



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 2, 2010

EXECUTIVE SESSION

None

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Recognition - Casey Wooddell and William Reed
- 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 16, 2010 City Council Work Session. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Minutes of the February 16, City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- C. Report regarding the February 17, 2010 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 9, 2010 starting at 6:00 p.m. to Saturday, April 10, 2010 at 3:00 a.m. at Cook Field on Miami's Campus for the American Cancer Society's Relay for Life. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

- E. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 23, 2010 from 10:00 p.m. to 2:00 a.m. on the back patio at the Shriver Center for a CAC/Program Board/AfterDark concert. (Mary Ann Eaton, Clerk of Council).



Staff Report/Resolution

- F. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, May 7, 2010 from 7:00 p.m. to 2:30 a.m. in the Uptown Parks for the Red Brick Rally event sponsored by the Campus Activities Council. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

- G. A Resolution authorizing the City Manager to enter into a contract with United Infrastructure, L.L.C. for improvements to two (2) sanitary sewer mains within the City

of Oxford at a cost of \$21,914.00 plus a 10% contingency fee in the amount of \$2,191.00 for a total cost not to exceed \$24,105.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- H. A Resolution authorizing the City Manager to enter into a contract with Mainline Supply of Atlanta L.L.C. (D/B/A/ MSC Waterworks) for the purchase of materials to replace an existing ten inch water main under High Street between Beech Street and College Avenue at a cost not to exceed \$91,130.14. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions

- A. A Resolution authorizing the City Manager to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold a 'Beer and Brats' event on July 30, 2010 from 6:00 p.m. to 9:00 p.m. in the Oxford Memorial Park. (Doug Elliott, City Manager).



Staff Report/Resolution

- B. A Resolution authorizing the City Manager to waive the fees adopted in the fee Ordinance for the street closings for the Visitors and Convention Bureau for the 2010 Annual Summer Music Festival. (Doug Elliott, City Manager).



Staff Report/Resolution

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

- A. First Reading.

1. An Ordinance Amending Ordinance No. 3089. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2010 And Declaring An Emergency. (Joe Newlin, Finance Director).



Staff Report/Ordinance

2. An Ordinance Approving The Final Subdivision Application For Reckford Woods Subdivision, Phase Two With One Condition. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

- B. Second Reading.

1. None.

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

A. Announcements.

1. Remarks from City Council and City staff. B . Future Meetings (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - Mar 3 Historical and Architectural Preservation Commission Work Session
5:30 p.m.

TUES - Mar 9 Planning Commission Meeting 7:30 p.m.

THUR - Mar 11 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

MON - Mar 15 Housing Advisory Board 7:00 p.m. Municipal Building 2nd Floor
Conference Room

TUES - Mar 16 City Council Meeting 7:30 p.m.

WED - Mar 17 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Mar 18 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

FRI - Mar 19 Community Improvement Corporation Meeting 12:00 p.m. LCNB

WED - Mar 24 Civil Service Commission Meeting 7:00 p.m.

WED - Mar 24 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Mar 30 City Council Work Session 6:00 p.m.

8. Adjourn

The Work Session of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 16, 2010 at 6:30 P.M. Those Council members present were: Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

Staff members present: Doug Elliott, City Manager; Steve McHugh, Law Director; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Jung-Han Chen, Community Development Director and Mary Ann Eaton, Clerk of Council.

**APPROVAL
OF AGENDA**

Ms. Currie moved approval of the Agenda. Mr. Blackburn seconded. The motion carried 7-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information regarding the designation of public depositories and to discuss matters with regard to the Western Knolls property.

PUBLIC DEPOSITORIES

Mr. Newlin advised the five-year agreement for banking depository services with the current bank would expire on April 2, 2010 and four local proposals were received for those services for the next five years. Mr. Newlin discussed each bank's proposal in detail with Council noting the City was looking for a combination of the best service package at the lowest service cost. Mr. Newlin recommended that the contract be awarded to First Financial Bank. Mr. Newlin answered various questions from members of Council.

MARKETING - WESTERN KNOLLS PROPERTY

Mr. Elliott discussed the benefits of the City paying off the loan for the Western Knolls property early as well as the steps necessary to fund the initiative.

Mr. Kyger provided a summary regarding the property. Mr. Kyger discussed the use of a Flat Fee Multiple Listing Service to market the property and the option of creating a Request for Proposal to market the property.

Council and staff briefly discussed potential criteria for the RFP including a master plan or a conceptual plan for the property.

Mr. Elliott noted a follow-up Work Session would be scheduled regarding the matter.

AJOURNMENT

Mr. Blackburn moved to adjourn at 7:16 p.m. Ms. Currie seconded. The motion carried 7-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 16, 2010 at 7:15 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

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. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Rutherford moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing 1. Appointments to Boards and Commissions. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Rutherford, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive session at 7:29 p.m. Mr. Harman seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Currie moved to amend the agenda by moving item 3.A. Public Hearing – Renewal Application for placement of farmland in an Agricultural District to be considered with Resolution 5.A. Mr. Rutherford seconded. The motion passed 6-0-1 with Mr. McKeehan abstaining.

PUBLIC PARTICIPATION

PROCLAMATION **AFRICAN AMERICAN** **READ-IN**

Vice Mayor Bogard read the Proclamation and advised Vice Mayor Bogard would present the Proclamation next week in his absence.

PRESENTATION **BCRTA**

Lieutenant Holzworth advised he was the Chairperson of Oxford's Transportation Subcommittee and they first contacted Ms. Carla Lakatos in 2008 to discuss transportation needs in Oxford. Lt. Holzworth advised public transportation was now available in Oxford. Lt. Holzworth introduced Ms. Carla Lakatos, Executive Director of the Butler County Regional Transit Authority and noted she was a friend of Oxford and an advocate for those who needed transportation options.

Ms. Carla Lakatos, provided handouts to Council and advised BCRTA was an independent political subdivision of the State of Ohio governed by a nine-member Board of Trustees. Ms. Lakatos noted BCRTA was created in 1994 as a coordinated effort to look at the resources available in this county and how to leverage those to meet the needs of human resource agencies as well as the general public as well as being environmentally sensitive. Ms. Lakatos advised BCRTA was the designated recipient for federal and state transportation funds within the Cincinnati Urbanized Area of Butler County. Ms. Lakatos noted BCRTA served as a broker of transportation services for various county boards and agencies that wished to contract with them to manage their transportation needs. Ms. Lakatos updated Council with regard to BCRTA's progress over the years and services they provided to Oxford and the surrounding area as well as plans for the future. Ms. Lakatos answered various questions from Council with regard to the shuttle services and park and ride services.

Mr. Bogard noted Ms. Lakatos was a premier transportation expert in the state of Ohio whose services were greatly sought after.

Mayor Keebler thanked Ms. Lakatos for providing the information to Council and to the public.

REQUEST FOR USE OF PARK **2010 PORSCHE CAR SHOW**

Ms. Diana Durr, Executive Director, Oxford Visitors and Convention Bureau, advised the VCB met with City staff prior to bringing the proposal (page 6 of the agenda) to Council and she was in attendance to answer any questions. Ms. Durr noted the Porsche event went national this year and she expected 600-800 vehicle owners to participate. Ms. Durr advised the Lions Club would work with local vendors to facilitate the 'Beer and Brats' event on Friday, July 30, 2010.

Mayor Keebler advised Council discussion on the matter would take place during the Announcements portion of the agenda but Council could ask questions of Ms. Durr at this time.

Ms. Durr answered various questions from Council and noted the economic benefit to Oxford resulting from the car show was approximately \$350,000.00.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Rutherford nominated Mr. Stephen Dana to serve on the Income Tax Board of Review and Ms. Mary Glasmeier to serve on the Recreation Board. Mr. Blackburn seconded. The nominations passed 7-0-0.

PUBLIC COMMENTS

Mr. Steve Dana, 6314 Fairfield Road, advised he was addressing Council as a Board Member of the Family Resource Center. Mr. Dana noted the Family Resource Center was very encouraged and very supportive of everything the BCRTA was doing and it was a major step forward to have public transportation available in Oxford. Mr. Dana noted the service was available on Tuesdays and Thursdays from 10:00 a.m. until 2:00 p.m. and so far there had not been a lot of demand for the service. Mr. Dana suggested it would be very helpful to further pursue an analysis of the needs of Oxford residents to determine what the optimal needs were within the City. Mr. Dana noted to have this service begin was extremely encouraging particularly for some of the needs that are presented to the Family Resource Center.

Ms. Prue Dana, 6314 Fairfield Road, commended Council and staff for the snow removal efforts. Ms. Dana noted her feeling that access to public transportation was a major step for Oxford. Ms. Dana reiterated the need for additional needs assessment surveys to determine the needs of the different populations in Oxford such as students, those without transportation and senior citizens. Ms. Dana thanked Council for their support for the initiative.

Matt Ciccone, Secretary, Off Campus Affairs, advised he was planning a 'Walk-About' the last weekend in February specifically to educate students living off campus with regard to the 2010 Census. Mr. Ciccone noted the SCRC would hear three Noise Abatement requests at their meeting on Friday which would come to Council on March 3, 2010. Mr. Ciccone apologized for an article on page 9 of last week's Miami Student noting the viewpoint of one author of the Miami Student did not reflect the way the student body felt about the community.

Mr. Mike Smith, Chair, Historic and Architectural Preservation Commission, reminded everyone that nominations for the 2nd Historic Marker Program were due on March 1, 2010.

Ms. Laura Henderson, Historic and Architectural Preservation Commission, recapped the program and the awards presented last year. Ms. Henderson advised the awards ceremony for 2010 would take place May 13, 2010 at the Oxford Community Arts Center. Ms. Henderson noted all the information was available on the City's website.

