

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: March 15, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 10, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2016 grant funded through the Ohio Department of Public Safety. The Oxford Division of Police is the lead agency responsible for the administration of the grant.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2016. The administering agency for the FY2015 program was the Fairfield Police Department. Peter M. Reising served as a contract employee for Fairfield PD to administer the grant. Oxford PD took over the grant in September 2015 and Mr. Reising continued to function as the OVI Coordinator as an employee of the City.

Due to Mr. Reising's retirement on March 30, 2016, the Acting Police Chief is requesting that he continue to function as the OVI Coordinator as a contractual employee. Mr. Reising has the required skills and knowledge to perform as the OVI Coordinator. By hiring him as a contractual employee, the Division will avoid training another officer to perform this required work. The rate of pay was negotiated between OPD and Mr. Reising and is fully reimbursed through the grant. The rate of pay is slightly less than the rate paid by Fairfield PD as adjustments were made removing bonuses such as longevity and shift differential, due to his retirement.

Approved By:

Department Head:

City Manager:

Initial Date

DRE \ *3/11/16*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETER M. REISING TO PERFORM CONSULTING SERVICES AND TO FUNCTION AS THE BUTLER COUNTY OVI TASK FORCE COORDINATOR FOR THE 2016 GRANT FUNDED THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY

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

SECTION 1: The City has been designated as lead agency responsible for the administration of a grant received from the Ohio Department of Public Safety to operate the Butler County OVI Task Force.

SECTION 2: Sergeant Peter M. Reising has served as the OVI Coordinator for the City and the Acting Police Chief requests that Sergeant Reising can continue in this role as a contractual employee following his retirement on March 30, 2016.

SECTION 3: Council accepts the recommendation of the Acting Police Chief and hereby authorizes the City Manager to enter into an agreement with Peter M. Reising as a contractual employee acting as OVI Coordinator effective April 1, 2016.

SECTION 4: A copy of the Agreement with Peter M. Reising is marked Exhibit A, attached hereto and incorporated herein.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Exhibit "A"

AGREEMENT

THIS AGREEMENT entered into this 1st day of April, 2016 by and between the CITY OF OXFORD, OHIO, a municipal corporation of the State of Ohio (hereinafter referred to as the "City") and PETER M. REISING, (hereinafter referred to as the "Coordinator").

I. RECITALS

The City, in association with a number of Butler County law enforcement agencies has received a FFY 2016 OVI grant funded through the Ohio Department of Public Safety. This grant will be used to fund the Butler County OVI Task Force activities related to enforcement of laws related to operating a motor vehicle while under the influence. The Oxford Police Department has been selected as the lead agency responsible for administration of the grant.

Pursuant to this end, a Management Coordinator is to be hired, and Peter M. Reising has agreed to act as the Management Coordinator (hereinafter referred to as the "Coordinator") to perform the consulting services under the following agreement:

II. TERMS OF THE AGREEMENT

- A. Services to be performed. City agrees to hire the Coordinator and Coordinator agrees to perform all necessary labor, materials and record keeping in order to perform the Coordination Services for the FFY 2016 OVI grant. The Scope of Services to be performed includes compliance with all Terms and Conditions for Ohio Traffic Safety Office (OTSO) Grants as described in the FFY 2016 Competitive Grants Proposal and Award of Grant documents, compliance with any Special Conditions for OVI Task Forces as in the FFY 2016 Competitive Grants Proposal and Award of Grant documents, and submission of all required data and reports as required by this grant.
- B. Term. The Agreement shall become effective **April 1, 2016** and shall continue to be in effective until **September 30, 2016** unless terminated as set forth below.
- C. Compensation. As compensation for the services performed by the Coordinator to City will be at the following schedule.
 - a. All activities and work performed by Coordinator shall be compensated at a rate of **Fifty-six Dollars and .36 cents (\$56.36) per hour**. The entire amount of compensation shall not exceed the total of **Fifteen Thousand Two Hundred Seventeen Dollars and Twenty Cents (\$15,217.20)** dollars for a maximum 270 hours of work to be spread throughout the term of this Agreement.
 - b. Additional Obligations and Covenants of the Coordinator. As part of this agreement, the Coordinator agrees to the following items.
- D. In performing the services under this Agreement, the Coordinator shall comply with, and bear the cost of compliance with all applicable local, state, and federal requirements.
- E. Coordinator shall be responsible for and pay all federal, state and local taxes, including but not limited to all income and withholding taxes.
- F. Except with respect to payment for services, in order to receive the compensation listed above, the Coordinator must submit invoices to the City detailing the amount due, either on a bi-weekly or monthly basis, as may be determined by the City. In no event, shall billing be for a period in excess of 31 days.
- G. Obligations of the City. In the performance of this Agreement, the City agrees to be accessible to the Coordinator, to comply with all reasonable requests of the Coordinator and to provide the

Coordinator reasonable access to documents that may be necessary to perform the services under this agreement.

