



## Agenda

### Oxford City Council

### Court House

**TUESDAY, FEBRUARY 21, 2012**

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### EXECUTIVE SESSION

**7:15 P.M.**

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; Kevin McKeehan; Bob Blackburn; Kate Rousmaniere; John Harman; Steve Snyder

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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.

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| <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> |
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3. Public Participation.

- A. Presentation - Butler County, Ohio EMA - Katharine Piaskowy.
- B. 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 February 7, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the February 1, 2012 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the February 1, 2012 Environmental Commission Meeting. Mike Dreisbach, Service Director)



Report

- D. A Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

5. Resolutions.

- 1. A Resolution adopting the applicable portions of the Butler County, Ohio Countywide All Natural Hazard Mitigation Plan (CANHMP) on behalf of the City of Oxford. (Doug Elliott, City Manager).



Staff Report/Resolution

6. Ordinances.

- A. First Reading

1. An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 304.704 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager).



Staff Report/Ordinance

B. Second Reading

1. An Ordinance Adopting New Section 141.05 Of The Codified Ordinances Of The City Of Oxford, Term Limits For Boards and Commissions, Establishing Term Limits For Members Serving On Boards And Commissions. (Doug Elliott, City Manager)



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.

WED - Feb 22 Civil Service Commission Meeting 7:00 p.m.

FRI - Feb 24 Community Improvement Corporation Meeting 12:00 p.m. LCNB

WED - Feb 29 Environmental Commission Meeting 7:00 p.m. Municipal Building (rescheduled)

TUES - Mar 6 City Council Meeting 7:30 p.m.

WED - Mar 7 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

THUR - Mar 8 Police Advisory Board Meeting 7:00 p.m. Senior Center

TUES - Mar 13 Planning Commission Work Session 6:00 p.m.

TUES - Mar 13 Planning Commission Meeting 7:30 p.m. Cancelled

THUR - Mar 15 Recreation Board Meeting 4:00 p.m. (Tour of New High School)

THUR - Mar 15 Community Relations Commission Meeting 5:00 p.m.

FRI - Mar 16 Student Community Relations Commission Meeting 3:00 p.m. LCNB

MON - Mar 19 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Mar 20 City Council Meeting 7:30 p.m.

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

FRI - Mar 23 Community Improvement Corporation Meeting 12:00 p.m. LCNB

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

FRI - Mar 30 Student Community Relations Commission Meeting 3:00 p.m. LCNB

8. Adjourn.



A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 7, 2012 at 7:30 p.m. Those members present were Ken Bogard, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder. Bob Blackburn was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Joe Newlin, Finance Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development 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.

Mayor Keebler noted Mr. Elliott had an announcement to make.

Mr. Elliott advised the selection process for a new Chief of Police for the City of Oxford was now complete. Mr. Elliott noted he was pleased to announce that Robert (Bob) Holzworth was appointed to the position of Chief of Police noting he had served as the Interim Police Chief since September of last year. Mr. Elliott advised Bob joined the Oxford Police Division as an officer in 1973 and was promoted to a Lieutenant in 1978 and he served in that position until his retirement in January of 2011. Mr. Elliott noted Bob was appointed to the part-time position of Assistant to the Chief of Police for Parking and Transportation in April of 2011. Mr. Elliott advised Bob was a graduate of Miami University where he received his B.A. in Psychology in 1973 and he also had an Associate Degree in Criminal Justice from Miami University, Hamilton Campus. Mr. Elliott noted Bob attended the FBI National Academy in 1989 and the Southern Police Institute at the University of Louisville in 1995 where he received the "Dean's Scholar" award. Mr. Elliott advised he was pleased to announce this appointment noting Bob had served the Oxford Police Division in many capacities and would bring a wealth of law enforcement experience and knowledge to the position. Mr. Elliott noted he was sure Bob would continue serving the division and the community he loved as the City's top law enforcement officer. Mr. Elliott congratulated Chief Holzworth on his appointment.

Chief Holzworth advised this was an extraordinary day for himself and his family. Chief Holzworth noted he had worked for the City a very long time and he still loved coming to work. Chief Holzworth advised he loved the City, the City had a wonderful Police Department, and it had been an honor to serve under two wonderful Police Chiefs. Chief Holzworth noted he paid careful attention to all of the things the former Chiefs had taught him and the Police Department was going to take good care of the City. Chief Holzworth thanked the City Manager, Mayor and Council for the honor and privilege to serve as the Chief of Police and promised to work hard for them.

Mayor Keebler thanked Chief Holzworth noting Council appreciated him stepping in as the Interim Chief and doing a great job. Mayor Keebler advised he felt Chief Holzworth had the respect of his officers and of the community and Council was pleased that the City Manager made the appointment.

## **APPROVAL OF AGENDA**

Mr. Snyder moved to approve the agenda. Mr. Harman seconded. The motion passed 6-0-0.

## **PUBLIC PARTICIPATION**

### **APPOINTMENTS TO BOARDS AND COMMISSIONS** **BUTLER COUNTY BOARD OF HEALTH**

Mr. Bogard moved to reappoint Dr. Molly Emmert to the Butler County Board of Health for a three year term ending March 1, 2015. Mr. McKeehan seconded. The motion passed 6-0-0.

## **PUBLIC COMMENTS**

**Ms. Ashley Charles**, 112 Stanton Hall, advised she was a representative from the Feed My Starving Children program at Miami University. Ms. Charles noted their mission: 'With God's help Feed My Starving Children will strive to eliminate starvation in children throughout the world by helping to instill compassion in people to hear and respond to the cries of those in need'. Ms. Charles noted the organization on Miami's campus planned to contribute to this cause by helping send food to 70 countries throughout the world. Ms. Charles advised currently the organization provided meals at 24 cents per meal across the 70 countries. Ms. Charles noted the goal for the organization at Miami was to pack 100,000 meals on April 15, 2012 at the Mobile Pack event which would be held at Millett Hall. Ms. Charles advised to make this day possible the organization needed to raise an additional \$15,000. Ms. Charles noted \$9,000 had already been raised and asked the community to support the initiative by going to their website to donate money and learn more about the non-profit organization. Ms. Charles advised the community could offer their support by attending various fund raising events in February, March and April. Ms. Charles noted the organization meant a lot to her leadership group and to her; however the event meant more to starving children in places like Haiti and Africa. Ms. Charles encouraged the community to help make April 15<sup>th</sup> a successful day and provided two email addresses for anyone wanting additional information as follows: [CHARLEA2@muohio.edu](mailto:CHARLEA2@muohio.edu) and [www.fundraising.fmssc.org/MiamiUniversityMobilePack](http://www.fundraising.fmssc.org/MiamiUniversityMobilePack).

