



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 6, 2012

EXECUTIVE SESSION

None.

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

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. 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 21, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the February 2, 2012 Civil Service Commission Special Meeting. (Donna Heck, Human Resources Director)



Report

- C. Report regarding the February 14, 2012 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. Report regarding the February 16, 2012 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

- E. Report regarding the February 22, 2012 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)



Report

- F. A Resolution accepting the insurance bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2012. (Joe Newlin, Finance Director)



Staff Report/Resolution

- G. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 13, 2012 starting at 6:00 p.m. to Saturday, April 14, 2012 at 3:00 a.m. at the Rider Track & Field Complex on Miami's campus for the American Cancer Society's Relay for Life. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

5. Resolutions - None.

6. Ordinances.

A. First Reading - None.

B. Second Reading

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



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. Adjourn.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 21, 2012 at 7:15 p.m. Those members present were Ken Bogard, Bob Blackburn John Harman, Kevin McKeehan and Kate Rousmaniere. Steve Snyder arrived at 7:16 p.m.

Staff members present: Mr. Mike Dreisbach, Acting City Manager; Mr. Bob Holzworth, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Joe Newlin, Finance Director; Mr. Alan Kyger, Economic Development Director; John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(3) for the purpose of discussing pending litigation. Mr. Blackburn seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:36 p.m. Mr. Harman seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

Mayor Keebler welcomed Councilor Blackburn back to Council after recovering from injuries he sustained in an accident in December. Councilor Blackburn advised he would continue his recovery at the Knolls of Oxford for another two weeks.

Mayor Keebler welcomed Mr. Pete Conrad noting he was the new Editor of the Oxford Press.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PRESENTATION **BUTLER COUNTY EMA**

Ms. Katharine Piaskowy, Emergency Planner, Butler County Emergency Management Agency, thanked Council for the opportunity to present the All Natural Hazard Mitigation Plan this evening. Ms. Piaskowy advised public meetings regarding the All Natural Hazard Mitigation Plan were held last year and questionnaires regarding natural hazards in and around the cities were also circulated. Ms. Piaskowy noted the All Natural Hazard Mitigation Plan was a culmination of those efforts. Ms. Piaskowy advised the plan addressed natural disasters that could affect local communities and it was issued to establish activities that should reduce or eliminate long term risk to human life and property. Ms. Piaskowy noted in the plan, natural hazards were defined as severe storms (summer and winter), flooding, tornados, droughts and earthquakes. Ms. Piaskowy noted the Butler County Commissioners adopted the plan in August of 2011 which included all of the unincorporated areas of the county and advised the incorporated areas of the county were required to adopt the plan in order to be compliant with the Disaster Mitigation Act of 2000. Ms. Piaskowy discussed the goals of the plan and outlined the various types of grants the City would be eligible to apply for once the plan was adopted.

Mayor Keebler advised the Clerk provided Councilors with the entire plan to review last week. Mayor Keebler noted the plan was very detailed and it was required by the state and federal governments to enable the City to apply for grants should mitigation become necessary.

Mr. Bogard inquired if Miami University property was included in the plan and Ms. Piaskowy advised yes, as long as the property was within the City.

PUBLIC COMMENTS

Ms. Kathleen Zien, 6060 Joseph Drive, referred to item 4.D. on the agenda, a Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act. Ms. Zien inquired if this meant Ms. Eaton would attend the state mandated training and verbally relay the information to Council or provide them with handouts from the training session and that would be considered adequate for minimal requirements. Ms. Zien noted one of the nearest locations for the Sunshine Law training was Fairborn, Ohio, which was a reasonable distance away and suggested Councilors attend in person to hear from the speakers directly verses getting the information second hand. Ms. Zien advised it seemed attendance by Councilors would provide them with greater understanding and opportunity for clarification of procedure from the experts and Councilors were only required to attend once per term for three hours. Ms. Zien noted her hope that most, if not all council members would attend the training.

Mayor Keebler advised Mr. McHugh provided Sunshine Law training during the New Council Orientation and provided Council with updates as necessary with regard to public records and open meetings. Ms. Eaton noted it was a common practice for Councils to appoint a designee and 50 clerks responded to her inquiry indicating they had been appointed to attend the training.

