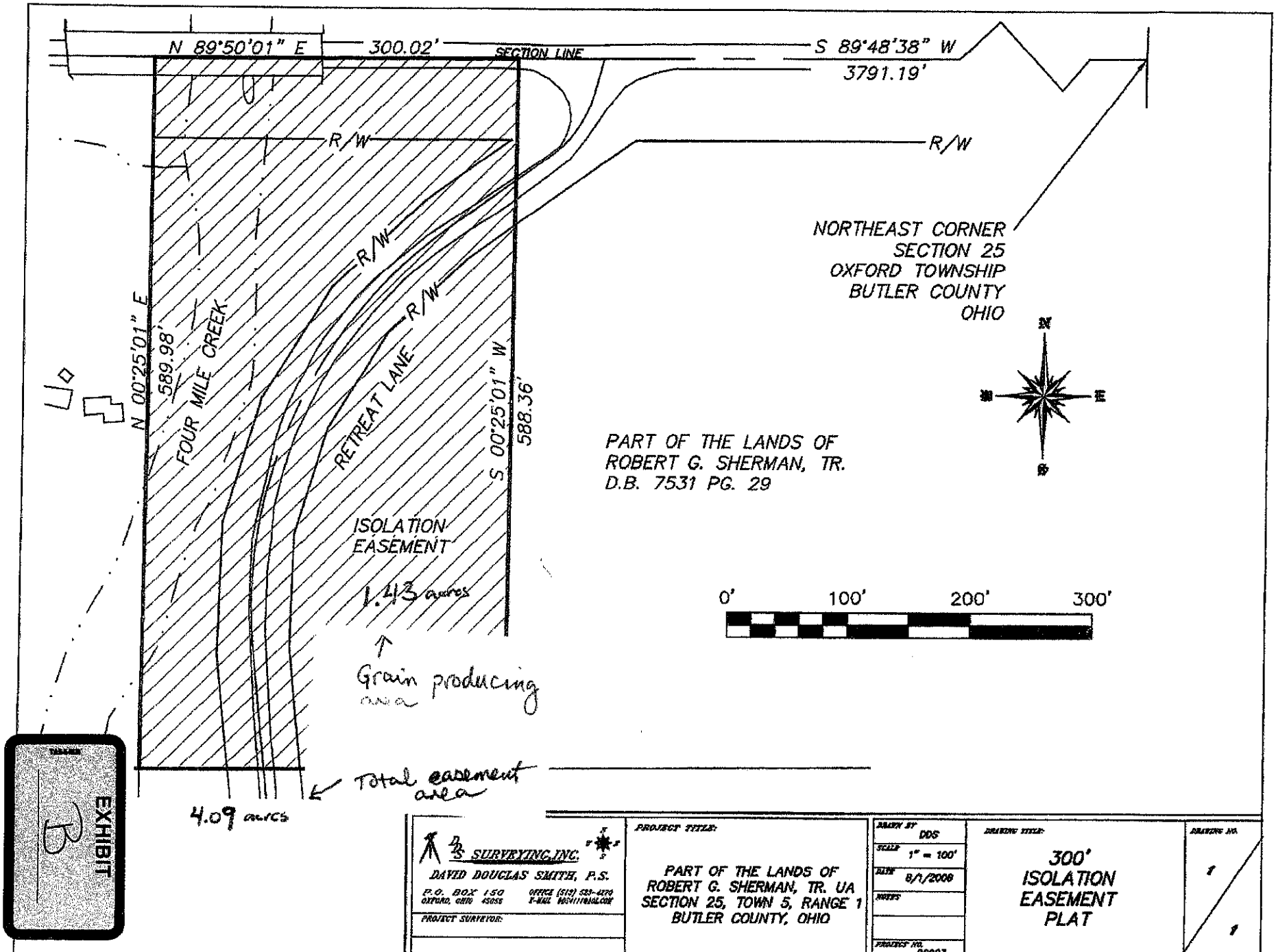
Thence with said south line of lands of Robert G. Sherman Tr. S 89°31'26" W for 302.95 feet to a point said point being on the west line of said lands of Robert G. Sherman Tr.;

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


N 89°50'01" E
300.02'
SECTION LINE
S 89°48'38" W
3791.19'
R/W
R/W
R/W
R/W
NORTHEAST CORNER
SECTION 25
OXFORD TOWNSHIP
BUTLER COUNTY
OHIO
N 00°25'01" E
589.98'
FOUR MILE CREEK
RETREAT LANE
S 00°25'01" W
588.36'
PART OF THE LANDS OF
ROBERT G. SHERMAN, TR.
D.B. 7531 PG. 29
ISOLATION
EASEMENT
1.13 acres
Grain producing area
0'
100'
200'
300'
Total easement area
4.09 acres
EXHIBIT
B
DS SURVEYING, INC.
DAVID DOUGLAS SMITH, P.S.
P.O. BOX 150
OXFORD, OHIO 45056
OFFICE (513) 523-4170
E-MAIL
PROJECT SURVEYOR:
PROJECT TITLE:
PART OF THE LANDS OF
ROBERT G. SHERMAN, TR. UA
SECTION 25, TOWN 5, RANGE 1
BUTLER COUNTY, OHIO
DRAWN BY DDS
SCALE 1" = 100'
DATE 8/1/2008
NOTES:
PROJECT NO. 26083
DRAWING TITLE:
300'
ISOLATION
EASEMENT
PLAT
DRAWING NO.
1
1

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: 1/20/2009

Account Code No. #: 110.411.52370

Budgeted Amount: $18,000

City Manager
Original Department

Kim Newton
Prepared By

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

Human Resources
Originating Department

Council Meeting Of: December 16, 2008

Donna Heck
Prepared By

Account Code No. #: N/A

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:

	Initial	Date
Department Head:	DJH	12/10/08
City Attorney:		
City Manager:		

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):

POSITION TITLE	*AUTHORIZATION # OF EMPLOYEES*	*PAY RATE*
ADMINISTRATION		
Receptionist	1	$14.00/hr
FINANCE DEPARTMENT		
Accounting Assistant	1	$14.00/hr
PARKS & RECREATION DEPARTMENT		
Park/Recreation Technician	5	$11.00/hour
Program/Facility Coordinator	3	$14.00/hour
SERVICE DEPARTMENT		
Laborers Streets & Maintenance Division Wastewater Collection	4	$12.00/hour
Water Plant Operators	2	$20.2528/hour
SAFETY DEPARTMENT - FIRE DIVISION		
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** (~~addt'l~~)
Fire Division Lieutenants	3	~~$13.50/hr+$350/yr~~ **$15.00** ~~(addt'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/addt'l hr spent on scene $14.50/meeting~~
SAFETY DEPARTMENT - POLICE DIVISION		
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

CITY-WIDE		
Intern/Temporary Part-time		**$14.00/hour**