H. Status of the Coordinator. It is understood and intended by both parties that the Coordinator, in performing the Services herein and receiving the compensation for such services, shall be acting as an independent contractor for the City and not as an employee or agent of the City. In that regard, no taxes or benefits shall be withheld from the compensation to be paid to the Coordinator, nor shall any such benefits, including, but not limited to unemployment compensation premiums or Workers' Compensation premium accrue to the Coordinator or be paid by the City on behalf of the Coordinator.

I. Indemnifications. Notwithstanding any provision in this Agreement or any attachment or exhibit hereto, Coordinator shall indemnify and hold harmless against any and all liability imposed or claimed, including reasonable attorney fees and other legal expenses by and person or entity arising directly or indirectly from an act or failure to act by the Coordinator and in which injury or death to any person or damage to property is caused.

J. Termination

- a. This Agreement may be terminated upon the delivery of a written notice of termination to the other party at least fifteen (15) days before the effective date of the termination.
- b. The City may terminate the Agreement effective immediately upon the material breach of this Agreement, including but not limited to, falsification of documents, dishonesty, theft or other intentional breach. In such an event, no further compensation will be due.

K. Miscellaneous Terms.

- a. This agreement shall comprise the entire agreement and shall supersede any and all other agreements between the parties, whether verbal and written.
- b. The laws of the State of Ohio shall control the validity, effect and interpretation of the Agreement.
- c. If any part, clause, provision or condition of this Agreement is held to be void, invalid or inoperative, such voidness, invalidity or inoperativeness shall not affect any other clause, provision or condition hereof; but the remainder of this Agreement shall be effective as though such clause, provision or condition had not been contained herein.
- d. Any notices of any communication required or permitted by this Agreement to be delivered to or served on either shall be deemed properly delivered to, served on, and received by other party when personally delivered to the party or in lieu of such personal service, when deposited in the United States mail, certified with postage prepaid, addressed to the party. Unless notified in writing otherwise, the following shall be used for notices.

City of Oxford

Chief John A. Jones
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

Coordinator

Peter M. Reising

With a Second Copy to:

Lt. Lara Fening
Oxford Police Department

11 S. Poplar Street
Oxford, OH 45056

- e. The parties agree that the approval and acceptance of this Agreement may be executed in any number of counterpart signature pages, all of which taken together shall constitute one and the same instrument, and any party or signatory hereto may execute its approval and acceptance of the Agreement by signing any such counterpart.

- L. Prohibition Against Assignment. The duties and obligations under this Agreement may not be assigned by the Coordinator without the prior written consent of the City.

Now therefore, the parties by and through their authorized officers have executed this Agreement on the _____ day of _____, 2016.

Witness:

Peter M. Reising:

Witness:

City of Oxford:

Douglas R. Elliott, Jr.
City Manager

Approved as to form:

Approved as to content:

Stephen M. McHugh
Law Director

John A. Jones
Chief of Police

Agreement with Peter M. Reising dated April 1, 2016

CERTIFICATE

The undersigned Finance Director for the City of Oxford, Ohio, hereby certifies that funds to cover payment for services or supplies embodied in this contract are presently available or in the process of collection and that Council has appropriated money for this purpose, and it remains unencumbered.

Joe Newlin
Finance Director

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.