Mr. Clay Depew, 3955 Oxford Millville Road, thanked Ms. Piaskowy for her presentation noting in 1997 he had to build his own flood control system to protect his property after being flooded extensively.

Mr. Depew relayed his concerns to Council regarding the state trimming hedges in front of his property on US-27 today noting they needed a 20 foot right-of-way. Mr. Depew noted he told the workers that there was already a 16 foot right-of-way and the reason the hedges were allowed to grow out that far was because the state allowed the local power distribution company to destroy the ditch-line and there was no longer 20 feet to mow. Mr. Depew noted the individual who procured land next to his had been bringing things the City didn't want him to have in the City and dumping it there in front of the new High School. Mr. Depew referred to the sign for the new High School and noted people were constantly stealing construction materials from the site. Mr. Depew noted if he placed a sign there that said 'free stuff this way' the police would be there instantly to arrest him. Mr. Depew advised every time he heard someone say 'we need more taxes, we need more schools' he loved to remind them that the individual who lived there lost his home to the people who now had it now and used it as a garbage dump because he couldn't afford his property taxes. Mr. Depew noted it was a shame that the individual was a veteran of the United States who lived there and cared for his invalid mother lost his home because of taxes. Mr. Depew stated that people procured things from the new school at the taxpayers' expense because we can't afford employees to take care of the school, similar to Miami. Mr. Depew noted his hope the new editor of the Oxford Press would put something in it besides the wonderful news about the new school where people couldn't afford to be employed to take care of it, or Miami doing great and wonderful things to expand the university where people were being disposed of and retiring because Miami couldn't afford to pay them. Mr. Depew stated the government was constantly asking the citizenry for more when there was less to be had.

Mr. Depew advised no one seemed to know about the plan for the bridge expansion on US-27 South except that more money was needed.

Mr. Depew relayed that Council might not have to tolerate him later this year because the IRS informed him that even though his previous employer falsified his W-2 he was responsible for getting it corrected. Mr. Depew noted if he didn't pay his taxes on time he would face a huge fine and imprisonment.

CONSENT AGENDA

MINUTES

Minutes of the February 7, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

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

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

RESOLUTION
COUNCIL DESIGNEE

A Resolution No. 4664 appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
HAZARD MITIGATION PLAN

A Resolution No. 4665 adopting the applicable portions of the Butler County, Ohio Countywide All Natural Hazard Mitigation Plan. (Doug Elliott, City Manager)

Mr. Dreisbach advised the proposed Resolution pertained to the presentation Council heard earlier this evening and it was necessary to ensure the City remained eligible for federal emergency management funds in the future.

Mr. Snyder moved to adopt Resolution No. 4665. Ms. Rousmaniere seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

ORDINANCE
ANNEXATION

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

Mr. Snyder recused himself noting prior to being elected to City Council in the fall he had been involved in the annexation negotiations with his previous employer.

Mr. Dreisbach advised Council had already passed a Resolution to provide City services to this area and a pre-annexation agreement was in place with the owners. Mr. Dreisbach noted this was another step of the annexation process and the Board of County Commissioners had approved the annexation.

Mayor Keebler noted the annexation had been well discussed and this was another required step of the process. Mr. Harman noted it was his understanding that the property tax would stay with the township and Mayor Keebler advised yes, the township would remain whole with regard to property tax.

ORDINANCE
SECOND READING

ORDINANCE
NEW SECTION 141.05

An Ordinance No. 3169 Adopting New Section 141.05 Of The Codified Ordinances Of The City Of Oxford, *Term Limits For Boards And Commissions*, Establishing Term Limits For Members Serving On Boards And Commissions. (Doug Elliott, City Manager)

Mr. Dreisbach advised at Council's request, the proposed Ordinance would codify the term limits as discussed during the January 3, 2012 Work Session.

Ms. Kathleen Zien, 6060 Joseph Dr., advised she felt Council had good intentions by adopting the proposed Ordinance and noted reappointing a sitting member a month after their term expired was regrettably what would happen now. Ms. Zien advised for convenience, Councils thought reappointing the same people again and again was harmless and urged the current Council not to.

Ms. Zien advised she knew Council members could not serve on the Board of Zoning Appeals (BZA) and noted her point at the last meeting was that Council didn't interface with the BZA or even attend meetings, so they didn't have firsthand experience of how the board operated or performed. Ms. Zien advised many times decision standards for an appeal weren't met by any stretch and yet one or two members would approve an appeal. Ms. Zien noted reading the BZA minutes or a staff report on the consent agenda would never replace live dialog and being in chambers during a BZA meeting.