**Ms. Kathleen Zien**, 6060 Joseph Drive, referred to an article in the Hamilton Journal News paper yesterday titled 'Sewer rates vary across Butler, Warren counties'. Ms. Zien noted the article was deceptive and it was very hard to read in terms of what the author wanted to get across. Ms. Zien noted it appeared Oxford's sewer rates were the third highest with Mason and Waynesville charging the two highest sewer rates. Ms. Zien suggested that a copy of the article be enclosed in Council's next packet.

Mr. Elliott advised the Ohio EPA provided an annual survey of water and sewer rates for communities across the state and they had not provided the 2011 survey yet. Mr. Elliott noted he usually reported on that survey and how Oxford compared to other communities. Mr. Elliott advised the City had not raised its rates in three years and the current rate should become more and more competitive. Mr. Elliott noted if a community had to upgrade its facilities the rate would typically be increased. Mr. Elliott advised he read the article and thanked Ms. Zien for bringing it to Council's attention.

## **CONSENT AGENDA**

### **MINUTES**

Minutes of the January 17, 2012 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the January 17, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

### **REPORTS**

Report regarding the January 18, 2012 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 19, 2012 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

### **RESOLUTIONS**

#### **RESOLUTION** **CONTRACT WITH** **BOB ROSS BUICK, INC.**

A Resolution No. 4659 authorizing the City Manager to enter into a contract with Bob Ross Buick, Inc., for the purchase of a 2012 GMC full-size twelve (12) passenger flex-fuel van and specified options with a 30-day tag at state contract pricing at a cost not to exceed \$22,406.00. (Gail Brahier, Parks and Recreation Director)

#### **RESOLUTION** **CONTRACT WITH** **CHARLIE'S DODGE, INC.**

A Resolution No. 4660 authorizing the City Manager to enter into a contract with Charlie's Dodge, Inc., for the purchase of a 2012 Dodge Ram pickup truck and specified options with a 30-day tag at state contract pricing at a cost not to exceed \$24,333.50. (Mike Dreisbach, Service Director)

#### **RESOLUTION** **CONTRACT WITH** **MIDDLETOWN FORD, INC.**

A Resolution No. 4661 authorizing the City Manager to enter into a contract with Middletown Ford, Inc., for the purchase of a 2012 Ford F150 truck and specified options with a 30-day tag at state contract pricing at a cost not to exceed \$17,292.50. (Mike Dreisbach, Service Director)

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

## **RESOLUTIONS**

### **RESOLUTION**

#### **SWEEPSTAKES/INTERNET CAFES**

A Resolution No. 4662 by the Oxford City Council extending the moratorium for an additional period of six (6) months (180 days) on the granting of any permits allowing the operation of sweepstakes/internet cafes within the City of Oxford. (Steve McHugh, Law Director)

Mr. McHugh advised the proposed Resolution would extend the moratorium for six months noting at the time the moratorium originated it was anticipated that the State of Ohio through the Attorney General's Office would consider adopting a statute to regulate sweepstakes/internet cafes. Mr. McHugh advised the extension would give staff time to roll-out an Ordinance for Council to consider. Mr. McHugh noted a draft Ordinance was prepared and he needed to discuss it with the City Manager, Police Chief and Community Development Director.

Mayor Keebler inquired when the Ordinance would come before Council and Mr. McHugh advised in April.

Ms. Rousmaniere inquired if there were any state regulations in place. Mr. McHugh advised no, because the activity did not meet the legal description of gambling since the prizes were predetermined.

Mr. McKeehan moved to adopt Resolution No. 4662. Mr. Snyder seconded. The motion passed 6-0-0.

### **RESOLUTION OF NECESSITY**

A Resolution No. 4663 declaring that it is necessary to improve those portions of certain properties on High Street from Main Street to Poplar Street; Tallawanda Road; and Foxfire Drive in the City of Oxford, Ohio by re-paving, re-curb-ing, and repairing the sidewalks, curbs, and gutters. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the process for the proposed repairs was the same as last year for the Main Street improvements. Mr. Dreisbach noted defective curb and gutters were repaired in advance of the paving project. Mr. Dreisbach noted if Council approved the Resolution, the Clerk would serve notice to the property owners letting them know the repairs needed to be made within 30 days or the City would contract for the work and have those costs levied to the property owners. Mr. Dreisbach advised the costs could be paid over 5 years with interest on deferred payments at a rate of 5%. Mr. Dreisbach noted this was a long process which included another Resolution, an Ordinance, and an appeal period before the costs would be finalized.



Mayor Keebler advised this was the normal practice for major repaving projects and it was a time when property owners needed to repair defective sidewalks and curbs. Mayor Keebler noted there were a lot more areas in town where curbs and sidewalks were in disrepair and advised more effort needed to be made to correct the problems and not just on streets that were being repaved.

Mr. Snyder moved to adopt Resolution No. 4663. Ms. Rousmaniere seconded. The motion passed 6-0-0.

## **ORDINANCE** **FIRST READING**

### **ORDINANCE** **NEW SECTION 141.05**

An Ordinance Adopting New Section 141.05 Of The Codified Ordinances Of The City Of Oxford, *Term Limits For Boards And Commissions*, Establishing Term Limits For Members Serving On Boards And Commissions. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed legislation was a result of Council's January 3, 2012 Work Session and it would establish term limits for members of the City's boards and commissions.

**Ms. Kathleen Zien**, 6060 Joseph Drive, noted it didn't seem the proposed Ordinance would assure things would really change. Ms. Zien advised after her October 2010 suggestion to Council that terms and personnel must be reviewed she hoped it wasn't a token gesture related to her comments 16 months ago. Ms. Zien noted she had observed the BZA with multiple members over the course of 20 plus years. Ms. Zien advised although Section 1(a) of the proposed Ordinance was specific about consecutive terms, Section (b) made it moot. Ms. Zien noted to reappoint someone after a 1 month absence put the City in the same jeopardy it was in now. Ms. Zien advised of 12 assorted boards 9 members would be impacted by the proposed Ordinance and 3 were members of the BZA. Ms. Zien asked Council to review the list Ms. Eaton provided them with board member names and years of service prior to the second reading of the Ordinance noting the BZA members had 42 ½ years of collective service. Ms. Zien advised everyone should be most concerned about any board considered to be quasi-judicial without any members having a legal background, which had lay citizens who set precedent, which granted appeals in violation of the Zoning Code and Comprehensive Plan, which had members who arrived late or dozed off during meetings and who reviewed decision standards that clearly pointed to denial and yet voted in favor of an appeal. Ms. Zien inquired if Council had any recourse for removing someone with poor performance or poor judgment before the end of their term. Ms. Zien advised when boards had regulatory responsibilities some states required members of planning and zoning boards to undergo thorough training before they could be seated and they must also pass a test. Ms. Zien noted she felt the July 2008 Work Session for the City's BZA with John Chambers was inadequate and case studies of how to make a variance decision were not provided. Ms. Zien advised the taxpayers of Oxford should be concerned with making sure planning and zoning boards received proper training before they assumed responsibility noting that enormous discretionary power if abused put the City at financial risk. Ms. Zien noted at the January 3<sup>rd</sup> Work Session Mr. Snyder stated term limits should be based on the complexity or duties of the board.