CONSENT AGENDA

MINUTES

Minutes of the February 2, 2010 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 27, 2010 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the January 27, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the February 3, 2010 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION

DONATION OF PROPERTY

A Resolution No. 4511 declaring certain City property no longer needed for any municipal purpose and authorizing its donation to the 911 Cell Phone Bank. (Steve Schwein, Police Chief)

RESOLUTION

AGREEMENT WITH

HAMILTON COUNTY EMA

A Resolution No. 4512 authorizing the City Manager to enter into an agreement with the Hamilton County Emergency Management Agency on behalf of the Oxford Division of Police for the purpose of obtaining Homeland Security Equipment through a grant. (Steve Schwein, Police Chief)

Mr. Bogard moved to approve the Consent Agenda. Ms. Currie seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **AGRICULTURAL** **TAX DISTRICT**

A Resolution No. 4513 by Oxford City Council authorizing the continued placement of 67.3760 acres of land owned by EVR Investments L.L.C. in an agricultural tax district. Said property address being 4160 Oxford Reily Rd., Oxford, Ohio 45056 (Parcel No. H4100-132-000-001) in accordance with O.R.C. Chapter 929, The Farmland Preservation Act. (Steve McHugh, Law Director)

Mr. McKeehan recused himself from the discussion.

PUBLIC HEARING **AGRICULTURAL TAX DISTRICT**

Mayor Keebler moved to open the meeting for a Public Hearing in accordance with Ohio Revised Code Chapter 929, regarding the renewal of property at 4160 Oxford Reily Road, Oxford, Ohio 45056 as an agricultural tax district at 8:09 p.m. Ms. Currie seconded the motion passed 6-0-0.

Mr. McHugh addressed the staff report as presented on pages 40 and 41 of the agenda noting there was no legal basis for Council not to approve the request.

Mayor Keebler moved to close the Public Hearing at 8:12 p.m. Mr. Bogard seconded. The motion passed 6-0-0.

Mr. Rutherford noted the need to create an agricultural district within the City limits.

Mr. Harman moved to adopt Resolution No. 4513. Mr. Rutherford seconded. The motion passed 6-0-0.

Mr. McKeehan returned to the dais.

RESOLUTION **PUBLIC DEPOSITORIES**

A Resolution No. 4514 designating public depositories and awarding the deposit of active public funds for a five-year period commencing April 5, 2010. (Joe Newlin, Finance Director)

Mr. Newlin noted the commencement date of the proposed Resolution should be April 3, 2101.

Mr. Newlin advised after extensive review he and his staff felt First Financial Bank was the best choice for a public depository based on their pricing structure and customer service offerings.

Mr. Newlin noted references provided by the Talawanda School District and the Hamilton School District with regard to First Financial Bank were very favorable.

Mayor Keebler noted this matter was reviewed with Council at the Work Session prior to this meeting.

Ms. Currie moved to amend the date in the title of the proposed Resolution to read April 3, 2010. Mr. Rutherford seconded. The motion passed 7-0-0.

Mr. Bogard moved to adopt Resolution No. 4514. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3103 Approving A Conditional Use Permit To Allow A Place Of Worship In The General Business (GB) District at 5150 College Corner Pike, Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the proposed Ordinance and the applicant was in attendance to answer any additional questions Council may have.

Mr. Bogard moved to adopt Ordinance No. 3103. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard,
Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3104 Approving A Conditional Use Permit To Allow A Fraternity House In The Single & Two Family Mile Square Residential (R2MS) District At 220 Tallawanda Road, Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would re-establish a fraternity house at this address. Mr. Chen noted Mr. Rutherford had concerns at the last meeting with regard to non-conformities which Mr. McHugh addressed in a legal opinion provided to Council this evening. Mr. Chen noted the use was a permitted use in the R2MS District and this request was a conforming use for this district.

Mr. Matt Ciccone, advised the Delta Tau Delta Fraternity did a great job of epitomizing the pillars the Interfraternity Council expected from their fraternity members. Mr. Ciccone noted for them to continue to recruit the kind of individuals they had in recent years it was important to reestablish their home.

Ms. April Robles, Director for the Cliff Alexander Office of Fraternities and Sororities Life and Leadership, advised her office felt the Delta Tau Delta Fraternity lived up to their fraternal values and were a dedicated force on campus. Ms. Robles noted the Delta Tau Delta Fraternity was outstanding and had strong support of their alumni advisors.

Mr. Robert Carmean, Applicant, thanked Mr. Ciccone and Ms. Robles for their comments. Mr. Carmean noted the Gamma Upsilon Housing Association was moving forward with plans to re-occupy the residence at 200 Tallwanda Road noting there were no plans to change the footprint of the structure. Mr. Carmean noted several recognitions the fraternity had recently received and advised they would like to continue that and house additional men.

Mr. Rutherford advised the quality of the young men who would occupy the residence was not a point of contention. Mr. Rutherford advised the lot coverage exceeded what was allowed and he felt the applicant needed to seek a variance to bring the structure into conformance.

Mr. Harman noted his support for the request and advised he felt this was the best use for the property.

Mayor Keebler advised his feeling that occupancy was a different question. Mayor Keebler advised the question was whether the conditional use of the lot for a fraternity house was appropriate.

Ms. Currie agreed with Mayor Keebler and noted her feeling Mr. Rutherford's concerns related to a process which Council needed to address as a body.

Mr. Bogard noted the house was built in 1969 under a different set of criteria.

Mr. Rutherford agreed that the structure was designed and built to be a fraternity structure. Mr. Rutherford noted this request for a conditional use permit would require Council to ignore Section 1147.02 (e)(1) of the code 'Expiration and reinstatement of a conditional use permit'. Mr. Rutherford noted a variance would change the regulations for the property and would bring it into conformance with the code.

Mr. McHugh noted it was a misnomer to say the applicant was reinstating or reestablishing a fraternity house. Mr. McHugh advised the structure had been rented to another fraternity and had been used as a meeting place by fraternities. Mr. McHugh advised mere vacancy was insufficient to lose entitlement to non-conforming use and discontinuance must be voluntary. Mr. McHugh advised it would be incumbent upon the City of Oxford to prove the use was abandoned.

Ms. Currie called the question.

Mr. McKeehan moved to adopt Ordinance No. 3104. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Keebler (6)

NAY: Mr. Rutherford (1)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3105 Approving A Conditional Use Permit To Allow A Place Of Worship In The Uptown (UP) District at 17 N. Poplar Street, Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the request was to establish a place of worship at the former Lazarus building and the applicant was present to answer any additional questions.

Mr. Rutherford noted he was informed there was an alternate lease on the property and Mr. Kyger advised two applicants had submitted paperwork for the same location.

Ms. Currie advised she did not see a problem granting the request and Mayor Keebler advised Mr. Rodbro had written a letter of agency which had not been removed.

Ms. Currie moved to adopt Ordinance No. 3105. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Harman, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

**ANNOUNCEMENTS AND
COMMUNICATIONS**

Mayor Keebler asked for Council's comments regarding the Visitors and Convention Bureau's Request for Use of the Park to hold a 'Beer and Brats' event prior to the Porsche Car Show in July.

After discussion Mayor Keebler advised a Resolution should be prepared for the next meeting and Council could discuss the issue further. Mayor Keebler noted Council would like to hear from the Visitors and Convention Bureau, business owners and citizens regarding the matter.

Mr. Elliott commended staff for their snow removal efforts. Mr. Elliott encouraged residents to remove snow from their sidewalks.

Mr. Elliott advised Duke Energy would begin the installation of 'Smart Meters' this week to improve the reliability of the system. Mr. Elliott noted Oxford was one of the first communities in this area to receive the meters.

Mr. Elliott updated Council and the public with regard to several transportation projects.

Chief Schwein encouraged residents to move their cars off of snow routes during snow emergencies noting the learning curve had been very slow. Chief Schwein also encouraged residents to move cars from secondary streets so additional snow removal could take place.

Mr. Kyger updated Council and the public with regard to economic development initiatives. Mr. Kyger thanked Council for their input during the Work Session regarding the Western Knolls property.

Mayor Keebler updated Council and the public with regard to 'Think Pink' weekend which would take place February 19-21 noting there was a large list of merchants helping to raise funds for the Susan G. Komen Breast Cancer Foundation.

Mayor Keebler reiterated the need for citizens and merchants to remove snow and ice from sidewalks and also from around fire hydrants.

Mr. Bogard noted he had been out of town but passed along compliments he received with regard to the City's snow removal efforts.

Mr. Rutherford encouraged citizens to write to congress in support of the safety improvements to US-27 South.

Mr. Rutherford encouraged Council to review the extensive report from the Environmental Commission on pages 17-23 of the agenda noting they were seeking a joint Work Session with the Planning Commission.

Mr. Rutherford encouraged support of the many other foundations as well as the Susan G. Komen Breast Cancer Foundation.

Mr. McKeehan complimented staff for their snow removal efforts.

Ms. Currie encouraged the transportation subcommittee to discuss the suggestion of additional transportation needs analysis at their next meeting.

Ms. Currie noted the Bicentennial Event Planning Committee would meet on Thursday at 5:30 p.m. at the Visitors and Convention Bureau. Ms. Currie advised the Bicentennial Kinetic Sculpture Race would take place on April 24, 2010.

Mr. Harman advised the deadline for Historic Marker applications was March 1, 2010. Mr. Harman encouraged members of the public to apply for vacancies on Boards and Commissions which were listed on the City's website.

Mr. Blackburn advised the Boy Scouts Pinewood Derby would take place Saturday at the Talawanda High School.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:21 p.m. Mr. Harman seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 2, 2010

Kathryn A. Dale
Prepared By

Account Code No. #:

Budgeted Amount:

February 18, 2010
Date Prepared

Agenda Title:	Planning Commission Meeting Report – February 17, 2010 (Rescheduled from February 9, 2010)
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Recommendation: N/A

Reports from Commissions, Boards, Committees & Staff:

Ms. Kay announced that the Planning Commission has begun the review of the Subdivision Regulations and Staff recommendations regarding them. Ms. Kay shared that the Planning Commission will be scheduling a worksession with the Environmental Commission prior to discussion of the Open Space Regulations, but a specific date has not yet been determined (but would likely occur in April or May).

DISCUSSION:

Public Hearing:

PC-03-2010 **FINAL SUBDIVISION** Phase 2, Reckford Woods, Hester Road, 3.178 acres, Jean Masthay, Tri-State Habitat for Humanity, Applicant, Bayer & Becker Engineers, Agent.