All matters under the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

- A. Minutes of the March 1, 2016 City Council Meeting. (Kim Newton, Acting Clerk of Council)
- B. Report regarding the March 2, 2016 Civil Service Meeting. (Candi Turpin, Human Resources Director)
- C. Report regarding the March 2, 2016 Environmental Commission Meeting. (Michael Dreisbach, Service Director)

5. Resolutions.

- 1. A Resolution Authorizing the City Manager to Advertise and Receive Bids for the Sale of Property Located at 18 Gardenia Drive; Oxford, Ohio Pursuant to Ohio Revised Code Section 721.03. (Michael Dreisbach, Service Director)
- 2. A Resolution Authorizing the City Manager to enter into an Agreement with Peter M. Reising to Perform Consulting Services and to Function as the Butler County OVI Task Force Coordinator for the 2016 Grant Funded Through the Ohio Department of Public Safety. (John Jones, Acting Police Chief)
- 3. 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 2016. (Joseph Newlin, Finance Director)

4. A Resolution Authorizing the City Manager to Accept the Interact for Health Grant in an Amount Not to Exceed \$50,000.00 to Complete Phase I of the Oxford Area Trails System. (Jung-Han Chen, Community Development Director)

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.

None.

B. Second Reading.

1. An Ordinance Approving A Conditional Use Permit To Allow An Indoor Target Shooting Range, Training Facility and Retail Space To Be Located At 6711 Ringwood Road Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

7. A. Announcements & Communications.

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Mar 16	Board of Zoning Appeals Meeting 7:30 p.m. Cancelled
MON - Mar 21	Housing Advisory Commission Meeting 7:00 p.m. Municipal Building
WED - Mar 23	Civil Service Commission Meeting 5:30 p.m. Municipal Building
TUE - Apr 5	City Council Meeting 7:30 p.m.
WED - Apr 6	Historic and Architectural Preservation Commission 7:30 p.m.
WED - Apr 6	Environmental Commission 7:00 p.m. Municipal Building
THUR - Apr 7	Community Relations Commission Meeting 3:00 p.m. City Manager's Office
TUE - Apr 12	Police Community Relations & Review Commission 6:00 p.m. Fire Station

TUE -	Apr 12	Planning Commission Meeting 7:30 p.m.
MON -	Apr 18	Housing Advisory Commission Meeting 7:00 p.m. Municipal Building
TUE-	Apr 19	City Council Meeting 7:30 p.m.
WED -	Apr 20	Board of Zoning Appeals Meeting 7:30 p.m.
FRI -	Apr 22	Community Improvement Corporation Meeting 12:00 p.m. LCNB
WED -	Apr 27	Civil Service Commission Meeting 5:30 p.m. Municipal Building

8. Adjourn.

A Regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, March 1, 2016 at 7:00 p.m. Those members present were Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard. Bob Blackburn was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Acting Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief, Mr. Steve McHugh, Law Director; and Ms. Kim Newton, Acting Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. McKeehan seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

RECOGNITION – TOM HORVATH, POLICE LIEUTENANT

Acting Police Chief, John Jones, addressed Council regarding recognition of Lieutenant Tom Horvath on his retirement from the City of Oxford Police Department after 34 years of service. Acting Chief Jones introduced Candy Keller, Dispatcher for the City of Oxford Police Department. Ms. Keller advised she represented the Butler County Chiefs of Police Association and the Respect for Law Camp. Ms. Keller noted 22 years ago former Police Chief, Steve Schwein, requested Lt. Horvath look into the creation of a Law Camp for Oxford and Butler County kids. Lt. Horvath accepted the challenge and Oxford's Law Camp was created. After 10 years Lt. Horvath stepped down as the Director of Law Camp but continued his involvement behind the scenes. Ms. Keller noted because of his dedication and efforts we now have graduates all over the country serving as police officers, paramedics and firemen. Ms. Keller noted we also have parents now sending their kids to Law Camp. Ms. Keller presented Lt. Horvath with an award and noted it was for the 2,000 children who participated in Law Camp.

Mr. Brian Robinson, President Fraternal Order of Police Lodge 38 Hamilton, addressed Council noting he had worked with Tom when at Miami University and later at Hamilton with Law Camp. Mr. Robinson, noted on behalf of Lodge 38, he was pleased to present Lt. Horvath with a retirement certification, a retirement pen and noted he would be receiving his retirement card from the FOP.

Acting Chief Jones, noted Lt. Horvath began his career June 1, 1982 and held the following positions, patrol officer, traffic officer, patrol Sergeant, Special Response Team Commander, first Director of Law Camp and Lieutenant. Acting Chief Jones noted his feeling one of Tom's most significant attributes was the way he handled family members who had lost a child tragically. Chief Jones explained he always seemed to know what to say and how to say it. Chief Jones congratulated Tom on his service and presented him with a plaque and wished him well.