Ms. Zien advised since all appeals requested a violation of code the BZA was a critical group with complex issues which confirmed that the same people should not be reappointed. Ms. Zien advised she attended Council, Planning Commission, HAPC and BZA meetings and the latter was most critical to her. Ms. Zien noted concern that Council had no direct oversight or interface with the BZA and no one from Council or the Planning Commission overlapped that group as Council did on the Planning Commission and the Planning Commission did on the HAPC with a representative. Ms. Zien advised councilors did not attend meetings to see the BZA in action in person. Ms. Zien noted the BZA considered itself omnipotent. Ms. Zien advised the relatively new regulation of standing was something no one on the board was qualified to determine or enforce thereby offering a biased hearing for an applicant they assumed had standing and refusing to hear any citizen who had an interest in a case. Ms. Zien advised she felt the unenforceable, unreliable policy of standing should be discontinued. Ms. Zien noted she felt reappointments to the BZA were made for convenience rather than for competency. Ms. Zien encouraged Council to delete Section 1(b) of the proposed Ordinance or reword it so 1 year of non-service was mandatory before a reappointment was made and noted otherwise the City would face the same problems. Ms. Zien asked Council not to have a knee-jerk reaction to update an Ordinance that only rubber stamped current policies that had proven to be ineffective.

Mr. Snyder referred to Section 1(b) of the proposed Ordinance which stated in part: 'In the event that a member of a Board or Commission is not eligible for reappointment due to term limits, that member may still be considered'. Mr. Snyder emphasized the word may and noted it was up to Council as to whether a person would be considered for reappointment. Mr. Snyder noted since he was quoted in Ms. Zien's remarks to Council he wanted to clarify that when he stated term limits should be determined by the complexity of the issues he was trying to raise a question for discussion among Council at the Work Session and it was not a declaratory statement.

Mayor Keebler advised the proposed Ordinance was not directed toward any single board or commission. Mayor Keebler noted when citizens had served the City well and wished to continue serving it would become difficult to tell them they could not serve anymore. Mayor Keebler advised the proposed Ordinance would create an expectation early on of how long a person was expected to serve and that Council wanted to see turnover on the various boards and commissions. Mayor Keebler noted a reappointment after a 30 day vacancy could occur when there were no qualified candidates and Council would seek those persons for possible reappointments. Mayor Keebler advised this option would give Council an 'out' and he felt it was appropriate.

Mr. Snyder noted Council could also leave the position un-appointed.

Ms. Rousmaniere noted she tended to be opposed to term limits as she felt qualified people should remain on boards on which they were qualified for. Ms. Rousmaniere advised Council was also interested in recruiting new members to boards and commissions and setting term limits would send a message to the community that Council was looking for more qualified people to apply for the positions. Ms. Rousmaniere advised it was up to the community and Council to recruit more people to do this work.

Mr. Harman referred to Ms. Zien's remarks and noted Council members had never served on the BZA. Mayor Keebler advised the Board of Zoning Appeals was intended to be a separate body.

Mr. Bogard referred to Ms. Zien's remarks and inquired if Council had the ability to remove a board or commission member prior to the end of their term. Mr. McHugh advised yes, for justifiable reasons.

Mayor Keebler advised Council did review a list of members and how long they had served on the various boards and commissions and there was enough overlap that the City wouldn't lose too much experience at one time. Mayor Keebler advised all members would serve until the end of their current term.

### **ORDINANCES** **SECOND READING**

None.

### **ANNOUNCEMENTS**

Mr. Elliott advised a meeting with representatives of the Ohio Department of Transportation District 8 was held on January 31, 2012 to discuss funding availability and project limits for the US 27 South project. Mr. Elliott noted in addition to a large contingent of District 8 officials, the meeting also included Greg Wilkens, Butler County Engineer, and Mark Paine with OKI. Mr. Elliott advised after a discussion regarding potential sources of additional funding it was determined that none were available and the project would be reduced in scope. Mr. Elliott noted the project would begin in Oxford at Chestnut Street and end just beyond Southpoint Parkway. Mr. Elliott advised as soon as he received an adjusted cost estimate for the reduced in scope project he would report those figures to Council. Mr. Elliott noted the project was scheduled to be awarded in January of 2014 with construction beginning in April and ending in July of 2015.

Mr. Kyger noted MOON Co-op held their grand opening last week, Anytime Fitness just opened next to Krogers, Furnish 123 was going to occupy the former Hibbits and Maurice's spaces and La Pinata was going to occupy the vacant first floor of Bella Place. Mr. Kyger noted Frame and Save on High Street for over 30 years relocated to College Corner. Mr. Kyger updated Council on the status of the Arabian Nights Revolving Loan Fund loan.

Mr. McHugh advised the City of Oxford Charter Section 8.13 dealt with Removal From Office with regard to Board and Commission Members and Charter Section 2.02 dealt with Removal From Office with regard to Council Members.

Mr. Harman noted Diana Durr, Executive Director of the Oxford Visitors and Convention Bureau, provided the quarterly Economic Impact Report which listed events that came to Oxford and the amount of economic impact each event brought using a formula based on the amount of people attending the event. Mr. Harman noted the report indicated that two football games in November brought over \$500,000 each of economic benefit to the area. Mr. Harman commended Ms. Brahier, Parks and Recreation Director, noting oftentimes her department brought people in for events that helped the City's bottom line.

Mr. Bogard commended Mayor Keebler for his response to an editorial letter from Mr. Jack Grove and noted Mayor Keebler's comments were right on target.

Mr. Bogard reminded everyone that yard waste would be picked-up by the Service Department the first full week in February and March.

Mr. McKeehan advised Councilor Blackburn began physical therapy this week and had high hopes of attending the February 21, 2012 Council meeting.

**ADJOURN**

Mr. Bogard moved to adjourn at 8:09 p.m. Mr. Harman seconded. The motion passed 6-0-0.