The Applicants sought approval of a Final Subdivision Plat to subdivide the second phase of the Reckford Woods Subdivision on Hester Road. Phase II includes 10 buildable lots and two open space lots. The original preliminary plat showed three open space lots in this phase; however, when engineered drawings were completed, it was determined that the necessary detention area was able to be enlarged to consolidate two detention areas. It also allowed for the detention areas to have street access, thus no longer requiring an easement across a lot for maintenance purposes. The extra land area from the eliminated detention area was incorporated into a buildable lot and some lot lines were slightly adjusted as a result. Despite the adjustment to the lot lines, the general spirit and intent of the layout and the number of lots approved in the Preliminary are the same. The property is zoned "R1B" Single-Family Medium Density Residential and is required to have 7,500 sq. ft. lots with 65 foot lot widths. All of the lots as presented in this Final Subdivision application satisfy the zoning requirements. Conditions of Ordinance #3022 are primarily satisfied at this time. Staff, legal counsel and the Applicant are still working on the final approvals of the Homeowner's Association's Covenants and Restrictions and are very close to having the record plat of the first phase approved for recording.

Public comments were received regarding the density, the occupancy by Habitat and watershed and vegetation on the property.

The Planning Commission voted 5-0-0 to recommend **APPROVAL** as presented to City Council with the following condition:

1. That, all proper recordings including the Homeowner's 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.

PC-04-2010 **ZONING MAP AMENDMENT** 5990 Contreras Road, from R1B (Single Family Medium Density Residential) to RO (Office Residential), Peter and Connie McCarthy, Owners, Applicants

The Applicant requested that their case be placed on the regular March 9, 2010 agenda due to a scheduling conflict.

New Business:

Subdivision Text Amendment Worksessions

Ms. Kay stated that the next worksession would not be prior to the March 9, 2010 Planning Commission meeting due to the large agenda and a worksession would be scheduled on another date. Ms. Taylor is to review the schedules again of Planning Commission members to determine which date would work for most members.

Other Business:

Historic Marker Nominations

Ms. Dale shared that Historic Marker Nominations are due March 1, 2010 for anyone interested in submitting an application or in need of more information can contact the Community Development Department or the City of Oxford website.

The next regular meeting is scheduled for March 9, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial

Date

JHC / 2/22/10

DAL / 2/24/10

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: March 2, 2010

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

February 22, 2010
Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 9, 2010 starting at 6:00 P.M. to Saturday, April 10, 2010 at 3:00 A.M. at Cook Field on Miami's Campus for the American Cancer Society Relay for Life.

Recommendation:

Discussion:

This request is for the American Cancer Society Relay for Life which is to raise money for the American Cancer Society. The walk will take place on Miami's Cook Field. For the last several years Council approved the Noise Abatement until 3:00 a.m.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 2/26/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 9, 2010 STARTING AT 6:00 P.M. TO SATURDAY, APRIL 10, 2010 AT 3:00 A.M. AT COOK FIELD ON MIAMI'S CAMPUS FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the American Cancer Society Relay for Life on Friday, April 9, 2010 starting at 6:00 p.m. to Saturday, April 10, 2010 at 3:00 a.m. at Cook Field on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the American Cancer Society Relay for Life on Friday, April 9, 2010 starting at 6:00 p.m. to Saturday, April 10, 2010 at 3:00 a.m. at Cook Field on Miami's Campus.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



To: City Council

From: Student Community Relations Commission

Re: Spring 2010 Noise Abatement Requests

Date: February 19, 2010

Three noise abatement requests were submitted to SCRC for activities this Spring. These are the same events that have been approved for abatements in the past few years.

1. 4/9/10 Relay for Life 6 pm – 3 am
Location: Cook Field
2009: 4/3/09 6 pm – 3 am
2008: 4/4/08 6 pm – 3 am
2007: 4/13/07 6 pm – 3 am
2. 4/23/10 CAC/Program Board/AfterDark Concert 10 pm – 2 am
Location: Shriver Back Patio
2009: 4/30/09 8 pm – 10:30 pm
2008: 4/25/08 10 pm – 1 am
2007: 4/20/07 8 pm – 2 am
3. 5/7/10 Red Brick Rally 7 pm – 2:30 am
Location: High Street uptown
2009: 5/8/09 9 pm – 2:30 am
2008: 5/9/08 8 pm – 2:30 am
2007: 5/4/07 5 pm – 2:30 am

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : FRIDAY APRIL 9TH -
FROM: 6:00 a.m. 6 p.m. TO: 3:00 a.m. 3 p.m. SATURDAY APRIL 10TH

ACTIVITY/EVENT TO BE UNDERTAKEN:

REVIEW FOR LIFE OF MIAMI UNIVERSITY

LOCATION (attach copies of paperwork showing approval to use site):

COOKFIELD

NUMBER OF PEOPLE EXPECTED TO ATTEND: 700

OPEN TO PUBLIC
ALCOHOL AVAILABLE

YES
YES

NO
NO

TYPE OF SOUND EQUIPMENT TO BE USED:

MUSIC SPEAKERS, LIVE BAND

ANDREW SCHUSTER ← SOUND MONITORING PLANS (including person in charge of this process):
WILL NOT HAVE CONTINUALLY LOUD SOUNDS ALL EVENING. WILL DISTRIBUTE TIES AND BE AWARENESS
440-364-3337

APPLICANT ORGANIZATION INFORMATION: IN CONTACT WITH CAMPUS AND LOCAL POLICE IF ANY NOTIFICATIONS OF SOUND BEING TOO LOUD ARE MADE.

NAME OF ORGANIZATION: ON CAMPUS FOR AWARENESS

ADDRESS: MIAMI UNIVERSITY

Is this a registered student organization at Miami University? YES

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: ANDREW SCHUSTER

ADDRESS: 317 N. UNIVERSITY TEL. #: 440-364-3337

What is the contact person's relation to the organization (title, etc.)?

CO-PRESIDENT

ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF RELEVANCE.

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol-free.

Applicant's signature Andrew T. Schuster Date: 02-03-10

EVENT PLANNING FORM

In order to allow sufficient processing time, we must receive this form 10 working days before the event.

Today's Date 09-03-09 Organization ON CAMPUS FOR CANCER AWARENESS
Please describe the event in detail: RELAY FOR LIFE IS AN OVER NIGHT WALK FOR THE AMERICAN CANCER SOCIETY. TEAMS CAMP OUT AND ENJOY ENTERTAINMENT THROUGHOUT THE NIGHT.

Contact ANDREW SCHOSTER
Email SCHOSTAT@MUOHIO.EDU
Phone 440-364-3337

Advisor Ron Bulanda
Email bulandre@muohio.edu
Phone 529-2642

I have received and read the MU Dance Policy and understand the responsibilities of our organization.

Signature Andrew Schoster Date 09-03-09

LOCATION	DATE(S) (From - To)	TIME (From - To)
Recreational Sports (Main Office)		
☐ Phillips Hall		
☐ Withrow Ct.		
☐ Rec. Sports Ctr.		
☒ Cook Field	<u>(04-09-10)-(04-10-10)</u>	<u>10AM - 12PM</u> <u>(4-9) (4-10)</u>
☐ Western Field	<u>147205</u>	
☐ Tappan Field		
☐ Club Sports Fld		
☐ DeWitt Field		

Residence Life (Warfield Hall)

☐ MET Quad		
☐ East Quad		
☐ South Quad		
☐ Central Quad		
☐ North Quad		
☐		

Special Facilities (Millett Hall)

☐ Hall Aud.		
☐ Millett Hall		
☐ Millett Front		
☐		

LOCATION	DATE(S) (From - To)	TIME (From - To)
Dining Halls (356 Shriver Ctr.)		
☐ Alexander		
☐ Bell Tower		
☐ Erickson		
☐ Hamilton		
☐ Harris		
☐ Martin		
☐ Scott		

Shriver Center (Information Desk in Lobby)

☐ Haines Food Ct		
☐ West Patio		
☐ Vending Area		
☐ MPR		
☐ Heritage Rm		
☐ Fine Arts Plz		

Other

☐ Hub		
☐ Phi Delt Gates		
☐		

PLEASE NOTE: If you need tables, chairs, electric, tent, etc., take this approved form to the Cole Service Building (behind Cook Field) along with a Physical Facility Service Form. Obtaining these services is your responsibility.

For Department Use Only

- ☒ Recommend at least three (3) people be present during sale.
☒ You will need a Physical Facility Service Form.
☐

Copy to: ☒ Advisor
☒ MU Police
☒ Rec. Sports
☐ Res. Life
☐ Shriver
☐ Other
☒ PFD

Approved Andy Fadda

Date 2/3/2010

EMAIL 2/3/10

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 2, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 22, 2010

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 23, 2010 from 10:00 P.M. to 2:00 a.m. on the back patio at the Shriver Center for a CAC/Program Board/AfterDark concert.

Recommendation:

Discussion:

This request is for the CAC/Program Board/After Dark Free Concert on the patio at the Shriver Center. Last year Council approved the Noise Abatement until 10:30 p.m. on a Thursday night. In 2008 the Noise Abatement was approved until 1:00 a.m.

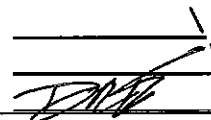
Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 2/24/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 23, 2010 FROM 10:00 P.M. TO 2:00 A.M. ON THE BACK PATIO AT THE SHRIVER CENTER FOR A CAC/PROGRAM BOARD/AFTERDARK CONCERT.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the CAC/Program Board/AfterDark concert on Friday, April 23, 2010 from 10:00 p.m. to 2:00 a.m. on the back patio at the Shriver Center on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the CAC/Program Board/ AfterDark concert on Friday, April 23, 2010 from 10:00 p.m. to 2:00 a.m. on the back patio at the Shriver Center on Miami's Campus.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : April 23, 2010

FROM: 10:00 ^{a.m.} p.m. TO: 2:00 ^{a.m.} p.m.

ACTIVITY/EVENT TO BE UNDERTAKEN:

The students are still in the planning process. They are looking at doing either a concert or DJing
LOCATION (attach copies of paperwork showing approval to use site): Shriver Back Patio Conjunction with their outdoor event.
NUMBER OF PEOPLE EXPECTED TO ATTEND: 1,000

OPEN TO PUBLIC
ALCOHOL AVAILABLE

YES
YES

NO
NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Tri-tee, light & sound

SOUND MONITORING PLANS (including person in charge of this process):

Students will periodically drive around the neighborhood to check sound

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: Afterdark

ADDRESS: 371 Shriver Center

Is this a registered student organization at Miami University? yes

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: Jill Van Aken

ADDRESS: 371 Shriver Center TEL. #: (513) 529-8563

What is the contact person's relation to the organization (title, etc.)?

