



## **Agenda**

### **Oxford City Council**

#### **Court House**

**TUESDAY, FEBRUARY 1, 2011**

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### **EXECUTIVE SESSION**

**7:15 P.M.**

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

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**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.

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### **REGULAR MEETING**

**7:30 P.M.**

### **PLEDGE OF ALLEGIANCE**

2. Approval of Agenda.

|                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>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.</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

3. Public Participation.

- A. Recognition - Peter Seltenright, Kevin Doman, Ian Nelson-Johnson and Zach Westerfield.
- B. Notice to Legislative Authority - transfer permit from Sribalaji Inc DBA Rohan India 339 Foxfire Dr Oxford Ohio 45056 to Butter Brothers Inc DBA Tajmahal 2 339 Foxfire Dr Oxford Ohio 45056.



Notice

- 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 January 18, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. A Resolution declaring certain City property no longer needed for any municipal purpose and authorizing its trade to a federally licensed firearms dealer. (Steve Schwein, Police Chief)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to apply for the 2011 Fire Prevention and Safety Grant with a ten percent (10%) match by the City. (John Detherage, Fire Chief).



Staff Report/Resolution

6. Ordinances.

- A. First Reading.

1. An Ordinance Approving The Final Subdivision Application For Campus Commons Subdivision, Phases Two And Three. (Jung-Han Chen, Community Development Director).



Staff Reports/Ordinance

2. An Ordinance Adopting The 2003 Edition Of The International Property Maintenance Code As Amended And Repealing Ordinance No. 2904. (Jung-Han Chen, Community

Development Director).



Staff Report/Ordinance

3. An Ordinance Amending Section 935.20, Notice to Cut, Destroy, or Remove, Providing Notice By Placing A Placard And Posting On The Property If The Property Is Occupied And Providing Notice By Certified Mail Or Publication If The Property Is Unoccupied. (Mike Dreisbach, Service Director).



Staff Report/Ordinance

4. An Ordinance Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director).



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payment Of Assessments. (Mike Dreisbach, Service Director).



Staff Report/Ordinance

2. An Ordinance Establishing Age Sixty (60) As The Maximum Age For An Original Appointment To The Oxford Police Department. (Steve Schwein, Police Chief).



Staff Report/Ordinance

7. A. Announcements & Communications. The comments expressed by individual members of Council or City staff during this 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.

1. Remarks from City Council and City Staff.

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

WED - Feb 2 Environmental Commission Meeting 7:00 p.m. Municipal Building

WED - Feb 2 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

THUR - Feb 3 Community Relations Commission Meeting 7:00 p.m. City Manager's Office

TUES - Feb 8 Joint Work Session City Council and Planning Commission 7:00 p.m.

TUES - Feb 8 Planning Commission Meeting 7:30 p.m. Cancelled

THUR - Feb 9 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

TUES - Feb 15 City Council Meeting 7:30 p.m.

WED - Feb 16 Board of Zoning Appeals Meeting 7:30 p.m. Cancelled

THUR -Feb 17 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

MON - Feb 21 Housing Advisory Commission Meeting 7:00 p.m. Cancelled

MON - Feb 21 Holiday - City Offices Closed

WED - Feb 23 Civil Service Commission Meeting 7:00 p.m.

FRI - Feb 25 Community Improvement Corporation Meeting 12:00 p.m. LCNB

MON - Feb 28 Conservation Development and New Urbanism Workshop 6:00 p.m.

8. Adjourn.

# CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance  
\_\_\_\_\_  
Originating Department

Council Meeting Of :                      2/1/2011

Account Code No. :                      see below

Joe Newlin  
\_\_\_\_\_  
Prepared By

Budgeted Amount :                      \_\_\_\_\_

1/25/2011  
\_\_\_\_\_  
Date Prepared

|                      |                                    |
|----------------------|------------------------------------|
| <b>Agenda Title:</b> | <b>2011 Supplemental Budget #1</b> |
|----------------------|------------------------------------|

|                        |                |
|------------------------|----------------|
| <b>Recommendation:</b> | <b>Approve</b> |
|------------------------|----------------|

**Issue 1**

ODOT updated estimate of City's portion of SR 732 repaving project

**Action Needed:**

Revenue Side

-      N/A

Expense Side

|                         |           |                                  |
|-------------------------|-----------|----------------------------------|
| Capital Improvement 141 | 11,442.00 | Increase for Urban Paving SR 732 |
|-------------------------|-----------|----------------------------------|

|                                                       |             |  |
|-------------------------------------------------------|-------------|--|
| Net Effect on Fund Balance/(s)<br>Increase/(Decrease) | (11,442.00) |  |
|-------------------------------------------------------|-------------|--|

**Issue 2**

Distribution of Estate Tax to Oxford Township per agreement received by the City in December of 2010.

**Action Needed:**

Revenue Side

-      N/A

Expense Side

|             |           |                                       |
|-------------|-----------|---------------------------------------|
| General 110 | 63,505.81 | Payment to Oxford Township Estate Tax |
|-------------|-----------|---------------------------------------|

|                                                       |             |  |
|-------------------------------------------------------|-------------|--|
| Net Effect on Fund Balance/(s)<br>Increase/(Decrease) | (63,505.81) |  |
|-------------------------------------------------------|-------------|--|

**Issue 3**

Adjusting original 2011 budget to reflect the establishment of Fire/EMS Fund 418

Decrease original revenues & expenditures in General Fund and increase revenues and expenditures in Fire/EMS Fund

**Upon passage all expenditures and revenues posted year to date in the General fund will be reversed and posted to Fire/EMS Fund 418**

**Action Needed:**

Revenue Side

|              |              |                                                                |
|--------------|--------------|----------------------------------------------------------------|
| General 110  | (407,000.00) | Fire & Life Squad Grant, Oxford Township Contract, EMS Billing |
| Fire/EMS 418 | 407,000.00   | Fire & Life Squad Grant, Oxford Township Contract, EMS Billing |

Expense Side

|              |                |                                                                               |
|--------------|----------------|-------------------------------------------------------------------------------|
| General 110  | (1,342,342.00) | 150 - Firefighting & Training, 151- EMS & 160 - Emergency Management Services |
| Fire/EMS 418 | 1,342,342.00   | Fire/EMS                                                                      |

|                                |   |
|--------------------------------|---|
| Net Effect on Fund Balance/(s) | - |
| Increase/(Decrease)            |   |

**Issue 4**

Adjusting Fire/EMS budget for new revenues and expenses connected with .25% Income Tax and related expenses and additional revenue from Milford Township

**Action Needed:**

Revenue Side

|              |            |                                                     |
|--------------|------------|-----------------------------------------------------|
| Fire/EMS 418 | 977,200.00 | Income Tax - \$971,000 and \$6,200 Milford Township |
|--------------|------------|-----------------------------------------------------|

Expense Side

|              |           |
|--------------|-----------|
| Fire/EMS 418 | 38,840.00 |
|--------------|-----------|

|                                |            |
|--------------------------------|------------|
| Net Effect on Fund Balance/(s) | 938,360.00 |
| Increase/(Decrease)            |            |

**Issue 5**

Adjusting Fire/EMS budget for prior years outstanding encumbrances funds to be transferred to Fire/EMS Fund from General Fund  
Transfer will occur after passage of legislation.

**Action Needed:**

Revenue Side

|              |           |                               |
|--------------|-----------|-------------------------------|
| Fire/EMS 418 | 46,899.00 | Transferred from General Fund |
|--------------|-----------|-------------------------------|

Expense Side

|              |             |                                                        |
|--------------|-------------|--------------------------------------------------------|
| General 110  | (46,899.00) | Decrease in prior years encumbrances                   |
| General 110  | 46,899.00   | Increase in appropriation for transfer to Fire/EMS     |
| Fire/EMS 418 | 46,899.00   | Increase in appropriation for Prior years encumbrances |

|                                |   |
|--------------------------------|---|
| Net Effect on Fund Balance/(s) | - |
| Increase/(Decrease)            |   |

**Issue 6**

Adjusting Fire/EMS budget for revenue to cover first months expenses and advance funds to cover future expenditures  
Transfer and advance will occur after passage of legislation and advance will be repaid when funds become available.

**Action Needed:**

Revenue Side

|              |            |                                          |
|--------------|------------|------------------------------------------|
| Fire/EMS 418 | 80,000.00  | Transferred from General Fund            |
| Fire/EMS 418 | 245,000.00 | Advanced from General Fund               |
| General 110  | 245,000.00 | Repayment of advanced from Fire/EMS Fund |

Expense Side

|              |            |                                       |
|--------------|------------|---------------------------------------|
| General 110  | 80,000.00  | Transfer to Fire/EMS                  |
| General 110  | 245,000.00 | Advanced to Fire/EMS Fund             |
| Fire/EMS 418 | 245,000.00 | Repayment of advanced to General Fund |

|                                |   |
|--------------------------------|---|
| Net Effect on Fund Balance/(s) | - |
| Increase/(Decrease)            |   |

**Issue 7**

Adjusting Water Debt Service Fund to account for Bond Refinancing and 2011 new debt payments

**Action Needed:**

Revenue Side

|                             |              |                                                              |
|-----------------------------|--------------|--------------------------------------------------------------|
| Water Bond Debt Service 312 | 3,452,757.95 | Bond Proceeds                                                |
| Water Bond Debt Service 312 | (35,939.72)  | Decrease in budgeted transfer for current years debt service |

Expense Side

|                             |              |                                                       |
|-----------------------------|--------------|-------------------------------------------------------|
| Water Bond Debt Service 312 | 3,360,000.00 | Retirement of Outstanding Bonds - Principle           |
| Water Bond Debt Service 312 | 37,144.17    | Retirement of Outstanding Bonds - Interest            |
| Water Bond Debt Service 312 | 55,613.78    | Debt Issuance Costs                                   |
| Water Bond Debt Service 312 | 60,000.00    | Principle Payment (830,000 - 770,000)                 |
| Water Bond Debt Service 312 | (95,939.72)  | Interest Payment (57,160.28 - 153,100.00)             |
| Water 321                   | (35,939.72)  | Decrease budgeted transfer to Water Bond Debt Service |

|                                |           |
|--------------------------------|-----------|
| Net Effect on Fund Balance/(s) | 35,939.72 |
| Increase/(Decrease)            |           |

|                                      |            |
|--------------------------------------|------------|
| Total Net Effect on Fund Balance/(s) | 899,351.91 |
| Increase/(Decrease)                  |            |

Breakdown by Fund

|                             |             |
|-----------------------------|-------------|
| General 110                 | 791,836.19  |
| Fire/EMS 418                | 83,018.00   |
| Capital Improvement 141     | (11,442.00) |
| Water Bond Debt Service 312 | -           |
| Water 321                   | 35,939.72   |

|                                |            |
|--------------------------------|------------|
| Net Effect on Fund Balance/(s) | 899,351.91 |
| Increase/(Decrease)            |            |

|              |                  |            |          |
|--------------|------------------|------------|----------|
| Approved By: | Department Head: | Initials   | Date     |
|              |                  | <i>DE</i>  | 11/27/11 |
|              | City Manager:    | <i>DAE</i> | 11/28/11 |

## ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3130. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2011.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in revenues be made:

|                                  |              |
|----------------------------------|--------------|
| General Fund 110                 | (407,000.00) |
| Fire/EMS Fund 418                | 407,000.00   |
| Fire/EMS Fund 418                | 977,200.00   |
| Water Bond Debt Service Fund 312 | 3,452,757.95 |
| Water Bond Debt Service Fund 312 | (35,939.72)  |

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

|                                  |                |
|----------------------------------|----------------|
| Capital Improvement Fund 141     | 11,442.00      |
| General Fund 110                 | 63,505.81      |
| General Fund 110                 |                |
| Personnel Services               | (1,067,172.00) |
| Other Services & Charges         | (275,170.00)   |
| Fire/EMS Fund 418                |                |
| Personnel Services               | 1,067,172.00   |
| Other Services & Charges         | 275,170.00     |
| Fire/EMS Fund 418                | 38,840.00      |
| General Fund 110                 | (46,899.00)    |
| General Fund 110                 | 46,899.00      |
| General Fund 110                 | 80,000.00      |
| General Fund 110                 | 245,000.00     |
| Fire/EMS Fund 418                | 245,000.00     |
| Water Bond Debt Service Fund 312 | 3,360,000.00   |
| Water Bond Debt Service Fund 312 | 37,144.17      |
| Water Bond Debt Service Fund 312 | 55,613.78      |
| Water Bond Debt Service Fund 312 | 60,000.00      |
| Water Bond Debt Service Fund 312 | (95,939.72)    |
| Water Fund 321                   | (35,939.72)    |

SECTION 4: The following transfer(s) be executed:

|                  |           |
|------------------|-----------|
| Transfer from:   |           |
| General Fund 110 | 46,899.00 |
| General Fund 110 | 80,000.00 |

|                   |           |
|-------------------|-----------|
| Transfer to:      |           |
| Fire/EMS Fund 418 | 46,899.00 |
| Fire/EMS Fund 418 | 80,000.00 |

**ORDINANCE NO.**

AN ORDINANCE AMENDING ORDINANCE NO. 3130. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2011.