Ms. Zien advised even if Mr. Snyder made a speculative suggestion during the Work Session and not a declaratory statement that term limits should be based on the complexity or duties of the board it was a valid concern and most appropriate. Ms. Zien noted when Council was behind closed doors making appointment decisions those duties and complexities should be in their forefront. Ms. Zien advised the option to leave a position un-appointed wasn't the answer as it could eliminate a quorum or result in a tie vote. Ms. Zien noted a member of the Civil Service Commission was an attorney and it was a critical commission involving personnel hearings where a practicing attorney's experience was valuable. Ms. Zien advised the City didn't have an attorney or anyone with legal training on the quasi-judicial BZA where it was also needed. Ms. Zien noted the same people were reappointed who blatantly ignored decision standards and approved appeals that should be denied and there was no apparent method for performance review of a board or commission. Ms. Zien advised the Law Director in attendance at BZA meetings might not report back to Council even casually that the Chair had called for a continuance that wasn't warranted or that one or more members repeatedly didn't understand the purpose of decision standards. Ms. Zien noted if Council did not edit the Ordinance to mandate one year of non-service before reappointing someone to the same board they would do nothing to improve the system. Ms. Zien inquired why it should take a citizen 'watchdog' to make Council aware of problems with term limits, board performance and the issue of 'standing'. Ms. Zien strongly recommended that Council absolutely, positively did not reappoint a BZA member whose term would end on June 30, 2012. Ms. Zien noted to approve the Ordinance tonight as written would be a disservice to the community.

Ms. Rousmaniere thanked Ms. Zien for her comments. Ms. Rousmaniere reiterated that she felt the Ordinance would only work if the City also made an effort to recruit new people for boards and commissions. Ms. Rousmaniere noted her hope that recruiting new people would alleviate some of the problems described.

Mayor Keebler reminded everyone that the problems described were in the eyes of the individual who spoke and not everyone thought the Ordinance was being considered because there were problems. Mayor Keebler noted Council did think it was important to recruit additional qualified people to serve on boards and commissions.

Mr. Snyder moved to adopt Ordinance No. 3169. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Dreisbach noted he was sitting in for Mr. Elliott who was in Columbus meeting with other City Managers in Ohio.

Mr. Dreisbach advised the City would begin installing a new water main on High Street beginning March 5th and there would be some street closures and construction. Mr. Dreisbach noted the work was necessary in advance of the High Street reconstruction project which would begin on or about May 7, 2012. Mr. Dreisbach advised the businesses and sidewalks would remain open during the construction and encouraged everyone to continue doing business in Uptown Oxford.

Chief Holzworth advised he was sure everyone was aware of a burglary issue in town and noted in 2008 from January 1st to February 20th there were 12 burglaries, in 2009 there were the same amount of burglaries, in 2010 there were 20, in 2011 there were 14 and this year there had been 29 during the same timeframe. Chief Holzworth advised the Police Department was keenly aware of the significant increase in burglary activity and had plans in place to address it. Chief Holzworth noted the Police Department had a very productive staff meeting today and would hold an expanded staff meeting tomorrow regarding the issue. Chief Holzworth encouraged citizens to contact the Police Department if they wanted a Police Officer to conduct security audit at their property to evaluate the security in place and make recommendations for improvements. Chief Holzworth noted if there was a block or group of people that would like an officer to come and talk to them about the problem they should contact the Police Department to schedule a meeting. Chief Holzworth assured everyone that the Police Department was actively working to resolve the issue.

Mayor Keebler encouraged citizens to feel free to call the Police Department if they saw anything unusual occurring in their neighborhoods. Mayor Keebler advised nixle.com was a very valuable service where citizens could receive local police bulletins and other important messages.

Ms. Rousmaniere advised the Oxford League of Women Voters was sponsoring a forum on Municipal Aggregation to purchase energy (gas and electric) on Tuesday, February 28, 2012 at 7:30 p.m. at the LCNB Community Room. Ms. Rousmaniere noted aggregation in general referred to many customers joining together to form a buying group, and municipal aggregation referred to a municipality organizing the pooling of its citizens to become the buying group. Ms. Rousmaniere noted the municipality then sought offers on behalf of its constituents to obtain better prices, terms and services than what would be available for an individual.