Afterdark Advisor

ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF RELEVANCE.

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol free.

Applicant's signature Jill Van Aken Date: 2/1/2010

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, MAY 7, 2010 FROM 7:00 P.M. TO 2:30 A.M. IN THE UPTOWN PARKS FOR THE RED BRICK RALLY EVENT SPONSORED BY THE CAMPUS ACTIVITIES COUNCIL.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the Red Brick Rally event sponsored by the Campus Activities Council on Friday, May 7, 2010 from 7:00 P.M. to 2:30 A.M. in the Uptown Parks in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the Red Brick Rally event sponsored by the Campus Activities Council on Friday, May 7, 2010 from 7:00 P.M. to 2:30 A.M. in the Uptown Parks.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

FEB-17-2010 11:50 AM OXFORD VCB

D10 000 2741

**CITY OF OXFORD
NOISE ABATEMENT APPLICATION**

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : May 7, 2010
 FROM: 7 ^{a.m.} ~~p.m.~~ TO: 2:30 ^{a.m.} ~~p.m.~~

ACTIVITY/EVENT TO BE UNDERTAKEN:

RedBrick Rally

LOCATION (attach copies of paperwork showing approval to use site):

Hight Street - uptownNUMBER OF PEOPLE EXPECTED TO ATTEND: 3,000

OPEN TO PUBLIC
ALCOHOL AVAILABLE

☒ YES
☐ NO

☐ YES
☒ NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Tri-tee light & sound

SOUND MONITORING PLANS (including person in charge of this process):

Active monitoring by OAC volunteers**APPLICANT ORGANIZATION INFORMATION:**NAME OF ORGANIZATION: Associated Student GovernmentADDRESS: 356 Shriver CenterIs this a registered student organization at Miami University? yes**INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 YRS.):**NAME OF CONTACT PERSON: Emily NussbaumADDRESS: 340 Mulcrum Hall 500 Center Dr. TEL. #: 414-254-7344
Oxford, OH 45056

What is the contact person's relation to the organization (title, etc.)?

Head of Red Brick Rally

ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT
AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF
RELEVANCE.

I have read and understand the rules, conditions and laws applicable to the
waiver of the noise ordinances, and understand that acceptance of them is a
condition of approval. I hereby certify that the event/activity, which is
the subject of this application will be open to the public and alcohol free.

Applicant's signature Emily Nussbaum Date: 2/9/10

FX 524-5266

Red Brick Rally is an annual event held the last night of finals to celebrate graduation the next day. It is held in the middle of High St. and shuts down the street from 45 east area to Starbucks. A stage is set up where three or four bands perform for an hour each. The Ark Band is a reggae band who have performed at Red Brick Rally for many years and have become a staple group of the event. This year we have chosen to have two additional bands perform, but they have yet to be determined. We will begin setup for the event at 7:00 pm on Friday May 7. The stage faces down towards campus so that noise is at a minimum for residents. The event is an open event and family or students and residents of Oxford are encouraged to attend the event. Red Brick Rally is a relatively simple event, but allows for students and residents to both celebrate the end of another school year.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: March 2, 2010

Account Code #: 332.831.51001-2

Budgeted Amount: \$44,000.00

Service Department
Originating Department

Michael Dreisbach
Prepared By

February 19, 2010
Date Prepared

Agenda Title: Award of Contract for Sanitary Sewer Relining Project

Recommendation: Approval

Discussion:

The 2010 Capital Improvement Budget includes \$44,000 for improvements to two sanitary sewer mains, one under Main Street between Vine St. and Withrow St. and the other off North Campus Ave. between manhole #65 and manhole #1035. These lines showed marked deterioration during the last video inspection, and were proposed for improvement in the current Capital Improvement Plan for the City's infrastructure. Staff developed plans and specifications for trenchless technology to install a new pipe liner without the need for cutting or trenching the street. This type of installation is extremely cost effective and is less obstructive to traffic in the area of the improvement. This process utilizes liner material that can be pulled into place between manholes, inflated with air, and cured in place creating a new pipe within the limits of the old pipe. Robotic cutters are then used to make new service connections and to seal the connections with the new main.

Staff advertised for bids in the Hamilton Journal (as well as the usual trade group bid reporting services), and bids were opened with the following results:

United Infrastructure, LLC	\$21,914
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The bid is well below the engineer's estimate of \$29,500. This company has performed this type of work in Oxford previously and the City has been very pleased with their performance. The company has also offered an extended warranty for a two year period rather than the customary one year period.

United Infrastructure, LLC has submitted the lowest and best bid, and staff recommends the City Council authorize the City Manager to enter into a contract with them at a cost of \$21,914. Staff is also requesting a ten percent contingency in the amount of \$2,191, therefore the contract would have a cost not to exceed amount of **\$24,105**.

Approved By:

Department Head:

City Manager:

Initial Date
MD 2/19/10

[Signature] 2/24/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UNITED INFRASTRUCTURE, L.L.C. FOR IMPROVEMENTS TO TWO (2) SANITARY SEWER MAINS WITHIN THE CITY OF OXFORD AT A COST OF \$21,914.00 PLUS A 10% CONTINGENCY FEE IN THE AMOUNT OF \$2,191.00 FOR A TOTAL COST NOT TO EXCEED \$24,105.00.

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

SECTION 1: As previously adopted by Council for the City of Oxford, the 2010 Capital Improvement Budget includes \$44,000.00 for improvements to two sanitary sewer mains, one under Main Street between Vine Street and Withrow Street and one off of North Campus Avenue between manhole number 65 and manhole number 1035.

SECTION 2: Staff developed plans and specifications for trenchless technology to install new pipe liner without the need for cutting or trenching the streets. This process utilizes liner material that can be pulled into place between manholes, inflated with air, and cured in place creating new pipe within the limits of the old pipe. Robotic cutters are then used to make new service connections and to seal the connections with the new main.

SECTION 3: The City of Oxford advertised a request for bids for the improvements in the Hamilton Journal and in the trade group bid reporting services.

SECTION 4: After opening the bids, the Service Director determined that United Infrastructure, L.L.C. was the only bidder for such improvements.

SECTION 5: Council hereby finds United Infrastructure, L.L.C. to be the best bidder and accepts the bid of \$21,914.00 plus a 10% contingency fee in the amount of \$2,191.00 for a total cost not to exceed \$24,105.00 for the improvements to the two sanitary sewer mains.

SECTION 6: Council hereby authorizes the City Manager to enter into a contract with United Infrastructure, L.L.C. for improvements to two sanitary sewer mains at a cost of \$21,914.00 plus a 10% contingency fee in the amount of \$2,191.00 for a total cost not to exceed \$24,105.00.

SECTION 7: 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

Council Meeting of: March 2, 2010

Account Code #: 322.811.51001/ EC090003

Budgeted Amount: \$115,732

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

February 24, 2010
Date Prepared

Agenda Title: Materials for High Street Water Main Replacement – Beech St. to College Ave.

Recommendation: Approve

Discussion:

The 2010 Capital Improvement Budget includes \$115,732 for the replacement of an existing ten inch cast iron water main under High Street between Beech St. and College Ave. City Staff will install the new 12" ductile iron pipe and appurtenances prior to the reconstruction of this block of High Street. The materials list for this project is attached and labeled "Exhibit A".

City staff prepared plans and specifications for the improvement project and submitted such to the Ohio Environmental Protection Agency (OEPA). The plans were approved by the OEPA and the City advertised for bids in the *Hamilton Journal* and *Oxford Press* on February 5, 2010 and February 12, 2010. Seven bids were received by the City and publicly opened on February 24, 2010 with the following results:

Mainline Supply of Atlanta, LLC	\$ 91,130.14
DBA: MSC Waterworks	
Utility Service and Supply	\$ 91,892.13
Utility Sales	\$ 93,735.68
E J Presscott	\$ 95,609.95
Union Site Supply	\$ 95,802.60
HD Supply	\$ 99,006.64
Ferguson Waterworks	\$103,998.98

The lowest bid for the specified materials was submitted by Mainline Supply of Atlanta, LLC (dba MSC Waterworks) with a bid of \$91,130.14. Staff is not requesting any contingency for this project. It is Staff's recommendation that the City Council authorize the City Manager to enter into an agreement with Mainline Supply of Atlanta, LLC (dba MSC Waterworks) for an amount not to exceed **\$91,130.14**.

Approved By:

Department Head:

City Manager:

Initial Date
MBD \ 2/24/10

[Signature] \ 2/24/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MAINLINE SUPPLY OF ATLANTA, L.L.C. (D/B/A/ MSC WATERWORKS) FOR THE PURCHASE OF MATERIALS TO REPLACE AN EXISTING TEN INCH WATER MAIN UNDER HIGH STREET BETWEEN BEECH STREET AND COLLEGE AVENUE AT A COST NOT TO EXCEED \$91,130.14.

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

SECTION 1: As previously adopted by Council for the City of Oxford, the 2010 Capital Improvement Budget includes \$115,732.00 for the replacement of an existing ten inch water main under High Street between Beech Street and College Avenue.

SECTION 2: The City of Oxford advertised a request for bids for the materials to complete the improvements in the *Hamilton Journal* and *Oxford Press* on February 5, 2010 and February 12, 2010.

SECTION 3: After opening the bids on February 24, 2010, the Service Director determined that Mainline Supply of Atlanta, L.L.C. (d/b/a/ MSC Waterworks) is the lowest and best bidder for the materials listed on Attachment "A".

SECTION 4: Council hereby finds Mainline Supply of Atlanta, L.L.C., (d/b/a/ MSC Waterworks) to be the lowest and best bidder and accepts the bid of \$91,130.14 for the materials to replace an existing ten inch water main under High Street between Beech Street and College Avenue.

SECTION 5: Council hereby authorizes the City Manager to enter into a contract with Mainline Supply of Atlanta, L.L.C. (d/b/a/ MSC Waterworks) for the purchase of materials to replace an existing ten inch water main under High Street between Beech Street and College Avenue at a cost not to exceed \$91,130.14.