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SECTION 2: The following increase/(decrease)in revenues be made:

|                                  |              |
|----------------------------------|--------------|
| General Fund 110                 | (407,000.00) |
| Fire/EMS Fund 418                | 407,000.00   |
| Fire/EMS Fund 418                | 977,200.00   |
| Water Bond Debt Service Fund 312 | 3,452,757.95 |
| Water Bond Debt Service Fund 312 | (35,939.72)  |

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

|                                  |                |
|----------------------------------|----------------|
| Capital Improvement Fund 141     | 11,442.00      |
| General Fund 110                 | 63,505.81      |
| General Fund 110                 |                |
| Personnel Services               | (1,067,172.00) |
| Other Services & Charges         | (275,170.00)   |
| Fire/EMS Fund 418                |                |
| Personnel Services               | 1,067,172.00   |
| Other Services & Charges         | 275,170.00     |
| Fire/EMS Fund 418                | 38,840.00      |
| General Fund 110                 | (46,899.00)    |
| General Fund 110                 | 46,899.00      |
| General Fund 110                 | 80,000.00      |
| General Fund 110                 | 245,000.00     |
| Fire/EMS Fund 418                | 245,000.00     |
| Water Bond Debt Service Fund 312 | 3,360,000.00   |
| Water Bond Debt Service Fund 312 | 37,144.17      |
| Water Bond Debt Service Fund 312 | 55,613.78      |
| Water Bond Debt Service Fund 312 | 60,000.00      |
| Water Bond Debt Service Fund 312 | (95,939.72)    |
| Water Fund 321                   | (35,939.72)    |

SECTION 4: The following transfer(s) be executed:

|                  |           |
|------------------|-----------|
| Transfer from:   |           |
| General Fund 110 | 46,899.00 |
| General Fund 110 | 80,000.00 |

|                   |           |
|-------------------|-----------|
| Transfer to:      |           |
| Fire/EMS Fund 418 | 46,899.00 |
| Fire/EMS Fund 418 | 80,000.00 |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Service

**Originating Department**

**Council Meeting Of:** January 18, 2011

Michael B. Dreisbach

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

January 11, 2011

**Date Prepared**

**Agenda Title:** An Ordinance Amending Section 935.20, Notice to Cut, Destroy, Or Remove, Providing Single Notice By Publication And Placing A Placard On The Property.

**Recommendation:** Adopt the Ordinance

**Discussion:**

The proposed amendment will bring Section 935.20 into concurrence with the proposed change to Chapter 1305, International Property Maintenance Code Section 302.4.

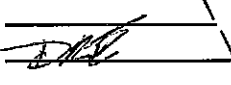
**Approved By:**

Department Head:

City Attorney:

City Manager:

**Initial Date**

 1/11/11

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 935.20, *NOTICE TO CUT, DESTROY, OR REMOVE*, PROVIDING NOTICE BY PLACING A PLACARD AND POSTING ON THE PROPERTY IF THE PROPERTY IS OCCUPIED AND PROVIDING NOTICE BY CERTIFIED MAIL OR PUBLICATION IF THE PROPERTY IS UNOCCUPIED.

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

SECTION 1: The City Council hereby amends Section 935.20, Notice to cut, Destroy, or Remove to read as follows:

**(a) All properties within the City of Oxford must be maintained in accordance with § 935.19 of the Codified Ordinances of the city of Oxford, which prohibits grass or weed growth in excess of ten (10) inches.**

**(b) Should the owner, occupant, or person having charge or management of any residential, commercial, or industrial lot or land within the corporate limits of the City fail to comply with § 935.19, the City will cause the weeds or grass to be cut at the owner's expense. The City will place a lien on the property for the amount owed in accordance with O.R.C. § 731.54.**

~~(a)-(c) The owner, occupant, or person having charge or management of any residential, commercial, or industrial lot or land within the corporate limits of the City, within ten (10) calendar days of the date receiving written notice as set forth in subsection (d) of this Section is sent by the City Manager or designee shall cut or destroy any noxious vegetation upon any such lot or parcel of land and prevent noxious vegetation from exceeding a height of ten (10) inches. Lots or parcels of land include areas within rights of way and between curbs and sidewalks.~~

**~~(b)-(d) If an occupied property is in violation of this Section, If such owner, occupant, or person having charge or management of any such lot or parcel of land is a resident or nonresident whose address is known, such written notice shall be sent by certified mail, return receipt requested or served in person by the City Manager or designee. If the address of the owner or person having charge or management of any such lot or parcel is unknown, it shall be sufficient to post such notice on the property ten (10) calendar days before proceeding with the City causing the weeds or grass to be cut at the owner's expense.. If an unoccupied property is in violation of this Section and the property owner's address is known, notice will be issued by certified mail, return receipt requested, to the owner's address. If an unoccupied property is in violation of this Section and the owner's address is unknown, notice will be published in a newspaper of general circulation in Butler County.~~**

- (e) Those occupied properties found to be in violation of § 935.19 shall have a posting placed on or near the front door of the structure and a placard conspicuously placed in the front yard of the property for a period of ten (10) calendar days. Said posting and placard shall be of a size, shape and color to be clearly visible and shall contain the following information:

1. The nature of the code violation;
2. An order to cut or remove the weeds or grass within ten (10) calendar days;
3. Statement indicating that should the property owner fail to comply with the order, the City will cause the weeds or grass to be cut or removed at the owners' expense, and the City will place a lien on the property for the amount owed in accordance with O.R.C. § 731.54;
4. The penalties provided for removing the posting and placard before bringing the property into compliance; and
5. Contact information of the appropriate city department.

- (f) Such posting and placard shall remain on the property until the property is brought into compliance with § 935.19 of the Codified Ordinances of the City of Oxford. Removal of the posting and placard before the property complies with § 935.19 shall constitute a violation of this section.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION 3: This ordinance shall take effect at the earliest time allowed by law.

\_\_\_\_\_  
MAYOR

ADOPTED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development Department  
**Originating Department**

**Council Meeting Of:** January 18, 2011

Jung-Han Chen

**Account Code No. #:**

**Prepared By**

**Budgeted Amount:**

December 20, 2010

**Date Prepared**

|                      |                                                                                                                                                                                                      |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>An Ordinance to Amend the Oxford Code of Ordinances by Repealing Chapter 1305, International Property Maintenance Code and Adopting New Chapter 1305, International Property Maintenance Code</b> |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                        |                 |
|------------------------|-----------------|
| <b>Recommendation:</b> | <b>Approval</b> |
|------------------------|-----------------|

**Discussion:**

Periodically, Staff reviews City codes and regulations and will recommend updates to reflect those changes that have occurred in previous years. This amendment specifically deals with property maintenance issues including rental properties.

Several changes are being recommended. The first change is to modify Section 103.5 to reflect the rental fees that were adopted by City Council during the 2011 budget process. The second change is to modify Section 302.4 to streamline the notification process regarding tall grass. All changes are italicized and in bold, attached.

The current tall grass notification and abatement process is quite lengthy and cumbersome. After grass has exceeded 10" in height, the City will notify the property owner through certified mail. Quite often the City will not receive the Return Receipt until after 30 days have passed; thus, the grass has grown an additional foot. With the proposed process, the City will publish a notice on or about April 15 of each calendar year advising property owners of the tall grass ordinance and the consequences of failing to meet the ordinance. This new process will significantly cut down the waiting period from over 30 days to around 10 days.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial    Date**

|            |                |
|------------|----------------|
| _____      | _____          |
| _____      | _____          |
| <i>JHC</i> | <i>1/23/11</i> |

## **ORDINANCE NO.**

AN ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS AMENDED AND REPEALING ORDINANCE NO. 2904.

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

SECTION 1: The Council for the City of Oxford hereby adopts the International Property Maintenance Code, 2003 edition, as amended, as the Property Maintenance Code of the City of Oxford in the State of Ohio for regulating and governing the conditions and maintenance of all property, buildings, and structures with the additions, insertions, deletions and changes prescribed in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2: That Ordinance No. 2904 of the City of Oxford entitled AN ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND REPEALING ORDINANCE NO. 2630 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Council of the City of Oxford hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4: That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of actions acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

## Exhibit A

**103.5 Fee Schedule.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

### Rental Housing Permits

#### Initial Establishment (or if inactive for two years or more)

|                      |          |                                                                                                                          |
|----------------------|----------|--------------------------------------------------------------------------------------------------------------------------|
| First Unit           | \$100.00 | <del>\$100.00</del> <b>\$110.00</b>                                                                                      |
| Each additional unit | \$25.00  | <del>\$25.00</del> <b>\$ 30.00</b>                                                                                       |
| Fraternity           | \$300.00 | <del>\$300.00</del> <b>\$ 330.00</b> for first 50 persons, <del>\$10.00</del> <b>\$ 15.00</b> for each additional person |

#### Annual Renewal & Ownership Transfer

|                          |          |                                                                                                                         |
|--------------------------|----------|-------------------------------------------------------------------------------------------------------------------------|
| First Unit               | \$50.00  | <del>\$50.00</del> <b>\$ 55.00</b>                                                                                      |
| Each additional unit     | \$25.00  | <del>\$25.00</del> <b>\$ 30.00</b>                                                                                      |
| Rooming or Lodging House | \$100.00 | <del>\$100.00</del> <b>\$110.00</b>                                                                                     |
| Fraternity               | \$300.00 | <del>\$300.00</del> <b>\$330.00</b> for first 50 persons, <del>\$10.00</del> <b>\$ 15.00</b> for each additional person |

**Late Fee** **\$10.00 after 60 days expired**

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

~~Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

***(1) All properties within the City of Oxford must be maintained in accordance with § 302.4 of the International Property Maintenance Code as amended and adopted by the City of Oxford, which prohibits grass or weed growth in excess of ten inches (10").***

***(2) If grass or weed growth exceeds ten inches (10"), the City will cause notice to the owner, occupant, or person having charge or management of any residential, commercial, or industrial lot or land within the corporate limits of the City. If the grass or weeds are not brought into compliance within ten (10) days of receiving notice, the City shall cause the weeds or grass to be cut at the owner's expense. The City will place a lien on the property for the amount owed in accordance with O.R.C. § 731.54.***

*(3) If a property is found to be in violation of §302.4, notice shall be issued in the following manner:*

*a. For properties which are occupied:*

*i. Notice will be issued by a posting placed on or near the front door of the structure and a placard conspicuously placed in the front yard of the property. Said posting and placard shall be of a size, shape and color to be clearly visible and shall contain the following information:*