Ms. Rousmaniere advised during the forum a panel of experts would discuss their experiences and understanding of aggregation and how it could be something the community might consider.

Mr. Harman noted the Oxford Senior Center would host its 4th annual Soul Dinner on Saturday, February 25th at 5:00 p.m.

Mr. Harman advised the Historic Marker Workshop would take place on Thursday, February 23rd from 6-7 p.m. at the Smith Library of Regional History.

Mr. Harman advised Council received a thank you letter from Brad Mills, Milford Township Trustee thanking them for their efforts related to the improvements at the intersection of SR73 and SR127. Mr. Harman noted his hope the good relationship between the City and Milford Township would continue.

Mr. Blackburn noted as a result of his accident he had the opportunity to see Colerain Township EMS in action and they did a great job. Mr. Blackburn advised the Oxford EMS, McCullough Hyde Hospital and the Knolls of Oxford all did a great job as well and noted Oxford was fortunate to have these services available in the community.

ADJOURN

Mr. Bogard moved to adjourn at 8:12 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: March 6, 2012

Kim Newton

Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

February 28, 2012

Date Prepared

Agenda Title: Report regarding the February 2, 2012 Civil Service Commission Special Meeting.

Recommendation:

Discussion: The Civil Service Commission held a special meeting on Thursday, February 2, 2012 at 7:00 p.m. Those members present were: Phil Russo, Chair; Susan Lipnickey, Karen Martino and Mike Pavloff. Charles Crain was excused.

Donna Heck, Human Resource Director and Kim Newton, Recording Secretary was in attendance for the City. Dr. Jean Eagle was in attendance for the Talawanda School District.

The Commission re-elected Phil Russo as Chair and Susan Lipnickey as Vice-Chair.

The Commission approved the eligibility lists for the Talawanda Head Secretary position, the Talawanda Cafeteria Worker and the City of Oxford Planner position. An extension for Talawanda District Custodial eligibility list was tabled.

The next meeting is scheduled for Wednesday, February 22, 2012.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DJS 2/28/12

DBS 3/2/12

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 6, 2012

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

February 24, 2012
Date Prepared

PLANNING COMMISSION MEETING REPORT – February 14, 2012

Communication:

The Environmental Commission continues to interview stakeholders for their input regarding Oxford's storm water management.

A Work Session took place before this meeting to discuss a neighborhood conservation rental restriction overlay district. Several members of the public were present and shared their viewpoint.

Public Hearing:

PC-01-2012 Zoning Map Amendment, 600 McGuffey Avenue, R3 Multi-Family Residential to GB General Business District, Scott Webb, Agent, Applicant & Tim Rhodenbaugh Applicant, Property Owner

The Applicant wished to change the zoning of this property from R3 to GB. Staff referred to the Development and Character Maps in the Comprehensive Plan as to how this property should and could be developed; however, the Comprehensive Plan itself does not address this area specifically. Much discussion took place regarding the GB designation and it allowing for all kinds of permitted uses. All agreed that a GB designation would not be a good fit for this area and unanimously voted 5-0-0 to deny the map amendment.

PC-02-2012 Combined Preliminary/Final Plan, The Knolls of Oxford, 6727 Contreras Road, major change to an approved Planned Development, to allow for the installation of a 250KW ground based solar array, National Energy Control, TMI Electric Inc., Applicants/Agents

City staff and the Applicant presented on a request to install a ground based solar array, measuring 186' x 264', on property owned by The Knolls of Oxford. The Planning Commission shared their concerns with the Applicant regarding the solar array installation. The Planning Commission's issues mainly focused on the actual design of the solar array, the lack of landscaping/screening, possible Airport issues, and the absence of any representation from The Knolls of Oxford at this meeting.

Following discussion, the Applicant decided to continue the Public Hearing at a later date. The Planning Commission voted 5-0-0 to Continue. The Planning Commission requested that Mr. Tim McGowan from The Knolls attend.

New Business:

There was no new business

Other Business:

There was no other business at this time.

Next Meeting:

A Work Session will take place on March 13, 2012 at 6:00 pm at the Courthouse.