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

City Manager

**Originating Department**

**Council Meeting Of:** February 7, 2012

Mary Ann Eaton

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

**Prepared By**

**Budgeted Amount:** N/A

January 30, 2012

**Date Prepared**

**Agenda Title:** An Ordinance Adopting New Section 141.05 Of The Codified Ordinances Of The City Of Oxford, *Term Limits For Boards And Commissions*, Establishing Term Limits For Members Serving On Boards And Commissions.

**Recommendation:** n/a

**Discussion:**

The proposed legislation is a result of Council's discussion at the January 3, 2012 Work Session regarding the establishment of Term Limits for members of the City's Boards and Commissions.

**Approved By:**

**Initial Date**

**Department Head:**

**City Attorney:**

**City Manager:**

 1/31/12

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

AN ORDINANCE ADOPTING NEW SECTION 141.05 OF THE CODIFIED ORDINANCES OF THE CITY OF OXFORD, *TERM LIMITS FOR BOARDS AND COMMISSIONS*, ESTABLISHING TERM LIMITS FOR MEMBERS SERVING ON BOARDS AND COMMISSIONS.

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

SECTION 1: The City Council hereby adopts new Section 141.05, *Term Limits for Boards and Commissions*, to read as follows:

(a) Appointments by City Council to Boards or Commissions of the City shall be subject to the following term limits:

- (1) Boards or Commissions with two (2) year terms shall be limited to four (4) consecutive terms
- (2) Boards or Commissions with three (3) year terms shall be limited to three (3) consecutive terms
- (3) Boards or Commissions with four (4) year terms or five (5) year terms shall be limited to two (2) consecutive terms

(b) In the event that a member of a Board or Commission is not eligible for re-appointment due to term limits, that member may still be considered for re-appointment thirty (30) days after the expiration of his or her term if there are no other qualified applicants for the position. Such a re-appointment, in excess of the term limits set forth herein, shall be restricted to one (1) additional term.

(c) After a member of a Board or Commission has served the number of terms allowed per this ordinance, he or she may be considered for appointment again to the Board or Commission on which he or she previously served after one (1) year of non-service on that particular Board or Commission.

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**

City Manager

**Originating Department**

**Council Meeting Of:** February 21, 2012

Doug Elliott

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

**Prepared By**

**Budgeted Amount:** N/A

February 14, 2012

**Date Prepared**

**Agenda Title:** An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 304.704 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed.

**Recommendation:** Adopt the Ordinance

**Discussion:**

On December 15, 2011 the Butler County Board of Commissioners approved the petition for the annexation of 304.7 acres of land in Oxford Township to the City of Oxford. The petition included four parcels of land with three owned by the Miami University Trustees and the fourth owned by the Joanne Pelly Means, Trust. Sixty days after receipt of this record of approval from the County Clerk's Office, City Council must pass legislation accepting the annexation. The City sought annexation of this land so that water and sewer services may be provided to the Miami Heritage Tech Park by the developer and to receive any future income tax revenue from the development of the Miami Heritage Tech Park through the Job Ready Site Grant.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

 2/17/12



## **ORDINANCE NO.**

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 304.704 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: On October 31, 2011, Douglas R. Elliott, Jr., Agent for the Joanne Pelley Means Trust and The President and Trustees of The Miami University of Oxford, Ohio, filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territories consisting of 304.704 acres of land contiguous to the City of Oxford and the existing corporation line of the Township of Oxford, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Section 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.11-12-5936 adopted on December 15, 2011, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4644, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about December 22, 2011.

SECTION 4: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 5: The proposed annexation, as applied for in the petition of the Joanne Pelley Means Trust and The President and Trustees of the Miami University of Oxford, Ohio, owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Statement of Services Resolution No. 4644 attached hereto and incorporated herein as Exhibit "A" and the Pre-annexation Agreement Resolution No. 4627, attached hereto and incorporated herein as Exhibit "B". The territory to be annexed is more particularly described in Exhibits "C" and "D," attached hereto and incorporated herein.

SECTION 6: The Clerk of the City of Oxford be and is hereby authorized and directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 7: 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)

**RESOLUTION NO. 4644**

RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF OXFORD, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF OXFORD, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO BY DOUGLAS R. ELLIOTT JR., AGENT FOR PETITIONERS, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

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

SECTION 1: Council, having received the notification of a petition for annexation from The President and Trustees of Miami University of Oxford, Ohio, and Joanne Pelley Means, Trustee for 304.704 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

SECTION 2: Council hereby adopts this resolution indicating what services the City will provide to the land to be annexed to the City in accordance with Ohio Revised Code Section 709.023(C).

SECTION 3: The City of Oxford, Ohio hereby states that it will provide, upon the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff all shall be available immediately upon finalization of the annexation; in addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the Citizens of the City of Oxford, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations and conditions as the City deems appropriate.

SECTION 4: If the Territory becomes subject to zoning by the City and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the Territory was annexed, City Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

SECTION 5: The Clerk is hereby directed to forward a copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

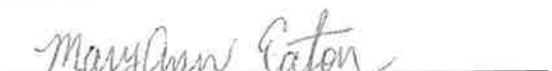
SECTION 6: This resolution shall take effect at the earliest date allowed by law.



MAYOR

ADOPTED: November 15, 2011

ATTEST:

  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**RESOLUTION NO. 4627**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH THE JOANNE PELLEY MEANS, TRUST FOR LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO TO BE ANNEXED INTO THE CITY OF OXFORD, BUTLER COUNTY OHIO, SUBJECT TO THE CONDITIONS STIPULATED IN THE PRE-ANNEXATION AGREEMENT.

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

SECTION 1: Mr. Todd Dockum, Agent, for Joanne Pelley Means, Trust, wishes to construct an Office and Research Technology Park on property located in Oxford Township.

SECTION 2: Mr. Todd Dockum and the City would like the Property to be annexed into the City under certain terms and conditions.

SECTION 3: Council hereby approves the Pre-Annexation Agreement and authorizes the City Manager to sign the same in substantially the same form as the agreement attached hereto as Exhibit "A" and incorporated herein.

SECTION 4: Council finds that the annexation of the property in accordance with the terms of the Pre-Annexation Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

SECTION 5: The City Manager is hereby directed to execute the Pre-Annexation Agreement on behalf of the City.

SECTION 6: This resolution shall take effect at the earliest date allowed by law.

  
VICE MAYOR

ADOPTED: September 6, 2011

ATTEST:   
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

## **PRE-ANNEXATION AGREEMENT**

This Pre-Annexation Agreement is hereby entered into this 21 day of Oct 2011, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Joanne Pelly Means, Trust, hereinafter referred to as "Owner".