- 1. The nature of the Code violation; and*
- 2. An order to cut or remove the weeds or grass within ten days; and*
- 3. Statement indicating that should the property owner or current tenant fail to comply with the order, the City will cause the weeds or grass to be cut or removed at the owner's expense, and the City will place a lien on the property for the amount owed in accordance with O.R.C. § 731.54; and*
- 4. The penalties provided for removing the posting and placard before bringing the property into compliance; and*
- 5. Contact information of the appropriate city agency.*

*ii. Such posting and placard shall remain on the property until the property is brought into compliance with §302.4 of the International Property Maintenance Code as amended and adopted by the City of Oxford. Removal of the posting and placard before the property complies with § 302.4 shall constitute a violation of this section.*

*b. For properties which are not currently occupied:*

*i. If the property owner's address is known, notice will be issued by certified mail, return receipt requested, to the owner's address. If the owner's address is unknown, notice will be published in a newspaper of general circulation in Butler County. The notice shall contain the following information:*

- 1. The nature of the Code violation; and*
- 2. An order to cut or remove the weeds or grass within ten days; and*
- 3. Statement indicating that should the property owner fail to comply with the order, the City will cause the weeds or grass to be cut or removed at the owner's expense, and the City will place a lien on the property for the amount owed in accordance with O.R.C. § 731.54;and*
- 4. Contact information of the appropriate city agency.*

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development Department  
**Originating Department**

**Council Meeting Of:** February 1, 2011

Jung-Han Chen  
**Prepared By**

**Account Code No. #:**

**Budgeted Amount:**

January 18, 2011  
**Date Prepared**

|                      |                                                                                                                                               |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>PC-13-2011 Final Subdivision-Campus Commons Subdivision Phase 2 and 3, Paul W. Baer, Trust Properties, Robert Broestl, Applicant/Agent</b> |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|

|                        |                 |
|------------------------|-----------------|
| <b>Recommendation:</b> | <b>Approval</b> |
|------------------------|-----------------|

**Discussion:**

The Planning Commission held a Public Hearing on this Final Subdivision proposal on January 11, 2011.

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

A neighboring property owner spoke and inquired if the Developer would consider two additional items: 1) that any existing, mature trees where Poplar Street will extend northward could be preserved; and, 2) that additional trees be provided in the tree lawn on the west side of Poplar Street.

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

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

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

|              |                  |         |           |
|--------------|------------------|---------|-----------|
| Approved By: |                  | Initial | Date      |
|              | Department Head: | JHC     | 1/18/2011 |
|              | City Attorney:   |         |           |
|              | City Manager:    | JRE     | 1/29/11   |

## ORDINANCE NO.

ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION FOR CAMPUS COMMONS SUBDIVISION, PHASES TWO AND THREE WITH CONDITIONS.

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 January 11, 2011, on the application of Paul W. Baer Trust Properties, L.L.C./Robert Broestl, P.E., for approval of the final subdivision for Campus Commons Subdivision, Phases Two and Three.

SECTION 2: After due deliberation, the Planning Commission recommended the approval of the Final Subdivision application for Campus Commons Subdivision, Phases Two and Three.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Subdivision application for Campus Commons Subdivision, Phases Two and Three with the following conditions:

- a) The construction drawings must be approved by all City agencies prior to the commencement of any work for Phases Two and Three.
- b) The trees shown on the landscaping plan are redistributed to provide trees on the west side of Poplar Street.
- c) The developer makes an amicable attempt to preserve any existing, mature trees on the site where possible.

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

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MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | February 1, 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b><u>Case Number</u></b>                          | PC-13-20101                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b><u>Applicant Information</u></b>                | Robert Broestl, P.E.<br>Paul W. Baer Trust Properties LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><u>Requested Action</u></b>                     | Final Subdivision – Campus Commons, Phase 2 and 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b><u>Summary of Request</u></b>                   | To Allow for the Development of Phase 2 and 3 of an Approved Preliminary Subdivision in a R2MS (Single and Two Family Residential) District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b><u>Public Hearing Information</u></b>           | On January 11, 2011, a Public Hearing was held at 118 West High Street. A Legal notice of the hearing was published in the Oxford Press on December 10, 2010.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b><u>Commission Action</u></b>                    | <p>The Planning Commission voted 4-0-0 to recommend to City Council <b><i>APPROVAL</i></b> of the final subdivision with the following conditions:</p> <ol style="list-style-type: none"><li>1. That, the construction drawings must be approved by all City agencies prior to the commencement of any work for Phase 2 and 3.</li><li>2. That, the number of trees shown on the landscaping plan is redistributed to provide trees on the west side of Poplar Street.</li><li>3. That, the developer makes an amicable attempt to preserve any existing, mature trees on the site where possible.</li></ol>                                                                                                |
| <b><u>Commission Findings and Conclusions</u></b>  | At the January 11, 2011 meeting, the Planning Commission approved the final subdivision with conditions listed above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report dated December 28, 2010</li><li>2. Interoffice Review Transmittal Sheets from Fire, Engineering, Police &amp; Economic Development dated November 25, 2010</li><li>3. Ordinance No. 3079</li><li>4. Letter of Agency</li><li>5. Final Subdivision Application</li><li>6. Applicant Correspondence</li><li>7. Deed of Easement – Storm Drain</li><li>8. Deed of Easement – Pedestrian Path Across Designated Lots</li><li>9. Amendment to Declaration of Covenants, Easements, etc.</li><li>10. Approved Preliminary Campus Commons Subdivision Map</li><li>11. Phase 2 &amp; 3 Project Plans</li><li>12. Phase 2 &amp; 3 Final Plat Exhibit</li></ol> |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**

**Planning Commission**

Case # PC-13-2010

Date – January 11, 2011

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**APPLICATION**

|                                 |                                                                                                                                            |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant:                      | Paul W. Baer Trust Properties, LLC/ Robert Broestl, P.E.                                                                                   |
| Location:                       | South Poplar St. and Campus Avenue; 540 S. Campus Avenue<br>Parcel ID: H4100103000092, H4100103000095, H4100103000097,<br>& H4100106000150 |
| Owner:                          | Paul W. Baer, Trust                                                                                                                        |
| Action Request:                 | Final Subdivision Phase II & III                                                                                                           |
| Current Use:                    | Vacant                                                                                                                                     |
| Current Zoning                  | R2MS                                                                                                                                       |
| Surrounding Existing Land Uses: | Single-Family/Multi-Family & Miami University                                                                                              |

---

**GENERAL DESCRIPTION**

The Applicant seeks approval of the Final Subdivision Plat Phase II and III of the Campus Commons Subdivision. Based on the submittal, Phase II and III are approximately 3.221 acres. The Preliminary Subdivision was approved by City Council in 2008; the Final Subdivision of Phase I was approved in 2009; and building construction was completed in 2010. Along with the approval of the Preliminary Subdivision were outlined conditions needing completion during each phase. The conditions for approval are listed below for reference:

| <b><u>Approved Preliminary:</u></b>                                         | <b><u>Phase I</u></b>         | <b><u>Phase II &amp; III</u></b> |
|-----------------------------------------------------------------------------|-------------------------------|----------------------------------|
| 7.81 gross acres <i>including</i><br><i>Campus Courts Apartment Complex</i> | 4.589 acre tract              | 3.221 acre tract                 |
| 20 two-family residential lots                                              | 7 two-family residential lots | 13 two-family residential lots   |
| 2 single-family residential lots                                            |                               | 1 single-family residential lots |

City Council approved Planning Commission's recommendation November 18, 2008 with conditions as outlined in Ordinance #3030:

1. The maintenance of the pedestrian walking path and retention areas are the sole responsibility of the property owner and its successors and that the Homeowners Association Covenants are recorded with the Final Development Plan, and acceptable to City's Legal Counsel.
2. A pedestrian path is provided from the edge of the existing Campus Courts parking lot, westward to Poplar Street.
3. Vehicular ingress/egress to the existing Campus Courts Apartments shall be accessed only from Campus Avenue and shall not be permitted from Poplar Street, unless the Campus Avenue curb cut is eliminated.
4. Vehicular ingress/egress to Lot D18 shall only be accessed from Wooster Place and shall not be permitted from Campus Avenue.
5. The proposed pedestrian walking path(s) is paved in accordance with the City of Oxford's sidewalk standards.
6. The Tree Plan presented is submitted as part of the Final Development Plan, in accordance with the City of Oxford Chapter 935.05 Official Street Tree Species List and Street Tree Plan.
7. As presented, the project shall be completed in three phases, each phase to be completed within two years (Phase 1, Rose Street Extension and Lots D1-D6 by 2010; Phase 2, Bern Street Extension and Lots D7-D14 and S1 by 2012; and Phase 3, Wooster Place

Extension and Lots D15-D20 and S2 by 2014) . Furthermore, the infrastructure improvements as presented, regarding the abandonment and relocation of an existing 12" sanitary sewer line going through the parking lot of Campus Courts Apartments is completed during Phase 1.

8. The full connectivity of Poplar Street from the northern property line to Central Avenue shall be complete within 2 years from the start of Phase 2.
9. Perpetual easements to the drainage basins are granted to the Homeowners Association and acceptable to the City's Legal Counsel.

The property is zoned "R2MS" Single and Two-Family Mile Square Residential and is required to have 7,500 sq. ft. lots with 75 foot lot widths. All of the lots as presented in this Final Subdivision application satisfy the zoning requirements.

### **SURROUNDING NEIGHBORHOOD**

The site is located in the Mile Square and is west of the Miami University campus. The surrounding neighborhood is primarily residential to the north, west and south. There is a mix of single-family and multi-family units surrounding the property including the Faith Evangelical Lutheran Church and Delta Sigma Pi Fraternity to the northeast.

### **COMPREHENSIVE PLAN**

The 2008 Comprehensive Plan focused on connectivity via roadways, sidewalks and walking paths; continuing missing road segments and infill development. To continue the neighborhood qualities of the Mile Square, this proposed subdivision has included street trees, adequate lighting, and tree lawns. Water and sanitary services are also being upgraded for better service.

### **SUBDIVISION REGULATIONS**

This Final Subdivision application is complete and substantially reflects the design and layout of the approved Preliminary Plan. Subdivision is an administrative review to evaluate the proposed subdivision based on the City's regulations, specifically, the division of parcels, and utility service to the proposed divided lots. The issue centered on any proposed subdivision is whether there would be sufficient municipal services to support the development and whether the development will meet the minimum standards stipulated in the City's regulations.

### **AGENCY COMMENTS**

Requests for Agency Review were sent to the Police, Economic Development, Engineering and Fire Departments. The returned comments are attached for your consideration.

|                    |                                              |
|--------------------|----------------------------------------------|
| Police Department: | Returned with no comments.                   |
| Engineering:       | See attached.                                |
| Fire:              | Returned with no comments.                   |
| Econ. Dev.:        | Supported the connectivity of Poplar Street. |

### **PUBLIC COMMENT FORMS**

Comment forms were sent December 13, 2010 to property owners of record within 200 feet of the subject property. A legal notice was published December 10, 2010, in the Oxford Press. No citizen comments were received.

### **STAFF ANALYSIS**

It appears that this Final Subdivision submittal reflects substantially the approved design and layout of the Preliminary Plan. Additionally, all the proposed lots in these two phases appears to have met or exceeded the minimum dimensional standards of the "R2MS" Single and Two-Family Mile Square Residential District. The conditions of Ordinance #3030 appear to be satisfied at this time.

The overall layout shows that there are a total of 14 building lots. The Applicant has eliminated one single-family lot along the new Wooster cul-de-sac. Other than this, there are only few very minor differences between the Preliminary and current submittal.

At the time of this writing, the construction drawings have just begun circulated for approval. Therefore, the securing of all signatures for the construction must be a condition for approval of these two final phases.