SECTION 6: 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)

Exhibit A

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices:

BID SCHEDULE

(1) ITEM	(2) DESCRIPTION	(3) QTY	(4) UNIT	(5) LABOR (\$)	(6) MATERIAL (\$)	(7) (5) + (6) TOTAL (\$)	(8) (3) X (7) TOTAL EXTENDED INFORMAL PRICE (\$)
638	12" Water Main CL 53 DI Pipe	774	LF				
638	10" Water Main CL 53 DI Pipe	32	LF				
638	6" Water Main CL 53 DI Pipe	348	LF				
638	4" Water Main CL 53 DI Pipe	272	LF				
638	12" Cross MJ	1	Each				
638	12"x12"x6" Anchor Tee	4	Each				
638	12"x12"x12" Tee	3	Each				
638	12"x12"x10" Tee	1	Each				
638	12"x12"x6" Tee	10	Each				
638	12"x12"x4" Tee	8	Each				
638	10"x10"x10" Tap Sleeve	1	Each				
638	6"x6"x6" Tap Sleeve	2	Each				
638	4"x4"x4" Tap Sleeve	2	Each				

BID SCHEDULE

(1) ITEM	(2) DESCRIPTION	(3) QTY	(4) UNIT	(5) LABOR (\$)	(6) MATERIAL (\$)	(7) (5)+(6) TOTAL (\$)	(8) (3) X (7) TOTAL EXTENDED INFORMAL PRICE (\$)
638	10" RW Tap Valve	1	Each				
638	6" RW Tap Valve	2	Each				
638	4" RW Tap Valve	2	Each				
638	12" RW Valve	13	Each				
638	6" RW Valve	13	Each				
638	4" RW Valve	6	Each				
638	3 Piece Road Box, as per plan	37	Each				
638	12" Mega Lug	77	Each				
638	10" Mega Lug	2	Each				
638	6" Mega Lug	26	Each				
638	4" Mega Lug	20	Each				

(1) ITEM	(2) DESCRIPTION	(3) QTY	(4) UNIT	(5) LABOR (\$)	(6) MATERIAL (\$)	(7) (5)+(6) TOTAL (\$)	(8) (3) X (7) TOTAL EXTENDED INFORMAL PRICE (\$)
638	12" Plug	6	Each				
638	6" Plug	6	Each				
638	4" Plug	6	Each				
638	B62-B Fire Hydrant w/ Storz Fittings	5	Each				
638	10" Hydra Stop fittings	2	Each				
638	1" "K" Copper 100' Roll	5	Each				
638	2" "K" Copper	40	Feet				
Special	4'x100' Orange Snow Fence	14	Each				
638	4" Grip Tite Gaskets	8	Each				
638	6" Grip Tite Gaskets	8	Each				
638	12" Grip Tite Gaskets	8	Each				
638	1" Meter Pit (Rigid PVC 20" Width x 30" Depth)	10	Each				
638	2" Meter Pit (30" Width x 36" depth utility approved)	2	Each				

(1) ITEM	(2) DESCRIPTION	(3) QTY	(4) UNIT	(5) LABOR (\$)	(6) MATERIAL (\$)	(7) (5)+(6) TOTAL (\$)	(8) (3) X (7) TOTAL EXTENDED INFORMAL PRICE (\$)
638	1" Meter Pit Lid (Ford W3-T Double Lid Meter Pit Cover)	10	Each				
638	2" Meter Pit Lid (Ford Monitor Cover #MC-24-MB-T)	2	Each				
638	1" Copper Setter (Ford VBHC72-18W-44-44)	10	Each				
638	2" Copper Setter (Ford VBHH77-18W-44-77, 17 1/4")	2	Each				
638	1" Corp. Stop (Ford Flare F- 600-4 or Ford Comp. F-1000-4)	12	Each				
638	1" Curb Stop (Ford B-44-444 Comp. or Ford B-22-444 Flare)	12	Each				
638	2" Corp. Stop (Ford FB-600 or Ford FB-1000)	2	Each				
638	2" Curb Stop (Ford B22-7777 or Ford B44-777)	2	Each				
638	Curb Box, Tyler- 2 Piece	14	Each				

Total Bid \$ _____

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: March 2, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 22, 2010

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold a 'Beer and Brats' event on July 30, 2010 from 6:00 p.m. to 9:00 p.m. in the Oxford Memorial Park.

Recommendation: N/A

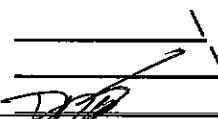
Discussion:

As requested by Council Member Blackburn.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 2/24/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PERMIT THE OXFORD VISITORS AND CONVENTION BUREAU IN CONJUNCTION WITH THE OXFORD LIONS CLUB TO HOLD A 'BEER AND BRATS' EVENT ON JULY 30, 2010 FROM 6:00 P.M. TO 9:00 P.M. IN THE OXFORD MEMORIAL PARK.

Be it resolved by the Council of the City of Oxford, Butler County, State of Ohio, that:

SECTION 1: The Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club wish to sponsor a 'Beer and Brats' event which will be open to the public and will give people the opportunity to welcome the Porsches2Oxford event participants to the City of Oxford.

SECTION 2: The Oxford Lions Club as the service organization will obtain an F-2 State of Ohio Liquor Permit, which will allow the sale of alcohol to those of legal age for on premises consumption only.

SECTION 3: The Oxford Lions Club as the service organization will be required to carry a liability insurance policy and an additional liquor liability policy.

SECTION 4: The Oxford Lions Club will rope off the Oxford Memorial Park area and each attendee wishing to enter the roped off area will be required to be at least 21 years of age and be required to wear a wrist band.

SECTION 5: The City Manager is hereby authorized to take all steps necessary to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold a 'Beer and Brats' event to welcome the Porsches2Oxford event participants to the City of Oxford on July 30, 2010 from 6:00 p.m. to 9:00 p.m. in the Oxford Memorial Park.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: BOB BLACKBURN
PREPARED BY: LAW(STAFF)



RECEIVED
FEB 19 2010
City of Oxford

DATE: February 19, 2010
TO: City of Oxford
FROM: OVCB Board of Directors
RE: Porsches2Oxford Friday Night Event

Date: Friday, July 30, 2010

Event Time: 6:00-9:00PM

Location: Oxford Memorial Park Only, No Request For Street Closings, Request 8 (Eight) Parking Spots
Adjacent to the Park on East Park Place for Event Loading/Unloading

Description: Food and entertainment to be coordinated by the Lions Club/Oxford. All food and beverage sales would go directly to this organization which will in turn provide benefits to the Oxford community. The Lions Club will work with local restaurants for food and beverage supplies. They will work with the Butler County Health Department guidelines. All applicable security and alcohol laws will be coordinated with the Oxford Chief of Police. The Lion Club will take the necessary measures to secure the area and provide liability event coverage. The Lions Club will work with the Oxford Chief of Police to discuss liquor control guidelines and training. For the entertainment, the Lions Club will work with the Oxford Visitors Bureau to comply with standard operating procedures similar to the Thursday night music festival and would agree to the City of Oxford sound ordinances. This is event is open to the public, event participants and their guests. Take down will occur immediately after the event.

Economic Impact Report for the greater Oxford area is approximately \$350,000 annually (encompasses food sales, general merchandise sales, overnight stay, etc.)

14 W. Park Place, Suite C · Oxford, Ohio 45056
Phone: (513) 523-8687 Fax: (513) 523-2927
info@enjoyoxford.org ~ www.enjoyoxford.org

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: March 2, 2010

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 24, 2010

Date Prepared

Agenda Title: Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors and Convention Bureau for the 2010 annual Summer Music Festival.

Recommendation:

Discussion:

Council has approved this request every year since 2005. The fee for Street closure is \$135.00 for 12 weeks (\$1,620.00).

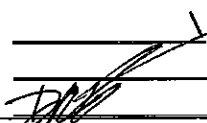
Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 2/26/10

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FEES ADOPTED IN THE FEE ORDINANCE FOR THE STREET CLOSINGS FOR THE VISITORS AND CONVENTION BUREAU FOR THE 2010 ANNUAL SUMMER MUSIC FESTIVAL.

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

SECTION 1: The Visitors and Convention Bureau hereby requests Council's consideration of their request for waiver of the street closure fees for the 2010 Annual Summer Music Festival.

SECTION 2: Council having considered the request determined that the Summer Music Festival is a benefit to the entire community and that waiving the fees for the street closings is in the best interest of the community, hereby authorizes the City Manager to waive the fees for the street closings for the 2010 Annual Summer Music Festival.

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)



February 24, 2010

City of Oxford
101 East High Street
Oxford, OH 45056

Attention: Doug Elliott, City Manager

Re: Waiver of Street Closure Fees – 2010 Annual Music Festival Concert Series

Dear Doug,

On behalf of the Oxford Visitors and Convention Bureau, we would like to request the waiver of the street closure fees for the 2010 concert series. The series starts June 10th and concludes with Annual OPD Pig Roast on August 26, 2010.

Thank you for your consideration of this request,

Sincerely,

Diana Durr, Executive Director

14 W. Park Place, Suite C ~ Oxford, Ohio 45056
Phone: (513) 523-8687 Fax: (513) 523-2927
info@enjoyoxford.org ~ www.enjoyoxford.org

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 3/2/10

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

2/23/10
Date Prepared

Agenda Title: 2010 SUPPLEMENTAL BUDGET #2

Recommendation: Approve

Discussion: Supplements to the 2010 Budget

Capital Improvement Fund

Increase in appropriations

79,310.53

As discussed in our last work session on February 16th, the City Manager along with the finance department suggested paying off our full balance due on the Western Knolls Property on March 3, 2010 in order to avoid \$89,342.47 in additional interest payments. We will use the balance of the monies for Muni Hall Improvements \$824,700 for design services Brandstetter (contract canceled by the City Manager) and \$656,647 set aside for the project. Council approved using these funds due to the fact that any improvements or construction of a Muni Hall would have to wait until the City Of Oxford sold the land and comes up with the additional funds necessary to successfully complete a project of such a broad scope. We will take the balance \$79,310.53 for the unencumbered balance of the Capital Improvement Fund to complete the transaction. We request this be passed on first reading (emergency) to maximize our savings.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 2/23
[Signature] 2/24/10

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3089. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010 AND DECLARING AN EMERGENCY.

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

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

CAPITAL IMPROVEMENT FUND 141	79,310.53
CAPITAL IMPROVEMENT FUND 141	(891,347.00)
CAPITAL IMPROVEMENT FUND 141	891,347.00

SECTION 2: In all other respects, Ordinance No. 3089 shall remain in full force and effect.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of Oxford, the reason for such emergency being to execute final payment of the Western Knolls settlement and to avoid payment of any additional interest.