**WHEREAS**, the Owner owns property in Oxford Township, parcel number H3610027000005 (see attachment "A"), hereinafter referred to as "Property"; and

**WHEREAS**, the Owner would like to construct an office and research technology park; and

**WHEREAS**, the Owner and the City would like the Property annexed into the City under certain terms and conditions; and

**WHEREAS**, the Owner and the City would like to agree in advance on the conditions of such an annexation;

**NOW, THEREFORE**, the City and Owner hereby enter into this Agreement on the terms and conditions stated below for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. The Owner agrees to file an annexation petition for the Property to annex it to the City within thirty (30) days after execution of this Agreement.
2. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of the Agreement.
3. The City agrees to accept the application to rezone the Property after the execution of this Agreement and to have the application heard by the Planning Commission at the first available date. The application will seek to rezone the property Office and Light Industrial (OI), keeping the Property as an equivalent to its current Butler County zoning code of Business Planned Unit Development District (B-PUD). City Council will consider the rezoning application request as soon as practical following annexation of the Property to the City.
4. The City shall permit the Owner to allow crop farming of a portion of the land as a non-conforming use.
5. The City agrees to make municipal water service available to the Property. The cost to connect to an approved municipal water service to the Property will be the Owner's responsibility. The installation of the said connection to the municipal water service shall conform to the specifications and standards of the City's ordinance and regulations existing at the time municipal water service is installed on the Property, and shall be approved by the City Engineer.

6. The City also agrees to make municipal sanitary sewer service available to the Property. The cost of connecting the Property to an approved municipal sanitary sewer service line will be the Owner's responsibility. The installation of the said connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations, and shall be approved by the City Engineer.
7. The Owner is responsible to provide a professionally engineered traffic impact study prior to the physical development of the Property. The Owner is responsible for all cost associated with the improvements required by said study.
8. The Owner shall pay all capacity benefit charges, utility connection fees, and fees for water and sewer services.
9. Future development of the Property shall meet the minimum requirements as stipulated in the City of Oxford Planning and Zoning Code and other specifications and requirements set forth in the City's Ordinances and regulations, as amended.
10. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.
11. The terms and conditions shall be binding upon the parties herein and all successors and assigns, and these terms and conditions shall run with the land.
12. This agreement shall be recorded in the Butler County Recorder's Office and the terms and conditions shall be binding upon the parties herein and all successors and assigns, and these terms and conditions shall run with the land.

**IN WITNESS WHEREOF**, the City and Owner have executed this Agreement as of the date first written above.

**JOANNE PELLY MEANS, TRUST**

  
Joanne Pelly Means

**CITY OF OXFORD, OHIO**

  
Douglas R. Elliott, Jr., City Manager

# Miami Heritage Tech Park



Oxford Corporation Limit



Miami University



Miami Heritage Tech Park  
Miami Univ. Township Parcels

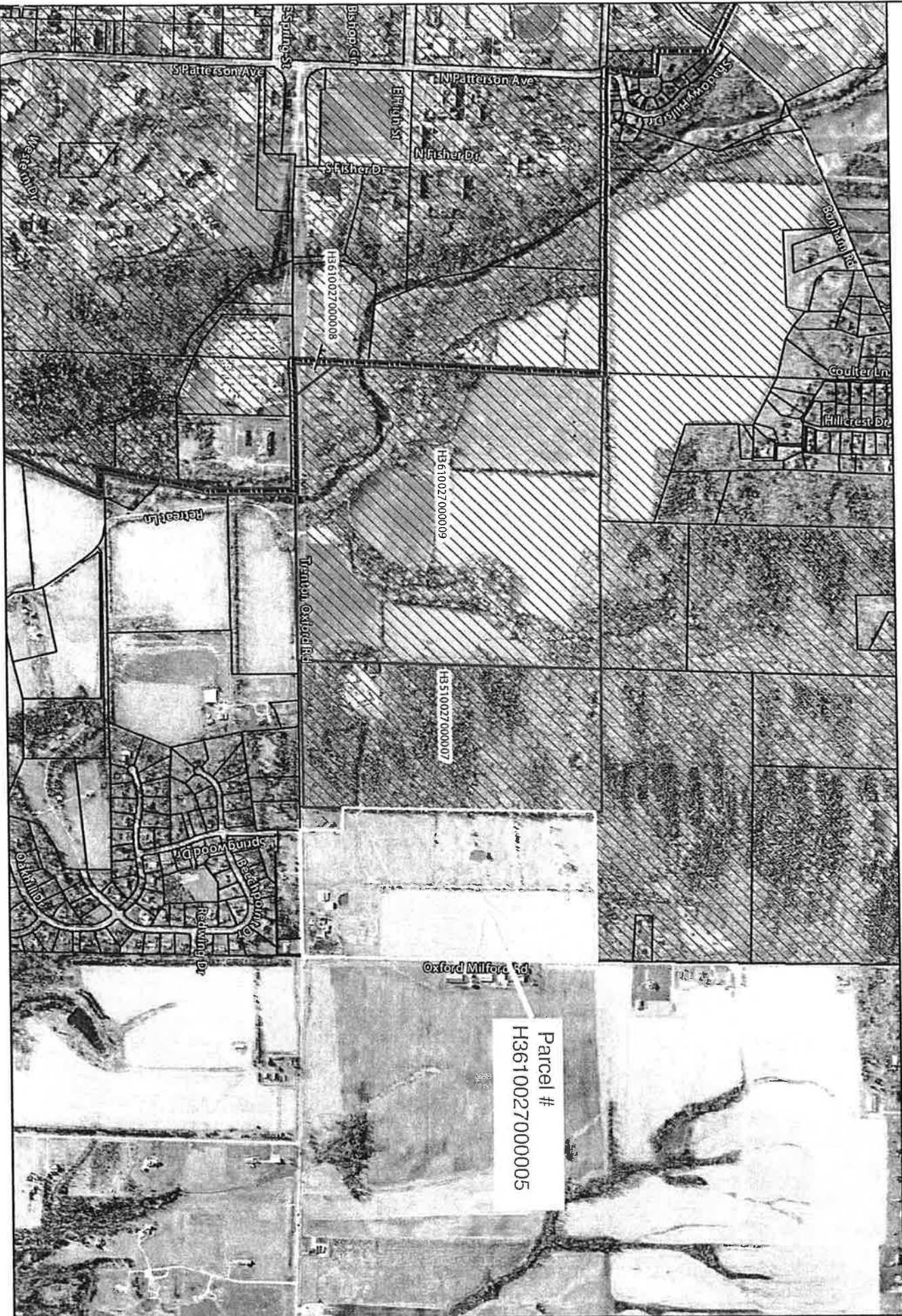


Parcel

1 inch = 1,100 feet



May 2009 Aerial Photography





RECEIVED  
11 OCT 31 PM 3:56  
BUTLER COUNTY  
COMMISSIONERS

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF BUTLER COUNTY, OHIO

PETITION BY OWNERS OF REAL ESTATE FOR ANNEXATION OF 304.704  
ACRES OF LAND MORE OR LESS IN OXFORD TOWNSHIP, BUTLER COUNTY,  
OHIO TO CITY OF OXFORD, OHIO

(Exempted Type 2 Annexation- Sections 709.021 & 709.023 Ohio Revised Code)

The undersigned, being the owners of freehold estates in land adjacent to the City of Oxford, Butler County, herein respectfully petition that the real estate hereinafter described be annexed to the City of Oxford, Butler County, Ohio.