**RECOMMENDATION**

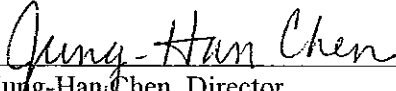
Staff is recommending the approval of Final Phase II and III of the Campus Commons Subdivision subject to the following condition:

1. That, the construction drawings must be approved by all City agencies prior to the commencement of any work for Phase II and III.

---

SUBMITTED

BY:

  
Jung-Han Chen, Director  
Community Development Department

DATE: December 28, 2010

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 11/25/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-13-2010**

Description:

**PC-13-2010 Final Subdivision, Campus Commons Subdivision, Phase 2&3, Paul W. Baer, Trust Properties, LLC, Robert Broestl, Applicant, Agent**

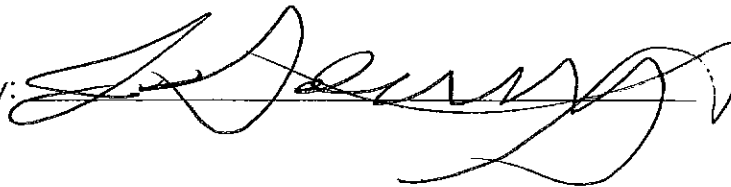
  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 12/30/2010 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:



Date: 12-3-10

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 11/25/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-13-2010**

Description:

**PC-13-2010 Final Subdivision, Campus Commons Subdivision, Phase 2&3, Paul W. Baer, Trust Properties, LLC, Robert Broestl, Applicant, Agent**

  X   Review                 Revisions                 Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 12/30/2010 Note: If no comments are received, we will assume the project meets your department's standards.

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

*SEE ATTACHED MEMO DATED 12-16-2010*

Drawings reviewed by: \_\_\_\_\_



Date: 12-16-2010

*11/24@2<sup>30</sup>pm*



## Memo

Service Department  
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.  
City Engineer

RE: Case #: PC-13-2010  
Campus Commons Phase 2 & 3; Final Plat

DATE: December 16, 2010

---

The following are our comments on the submittal received on November 29, 2010, with a deadline of December 30, 2010 for comments.

### Plan Sheet 1/3.

- Refer to notes – bottom right of sheet.
  - Note G has Lot D7 listed in both Phase 1 and Phase 2.
- Refer to the Subdivision Map.
  - Verify the location and length of the storm sewer running across proposed extension of Poplar Street and in between Lots D15 and D16.

### Plan Sheet 2/3.

- Refer to the Typical Street Section.
  - Label slope of the “tree lawn”.
- Refer to the Subdivision Map.
  - Verify the location and length of the storm sewer running across proposed extension of Poplar Street and in between Lots D14 (not labeled) and D15 (not labeled). As shown on this sheet, it contradicts the location and length of the proposed storm sewer on Plan Sheet 1/3.

Plan Sheet 2/3.

- Unless this submittal is a draft of the Final Plat, the stamp and signature of the "Surveyor of Record" is required prior to further processing.

If there are questions, contact the writer of this memo in the Engineering Division.

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 11/25/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-13-2010**

Description:

**PC-13-2010 Final Subdivision, Campus Commons Subdivision, Phase 2&3, Paul W. Baer, Trust Properties, LLC, Robert Broestl, Applicant, Agent**

  X   Review             Revisions             Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 12/30/2010 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: SSalmer

Date: 11/24/10

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 11/25/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: **PC-13-2010**

Description:

**PC-13-2010 Final Subdivision, Campus Commons Subdivision, Phase 2&3, Paul W. Baer, Trust Properties, LLC, Robert Broestl, Applicant, Agent**

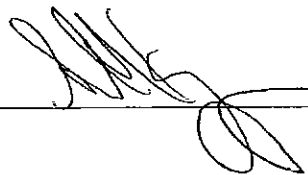
  X   Review                 Revisions                 Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 12/30/2010 Note: If no comments are received, we will assume the project meets your department's standards.

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

THE CONNECTING STREETS WILL BE A BENEFIT TO THE AREA

Drawings reviewed by: 

ALAN K. GREEN

Date: 12-2-2010

ORDINANCE NO. 3079

ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION FOR CAMPUS COMMONS SUBDIVISION, PHASE ONE WITH CONDITIONS.

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 July 14, 2009 and August 11, 2009 on the application of Paul W. Baer Trust Properties, L.L.C./Robert Broestl, P.E. for approval of the final subdivision for Campus Commons Subdivision, Phase One.

SECTION 2: After due deliberation, the Planning Commission recommended the approval of the Final Subdivision application for Campus Commons Subdivision, Phase One.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Subdivision application for Campus Commons Subdivision, Phase One with the following conditions:

- a) The final approval from the Ohio EPA is received regarding the sanitary sewer.
- b) The Home Owners Association Declarations are reviewed and approved by the Law Director prior to the final recording.
- c) All proper recordings including the Home Owners Association Declarations shall be filed and recorded at the Butler County Recorder's Office within one (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: September 15, 2009

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



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## LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Robert Broestl, Liz Baer-Broestl, and Michael Stegman has permission to represent our interest with the City of Oxford and act on our behalf regarding the Final Subdivision Application for Campus Commons Phase 2 and Phase 3. The future subdivision will be located at our property at S. Poplar Street and Bern Street, Oxford, Ohio 45056.

Thank-you,

Signed:

Kathy D. Carmack

First vice President and Trust Officer

First Financial Bank, N.A., Trustee of the Paul W. Baer Testamentary Trust

Paul W. Baer Trust Properties, LLC

Date:

11/18/10

Case No.: PC-13-2010  
Date filed: 11/24/10

**Final Subdivision Application**  
City of Oxford, Ohio

Name of Applicant: Paul W. Baer Trust Properties, LLC/Robert Broestl, PE  
**(Attach a Letter of Agency if the Applicant is not the property owner)**  
Mailing Address: 30 Park Terrace Court, Walnut Creek, CA 94597  
E-mail: rbroestl@bellecci.com  
Telephone Number(s): 925-685-4569  
Name of Owner(s)/Subdivider: Paul W. Baer Trust Properties, LLC  
Mailing Address: c/o Kathy Carmack, First Vice President/Trust Officer, First Financial Bank  
300 High Street, Hamilton, OH 45011 E-mail Address: Kathy.Carmack@bankatfirst.com  
Name of Subdivision: Campus Commons Phase 2 and Phase 3  
Date of Planning Commission preliminary approval: 10 / 14 / 08 Zoning District: R2MS  
Number of Lots: 9 Ph.2/5 Ph.3 Total Acreage: 3.221 Acres  
Surveyor/Engineer: David Douglas Smith, PS Phone Number: 513-523-4270  
Address: Bayer Becker, 318 S. College Avenue, Oxford, OH 45056  
Engineer: Robert Broestl, PE, 30 Park Terrace Ct, Walnut Creek, CA 94597 Phone: 925-685-4569

**REQUIRED ITEMS FOR SUBMITTAL:**

I. Please submit one copy of the plat on mylar and ten 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'.

**II. The following information must appear on the plat:**

|                                                                                                                                                                                                                                                                                                                                                                    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. Boundary lines of the area being subdivided with accurate distances and bearings. Each section which is presented for final plat approval must have all of the required improvements extended to the property lines where necessary in order that future final plat sections may connect with them to maintain the continuity of the approved preliminary plan. |  |
| 2. A statement dedicating all proposed streets and alleys with their widths and names.                                                                                                                                                                                                                                                                             |  |
| 3. The accurate outline of any portions of the property to be dedicated or granted for public use.                                                                                                                                                                                                                                                                 |  |
| 4. The lines of adjoining streets and alleys with their widths and names.                                                                                                                                                                                                                                                                                          |  |
| 5. All lot lines together with an identification system for all lots and blocks. Lot numbers shall be secured from the County Auditor.                                                                                                                                                                                                                             |  |
| 6. The locations of all building lines and easements provided for public use, services or utilities.                                                                                                                                                                                                                                                               |  |
| 7. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, 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.                                                                                                    |  |
| 8. The radii, arcs, lengths, points of tangency and central angles for all curvilinear streets and the radii and lengths for rounded corners.                                                                                                                                                                                                                      |  |
| 9. The location of all survey monuments and benchmarks together with their descriptions. There shall be a minimum of four permanent markers in each subdivision section located at or near the outer corner.                                                                                                                                                       |  |
| 10. The name of the subdivision, the scale of the plat, points of the compass and name of owner or owners and subdivider if other than the owner.                                                                                                                                                                                                                  |  |
| 11. The certificate of the surveyor attesting to the accuracy of the survey and to the correct locations of all monuments shown.                                                                                                                                                                                                                                   |  |

|                                                                                                                                                                                                                                                                                                          |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 12. Any private restrictions and trusteeships and their duration. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable, thus necessitating the preparation of a separate instrument, reference to such instrument shall be made on the plat. |  |
| 13. Acknowledgement by the owner or owners of the plat restrictions.                                                                                                                                                                                                                                     |  |
| 14. One tracing cloth or comparable material of the approved final plat, for the City records.                                                                                                                                                                                                           |  |
| 15. The names and record owners of all adjoining subdivisions and the names of recorded owners of adjoining parcels of un-subdivided land.                                                                                                                                                               |  |

**III. A list of the names, mailing addresses and parcel numbers of all property owners within 200 feet of the site**, including those across streets, roads, alleys and highways. NOTE: The Butler County website ([www.butlercountyohio.org/auditor](http://www.butlercountyohio.org/auditor)) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. \*Property Owner names will not be included in the agenda packet.

Submit this application, required copies of the final plan containing all required information and the fee (**\$400.00 PLUS \$10.00 PER LOT**), payable to the City of Oxford) to the office of the Community Development Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. All required information must be submitted at least forty five (45) days in advance of the Planning Commission meeting at which action is requested.

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

**SIGNATURE OF APPLICANT:**

*Robert Broestl*

**Date:** 11/22/2010

**PRINTED NAME:** Robert Broestl

**FEE / RECEIPT**

\$400.00 PLUS \$10.00 PER LOT Fee Paid / Receipt Number: 926268  
(\$400 + \$140 = \$540 Fee)

## Memorandum

Date: November 21, 2010

To: City of Oxford Planning Department

From: Robert Broestl, PE

Re: Baer Family Trust

Final Subdivision Plan for Campus Commons Phase 2 and Phase 3

---

The City of Oxford City Council gave preliminary approval of the Campus Commons subdivision on November 18, 2008 (Ordinance No. 3030), with the following conditions:

- a. The maintenance of the pedestrian walking path and retention areas are the sole responsibility of the property owner and its successors and that the Homeowners Association Covenants are recorded with the Final Development Plan, and acceptable to the City's Legal Counsel.
- b. A pedestrian path is provided from the edge of the existing Campus Courts parking lot, westward to Poplar Street.
- c. Vehicular ingress/egress to the existing Campus Courts Apartments shall be accessed only from Campus Avenue and shall not be permitted from Poplar Street, unless the Campus Avenue curb cut is eliminated.
- d. Vehicular ingress/egress to D18 shall only be accessed from Wooster Place and shall not be permitted from Campus Avenue.
- e. The proposed pedestrian walking path(s) is paved in accordance with the City of Oxford's sidewalk standards.
- f. The tree plan presented is submitted as part of the Final Development Plan, in accordance with the City of Oxford Chapter 935.05 Official Street Tree Species List and Street Tree Plan.
- g. As presented, the project shall be completed in three phases, each phase to be completed within two years (Phase 1, Rose Street Extension and Lots D1-D6 by 2010; Phase 2, Bern Street Extension and Lots D7-D14 and S1 by 2012; and Phase 3, Wooster Place Extension and Lots D15-D20 and S2 by 2014). Furthermore, the infrastructure improvements as presented, regarding the abandonment and relocation of an existing 12" sanitary sewer line going through the parking lot of Campus Courts Apartments is completed during phase 1.
- h. The full connectivity of Poplar Street from the northern property line to Central Avenue shall be complete within two years from the start of Phase 2.
- i. Perpetual easements to the drainage basins are granted to the Homeowners Association and acceptable to the City's Legal Counsel.