Lt. Horvath thanked the City of Oxford for fulfilling his dream of being a police officer and noted he would be forever grateful. Tom also thanked those he worked with and his best partner, Terry his wife, who taught him to be a good cop, to do the right thing, and how to raise a family on a cop's salary. Tom noted it was a great opportunity and wonderful career.

SWEARING-IN POLICE LIEUTENANTS
LARA FENING MOORE AND GEOFFREY W. ROBINSON

Acting Chief Jones recognized Sergeant Lara Fening Moore and noted she started her career with the City of Oxford July 3, 1996 as police officer, crime prevention officer, training officer and Sergeant. Acting Chief Jones noted the City did not experience a lot of promotions to Lieutenant and advised only seven men had been promoted to that position. Chief Jones noted tonight was especially important as Lara would be the first female promoted to the rank of Lieutenant in the City of Oxford. Acting Chief Jones noted his sincere congratulations.

Steve McHugh, Law Director, performed the swearing in of Lara Fening Moore as Police Lieutenant for the City of Oxford.

Acting Chief Jones recognized Sergeant Geoffrey W. Robinson and noted he started his career with the City of Oxford April 10, 2006 and served as patrol officer, detective, Sergeant, Detective Sergeant, Supervisor of Criminal Investigations Unit, a Member of the Butler County Regional Swat and team leader for that unit, and the Butler County Incident Management team. Acting Chief Jones noted Geoff would bring the utmost level of professionalism to the job. Acting Chief Jones noted his sincere congratulations.

Steve McHugh, Law Director, performed the swearing in of Geoffrey W. Robinson as Police Lieutenant for the City of Oxford.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the February 16, 2016 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the February 16, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the February 9, 2016 Planning Commission Meeting. (Jung Han Chen, Community Development Director)

RESOLUTION
CONTRABAND DISPOSAL

A Resolution authorizing the Acting Police Chief and the Finance Director to dispose of contraband no longer needed as evidence. (John Jones, Acting Police Chief)

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

RESOLUTION
ECONOMIC DEVELOPMENT (TREX)

Resolution No. 4970 authorizing the Mayor to execute an Economic Development (TREX) Transfer from the Division of Liquor Control for 1028 L.L.C. (Alan Kyger, Economic Development Director)

Mr. Kyger explained this type of liquor permit is the result of a transfer from another community to Oxford for economic development purposes. Mr. Kyger advised this is the first permit that would be transferred to Oxford and noted we had two others but they were transferred out of Oxford. Mr. Kyger noted this permit is different in that the State is asking the City to acknowledge the transfer by saying you approve or disapprove. Mr. Kyger introduced the applicant, Mr. James Wong.

Mr. Wong explained the 1028 Karaoke Bar would have individual party rooms of various sizes, and they would serve food and drinks. Mr. Wong noted it would be a fun place for Asian students to go. Mr. Wong advised there were 2 to 3,000 Chinese students at Miami and they were a very close community. Mr. Wong shared the blueprints with Council.

Mr. Kyger noted once this permit comes in it is the same as other liquor permits in the City and noted this permit would stay with the City if the applicant moved. Mr. Kyger advised this would be at 17 South Beech Street in the former Oxford Press location.

Kathleen Zien requested clarification on how you find this type of available liquor licenses. Mr. Kyger explained there are liquor license attorneys in Columbus who specialize in this.

Mr. Kevin McKeehan inquired if this was from LaRosa's corporate or a franchise. Mr. Kyger noted he did not research where this one is from other than what is stated on the application.

Mayor Rousmaniere also inquired about the quota and Mr. Kyger noted the Ohio Liquor Commission gives out licenses based on the population from the last census for the City. Mr. Kyger noted there are lots of ways to get additional licenses such as country club, breweries, etc.

Mr. Dana inquired how the applicant came up with the figure for projected revenue and taxes. Mr. Wong noted it was based on similar bars in Columbus. Mr. Dana asked about the process of approval noting according to the staff report there are two approvals, one from the City and one from the Superintendent of Liquor Control. Mr. Dana inquired what happens if we reach

different conclusions. Mr. McHugh noted the Superintendent determination would prevail. Mr. Elliott explained the Liquor Commission wants our input but noted they make the final determination.