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: March 2, 2010

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

February 18, 2010

Date Prepared:

Agenda Title:	PC-03-2010 Final Subdivision, Phase II, Reckford Woods, Hester Road, 3.178 acres, Tri-State Habitat for Humanity, Applicant
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Recommendation:	Approval
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Discussion:

The Planning Commission held a Public Hearing for this Final Subdivision application to subdivide the second phase of the Reckford Woods Subdivision on Hester Road located in a R1B (Single-Family Medium Density Residential) District. The Preliminary Subdivision was approved in August 2008. Phase I Final Subdivision was approved in 2009.

City Staff, Legal Counsel and the Applicant are continuing to work on the final approvals for the Homeowner's Association Declaration and are very close to having the record plat of the first phase approved for recording.

The Planning Commission members reviewed the subdivision request and voted 5-0-0 to recommend **APPROVAL** to City Council with the following conditions:

1. That, all property recordings including the Homeowner's 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.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<u>JHC</u>	<u>12/22/10</u>
	City Manager:	<u>[Signature]</u>	<u>3/24/10</u>

ORDINANCE NO.

ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION FOR RECKFORD WOODS SUBDIVISION, PHASE TWO WITH ONE CONDITION.

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 February 17, 2010 on the application of Tri-State Habitat for Humanity Ohio-Kentucky-Indiana for approval of the final subdivision for Reckford Woods, Phase Two.

SECTION 2: After due deliberation, the Planning Commission recommended the approval of the Final Subdivision application for Reckford Woods Subdivision, Phase Two with the following condition:

- a) All proper recordings including, but not limited to, the Home Owners Association Declarations shall be filed and recorded at the Butler County Recorder's Office within one (1) year of the approval of the Final Subdivision application for Reckford Woods Subdivision, Phase Two or this approval shall be considered null and void.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Subdivision application for Reckford Woods Subdivision, Phase Two with the following condition:

- a) All proper recordings including, but not limited to, the Home Owners Association Declarations shall be filed and recorded at the Butler County Recorder's Office within one (1) year of the approval of the Final Subdivision application for Reckford Woods Subdivision, Phase Two or this approval shall be considered null and void.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	February 22, 2010
<u>Case Number</u>	PC-03-2010
<u>Applicant Information</u>	Tri-State Habitat for Humanity Bayer & Becker Engineers
<u>Requested Action</u>	Final Subdivision Phase II
<u>Summary of Request</u>	Final Subdivision Approval for Phase II of Reckford Woods
<u>Public Hearing Information</u>	On February 17, 2010 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on January 8, 2010. 64 courtesy notices were mailed to adjacent property owners on December 30, 2009.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval of the Final Subdivision at the February 17, 2010 meeting.
<u>Commission Findings and Conclusions</u>	At the February 17, 2010 Planning Commission meeting, the Commission after hearing the Applicant and Staff findings, voted to approve the Final Subdivision with the following conditions: That, all proper recordings including the Homeowner's 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.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated January 20, 2009 2. Interoffice Review Transmittal Sheets 3. Adjoining Neighbor Comments 4. Ordinance No. 3022 Preliminary Subdivision Approval 5. Letter of Agency Dated January 7, 2010 6. Final Subdivision Application Dated December 17, 2009 7. Description of Use and Site/Narrative Statement 8. Approved Preliminary Drawing 9. Final Development Phase II Drawings

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-03-2010

Date – February 9, 2010

APPLICATION

Applicant:	Tri-State Habitat for Humanity and Bayer & Becker Engineers
Location:	Hester Road
Owner:	Tri-State Habitat for Humanity
Action Request:	Final Subdivision Phase II
Current Use:	Single Family Residence
Current Zoning	R1-B
Surrounding Existing Land Uses:	Single-Family/Multi-Family

GENERAL DESCRIPTION

The Applicants seek approval of a Final Subdivision Plat to subdivide the second phase of the Reckford Woods Subdivision on Hester Road. Phase II includes 10 buildable lots and two open space lots.

(PC #15-2008)

Approved Preliminary:

6.25 acre tract
20 single-family residential lots
4 open space lots

(PC #11-2009; Ord. 3074)

Phase I:

3.063 acres
10 SF lots
1 open space lot

Phase II:

3.178 acres
10 SF lots
2 open space lots

The Planning Commission first heard this case in August 2008 and continued the meeting to September. City Council approved Planning Commission's recommendation, in October, with conditions as outlined in Ordinance #3022.

1. That, Engineering comments regarding the sanitary sewer and storm sewer must be addressed prior to submitting the final subdivision application.
2. That, the ownership determination of a strip of land located on the south side of the first cul-de-sac must be determined. The City will not be the owner of that strip of land. (This condition pertains to Phase II)
3. That, a Homeowners Association needs to be formed to own and maintain those potential detention areas.
4. Potential soil contamination issues must be addressed and satisfactory to appropriate public agencies.

The original preliminary plat showed three open space lots in this phase; however, when engineered drawings were completed, it was determined that the necessary detention area was able to be enlarged to consolidate two detention areas. It also allowed for the detention areas to have street access, thus no longer requiring an easement across a lot for maintenance purposes. The extra land area from the eliminated detention area was incorporated into a buildable lot and some lot lines were slightly adjusted as a result. Despite the adjustment to the lot lines, the general spirit and intent of the layout and the number of lots approved in the Preliminary are the same.

As previously stated, one open space lot contains the detention for the site while the other open space lot was created to serve as a buffer between an existing property and this developments' proposed street so as not to create a hardship on the existing lot by making it a corner lot. Both open space lots will be maintained by the Homeowners Association.

The property is zoned "R1B" Single-Family Medium Density Residential and is required to have 7,500 sq. ft. lots with 65 foot lot widths. All of the lots as presented in this Final Subdivision application satisfy the zoning requirements.

SURROUNDING NEIGHBORHOOD

The surrounding neighborhood of the subject site consists of single family, along with a planned development multi-family retirement community (to the west). Directly to the south and north of subject property is an established residential neighborhood. To the east of the subject site is the Northridge Subdivision.

COMPREHENSIVE PLAN

Participants during the Comprehensive Plan update mentioned more affordable housing options be provided. They explained that designated affordable housing (in the traditional deed-restricted sense) was not necessary but that more affordable market rate options should be available. Additionally, residents noted a desire to have a range of housing options in size and style that are mixed within neighborhoods to promote socioeconomic integration.

Housing Goal:	<i>Livable, attractive, and affordable housing for a diverse population.</i>
Objective 2:	Expand Housing Options
Strategies:	H 2.1 Update development regulations to allow for a variety of housing types in new developments.
	H 2.2 Create incentives to make it desirable for developers to construct moderately priced housing developments.
	H 2.3 Establish incentives and/or requirements to include a number of new units for low to moderate income residents.
	H 2.4 Provide financial assistance to increase homeownership opportunities for low to moderate income residents (CDBG funds for first time homeowner grants).

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:	Returned with no comments.
Fire:	Returned with no comments.
Econ. Dev.:	Returned with no comments.

PUBLIC COMMENT FORMS

Comment forms were sent December 30, 2009 to 65 owners of record. A legal notice was published January 1, 2010 in the Oxford Press. Citizen comment forms have been received and are attached for your review.

STAFF ANALYSIS

It appears that all the proposed lots have met or exceeded the minimum dimensional standards of the R1B Medium Density Single Family Residential District. Conditions of Ordinance #3022 are primarily satisfied at this time. Staff, legal counsel and the Applicant are still working on the final approvals of the Homeowner's Association's Covenants and Restrictions and are very close to having the record plat of the first phase approved for recording. One of the structures on the property was torn down and the other

structure has been used for Fire Training purposes. A condition that was placed on the first phase final and should be considered again for this second phase stated, "All proper recordings including the Home Owner's 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." Again, this Final Subdivision application substantially reflects the design and layout of the approved preliminary plan.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:

A handwritten signature in cursive script that reads "Kathryn A. Dale". The signature is written in dark ink and is positioned over the printed name and title.

Kathryn A. Dale, AICP, Planner
Community Development Department

DATE: January 20, 2010

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/23/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2010

Description:

**PC-03-2010 FINAL SUBDIVISION, Phase 2, Reckford Woods, Hester Road, 3.178 acres,
Jean Masthay, Tri-State Habitat for Humanity, Applicant**

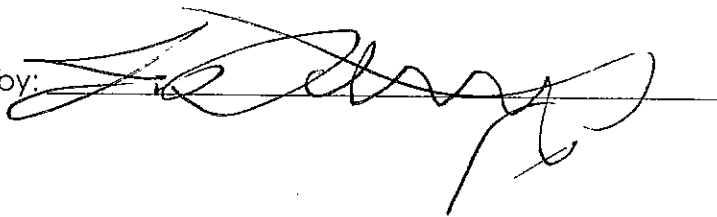
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/02/10** 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:



12/28

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/23/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2010

Description:

PC-03-2010 FINAL SUBDIVISION, Phase 2, Reckford Woods, Hester Road, 3.178 acres,
Jean Masthay, Tri-State Habitat for Humanity, Applicant

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/02/10** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by:

A. P. [Signature] 1-7-10

dist 12/23 @ 4³⁰ pm

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/23/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2010

Description:

**PC-03-2010 FINAL SUBDIVISION, Phase 2, Reckford Woods, Hester Road, 3.178 acres,
Jean Masthay, Tri-State Habitat for Humanity, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/02/10** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

S. Schwan 12/30/09

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/23/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2010

Description:

PC-03-2010 FINAL SUBDIVISION, Phase 2, Reckford Woods, Hester Road, 3.178 acres,
Jean Masthay, Tri-State Habitat for Humanity, Applicant

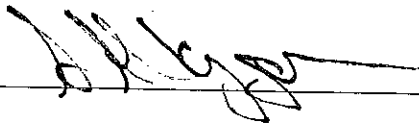
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/02/10** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____





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

Case No.: PC-03-2010

Date of Hearing: February 9, 2010

PC-03-2010 **FINAL SUBDIVISION** Phase 2, Reckford Woods, Hester Road,
3.178 acres, Jean Masthay, Tri-State Habitat for Humanity,
Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **February 2, 2010** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Bill Levenson

Address: 6066 Cantrevas Rd. # 5425 + 5427 Hester Rd.
Oxford, OH 45056

Telephone: Home: 513-524-0800 Work: 937-847-7106

COMMENTS: Unacceptable
See Attached

Bill Levenson
Signature

1/31/2010
Date

This is unacceptable and will be a big mistake on the part of the commission if you let this pass. There is no solid plan for this project. Phase 1 hasn't even started construction and passing that was a mistake.