Phase 2 and Phase 3 of the Campus Commons Subdivision are located within the City of Oxford Mile Square and are located between S. Campus Avenue on the east and the unimproved right of way for S. Poplar Street on the west. The land to be developed consists of three separate parcels. The combined land area of the three parcels in the Final Plat for Phase 2 and Phase 3 equals 3.221 acres.

The topography of the land is fairly flat, sloping from the northwest to the southeast. A majority of the land consists of grassy fields with trees around the property edges. There are no water courses flowing through or around the property. Existing utilities (sanitary sewer, water and storm drain) are located in the streets and easements directly adjacent to the property.

The proposed development for Phase 2 consists of 8 duplex lots with 75 foot minimum widths with 7,500 square foot minimum lot area and 1 single family lot with 50 foot minimum width and 5,000 square foot minimum lot area. The proposed development for Phase 3 consists of 5 duplex lots. One single family lot was eliminated from Phase 3. The proposed 30 foot wide roads in a 50 foot right of way match or exceed the character of the existing local roads surrounding the development. Twenty (20) feet of property will be dedicate along the western property line for S. Poplar Street from Bern Street to the northern property line and an additional 42.5 feet of right of way will be dedicated for the construction of Bern Street. Poplar Street will be constructed from approximately 170' north of the Rose Avenue/Poplar Street intersection to the northern property line where it connects to existing Poplar Street. Bern Street will be extended to intersect S. Poplar Street. Property for the construction of Wooster Court will also be dedicated.

The existing sanitary sewer flows toward the development from the west down Wooster Place, Oberlin Court (by easement), and Linden Drive, to a sanitary sewer main located in the existing S. Poplar Street right of way. Phase 2 will connect to the 18" sewer line constructed in phase 1 and upsize the sanitary sewer main in S. Poplar Street from a 12" to an 18" line to the sewer manhole at the Bern Street intersection. A sewer main will be constructed in Phase 3 to serve the lots on Wooster Court.

Existing water mains currently exist in the S. Poplar Street and Bern Street right of way. Phase 2 and Phase 3 will utilize these water mains to serve the new lots along S. Poplar Street and Bern Street. New fire hydrants will be added along S. Poplar Street to provide fire protection. A new water main and a fire hydrant will be constructed for the lots on Wooster Court.

The storm water management plan for Phase 2 and Phase 3 includes the construction of one detention basin that will contain the post development storm water run-off flows and meter the flow out to the predevelopment level. The basin is sized to contain the storm water run-off from a 100 year storm. Since the storm water run-off flows will be metered to match the existing flows from the undeveloped land the existing storm drain pipes should be adequately sized to accept the metered flows from the development. The land where the basin is to be constructed is shown on the Final Plat as a storm drain easement to the Home Owners Association for the operation and maintenance of the storm water detention basin.

## **Deed of Easement**

### **Storm Drain Easement – Phases 2 & 3**

KNOW ALL BY THESE PRESENTS that **Paul W. Baer Trust Properties, LLC**, an Ohio limited liability company ("Grantor"), in consideration of One Dollar and other valuable consideration, the receipt and sufficiency of which are acknowledged, hereby grants, bargains, sells and conveys, with limited warranty covenants, to **Campus Commons Home Owners' Association, Inc.**, an Ohio nonprofit corporation ("Grantee"), in perpetuity, a nonexclusive easement on and over such part of Grantor's land as is depicted as "H.O.A.S.D.E." (Home Owners' Association Storm Drain Easement) on the Final Record Plat of Campus Commons Subdivision, Phases 2 and 3, City of Oxford, Butler County, Ohio, as recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, of the Official Records of Butler County, Ohio, which burdened land is part of Lots, 3780, 3781, 3782, 3783, 3785, 3786, 3787, 3788 and 3789 of Phases 2 and 3 of such subdivision and Lot 3740 of Phase 1 of such subdivision (recorded in Volume 8169, Page 2065, of the Official Records of Butler County, Ohio) for the purposes of the usage, maintenance and replacement of a storm water detention basin and associated intake and outtake pipes and manholes, all of which shall be undertaken at Grantee's expense.

Provided, however, that the Grantee may further grant use of such detention basin and associated pipes and manholes to only the Grantee's constituent members and/or applicable municipal or governmental entities.

This Easement shall run with the land, benefiting forever the Grantee and its successors, and burdening forever the Grantor, its successors and assigns.

IN WITNESS WHEREOF, Paul W. Baer Trust Properties, LLC, a member-managed Ohio limited liability company, by and through its sole member, has set its hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Paul W. Baer Trust Properties, LLC**

By: First Financial Bank, N.A., Trustee of the Paul W. Baer Testamentary Trust, its sole member

By: \_\_\_\_\_  
Kathy D. Carmack, First V.P. & Trust Officer

State of Ohio            )  
County of Butler        )

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_,  
20\_\_ by Kathy D. Carmack, First V.P. & Trust Officer of First Financial Bank, N.A., as Trustee  
of the Paul W. Baer Testamentary Trust, being the sole member of Paul W. Baer Trust  
Properties, LLC, an Ohio limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public -- State of Ohio  
Commission Expiration Date:  
\_\_\_\_\_

This Instrument Prepared by:  
Michael J. Stegman, Attorney-at-Law  
Kohnen & Patton LLP  
201 East Fifth Street, Suite 800  
Cincinnati, Ohio 45202  
(513) 381-0656

## **Deed of Easement**

### **Pedestrian Path Across Designated Lots**

KNOW ALL BY THESE PRESENTS that **Paul W. Baer Trust Properties, LLC**, an Ohio limited liability company ("Grantor"), in consideration of One Dollar and other valuable consideration, the receipt and sufficiency of which are acknowledged, hereby grants, bargains, sells and conveys, with limited warranty covenants, to **Campus Commons Home Owners' Association, Inc.**, an Ohio nonprofit corporation ("Grantee"), in perpetuity, a nonexclusive easement on and over such part of Grantor's land as is depicted as \_\_\_\_\_ on the Final Record Plat of Campus Commons Subdivision, Phases 2 & 3, City of Oxford, Butler County, Ohio, as recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, of the Official Records of Butler County, Ohio, which burdened land is part of Lots 3790 and 3791 of such subdivision, for the purposes of pedestrian foot traffic over such depicted part of the Grantor's land and the maintenance and replacement of the associated pedestrian path, all of which shall be undertaken at Grantee's expense.

Provided, however, that the Grantee may further grant use of such pedestrian path to only the Grantee's constituent members and such members' invitees.

This Easement shall run with the land, benefiting forever the Grantee and its successors, and burdening forever the Grantor, its successors and assigns.

IN WITNESS WHEREOF, Paul W. Baer Trust Properties, LLC, a member-managed Ohio limited liability company, by and through its sole member, has set its hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Paul W. Baer Trust Properties, LLC**

By: First Financial Bank, N.A., Trustee of the Paul W. Baer Testamentary Trust, its sole member

By: \_\_\_\_\_  
Kathy D. Carmack, First V.P. & Trust Officer

State of Ohio            )  
County of Butler        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Kathy D. Carmack, First V.P. & Trust Officer of First Financial Bank, N.A., as Trustee of the Paul W. Baer Testamentary Trust, being the sole member of Paul W. Baer Trust Properties, LLC, an Ohio limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public – State of Ohio  
Commission Expiration Date:  
\_\_\_\_\_

This Instrument Prepared by:  
Michael J. Stegman, Attorney-at-Law  
Kohnen & Patton LLP  
201 East Fifth Street, Suite 800  
Cincinnati, Ohio 45202  
(513) 381-0656

**AMENDMENT TO  
DECLARATION OF  
COVENANTS, EASEMENTS,  
RESTRICTIONS AND  
ASSESSMENT LIEN**

This is Amendment to Declaration of Covenants, Easements, Restrictions and Assessment Lien made on or as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Paul W. Baer Trust Properties LLC, an Ohio limited liability company (the "Declarant").

WHEREAS, on November 10, 2009, the Declarant executed a Declaration of Covenants, Easements, Restrictions and Assessment Lien for Campus Common Subdivision, City of Oxford, Butler County, Ohio, which Declaration was recorded on November 10, 2009 in Volume 8171 Page 143, of the Official Records of Butler County, Ohio; and

WHEREAS, the Declaration provided that it would include adjoining land of the Declarant should the Declarant add such land to the development; and

WHEREAS, the Declarant has added such land to the development by recording a Final Record Plat of Campus Commons Subdivision, Phases 2 and 3, City of Oxford, Butler County, Ohio, as recorded in Volume \_\_\_\_, Page \_\_\_\_, of the Official Records of Butler County, Ohio;

NOW, THEREFORE, the Declarant amends the Declaration as follows:

EXHIBIT A to the Declaration is replaced with the Exhibit A attached to this Declaration and made a part of it.

IN WITNESS WHEREOF, the undersigned Declarant has caused this instrument to be executed in its behalf on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Paul W. Baer Trust Properties, LLC**

By: First Financial Bank, N.A., Trustee of the Paul W. Baer Testamentary Trust, its sole member

By: \_\_\_\_\_  
Kathy D. Carmack, First V.P. & Trust Officer

State of Ohio            )  
County of Butler        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Kathy D. Carmack, First V.P. & Trust Officer of First Financial Bank, N.A., as Trustee of the Paul W. Baer Testamentary Trust, being the sole member of Paul W. Baer Trust Properties, LLC, an Ohio limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public – State of Ohio  
Commission Expiration Date:  
\_\_\_\_\_

## **Exhibit A**

### Phase 1

Entire Lots Numbered 3733, 3734, 3735, 3736, 3737, 3738 and 3739, as the same are known and designated on the list of lots for the City of Oxford, Butler County, Ohio, and as set forth on the plat of Campus Commons, Phase 1, as recorded in Volume 8169, Page 2065, of the Official Records of Butler County, Ohio.

### Phase 2 & 3

Entire Lots Numbered 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791 and 3792, as the same are known and designated on the list of lots for the City of Oxford, Butler County, Ohio, and as set forth on the plat of Campus Commons, Phases 2 & 3, as recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, of the Official Records of Butler County, Ohio.