Approved BY:**Department Head:****City Attorney:****City Manager:****Initial Date**JHC 1/3/12JHC 1/3/12JHC 1/3/12

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation
Originating Department

Council Meeting Of: 3/6/12

Gail S. Brahier
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

3/1/12
Date Prepared

Agenda Title: Recreation Advisory Board Meeting, 2/16/12

Recommendation: N/A

Discussion:

Members present: Ken Bogard, Council Rep, Shaunna Tafelski, Chair, Hannah Ruby, Mary Glasmeier, and Brandy Darby.
Staff: Deanna Barbour and Gail Brahier

Ms. Brahier distributed a map of the Oxford Community Park and there was extensive discussion regarding parking for the July 3rd event. Ms. Brahier mentioned the community park has 410 spots, the Knolls of Oxford has offered to allow parking, the TRI has 100 spaces, and she is checking with alternative locations for parking approval. Ms. Brahier said adjacent neighbors may walk to the event or watch from their house to avoid the parking issue. Ms. Brahier said she will be working with the local police for traffic control. Mr. Bogard said we will need to educate the public. Ms. Brahier responded the Dept. will purchase a full page ad in the Oxford Press listing the location change and designated parking sites, and also post it on the city website during the month of June. Ms. Glasmeier noted a local dog training business was interested in having a booth. Ms. Darby said the Board had decided that a for profit business could host a booth for \$25 and non-profit, or TSD groups, could host a booth at no charge. Ms. Brahier said the outfields of the ball diamonds will be used for inflatable games and the booths could be along the paved paths.

Ms. Hannah advised the Board of the teen program meeting recently held with OPRD staff. The group discussed several adventure field trips and opportunities to interact with high school students, along with contact through Y.I.T., the THS Youth Initiative Team.

~ cont.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
GB 1/3-1-12

[Signature] 3/2/12

Ms. Tafelski said maybe some of the programs could begin at the High School and gradually move out to the parks. Ms. Brahier mentioned the Department has ordered a new passenger van, and perhaps could do a pick-up at the school for some of the programs.

Ms. Brahier advised the Miami Little League is progressing on field renovations at the TRI ball field. They will be installing irrigation, a 200' outfield fence, and both a flag pole and scoreboard were donated.

Ms. Tafelski noted the March 15 tour of the new high school is confirmed, and the Board should meet at the main entrance at 4 pm.

Mr. Bogard informed the Board the new Editor of the Oxford Press is Mr. Pete Conrad, and that Meagan Engle has moved to the Dayton Daily News. He also discussed progression on the 27 S. project, noting construction will probably begin in 2015.

Next Meeting -

March 15, 4 pm - Talawanda High School, 27 S., Main Entrance

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: March 6, 2012

Kim Newton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 28, 2012

Date Prepared

Agenda Title: Report regarding the February 22, 2012 Civil Service Commission Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, February 22, 2012 at 7:00 p.m. Those members present were: Phil Russo, Chair; Susan Lipnickey, Karen Martino and Mike Pavloff. Charles Crain was excused.

Donna Heck, Human Resource Director, Kim Newton, Recording Secretary and Mike Dreisbach were in attendance for the City. Dr. Jean Eagle was in attendance for the Talawanda School District.

The Commission approved a temporary appointment of a Talawanda School District Cafeteria Worker, expiring on June 11, 2012.

The Commission approved a request for advancement for Josh Hatmaker from Service Worker II to Service Worker III in the Water Distribution Division of the Service Department.

The next meeting is scheduled for Wednesday, March 28, 2012.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

Kim Newton 2/28/12

JR 3/2/12

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: March 06, 2012

Account Code No. #: Various

Heidi Hill
Prepared By

Budgeted Amount: \$121,717.00

February 24, 2012
Date Prepared

Agenda Title: 2012 Property and Casualty Insurance

Recommendation: Approve

Discussion:

Staff is requesting Council to approve the property and casualty insurance renewal of \$121,717 for 2012. This represents an approximate 5% decrease over last year's cost of \$127,881. Insurance premiums will be paid on a semiannual basis.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
[Signature] 2/24/12
[Signature] 2/24/12

RESOLUTION NO.

RESOLUTION ACCEPTING THE INSURANCE BID OF INSURANCE SPECIALIST GROUP, INC., DBA LOVE INSURANCE PARTNERS FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE COVERAGE FOR 2012.