The territory proposed for annexation contains 304.704 acres, more or less, in Oxford Township, Butler County, and is contiguous and adjacent to the boundary of the City of Oxford, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understand the property will not be excluded from the township.

The full description of the territories sought to be annexed are:

Situated in Part of Original Lot 1, Section 24, Town 5, Range 1, Oxford Township, being parts of the lands of the President and Trustees of Miami University, Ohio as recorded on Deed Book 764, Page 535 and all of the Lands of Joanne Pelley Means, Tr., as recorded in Official Record 7271, Page 1583 of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at the Southwest of said Section 24; thence along the westerly line of said Section 24, North 02°19'43" East, 72.80 feet to the north right of way of Trenton-Oxford Road (S.R. 73), being the **True Point of Beginning**;

thence, continuing with said west line of Section 24, North 02°19'43" East, 2,590.98, feet to the northwest corner of said Original Lot 1, being on the south line of the lands of the President and Trustees of Miami University, as recorded in Official Record 7322, Page 1032;

thence, leaving the west line of original Lot 1 with the south line of the President and Trustees of Miami University, as recorded in Deed Book 7322, Page 1032, North 89°53'36" East, 1,320.99 feet to feet to the southwest corner of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634;

thence, with the south line of said lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634 South 88°18'39" East, 1,293.20;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 87°24'09" East, 1,299.88 feet;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 01°30'35" West, 26.00 feet;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 89°23'49" East, 1,271.35 feet to the west right of way of Oxford-Milford Road;

thence, with said west right of way of Oxford-Milford Road, South 01°09'02" West, 2,162.33 feet;

thence, continuing with said west right of way of Oxford-Milford Road, South 03°53'53" West, 321.17 feet to the north right of way of said Trenton-Oxford Road (S.R. 73);

thence, with said north right of way of said Trenton-Oxford Road (S.R. 73) for the following 6 courses:

- 1) North 83°24'08" West, 168.27 feet;
- 2) South 73°00'44" West, 104.40 feet;
- 3) North 86°28'28" West, 150.33 feet;
- 4) South 89°47'29" West, 499.81 feet;
- 5) North 70°47'55" West, 105.95 feet;
- 6) South 69°47'00" West, 58.21 feet to the east line of the lands of Gerald Earl Dingledine as recorded in Official Record 7506, Page 36 of the Butler County, Ohio Recorder's Office;

thence, leaving said north line of Trenton-Oxford Road (S.R. 73) with said east line of Gerald Earl Dingledine, North 01°30'35" East, 257.27 feet to the northeast corner of said lands of Gerald Earl Dingledine;

thence, with the north line of said Gerald Earl Dingledine, South 89°45'00" West, 200.00 feet to the northwest corner of said Gerald Earl Dingledine;

thence, with the west line of said lands of Gerald Earl Dingledine, South 01°30'40" West, 256.67 feet to the north line of said north right of way of said Trenton-Oxford Road (S.R. 73);

thence leaving said west line of Gerald Earl Dingledine, with said north right of way of said Trenton-Oxford Road (S.R. 73) for the following 12 courses:

- 1) South 89°54'41" West, 395.36 feet;
- 2) South 86°57'10" West, 220.29 feet;
- 3) North 41°25'14" West, 15.14 feet;
- 4) South 89°38'55" West, 35.75 feet;
- 5) South 53°33'55" West, 25.41 feet;
- 6) South 88°39'16" West, 457.87 feet;
- 7) North 74°38'43" West, 110.14 feet;
- 8) South 85°17'03" West, 400.47 feet;
- 9) North 86°34'40" West, 900.30 feet;

- 10) South 88°55'25" West, 350.14 feet;
- 11) South 84°50'58" West, 100.50 feet;
- 12) North 89°26'23" West, 957.83 feet to the **True Point of Beginning** containing 304.704 acres more or less and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, March 24, 2011. Butler County Auditor's permanent parcel numbers for the tax parcels described herein are: H3610027000009, H3510027000007, H3610027000005 and H3610027000008.

1. The number of owners of real estate in the territory sought to be annexed is Two (2), being The President and Trustees of The Miami University of Oxford, Ohio, and Joanne Pelley Means, Trustee, the Petitioners.
2. A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A".
3. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
4. There is no annexation agreement between the municipality and township pursuant to R.C. § 709.192 applicable to this annexation nor an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. § 701.07.
5. The owners who sign this petition by their signature expressly waive their right to appeal in law or equity from the Board of County Commissioners' entry of any resolution passed under R.C. § 709.023 and waive any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in R.C. § 709.023 and further waive any rights to seek a variance that would relieve or exempt them from the buffer requirement.
6. Douglas R. Elliott, Jr. is hereby appointed and authorized to act as agent for Petitioner President and Trustees of The Miami University of Oxford, Ohio and for Petitioner Joanne Pelley Means, Trustee in securing such annexation.
7. Petitioners' agents are hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioner's agents are authorized to make such amendments and/or deletions in the petition, map, plat or description in order to correct any discrepancy or mistake noted by the County Engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description

may be made by the presentation of an amended map or plat and description to the Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

8. "WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

OWNERS NAMES:

For: The President and Trustees of The  
Miami University of Oxford, Ohio

By: David K. Creamer

Date Signed: 10-30-11

For: Joanne Pelley Means, Trust

By: Joanne Pelley Means

Date Signed: 10-27-11

**Contact Information:**

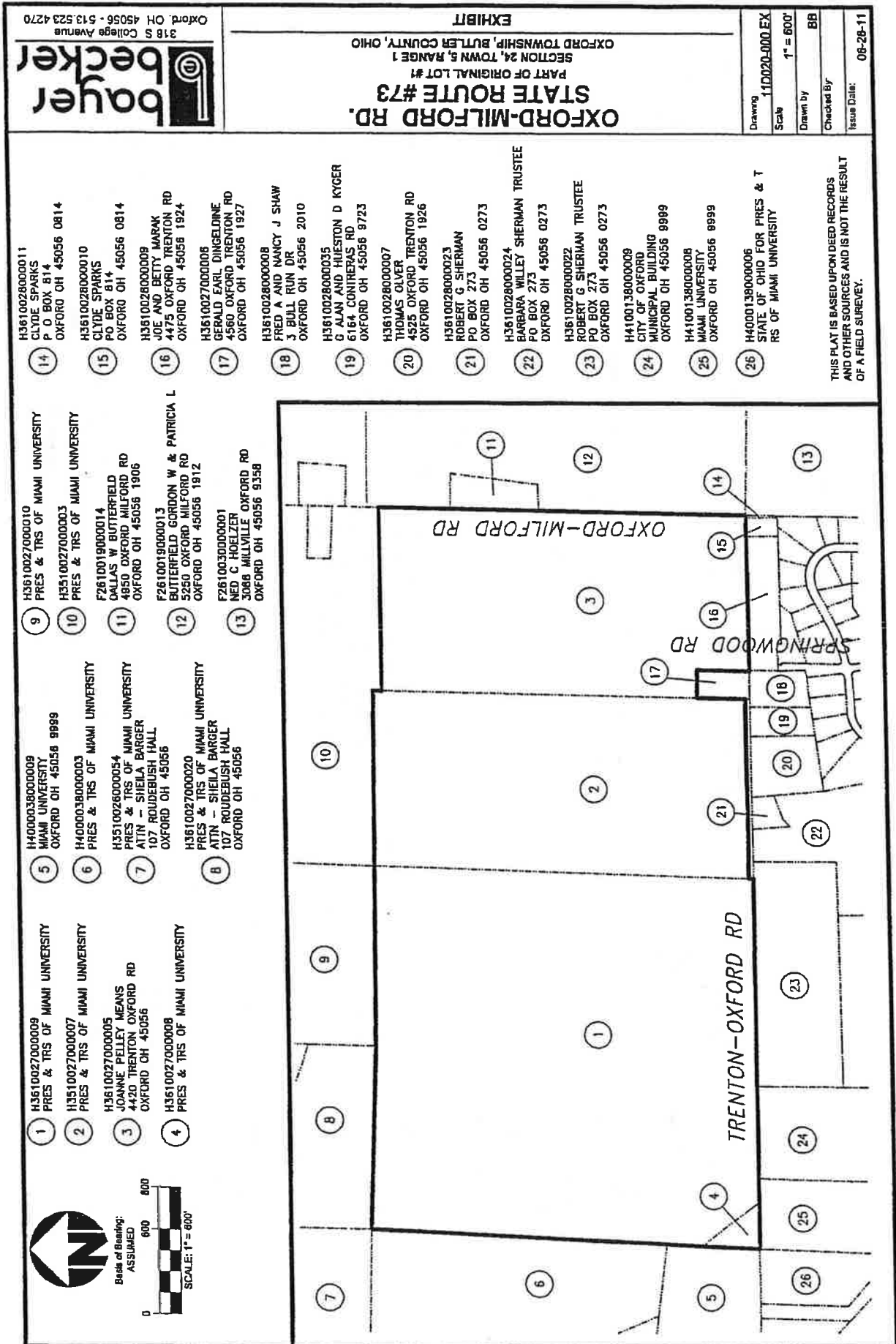
**Owners/Petitioners:**

Joanne Pelley Means, Trust  
4450 Oxford Trenton Road  
Oxford, Ohio 45056  
(513) 416-3556

The President and Trustees of The  
Miami University of Oxford, Ohio  
David K. Creamer  
Vice President of Finance and Business Services  
Miami University  
501 East High Street  
218 Roudebush  
Oxford, Ohio 45056  
(513) 529-4226

**Agent:**

Douglas R. Elliott, Jr., City Manager  
City of Oxford  
101 E. High Street  
Oxford, Ohio 45056  
(513) 524-5279





# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Clerk of Council

**Originating Department**

**Council Meeting Of:** February 21, 2012

Mary Ann Eaton

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

**Prepared By**

**Budgeted Amount:** N/A

February 14, 2012

**Date Prepared**

**Agenda Title:** A Resolution adopting the applicable portions of the Butler County, Ohio, Countywide All Natural Hazard Mitigation Plan (CANHMP) on behalf of the City of Oxford.

**Recommendation:** N/A

**Discussion:**

The adoption of the attached Resolution has been requested by the Butler County Emergency Management Agency. All cities and villages within the county have been asked to do the same. Approval of the Resolution is required in order for the City to qualify for federal disaster mitigation funds.

The Hazard Mitigation Plan is updated every 5 years.

**Approved By:**

**Initial Date**

**Department Head:**

**City Attorney:**

**City Manager:**

MAE 2/14/12

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION ADOPTING THE APPLICABLE PORTIONS OF THE BUTLER COUNTY, OHIO, COUNTYWIDE ALL NATURAL HAZARD MITIGATION PLAN (CANHMP) ON BEHALF OF THE CITY OF OXFORD.

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

SECTION 1: Council is aware that Federal Emergency Management Agency (FEMA) regulations require that all local jurisdictions must have an all natural hazard mitigation plan in place as a condition for receiving federal disaster mitigation funds.

SECTION 2: It is the intent of the Oxford City Council to adopt by reference the applicable portions of the revised Butler County, Ohio, CANHMP as the plan for the City of Oxford.

SECTION 3: Those portions of the Butler County, Ohio, CANHMP, which are applicable to the City of Oxford, Ohio, are hereby adopted as the All Natural Hazard Mitigation Plan for the City of Oxford, Ohio. A copy of the revised Butler County, Ohio, CANHMP dated August, 2011 is on file in the office of the Clerk of Council and the portions applicable to the City of Oxford are incorporated herein by reference.

SECTION 4: The adoption herein of the applicable portions of the revised Butler County, Ohio, CANHMP as the All Natural Hazard Mitigation Plan for the City of Oxford, Ohio does not modify, repeal or supersede any existing ordinances or regulations of the City of Oxford, Ohio.