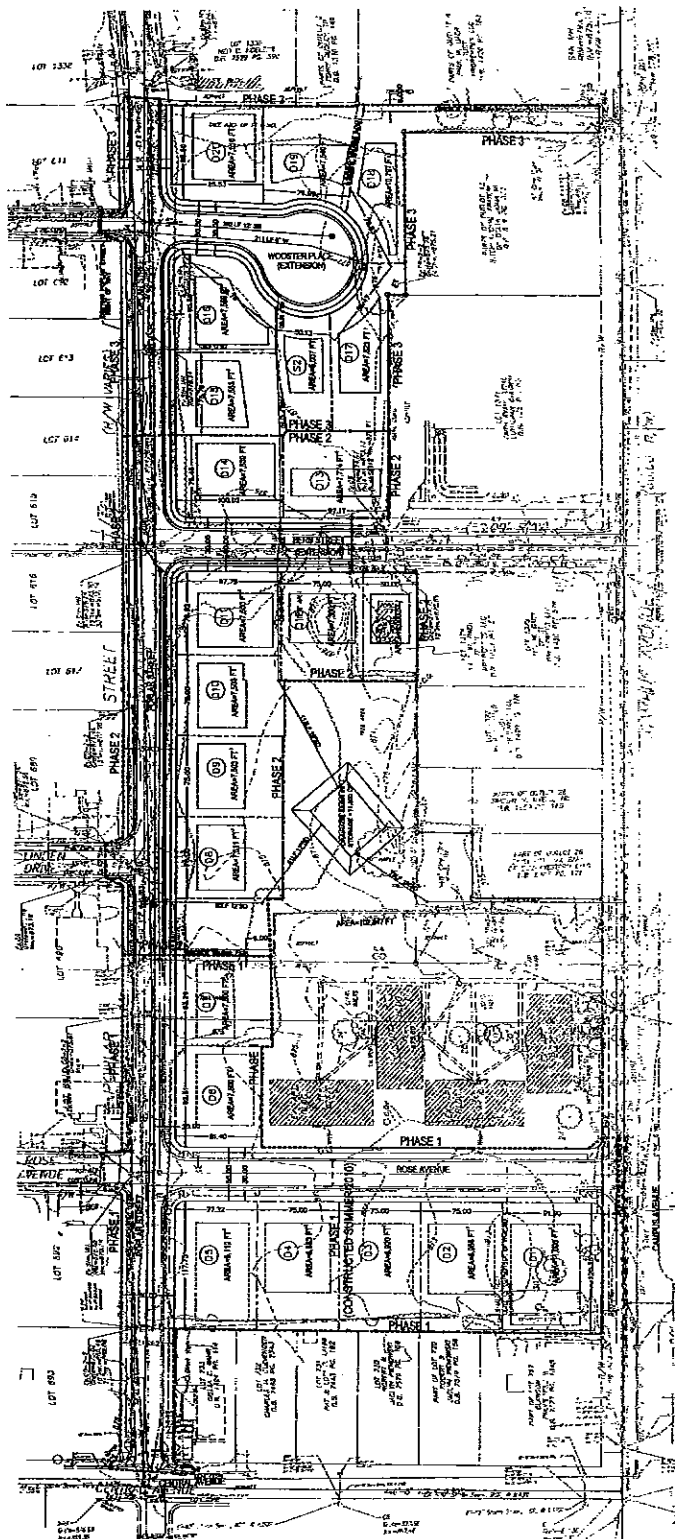
# FINAL SUBDIVISION APPLICATION

## CAMPUS COMMONS SUBDIVISION PHASE 2 & 3

COMPOSED OF 3.221 TOTAL ACRES (140,306.76 SQUARE FEET)

OXFORD, OHIO  
NOVEMBER 2010

SCALE 1" = 80'



PRELIMINARY CAMPUS COMMONS  
SUBDIVISION MAP APPROVED NOVEMBER 18, 2008

**OWNER**  
PAUL W. BAER TRUST PROPERTIES, LLC  
BY: FIRST FINANCIAL BANK, N.A. TRUSTEE  
OF THE PAUL W. BAER TESTAMENTARY TRUST  
SOLE MEMBER



ROBERT BROESTL  
CIVIL ENGINEERING & LAND PLANNING  
PHONE (625) 685-4593



BUTLER COUNTY  
OXFORD, OH

TITLE SHEET  
CAMPUS COMMONS - PHASE 2 & 3

NOVEMBER 2010  
1 3

PRELIMINARY CAMPUS COMMONS SUBDIVISION APPROVED BY THE CITY COUNCIL ON NOVEMBER 18, 2008. ORDINANCE NO. 2008-100. SUBJECT TO THE FOLLOWING CONDITIONS:

- A. THE MAINTENANCE OF THE PROJECTED INFRASTRUCTURE AND THE IMPROVED AREAS ARE THE SOLE RESPONSIBILITY OF THE PROJECT OWNER AND ITS SUCCESSORS AND THAT THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS ARE TO BE COMPLETED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- B. A PROPORTIONATE SHARE OF THE IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- C. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- D. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- E. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- F. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- G. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- H. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- I. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- J. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- K. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- L. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- M. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- N. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- O. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- P. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- Q. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- R. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- S. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- T. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- U. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- V. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- W. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- X. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- Y. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.
- Z. THE PROJECTED INFRASTRUCTURE AND IMPROVED AREAS SHALL BE PROVIDED TO THE CITY OF OXFORD IN ACCORDANCE WITH THE CITY OF OXFORD'S STANDARDS AND SPECIFICATIONS.



| NUMBER | TREE NAME - COMMON        | LATIN NAME                                  |
|--------|---------------------------|---------------------------------------------|
| 1      | PACIFIC RAINLET MAPLE     | ACER TRUNCATUM/PALMATUM "MORRIS REED"       |
| 2      | AMUR BERRY                | ACER GINNALA                                |
| 3      | PAINTEDBARK CORYMBLE      | MAULUS PAINTBARK <sup>TM</sup>              |
| 4      | ROBINSON CORYMBLE         | MAULUS ROBINSON <sup>TM</sup>               |
| 5      | MORNY BELL TREE LILAC     | STYRAX RETICULATA "MORNY BELL"              |
| 6      | WINTER BURNING BERRYBERRY | ALNUS JANCHENI/GRANDIFLORA "AUTUMN BURNING" |



**LARGER DRAWINGS ARE AVAILABLE IN THE COMMUNITY DEVELOPMENT  
DEPARTMENT DURING NORMAL BUSINESS HOURS**

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Fire Department

**Originating Department**

Council Meeting Of: February 1, 2011

John Detherage

Account Code No. #: N/A

**Prepared By**

Budgeted Amount: N/A

January 27, 2011

**Date Prepared**

**Agenda Title:** A Resolution authorizing the City Manager to apply for the 2011 Fire Prevention and Safety Grant with a ten percent (10%) match by the City.

**Recommendation:** Adopt the Resolution

**Discussion:**

The City of Oxford Fire Department proposes to provide and install Photoelectric smoke alarms in 4,400 residential rental units in the City. Most of these units are occupied by college students but some are occupied by elderly or low-income residents.

This project would be based on a partnership with the Miami University Greek Community. With their assistance the Fire Department plans to distribute and install 4,400 smoke alarms in rental properties throughout the City, benefiting students and year-round lower income residents. This partnership will provide the manpower needed to complete the project while providing a philanthropic experience for the Greek Community as they along with the Fire Department promote fire safety.

To cover the cost of the equipment the City Manager would apply for a grant in the amount of \$70,400 with a ten percent (10%) match by the City in the amount of \$7,040.00.

**Approved By:**

Department Head:

City Attorney:

City Manager:

Initial Date

JPD 1/27/10

[Signature] 1/29/10

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2011 FIRE PREVENTION AND SAFETY GRANT WITH A TEN PERCENT (10%) MATCH BY THE CITY.

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

SECTION I: The City Manager reports that the City Fire Department propose to apply for funding from the Fire Prevention and Safety Grant Program to enable the Fire Department to purchase 4,400 photoelectric smoke alarms for installation in residential rental units throughout the City. To cover the cost of said equipment, the City Manager will apply for a grant totaling \$70,400.00.

SECTION II: Due to the population size of the City, the Fire Prevention and Safety Grant Program requires the City to provide a ten percent (10%) match of funds. If the Fire Prevention and Safety Grant Program grants the City Fire Department the full amount asked for, the City match will be \$7,040.00.

SECTION III: Council hereby authorizes the City Manager to apply on behalf of the City Fire Department for a grant, in the amount of \$70,400.00 from the Fire Prevention and Safety Grant Program for the purchase of 4,400 photoelectric smoke alarms for installation in residential rental units throughout the City. Further, the City Manager is authorized to take all actions necessary to receive said grant funds if awarded.

SECTION IV: Council authorizes a ten percent (10%) match of funds in an amount not to exceed \$7,040.00.

SECTION V: This resolution shall take effect at the earliest time allowed by law.

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

*Police*

Originating Department

Council Meeting Of: February 1, 2011

*Steve Schwein*

Account Code No. #: Not Applicable

Prepared By

Budgeted Amount: Not Applicable

January 24, 2011

Date Prepared

**Agenda Title:** A resolution authorizing the Chief of Police to trade weapons and if applicable, associated equipment, as well as ammunition, to a federally licensed firearms dealer for ammunition.

**Recommendation:** Adopt the Resolution

**Discussion:** The Division of Police has in its possession several weapons and ammunition (see attached list) that are of no use to the police department. In accordance with O.C.C. 127.11(d) (2), we respectfully request to trade these weapons to a federally licensed firearms dealer in exchange for ammunition.

**Approved By:**

Department Head:

City Attorney:

City Manager:

Initial Date

*SDS* 1/24/11

*JRE* 1/24/11

**RESOLUTION NO.**

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING ITS TRADE TO A FEDERALLY LICENSED FIREARMS DEALER.

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

SECTION 1: In accordance with the Memorandum from the Chief of Police, certain firearms and associated equipment are hereby declared of no evidentiary value and no longer needed for any municipal purpose, and the same may be traded to a federally licensed firearms dealer for ammunition as allowed by Oxford Codified Ordinances, Section 127.11 (D) (2). The items are those as set forth on Attachment 'A' incorporated herein.

SECTION 2: Council hereby authorizes the trade, for ammunition, of those items listed on Attachment 'A' to an authorized law enforcement firearms dealer.

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

# MEMO

To: Chief S. Schwein  
Fr: Property Officer Ron Brooks  
Property Technician Mike O'Leary  
Re: Weapons & Misc Items for Trade  
Dt: 18 January 2011

Sir,

As requested, the following weapons and miscellaneous items are available to be traded for ammunition.

## Weapons/Miscellaneous Items for Trade

1. Marlin 30-30 rifle; model .338 w/ mounted Kassnar scope and camouflage Colpin rifle case; serial # 24146699
2. Smith & Wesson 12 gauge shotgun; model 916-A; serial # 6B2890
3. Sig Sauer Mosquito .22 cal handgun w/ plastic storage case, nylon belt holster and one magazine; serial # F014343
4. Hi-Point 9mm Luger handgun; model C9 w/ plastic carrying case, magazine w/ 9 rounds ammunition; serial # P1419419
5. Cobra .45 handgun w/ DeskoSport plastic carrying case, nylon belt holster and one magazinew/ 6 rounds; serial # M006633
6. Glock .357 handgun with plastic carrying case and two magazines (one empty and one full); AMS nylon belt holster; serial # LPL622; box (20) of Gold Dot .357 rounds
7. Cobra .380 handgun; model CA-380 w/ magazine (5 rounds); serial # CP0 62449
8. Remington Wingmaster 12 gauge shotgun; model 870; serial # 663144V (firearm not in working condition)
9. Crossman .22 cal Pell gun; model 38T; serial # 276583049 and one box (50) UMC .22 cartridges

10. Daisy Red Rider BB rifle; model 1938B
11. Daisy Powerline .177 BB handgun; model 15XT; serial # 8L 33136
12. Daisy PRO77 BB handgun; serial # 707D00533 w/ 6000 count container of Copperhead BB's
13. box 550 Federal .22 long rifle rounds and (2) Smith & Wesson .40 cal magazines

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, January 18, 2011 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn and Kevin McKeehan. John Harman was excused.

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

### **PLEDGE OF ALLEGIANCE**

Mayor Keebler called for the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

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

### **PUBLIC PARTICIPATION**

#### **RECOGNITION OF RETIREMENT**

#### **Lt. Bob Holzworth, Officer Ron Brooks and Detective Dennis Barter.**

Chief Schwein advised the three retirees had served the City of Oxford, its citizens and the Oxford Police Department with honor and distinction. Chief Schwein noted it was a sad time for the Police Department due to the retirement of the three individuals but it was a good time for their families as they would regain some of the time they lost while their loved one served the City of Oxford. Chief Schwein noted many people were in attendance this evening including retired members of the Oxford Police Department: Marvin Sizemore, Matt Franke, Charlie Kennedy and Retired Chief Joe Statum who did a wonderful job in hiring Bob Holzworth, Ron Brooks and Dennis Barter.

Lt. Bob Holzworth introduced his wife Lynette and members of his family who were in attendance.

Officer Ron Brooks introduced his wife Mary and members of his family who were in attendance.