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

SECTION 1: Insurance Specialist Group, Inc., dba Love Insurance Partners (hereinafter 'Love Insurance Partners') submitted an insurance bid of \$121,717 for the City's property and casualty insurance coverage for 2012, an approximate 5% decrease over last year's cost of \$127,881.

SECTION 2: Council hereby accepts the insurance bid of Love Insurance Partners for \$121,717 for the City's property and casualty insurance coverage for 2012.

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)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: March 6, 2012

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 28, 2012

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 13, 2012 starting at 6:00 P.M. to Saturday, April 14, 2012 at 3:00 a.m. at the Rider Track & Field Complex on Miami's Campus for the American Cancer Society's Relay for Life.

Recommendation: N/A

Discussion:

This request is for the American Cancer Society's Relay for Life which raises money for the American Cancer Society. The event will take place at the Rider Track & Field Complex this year instead of Millett Hall. Council has approved the Noise Abatement for this event for the past several years.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 3/2/12

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 13, 2012 STARTING AT 6:00 P.M. TO SATURDAY, APRIL 14, 2012 AT 3:00 A.M. AT THE RIDER TRACK & FIELD COMPLEX 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 13, 2012 starting at 6:00 p.m. to Saturday, April 14, 2012 at 3:00 a.m. at the Rider Track & Field Complex 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 13, 2012 starting at 6:00 p.m. to Saturday, April 14, 2012 at 3:00 a.m. at the Rider Track & Field Complex 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)



RECEIVED

FEB 28 2012

City of Oxford

To: City Council
From: Student Community Relations Commission
Re: Spring 2012 Noise Abatement Requests
Date: February 22, 2012

One noise abatement request was submitted to SCRC for activities this spring. This is the same event that has been approved for abatements in past years. The location has changed from Millett Hall to Rider Track and Field Complex, adjacent to Yager Stadium.

1. Friday, April 13—Saturday, April 14

RELAY FOR LIFE 6 pm – 3 am

Location: Rider Track and Field Complex, adjacent to Yager Stadium

2011: 4/1/11	5 pm – 3 am
2010: 4/9/10	6 pm – 3 am
2009: 4/3/09	6 pm – 3 am

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : 4/13-4/14

FROM: 106 ^{a.m.}_{p.m.} TO: 53 ^{a.m.}_{p.m.}

ACTIVITY/EVENT TO BE UNDERTAKEN:

Relay For Life

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

Rider Track & Field

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

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

Christie Gingras will be in contact w/ local police should any
sound will be turned down between 10 pm and 8 am. + campus notifications of
noise be made

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: Colleges Against Cancer

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: Christie Gingras

ADDRESS: 110 Ardmore Dr. TEL. #: 513-923-0299
Oxford, OH 45056

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

Chair of Production, Relay For Life

**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 Christie Gingras Date: 2/13/12

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: February 21, 2012

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 14, 2012

Date Prepared

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

Recommendation: Adopt the Ordinance

Discussion:

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

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 2/17/12

ORDINANCE NO.

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

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

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

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

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

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

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

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

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4644

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

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

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

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

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

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

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

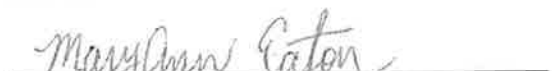
SECTION 6: This resolution shall take effect at the earliest date allowed by law.

A handwritten signature in dark ink, appearing to be "Bill", written over a horizontal line.

MAYOR

ADOPTED: November 15, 2011

ATTEST:

A handwritten signature in dark ink, appearing to be "MaryAnn Eaton", written over a horizontal line.
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4627