Ms. Southard inquired how these employee numbers compare to other businesses in Oxford and Mr. Kyger advised they might end up with more full time equivalents and noted this was about average for a small business in Oxford.

Mayor Rousmaniere inquired whether this could be passed with conditions such as the Good Neighbor Agreement and Mr. McHugh advised no you can't adopt with any conditions and advised even if you had the Good Neighbor Agreement it would not be enforceable. Mayor Rousmaniere inquired if we have any Good Neighbor Agreements with any other establishments in town. Mr. Kyger advised no and explained the only type of thing is more of an operational agreement with property owners where they agree to go out every morning and pick up trash, notify property owners of who to contact should a problem occur, etc.

Mayor Rousmaniere noted if we approve this will it increase the number of liquor licenses in the City and Mr. McHugh advised yes. Mr. Kyger noted there are also non-quota permits that occur that do not have to get your permission as such.

Mr. Dana inquired if the liquor permit allowed alcohol take out and Mr. Kyger noted on premises consumption only.

Mr. Ellerbe noted he had been to one of these before and they are very nice because they are for your own social circle of friends and more comfortable. Mr. Ellerbe noted this was not a new concept however, it was a new concept to Oxford and expressed his belief it was a good idea and noted he did not have a problem with it.

Ms. Southard moved to adopt Resolution No. 4970. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION

SAFETY CAPITAL GRANT

Resolution No. 4971 authorizing the City Manager to apply for the 2016 Local Government Safety Capital Grant Program. (John Detherage, Fire Chief)

Chief Detherage noted the purpose of this grant is to encourage collaboration between public entities for safety and our relationship with Oxford Township and Miami University makes us a good candidate for this grant. Chief Detherage advised the proposed vehicle that would be purchased would be a tanker/pumper combination which would be a pumper with a really big water tank. Mayor Rousmaniere inquired whether the tanker would go to the Township or to us and Chief Detherage noted we have a contract with the Township and explained as they do not have a fire house the tanker would be housed at our facility. Chief Detherage noted all this is worked out when we put our contract together with the Township.

Mr. John Kinne, Township Trustee, addressed Council noting this offered a good opportunity to collaborate with one another and continue our relationship with the City of Oxford.

Mr. Elliott noted he had contacted Miami University and they had agreed to help with the match so this would be a three way split.

Ms. Southard inquired how long will it take to get the tanker and Chief Detherage noted to build takes about a year. Ms. Southard asked if when you retire a tanker, what do you do with it. Chief Detherage advised it would likely be sold but that will be up to the Township or addressed in the contract.

Mr. Dana moved to adopt Resolution No. 4971. Ms. Southard seconded. The motion passed 6-0-0.

ORDINANCES

FIRST READING

An Ordinance Approving A Conditional Use Permit To Allow An Indoor Target Shooting Range And Training Facility To Be Located At 6711 Ringwood Road, Oxford, Ohio With Conditions.
(Jung Han Chen, Community Development Director)

Mr. Chen addressed Council noting the site was 11 acres and there would be a 12,000 square foot free standing single story masonry building in the center of the track with a 30 foot access drive off Ringwood Road and narrow street frontage on US 27. Mr. Chen noted Planning Commission held a public hearing on the proposal and were concerned about sound proofing capabilities and about dust collection and slugs. Mr. Chen noted the applicant presented the Commission with a lot of information and advised they would be following the Sport Shooting Foundations Standards which would address these concerns. Mr. Chen advised the Planning Commission made the following conditions: 1) the 30 foot access drive could not be used for parking; 2) recommended to waive the bike parking and loading space requirements; 3) facility has to meet foundation standard requirements. Mr. Chen noted the Planning Commission recommended to Council with a 6-0 unanimous vote.

Ms. Southard noted one question about how the operation would work as a business and second if this fits with our Zoning Code. Mr. Chen advised the applicant will address the first question and explained, yes the Planning Commission determined this is an ideal location for this type of use in the Light Industrial District.

Mr. Scott Webb addressed Council on behalf of the petitioner, Jeff Day. Mr. Webb noted the parcel was 11.4 acres and advised there had been a question regarding another property owner using the same access road. Mr. Webb explained this had been cleared up and this property has an unencumbered access which is 30 feet. Mr. Webb noted the proposal exceeded the setback requirements and they were working with Shooting Range Industries to meet all the safety issues. Mr. Webb noted safety for this type of facility is multi-faceted including access control and an extensive HVAC system to address exhaust both within the building and leaving the building. Mr. Webb noted there had been a question from the Planning Commission regarding who governs this industry and noted the National Shooting Sports Foundation Guidelines, as well as OSHA requirements.