Detective Dennis (Doc) Barter introduced his wife Susan and members of his family who were in attendance.

Detective Geoff Robinson presented each of the retirees with a certificate of appreciation on behalf of the Fraternal Order of Police Lodge 38.

Mr. Tim Spoonster presented each of the retirees with a plaque on behalf of the Fraternal Order of Police Association.

Members of the Police Advisory Board: Susan Meyer and Sharon Lytle presented each of the retirees with a crystal plaque on behalf of the Citizens of Oxford.

Each of the retirees addressed Council and the audience and noted their thanks for the opportunity to serve the City of Oxford and its citizens.

Chief Schwein thanked the Mayor and Council for allowing the recognitions and retirement celebration to be a public event.

Mayor Keebler advised it was a good idea to have the event in conjunction with a City Council meeting and noted he was amazed to see all of the people who came to say good bye. Mayor Keebler advised that spoke well of the job the retirees had done over their 100 plus years of service to the City. Mayor Keebler wished the retirees good luck.

### **PUBLIC COMMENTS**

**Ms. Joan Potter-Sommer**, Executive Director, Oxford Seniors, distributed spreadsheets to Council and updated them on the status of Oxford Seniors with regard to meals served and meals delivered, transport trips per month and support services activities. Ms. Potter-Sommer referred to the support services and encouraged Council to keep in mind additional funding to Oxford Seniors in next year's budget. Ms. Potter-Sommer noted as more senior citizens came to Oxford in retirement it was important that the services available in the community were timely and met the needs of the older adults and families involved with them.

Ms. Potter-Sommer thanked Sergeant King and Officer Reihls for teaching a Self-Defense Work Shop last night at Oxford Seniors and noted the 30 participants ranged in age from 14 to 90.

Ms. Potter-Sommer advised Council of various other activities Oxford Seniors would host or participate in over the next few months.

On a personal note, Ms. Potter-Sommer thanked Oxford Police Department Dispatchers Osborne, Garnet and Buttery for their assistance over the weekend when her dog decided to go on an excursion by herself.

**Mr. Matt Ciccone**, Secretary, Off Campus Affairs, advised he had been in contact with Mr. Dreisbach with regard to possible changes to US-27 in Oxford. Mr. Ciccone noted he had also been in contact with members of student government and other student organizations regarding the potential re-routing of US-27. Mr. Ciccone noted the student body supported the initiative and the Student Senate passed a Resolution in favor of it. Mr. Ciccone noted the new buildings and Patterson and High Streets created additional hazards for pedestrians. Mr. Ciccone advised he would attend the Public Information meeting regarding the matter on Thursday.

**CONSENT AGENDA**

**MINUTES**

Minutes of the December 21, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

**REPORTS**

Report regarding the January 5, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service director)

Report regarding the January 11, 2011 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

**RESOLUTIONS**

**RESOLUTION**  
**BOND REDUCTION**

A Resolution No. 4582 authorizing the release of a performance bond in the amount of \$196,400.05 for Reckford Woods Subdivision, Phase I, and accepting a new performance bond in the amount of \$33,800.00. (Mike Dreisbach, Service Director)

**RESOLUTION**  
**CONTRACT WITH**  
**ARCADIS U.S., INC.**

A Resolution No. 4583 authorizing the City Manager to enter into a contract with Arcadis U.S., Inc. to design and engineer specified improvements at the Wastewater treatment Plant at a cost of \$258,000 plus a ten percent (10%) contingency fee in the amount of \$25,800 for a total cost not to exceed \$283,800. (Mike Dreisbach, Service Director)

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

**RESOLUTIONS**

**RESOLUTION**  
**AMENDED CONTRACT**

A Resolution No. 4584 authorizing the City Manager to enter into an amended contract with National Inspection Corporation for their services as Chief Building Official/Plans Examiner, inspection and property maintenance compliance inspection services for the City of Oxford. (Jung-Han Chen, Community Development Director)

Mr. Chen discussed his staff report as presented on page 26 of the agenda.

Mayor Keebler noted the rates paid to NIC would be frozen using the fees established in the 2010 Fee Ordinance.

Mr. Bogard moved to adopt Resolution No. 4584. Mr. Blackburn seconded. The motion passed 6-0-0.

**RESOLUTION**  
**TORNADO SIREN POLICY**

A Resolution No. 4585 adopting the Butler County Emergency Management Agency's Tornado Siren Activation Policy. (Doug Elliott, City Manager)

Mr. Elliott discussed his staff report as presented on page 35 of the agenda noting Jeff Galloway of the Butler County Emergency Management Agency met with Council last year to discuss their Tornado Siren Activation Policy. Mr. Elliott advised to date, Reily Township, the City of Fairfield, Liberty Township and the Village of Seven Mile had signed on to the policy and the City of Monroe and West Chester Township were in the process. Mr. Elliott noted staff felt this was a good policy and recommended its adoption for the City of Oxford.

Ms. Currie referred to the staff report on page 35 of the agenda and noted if the City had operated under this policy in 2009 the sirens would have been activated 4 times. Ms. Currie inquired how many times the sirens were activated in 2009 and Mr. Elliott advised he would check with Chief Detherage.

Mr. Elliott noted communities to the east of Oxford relied on the City of Hamilton to activate Tornado Sirens for them and staff would pursue taking over that responsibility which made sense given the customary weather pattern. Mr. Elliott noted if Council adopted the policy it would be staff's job to communicate the new policy to the community with special focus on the school district, the hospital, Miami University and Schneider Electric.

Mayor Keebler advised he felt there needed to be a County-wide plan. Mayor Keebler noted concern and saw potential problems especially with the schools and the university if the Oxford community was asked to take cover when a funnel cloud was sighted elsewhere in Butler County such as Fairfield. Mayor Keebler noted if a funnel cloud was spotted in Fairfield it would never head this way from there. Mayor Keebler advised he was willing to try the County-wide alert system to see what it brought. Mayor Keebler noted the weak-link in the policy was that Oxford's sirens would be activated when Oxford was not under a warning, nothing was showing on radar, but something was spotted at the other end of the county.

Mr. Rutherford advised he felt there was an extremely weak link in the proposed policy as tornado sirens could be sounded under blue skies. Mr. Rutherford noted the National Weather Service did not make decisions based on jurisdictional boundaries. Mr. Rutherford advised if North West College Corner had bad weather the idea of sirens being sounded in West Chester seemed unreasonable. Mr. Rutherford noted he felt this was not good policy; it was avoidance of the development of good policy.

Mr. Rutherford advised he felt this was the easy thing to do instead of the hard work of governing and making the determination of what the right thing to do was so that people were properly notified and properly protected.

Mayor Keebler advised the National Weather Service did issue warnings on a county by county basis. Mayor Keebler noted the only thing he had a problem with was the spotting of a tornado in an area other than Oxford in a direction that was not coming in Oxford's direction. Mayor Keebler reiterated he felt a County-wide plan was needed.

Mr. Bogard noted this was a basic plan and Council needed to examine the implementation of the plan and make changes as necessary. Mr. Bogard advised he felt Council should adopt the plan this evening and review it during the tornado season to see what changes needed to be made.

Ms. Currie noted she was not in love with the plan but it was a step in the right direction. Ms. Currie advised this was a regional responsibility on Oxford's part and there was a large portion of Butler County that was underserved by the current system. Ms. Currie noted everyone's interpretation of a warning was different and if people were outside when the sirens sounded they should go inside and get information from the television or radio.

Mr. Blackburn and Mr. McKeehan concurred with what had been said about the proposed policy and noted they felt it was a good first step.

Mr. McKeehan moved to adopt Resolution No. 4585. Mr. Blackburn seconded. The motion passed 5-1-0 with Mr. Rutherford voting nay.

## **ORDINANCES**

### **FIRST READING**

## **ORDINANCE**

### **ASSESSMENTS**

An Ordinance Levying Upon Lots And Lands Enumerated In The List Of Estimated In the List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payment Of Assessments. (Mike Dreisbach, Service Director)

Mr. Dreisbach discussed his staff report as presented on page 40 of the agenda noting this was the final step in the process of assessing property owners for repairs the City made to curbs, gutters and sidewalks.

**ORDINANCE**  
**MAXIMUM AGE**

An Ordinance Establishing Age Sixty (60) As The Maximum Age For An Original Appointment To The Oxford Police Department. (Steve Schwein, Police Chief)

Chief Schwein advised during the process of preparing for a Civil Service examination to fill vacant Police Officer positions, the Human Resources Director discovered the Civil Service Commission had dropped the maximum age limit for Police Officer appointments approximately 10 years ago. Chief Schwein noted the advertisement for the Police Officer positions included a maximum age limit of 35. Chief Schwein noted the Law Director reviewed the Ohio Revised Code and advised Oxford could establish a maximum age limit over the age of 35 by Ordinance. Chief Schwein noted staff was asking Council to increase the maximum age to 60 for an original appointment to the Oxford Division of Police.

Mayor Keebler inquired what age limit was used for the last Civil Service examination and Chief Schwein advised 35 as reflected in the Ohio Revised Code. Mayor Keebler noted concern with paying wages and training for an individual who had attained the age of 60. Mayor Keebler inquired how staff determined to recommend the age of 60. Mr. Elliott advised staff looked at what other communities set for a maximum age which ranged from 35 to 60. Mr. Elliott noted the candidates had to pass the physical and physical agility test as well as the written examination.

Mr. McHugh noted under the statute it could be an original appointment of a retired police officer from another municipality with extensive training. Mayor Keebler advised Civil Service did not currently give preference to someone trained or untrained. Mr. McHugh noted the appointing authority (City Manager) hired from the top 5 candidates on the eligibility list. Chief Schwein advised the proposed Ordinance only allowed someone to be considered for a position and the candidate would have to score in the top 5 in all of the testing areas including the written exam, oral interview, physical agility, etc.

Mr. Bogard noted the selection process would take care of an individual without training or who was not physically fit. Mr. Bogard inquired what the average age was of Oxford Police Officers. Mr. Elliott advised he would find out and report back to Council.

Mr. Rutherford inquired if it was possible to craft the legislation so that persons untrained or trained with less than 2 years of experience was age 50 and for persons trained and experienced there was no age limit.

Mr. Elliott advised the City needed to administer the test and a lot of the applicants were over the age of 35. Mr. Elliott noted, at a later date, Council could consider legislation that required a person to stay employed at the City of Oxford for a certain number of years or they would be required to reimburse the City for training costs.

Mayor Keebler suggested that Council adopt the Ordinance as written and if it caused any issues the language could be revised.

## **ANNOUNCEMENTS**

Mr. Elliott noted legislation was adopted last year to refund water supply system improvement bonds and advised the bonds were sold today and the savings to the City would be \$127,615 over 4 years. Mr. Elliott noted park improvement bonds were refunded last year at a savings of \$198,000 over the next ten years.

Mr. Elliott reminded everyone to attend the Public Information Meeting regarding the proposed re-routing of US-27 through the City. Mr. Elliott noted the meeting would take place at the Talawanda High School from 4-7 p.m. on Thursday, January 20, 2011 and representatives from ODOT and City officials would be in attendance.

Mr. Elliott noted the public had probably seen news articles regarding the legislature eliminating the estate tax. Mr. Elliott advised the City received an average of \$346,000 per year from estate tax over the last 11 years. Mr. Elliott noted local governments were having a difficult time financially and he felt there were options other than the total elimination of the estate tax. Mr. Elliott encouraged the legislature to take a second look at the issue. Mr. Elliott noted the City did not budget for the estate tax but did count on receiving it.

Chief Schwein thanked Mayor Keebler and Council again for the opportunity to recognize the Police Department retirees at the meeting this evening.

Mr. Kyger announced Arabian Nights Authentic Lebanese Cuisine restaurant opened on Friday.

Mr. Kyger noted the City received many comments and compliments on the City's holiday light display which would last through January.