I am in disgust with the elimination of green space in lieu of a muddy construction site that will remain "in progress" for many years. Again, there is no timeline and plan on this subdivision and having a permanent construction site in the neighborhood will not be tolerated.

If the purpose of this hearing is only to determine if it meets the requirements of subdivision, then that can be determined internally. Since this is a public hearing, I have full right to share my thoughts and give comment to any aspect of this PUD. If we are censored, then don't waste the citizen's time by making it a "public hearing."

Finally, keep in mind the purpose of Habitat for Humanity: It constructs individual houses to integrate into neighborhoods, not build entire neighborhoods or subdivisions. I am a full supporter of Habitat for Humanity and its mission. Reckford Woods is not what Habitat for Humanity is about it should not be welcomed in the City of Oxford.



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

Case No.: PC-03-2010

Date of Hearing: February 9, 2010

PC-03-2010 **FINAL SUBDIVISION** Phase 2, Reckford Woods, Hester Road,
3.178 acres, Jean Masthay, Tri-State Habitat for Humanity,
Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **February 2, 2010** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Bonita Riddle

Address: 5344 Hester Rd.

Telephone: Home: 513-461-1519 Work: _____

COMMENTS: *I have built a privacy fence, but I still wish this wasn't happening. So, I'll have a dump on one side ~~and~~ subdivision on the other!! (including chickens)*

Bonita Riddle
Signature

01-05-10
Date



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

Case No.: PC-03-2010

Date of Hearing: February 9, 2010

PC-03-2010 **FINAL SUBDIVISION** Phase 2, Reckford Woods, Hester Road,
3.178 acres, Jean Masthay, Tri-State Habitat for Humanity,
Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **February 2, 2010** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Bruce C Blankenship

Address: 5280 Hester Rd
Oxford, OH 45056

Telephone: Home: 523-4962 Work: _____

COMMENTS: Over three acres of wildlife habitat and watershed for this area will be destroyed by this project. There are many empty and available houses in Oxford now that could be rehabilitated instead. Hundreds of thousands of dollars will be spent on this.

Bruce C Blankenship
Signature

Jan 25, 2010
Date

ORDINANCE NO. 3022

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY APPROVAL OF A HESTER ROAD RESIDENTIAL SUBDIVISION.

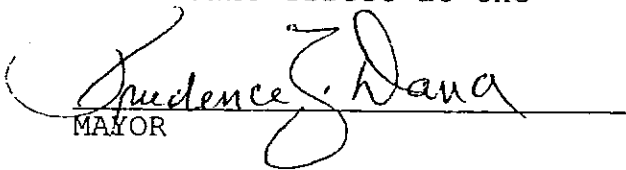
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council finds that the Planning Commission held a public hearing on August 12, 2008 the purpose of which was to accept public comment on the proposed Hester Road Preliminary Subdivision Application. Council further finds that the Planning Commission after accepting public comment at the public hearing did continue the matter until September 9, 2008 to allow for additional adjoining property owner notification and for the applicant to amend the application based on concerns from the public.

SECTION 2: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and applicant's application and all documents filed by applicant and incorporates the same herein and hereby approves the amended application of the applicant for the preliminary Hester Road Subdivision, subject to the following conditions:

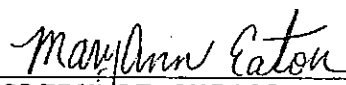
- a. Engineering comments regarding the sanitary and storm sewer must be addressed prior to submitting the final Subdivision Application.
- b. The ownership determination of a strip of land located on the south side of the first cul-de-sac must be determined. The City will not be the owner of that strip of land.
- c. A Homeowners Association needs to be formed to own and maintain those potential detention areas.
- d. Potential soil contamination issues must be addressed and satisfactory to appropriate public agencies.

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


MAYOR

ADOPTED: October 21, 2008

ATTEST:


DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

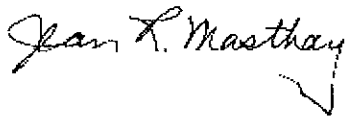
PREPARED BY: LAW(STAFF)

Letter of Agency

1/7/2010

To Whom It May Concern:

Please be advised that TriState Habitat for Humanity grants permission for Etta Reed and Ben Hurst of Bayer and Becker to represent our interest with the City of Oxford, Ohio regarding the property we own at 5306 and 5336 Hester Road, Oxford, Ohio 45056

A handwritten signature in cursive script that reads "Jean R. Masthay". The signature is written in dark ink and includes a small checkmark-like flourish at the end.

Executive Director
TriState Habitat for Humanity

Final Subdivision Application
City of Oxford, Ohio

Case No.: PC-03-2010
Date filed: 12/17/09
2/9/10 mtg

REQUIRED INFORMATION

Name of Applicant: Jean Masthay, Tri-State Habitat for Humanity Ohio-Kentucky-Indiana
Mailing Address: 9900 Princeton Glendale Road, Suite 216
Cincinnati, Ohio 45246
Telephone Number(s): (513) 942-9211

Name of Subdivision: Reckford Woods
Date of Planning Commission preliminary approval: 09 / 09 / 08
Zoning District: R-1B
Number of Lots: 11
Total Acreage: 3.178 Acres
Surveyor/Engineer: Bayer Becker, Inc.
Address: 318 S. College Avenue, Oxford, OH 45056
Phone Number: (513) 523-4270

DRAWING REQUIREMENTS

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

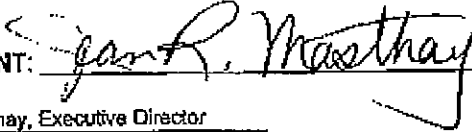
- a) Boundary lines of the area being subdivided with accurate distances and bearings.
- b) The accurate outline of any portions of the property to be dedicated for public use.
- c) A statement dedicating all proposed public streets and alleys with their names.
- d) The lines of adjoining streets and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

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

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) 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.

Submit this application, required copies of the preliminary plan containing all required information and the required fee (\$400.00 PLUS \$10.00 PER LOT), made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. All required information must be submitted at least fourteen (14) days in advance of the Planning Commission meeting at which action is requested.

NOTE: Incomplete applications will not be processed.

SIGNATURE OF APPLICANT: 

Date: 12/11/09

PRINTED NAME: Jean Masthay, Executive Director

FEE / RECEIPT

\$400.00 PLUS \$10.00 PER LOT Fee Paid / Receipt Number: 15185.85



318 South College Avenue
Oxford, Ohio 45056
P 513.523.4270
F 513.523.3785
www.bayerbecker.com

January 6, 2010

Ms. Kathy Dale
City of Oxford
101 East High Street
Oxford, Ohio 45056-1887

Re: Reckford Woods-Final Subdivision Plat-Phase Two

Dear Ms. Dale,

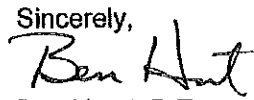
We are requesting approval for the Reckford Woods Final Subdivision Plat - Phase Two. It is a residential community consisting of 10 single family lots and two open space lots on 3.178 acres located north of College Corner Pike, East of Hester Road and south and west of the Northridge Subdivision. The property is zoned R-1B and in this medium density residential district provides a transition from the higher density condominiums to the west to the lower density single family Subdivision mentioned above.

The typical City of Oxford local street section shall be used with curb & gutter and shall be served with public utilities including gravity sanitary sewer. The minimum lot size shall be 7,500 S.F. (65 feet wide) with minimum setback distances of 30 feet for front yards, 35 feet for rear yards and 8 feet for side yards.

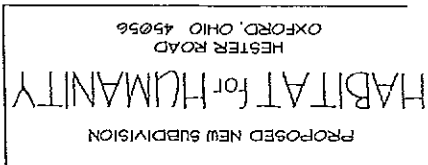
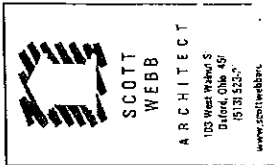
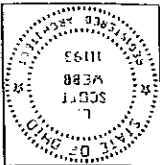
Below is a summary of the attachments per the requirements and requests of the City of Oxford:

- 1) Letter of Agency
- 2) This narrative statement.
- 3) An electronic version of the plans in PDF format has been sent.
- 4) Receipt from the Butler County Auditor's website showing that all legally due taxes have been paid.
- 5) Deed covenants & restrictions and HOA documents shall be submitted at a later date.