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

\_\_\_\_\_  
MAYOR

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

ATTEST:

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

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Clerk of Council

**Originating Department**

**Council Meeting Of:** February 21, 2012

Mary Ann Eaton

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

**Prepared By**

**Budgeted Amount:** N/A

February 13, 2012

**Date Prepared**

**Agenda Title:** Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act.

**Recommendation:** N/A

**Discussion:**

The Sunshine Law Training, provided by the Ohio Attorney General's Office, is a three hour certification training session for all elected officials, and/or their appropriate designee, as well as members of the general public. The training session is provided in order to enhance the knowledge of public offices regarding the duty to provide access to public records as required by Section 149.43 of the Ohio Revised Code. The session will include discussion on the Ohio Public Records Act and the Ohio Open Meetings Act. All local and statewide elected governmental officials or their designees must attend a three-hour public records training program during each term of elected office. Designating the Clerk of Council will assure compliance with the training provision in the event Councilors do not wish to attend the training. If Councilors do wish to attend the training, please let the Clerk know, and provide her with a copy of the Certificate of Completion. The 2012 training schedule from the Attorney General's Office is attached.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

                      
                      
DAE 2/27/12

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION APPOINTING THE CLERK OF COUNCIL AS DESIGNEE FOR THE CITY OF OXFORD'S ELECTED OFFICIALS RELATIVE TO THE MANDATORY PUBLIC RECORDS TRAINING AS REQUIRED BY THE OHIO PUBLIC RECORDS ACT.

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

SECTION 1: All local and statewide elected government officials or their designees must attend a three-hour public records training program during each term of elective office.

SECTION 2: Council hereby appoints the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory public records training as required by The Ohio Public Records Act.

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)

Thu, May 31, 2012

[Sunshine Law Training - Fairborn](#)

Fairborn Government Center  
City Council Room  
44 W. Hebble Avenue  
Fairborn, OH 45324

Wed, Jun 13, 2012

[Sunshine Law Training - Mansfield](#)

Ohio State University - Mansfield Branch  
1760 University Drive  
Bromfield 212  
Mansfield, Ohio 44906

Tue, Oct 09, 2012

[Sunshine Law Training - Milford](#)

City of Milford  
745 Center Street  
Milford, OH 45150

Thu, Oct 18, 2012

[Sunshine Law Training - Celina](#)

Mercer County  
220 West Livingston Street  
Room B195  
Celina, Ohio 45822

Thu, Feb 16, 2012

[Sunshine Law Training - Cleveland](#)

Cleveland Metropolitan Bar Association  
1301 East Ninth Street, Second Level  
Cleveland, Ohio 44114

Fri, Mar 09, 2012

[Sunshine Law Training - Perrysburg](#)

Owens Community College  
30335 Oregon Road  
Audio/Visual Classroom, Rooms 125-128  
Perrysburg, Ohio 43551

Wed, Mar 21, 2012

[Sunshine Law Training - Columbus](#)

Columbus Library  
Main Library - Auditorium  
96 S. Grant Avenue  
Columbus, Ohio 43215

Thu, Apr 12, 2012

[Sunshine Law Training - Kirtland](#)

Lakeland Community College  
Performing Arts Center (PAC)  
Building D  
7700 Clocktower Drive  
Kirtland, Ohio 44094

Thu, Apr 26, 2012

[Sunshine Law Training - Canton](#)

Stark County Park District – Exploration Gateway  
5712 12th St. NW  
Canton, Ohio 44708

# CITY OF OXFORD

## STAFF SUMMARY REPORT

### Report to the City Manager

**Council Meeting of:** February 21, 2012

Service Department  
**Originating Department**

**Account Code #:** N/A

David Treleven  
**Prepared By**

**Budgeted Amount:** N/A

February 2, 2011  
**Date Prepared**

**Agenda Title:** Environmental Commission Meeting of February 1, 2012

**Recommendation:** For Review and Consideration

#### Discussion:

Environmental Commission members present at the Wednesday, February 1, 2012 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; Planning Commission Representative, Mr. Ted Wong; and Mr. Vince Hand. A quorum was not present. City Council Representative, Ms. Kate Rousmaniere; and Commissioners Ms. Kelly Church and Mr. Kevin Armitage had previously informed the Commission that they would be unable to attend. Dr. Sandra Woy-Hazleton attended, observing for the League of Women Voters and participating as a citizen. Also in attendance were Mr. Anderson Pestana and Mr. Don Pestana.

As a quorum was not present, no action was taken in regards to the minutes of the January 4, 2012 Commission meeting.

Mr. Anderson Pestana proposed to the Commission a potential project for his Boy Scouts of America Eagle-rank service project. Mr. Pestana proposed labeling curb-side storm water catch basins, informing the public that waters are discharged directly to surface waterways. Commissioners supported this project and instructed Staff to inquire with municipal administration for authorization of the project. Vice-Chair Wright Gwyn suggests adding distribution of door hangers with storm water information to the project.

Discussion of the storm water management stakeholder's interviews suggested that automobile-related businesses should be added to the interview list. Ms. Carol Dockum, President of the Oxford Chamber of Commerce, had suggested the Chamber's Government Relations Committee should be contacted for possible input. It was concluded that these expansions of the interview list could ultimately include important stakeholders within the community whose involvement and opinions could help craft a better Oxford-specific storm water regulation.

Staff was instructed to investigate revisions to the Commission's quorum requirements.

The Commission adjourned at 8:35 p.m. The next regularly scheduled meeting of the Environmental Commission is on Wednesday, February 29, 2012 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room. The meeting was moved up one week for availability of the Conference Room.

**Approved By:**

Department Head:

Initial DT Date 2/2/12

City Manager:

DRE 3/17/12

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** February 21, 2012

Jung-Han Chen  
**Prepared By**

**Account Code No. #:**

**Budgeted Amount:**

February 6, 2012  
**Date Prepared**

**HAPC MEETING REPORT – February 1, 2012**

Requests for Review:

**HAPC-01-2012 20 W. High Street, Chase Bank Building**, replacement of exterior windows on the second and third floors, **Stanley Miller, Applicant/Agent**

A request for review to replace exterior windows with new single-hung, equal lite sashes, half-round arched glass upper sash, and colonial muntins to match the existing two panes per sash pattern took place. The windows will have wood interiors/exterior and painted to match the existing color.

The Commission felt that the proposed windows would be a great improvement to the Uptown. The issue of historic color was also discussed. The Commission requested the Applicant provide that information when the existing windows were removed. The Commission voted 5-1-1 to approve the request as submitted, subject to any changes to the approval being reviewed by the Commission.

Old Business:

**Decision Guidelines for Administrative Approvals**

The Commission voted on the Decision Guidelines for Administrative Approvals so that there will be consistency in approving minor requests. The Guidelines outline the criteria and processes for any requests seeking administrative approval.

**2012 Historic Marker Program/Workshop**

The Historic Marker Program Workshop will take place on February 23, 2012 from 6:00–7:00 p.m. at the Smith Library of Regional History.

**Historic District Signage**

Chairman Smith shared with the Commission the design he developed last year and asked for any input. Mr. Smith will take those comments, make changes and send to all members for consideration.

The next HAPC meeting is scheduled for March 7, 2012 at 6:00 p.m.

**Department Head:**  
**City Attorney:**  
**City Manager:**

*JAC* 2/8/12  
*WLE* 2/12/12