Mr. Kyger advised the Oxford Chamber of Commerce would hold their annual awards ceremony at 7:00 p.m. on January 28, 2011 at the Knolls of Oxford.

Mr. Bogard agreed with Mr. Elliott with regard to the estate tax situation and noted Oxford received \$181,000 last year.

Mr. Bogard referred to the January 20, 2011 meeting regarding the re-routing of US-27 and encouraged everyone to think of the future as the proposal had a lot to do with safety. Mr. Bogard urged people to have an open mind with regard to the proposal.

Mr. Bogard praised the Service Department for their snow removal efforts last Tuesday.

Mr. Bogard noted OKI met last week and were continuing their efforts to obtain federal funding for the replacement of the Brent Spence Bridge. Mr. Bogard advised the bridge was a very important transportation link with regard to trade. Mr. Bogard noted OKI held their election of officers and Ed Humphrey of Clermont County was the new President. Mr. Bogard advised he would continue to be on the Executive Committee for OKI representing cities with populations under 40,000.

Mr. Bogard noted the Butler County Regional Transit Authority would add a route between Oxford and Hamilton in the spring.

Ms. Currie advised the Bicentennial Event Planning Committee would hold their last meeting tomorrow. Ms. Currie noted the committee would publish a book featuring historical articles and pictures that were contributed over the year and published in the Oxford Press. Ms. Currie advised she would let everyone know when the book was available for purchase.

Mr. Blackburn noted a snow storm was predicted for Thursday and encouraged people planning to attend the US-27 re-routing meeting to plan accordingly.

Mr. Rutherford advised participation at the transportation meeting on Thursday was not limited to persons who lived in the City and encouraged township residents and students to participate.

Mr. Rutherford referred to the presentation provided this evening by Ms. Joan Potter-Sommer of Oxford Seniors and noted the Oxford Seniors organization may be suffering a deficit. Mr. Rutherford noted for those with the ability it looked like they needed additional funding.

Mr. Rutherford encouraged the public to attend the Alternative Energy lecture on Thursday at Hall Auditorium.

Mr. Rutherford encouraged Oxford residents to shovel their sidewalks for the safety of everyone in the community. Mr. Rutherford thanked the residents who did shovel their walks for doing so.

Mr. Bogard thanked John Vanlieu for shoveling sidewalks and driveways on Melinda Drive.

Mr. McKeehan thanked the Service Department for their snow removal efforts noting they did a great job.

Mr. McKeehan inquired if Duke Energy had finished the streetlight project. Mr. Dreisbach advised it was an ongoing project and the Oxford Police Department was helping to report outages. Mr. Dreisbach advised Duke Energy was repairing lights within 4-7 days.

Mayor Keebler advised there were Codified Ordinances related to keeping the sidewalks clear and the City needed to look at ways to enforce the Ordinances. Mayor Keebler noted the Ordinances needed to be removed or an attempt needed to be made to enforce them.

Mayor Keebler asked Council to put a Work Session on their calendars for Tuesday, February 8, 2011 at 7:00 p.m. noting this would be a joint Work Session with the Planning Commission to discuss new subdivision regulations.

Mayor Keebler advised Oxford was hosting the Butler County Mayors and City Managers Meeting on Thursday, February 27, 2011 at 6:00 p.m. at the Knolls of Oxford and extended the invitation to all Council members.

### **ADJOURNMENT**

Ms. Currie moved to adjourn at 8:58 p.m. Mr. Rutherford seconded. The motion passed 6-0-0.

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Clerk of Council

**Originating Department**

**Council Meeting Of:** February 1, 2011

Mary Ann Eaton

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

January 19, 2011

**Date Prepared**

**Agenda Title:** Legislative Authority Notice - Transfer permit from Sribalaji Inc DBA Rohan India 339 Foxfire Dr Oxford Ohio 45056 to Butter Brothers Inc DBA Tajmahal 2 339 Foxfire Dr Oxford Ohio 45056.

**Recommendation:** N/A

**Discussion:**

The permit is for:

- D1 - Beer only for on premises consumption or in sealed containers for carry out.
- D2 - Wine and mixed beverages for on premises consumption or in sealed containers for carryout.
- D3 - Spirituous liquor for on premises consumption only until 1:00 a.m.

This permit will go through the normal process with all required inspections being conducted by the Ohio Liquor Commission.

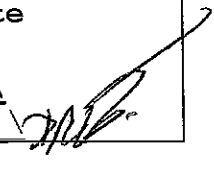
**Approved By:**

**Initial Date**

**Department Head:**

**City Attorney:**

**City Manager:**

1/28/11 

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

|                    |  |      |  |                                                                            |
|--------------------|--|------|--|----------------------------------------------------------------------------|
| 1151887            |  | TRFO |  | BUTTER BROTHERS INC<br>DBA TAJMAHAL 2<br>339 FOXFIRE DR<br>OXFORD OH 45056 |
| PERMIT NUMBER TYPE |  |      |  |                                                                            |
| 06 01 2010         |  |      |  |                                                                            |
| ISSUE DATE         |  |      |  |                                                                            |
| 01 11 2011         |  |      |  |                                                                            |
| FILING DATE        |  |      |  |                                                                            |
| D1 D2 D3           |  |      |  |                                                                            |
| PERMIT CLASSES     |  |      |  |                                                                            |
| 09 088             |  | A    |  | F04478                                                                     |
| TAX DISTRICT       |  |      |  | RECEIPT NO.                                                                |

RECEIVED  
JAN 14 2011

City of Oxford

FROM 01/13/2011

|                    |  |  |  |                                                                         |
|--------------------|--|--|--|-------------------------------------------------------------------------|
| 84596130001        |  |  |  | SRIBALAJI INC<br>DBA ROHAN INDIA<br>339 FOXFIRE DR<br>OXFORD OHIO 45056 |
| PERMIT NUMBER TYPE |  |  |  |                                                                         |
| 06 01 2010         |  |  |  |                                                                         |
| ISSUE DATE         |  |  |  |                                                                         |
| 01 11 2011         |  |  |  |                                                                         |
| FILING DATE        |  |  |  |                                                                         |
| D1 D2 D3           |  |  |  |                                                                         |
| PERMIT CLASSES     |  |  |  |                                                                         |
| 09 088             |  |  |  |                                                                         |
| TAX DISTRICT       |  |  |  | RECEIPT NO.                                                             |



MAILED 01/13/2011

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/14/2011

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 1151887**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF OXFORD CITY COUNCIL  
101 E HIGH ST  
OXFORD OHIO 45056

|                         |
|-------------------------|
| FOR OFFICIAL USE ONLY   |
| NEW <u>TRANSFER</u>     |
| PERMIT # <u>1151857</u> |

OHIO DEPARTMENT OF COMMERCE  
DIVISION OF LIQUOR CONTROL  
6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr

# OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. (This form must accompany all applications of a corporate business entity)

|                                                  |                              |                       |
|--------------------------------------------------|------------------------------|-----------------------|
| Name of Corporation <b>BUTTER BROTHERS INC</b>   | DBA Name <b>TAJMAHAL 2</b>   |                       |
| Permit Premises Address <b>339 FOXFIRE DRIVE</b> | City, State <b>OXFORD</b>    | Zip Code <b>45056</b> |
| Township, if in Unincorporated Area              | Tax Identification No. (TIN) |                       |

## SECTION B.

|                                                                                                |                              |                                        |
|------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|
| 1. Is stock publicly traded?<br>If "YES", indicate exchange _____ & Do NOT complete SECTION D. | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| 2. Does any stockholder own 5% or more shares? If YES, complete SECTION D.                     | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| 3. Total Number of shares issued _____                                                         |                              |                                        |

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

| NAME OF OFFICER               | SOCIAL SECURITY NUMBER | DATE OF BIRTH   |
|-------------------------------|------------------------|-----------------|
| 1) CEO <u>Paramjeet Singh</u> |                        | <u>1-5-1950</u> |
| 2) President                  |                        |                 |
| 3) Vice-President             |                        |                 |
| 4) Secretary                  |                        |                 |
| 5) Treasurer                  |                        |                 |

SECTION D. Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

|                                              |                                        |                                                      |
|----------------------------------------------|----------------------------------------|------------------------------------------------------|
| 1) Stockholder's Name <u>Paramjeet Singh</u> | Social Security No. (if Individual)    | NUMBER OF SHARES HELD (NOT PERCENTAGE)<br><u>100</u> |
| Residence Address <u>7009 Creek Side Way</u> | Tax Identification No. (if applicable) |                                                      |
| City and State <u>Hammonton NJ 08048</u>     | Zip Code <u>08048</u>                  |                                                      |
| Telephone No. <u>609-484-3165</u>            | Date of Birth                          |                                                      |
| 2) Stockholder's Name                        | Social Security No. (if Individual)    | NUMBER OF SHARES HELD (NOT PERCENTAGE)               |
| Residence Address                            | Tax Identification No. (if applicable) |                                                      |
| City and State                               | Zip Code                               |                                                      |
| Telephone No.                                | Date of Birth                          |                                                      |

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO,

COUNTYss

I, Paramjeet Singh being first duly sworn, according to law, deposes and says that he/she is (Title) PRESIDENT  
of the Butter Brothers Inc, a corporation duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Paramjeet Singh (Print Name and Corporate Title) PARAMJEET SINGH  
Sworn to and subscribed in my presence this 15 day of November, 2010

Hansguyen Oct 29, 2012  
(Notary Public) (Notary Expiration)

2010 NOV 30 PM 12:44  
OHIO DIV. LIQUOR CONTROL  
LICENSING-REG. DESK 1

2011 JAN 13 PM 12:41  
OHIO DIV. LIQUOR CONTROL  
LICENSING SCAN RM 1-B

|           |            |                 |                   |                      |                         |
|-----------|------------|-----------------|-------------------|----------------------|-------------------------|
| 09 BUTLER | 088 OXFORD |                 |                   | POPULATION           | 23,136                  |
| CLASS     | RATIO      | PERMIT<br>QUOTA | PERMITS<br>ISSUED | PERMITS<br>AVAILABLE | APPLICATIONS<br>ON FILE |
| C1        | 1,000      | 24              | 19                | 5                    | 0                       |
| C2        | 1,000      | 24              | 20                | 4                    | 0                       |
| D1        | 2,000      | 12              | 12                | 0                    | 3                       |
| D2        | 2,000      | 12              | 12                | 0                    | 4                       |
| D3        | 2,000      | 12              | 12                | 0                    | 0                       |
| D3A       | 0          | 0               | 7                 | 7                    | 0                       |
| D4        | 2,000      | 12              | 1                 | 11                   | 0                       |
| D5        | 2,000      | 12              | 12                | 0                    | 3                       |

Ohio Department of Liquor Control 1/19/11

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: January 18, 2011

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

**Originating Department**

Michael B. Dreisbach

**Prepared By**

January 12, 2011

**Date Prepared**

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

**Recommendation: Approve**

### Discussion:

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

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

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

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

### Approved By:

Department Head:

Initial      Date  
MBD      1/13/11

City Manager:

[Signature]      1/18/11

## ORDINANCE NO.

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

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

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

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

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

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

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Build price was 67.7432% of estimate

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

*Police*  
Originating Department

Council Meeting Of: January 18, 2011

*Steve Schwein*  
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

January 12, 2011  
Date Prepared

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

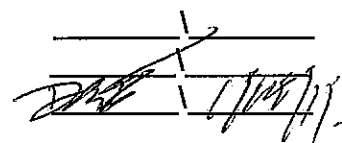
**Recommendation:** Pass the Ordinance.

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

**Approved By:**

Department Head:  
City Attorney:  
City Manager:

Initial Date

The block contains handwritten signatures and dates. There are three horizontal lines for signatures, with the first two having signatures and the third having a date. The dates are 1/18/11 and 1/18/11.

**ORDINANCE NO.**

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

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

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

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

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

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

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)