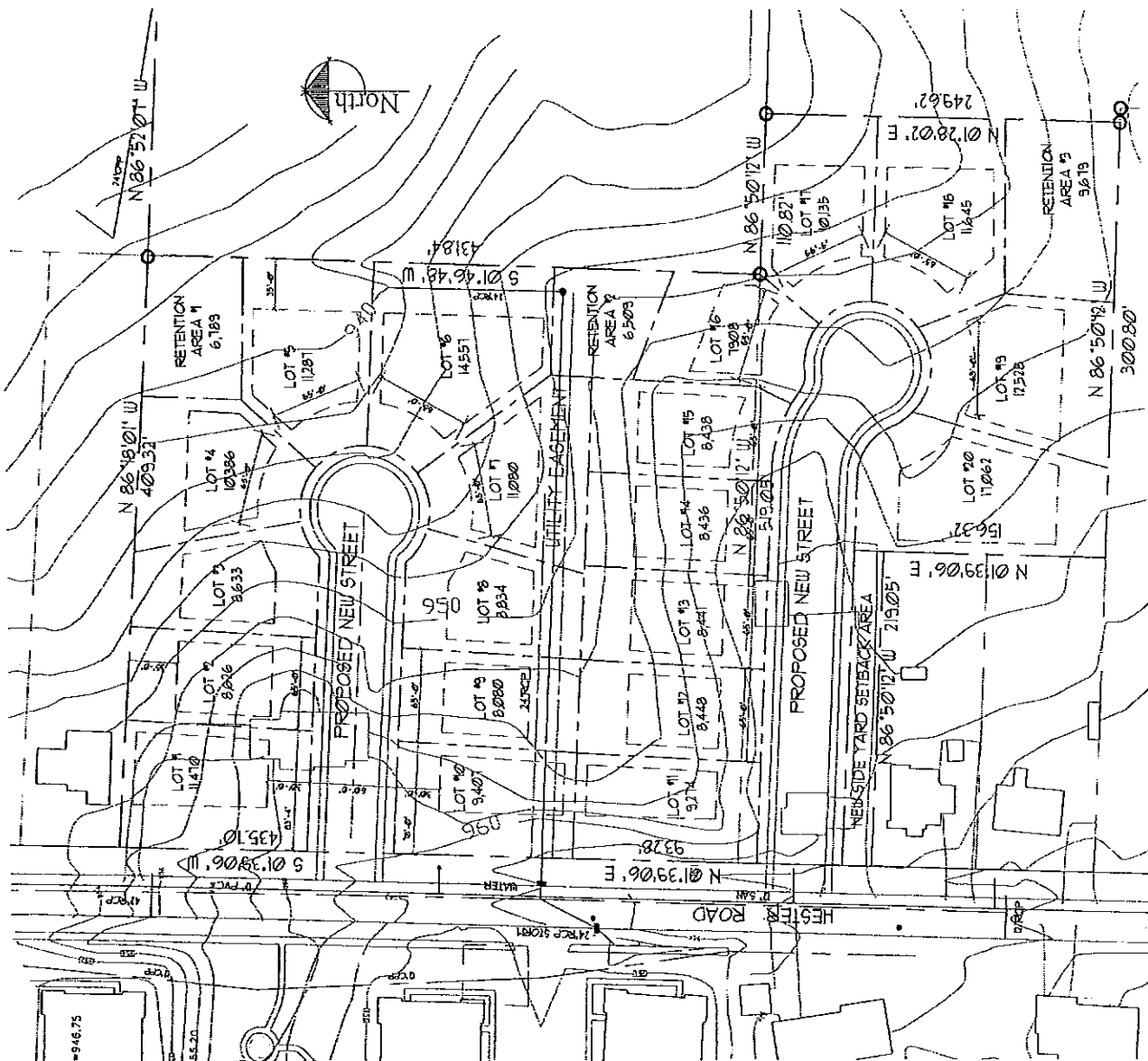
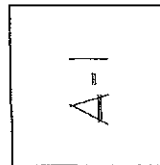
If you should have any additional questions or comments, please do not hesitate to call.

Sincerely,

Ben Hurst, P.E.

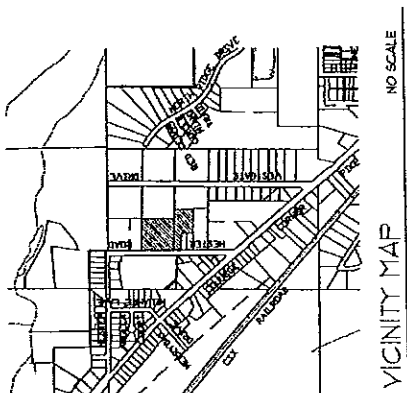
Enclosure
cc: Tristate Habitat for Humanity



DATE	January 1, 2008
REVISIONS	August 16, 2008



PRELIMINARY SUBDIVISION PLAN
SHOWING 20 NEW SINGLE FAMILY RESIDENTIAL LOTS



VICINITY MAP
NO SCALE

ZONING CODE REVIEW:
R15 SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
SITE DEVELOPMENT REGULATIONS:
LOT REQUIREMENTS:
MINIMUM LOT AREA: 15,000 SF.
MINIMUM LOT WIDTH: 65'-0"
YARD REQUIREMENTS:
MIN. FRONT YARD: 30'-0"
MIN. REAR YARD: 35'-0"
MIN. SIDE YARD: 5'-0"
LOT COVERAGE:
35% OF LOT
ALL ENCLOSED BUDG. 25% OF LOT
FRONT YARD: 25% OF FRONT YARD

PRELIMINARY SURVEY DATA PROVIDED BY:
DDS Surveying Inc.
318 South College
P.O. Box 150
Oxford, Ohio 45056
(513) 523-4270

Approved Preliminary

8.26.08 Revised Plan

Jeffrey O. Lambert, P.S.
Registered Surveyor #S-7568 in Ohio

(513) 523 4270

1. Basis of Bearings: Ohio State Plane Coordinate System Ohio South Zone 3402

2. References: North Ridge Section Three, P.E. 3714, Pg. A-B
North Ridge Section Two, P.E. 3158, Pg. A-B
North Ridge Section One, P.E. 3159, Pg. A-B
Reardon Woods Section One, P.E. 3160, Pg. A-B

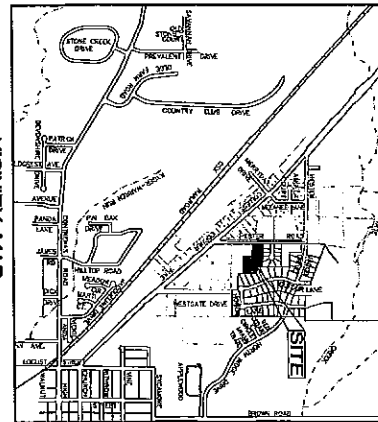
3. Lines of occupation where they exist generally agree with boundary lines unless otherwise shown on plat.

NOTES:

TOTAL DEDICATED CENTERLINE LENGTH FOR FULLER WAY = 330.9 L.F.

TOTAL RIGHT-OF-WAY TO BE DEDICATED = 0.643 ACRES

VICINITY MAP
1"=1000'



LEGEND

- ◆ Proposed Stair
- ◆ Proposed May Mail
- Proposed 1" Iron Pin
- Existing 1/2" Iron Pin
- E- Basement
- B-E Driveway Easement
- B-L Building line
- U-E Utility Easement
- S-E Sanitary Sewer Easement
- R.M.O. Rear Midway Opening Elevation
- P.F. Finish Floor

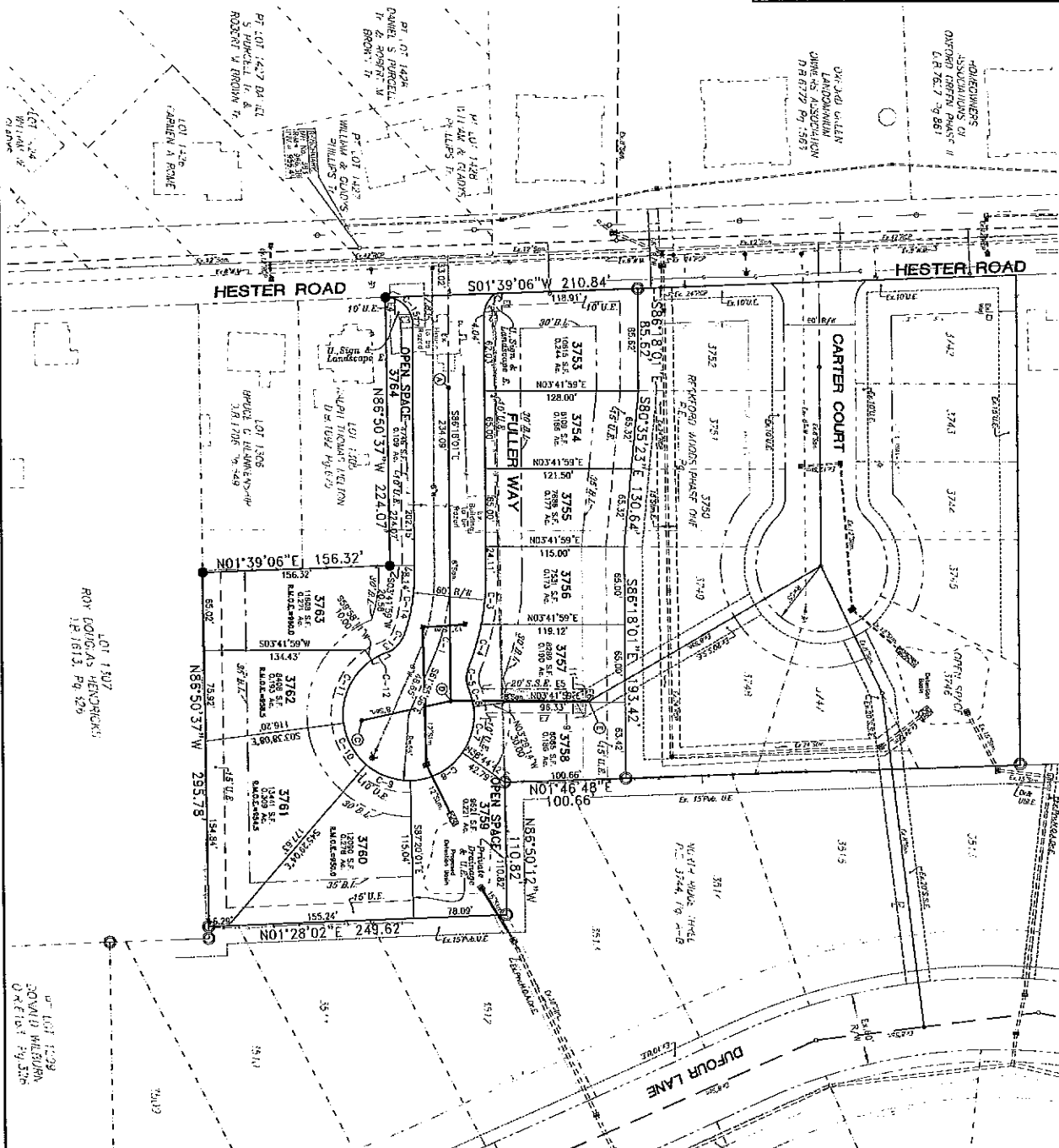
CURVE TABLE

[illegible]

EASEMENT LINE TABLE

NUMBER	DIRECTION	DISTANCE
C1	566°18'01"E	15.01'
C2	510°39'06"W	74.65'
C3	501°32'06"W	13.63'
C4	N66°18'01"W	13.63'
C5	S02°41'59"W	86.43'
C6	S85°18'01"E	20.80'
C7	S02°41'59"W	82.74'

BENCHMARK
Top Rim Sanitary Manhole #283
ELEVATION = 966.38



**LARGER PRINTS FOR CASE PC-03-2010 ARE AVAILABLE
FOR REVIEW IN THE COMMUNITY DEVELOPMENT
DEPARTMENT DURING NORMAL BUSINESS HOURS.**