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

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

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

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

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

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

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

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


VICE MAYOR

ADOPTED: September 6, 2011

ATTEST: 
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

PRE-ANNEXATION AGREEMENT

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

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

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

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

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

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

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

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

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

JOANNE PELLY MEANS, TRUST


Joanne Pelly Means

CITY OF OXFORD, OHIO


Douglas R. Elliott, Jr., City Manager

Miami Heritage Tech Park



Oxford Corporation Limit



Miami University



Miami Heritage Tech Park
Miami Univ. Township Parcels

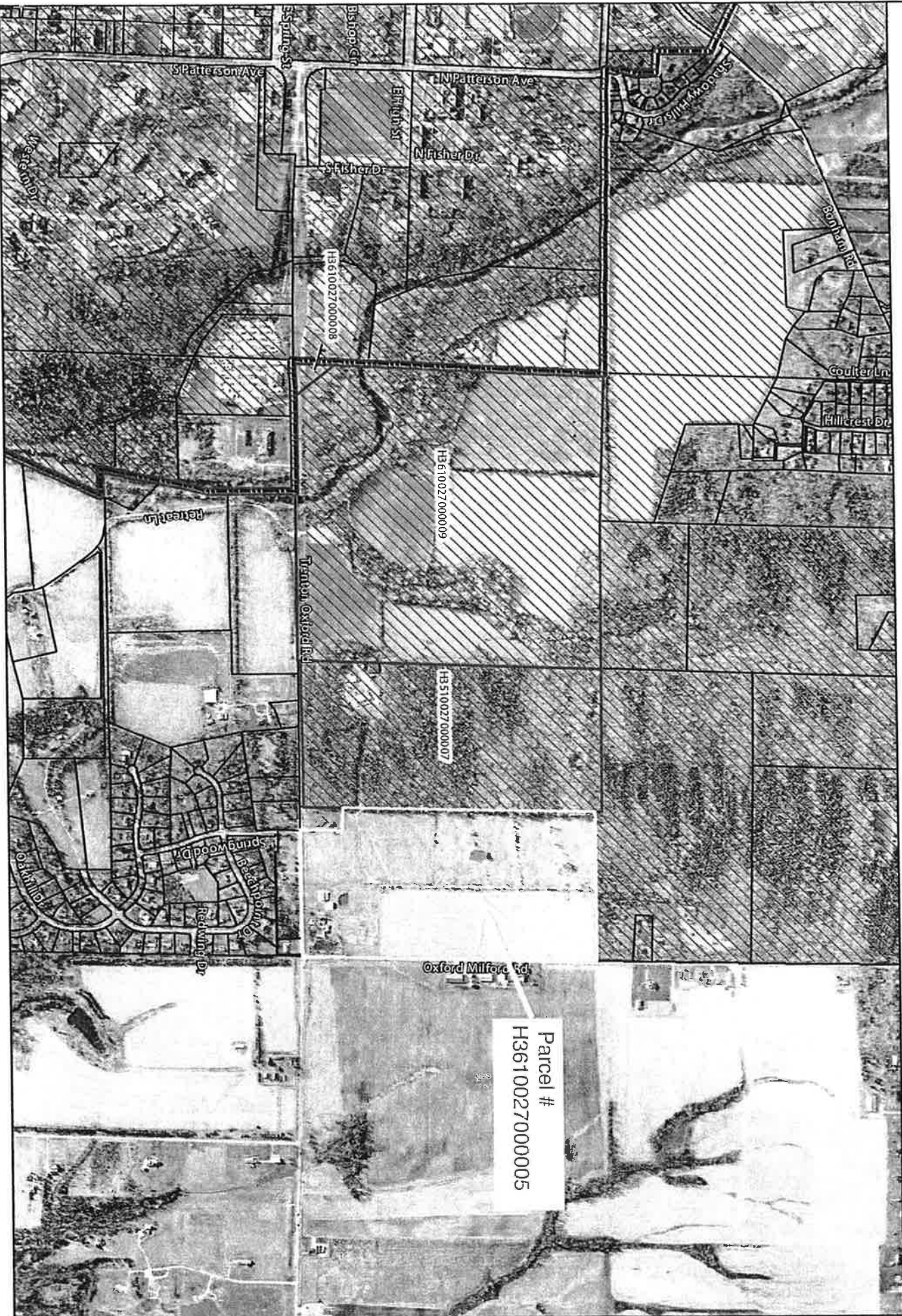


Parcel

1 inch = 1,100 feet



May 2009 Aerial Photography



Parcel #
H3610027000005

RECEIVED
11 OCT 31 PM 3:56
BUTLER COUNTY
COMMISSIONERS

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF BUTLER COUNTY, OHIO

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OWNERS NAMES:

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

By: David K. Creamer

Date Signed: 10-30-11

For: Joanne Pelley Means, Trust

By: Joanne Pelley Means

Date Signed: 10-27-11

Contact Information:

Owners/Petitioners:

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

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

Agent:

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