Mr. Day noted he was a licensed fire arms instructor and advised we will have law enforcement instructors who will be teaching and helping people on how to use their firearms. Mr. Day noted he was encouraged by conversations with local law enforcement including various agencies such as Oxford Township and Miami University PD as well as the Oxford Police Department

Mayor Rousmaniere inquired if Acting Chief Jones would address and Lt Jones noted our officers will be using the facility and noted we currently have to go out of town to an outside range and should there be inclement weather we have to reschedule. Chief Jones also noted lots of our officers shoot on their own time and would enjoy having a facility to use.

Mr. Ellerbe inquired about the caliber of weapon and Mr. Day noted they would be up to 308 and advised most would be hand guns. Mr. Ellerbe inquired if there would be firearm and ammunition sales that will leave the building and Mr. Day advised yes

Mr. Day also noted he had talked to Miami University Police about the storing of firearms for students. Mr. Day advised MUPD currently stores these and would be beneficial for both students and school to use the facility this way.

Mr. Ellerbe inquired if they would be offering archery and Mr. Day noted he may have something and advised there will be a private lesson area and could do archery in that area.

Mayor Rousmaniere inquired about the selling of guns too and Mr. Day advised there is a retail space in the facility where we will sell guns and ammunition. Mr. Day advised most of the building will be dedicated to shooting lanes but there will be a small area for sales. Mr. Chen advised sales is incidental to the primary purpose and is covered at the top of page 50. Mayor Rousmaniere noted it is not in the language we are approving and advised she just wanted to make sure sales is covered in the approved ordinance.

Kathleen Zien addressed Council and suggested the Ordinance be rewritten to reflect the sales part/retail space. Ms. Zien also noted her concern with how these proposals are brought to Planning Commission and Council. Ms. Zien noted she had a problem with Concept Reviews and expressed her feeling these were not in the best interest of the City and would suggest eliminating them. Ms. Zien suggested Mr. McHugh tell us if concept reviews were done in Trotwood or Beavercreek. Ms. Zien noted Oxford needs to reconsider this special privilege and eliminate concept reviews.

Mayor Rousmaniere requested staff include reference to retail space in the Ordinance and Mr. McHugh agreed and noted it would be included for second reading.

SECOND READING **ORDINANCES**

None.

ANNOUNCEMENTS

Mr. Elliott noted the Deer Management Program was adopted in 2009 and advised David Treleaven, Environmental Specialist administered the program. Mr. Elliott noted this year we had 16 certified individual issued permits. Mr. Elliott advised we had nine locations last year (4 public and 5 private) and this year six (4 public and 2 private). Mr. Elliott noted this is the 7th year for the program which ran from September 26 through February 7. Mr. Elliott advised the total bag limit was reduced from 3 to 2 deer and we maintained the local incentive to donate to the community meal center in Middletown. Mr. Elliott noted the requirement was if 5 deer were harvested, 4 were donated. Mr. Elliott noted since the beginning of the program we have had 2,310 pounds of venison from 55 deer donated with 91 deer harvested which averages 13 deer per year.

Mr. Elliott advised the first meeting of the Police Community Relations and Review Commission was held with six of the seven members in attendance. Mr. Elliott noted he was an ex-officio member and presented a history and overview of the provisions of the Ordinance. Mr. Elliott noted John Buchholz was in attendance and provided information on the Citizens Police Academy. Mr. Elliott noted Pat Meade was elected Chair and Deidre DeLong, Vice Chair. Mr. Elliott advised agenda items were discussed for future meetings which included a Police Department training program for new and existing police officers

Mr. Elliott noted the US27 South project bridge deck for the western portion was poured and should be completed by the end of July.

Mayor Rousmaniere reminded Council two weeks ago we had a work session with the Miami University Alcohol Coordinating Committee and we left the meeting without any resolution about what Council wants to do. Mayor Rousmaniere noted the ACC is focusing on changing environmental conditions that effect community behavior and to work with the police to determine how to address litter, the noise ordinance, and house parties. Mayor Rousmaniere inquired do we want to endorse this and do we want staff to set this as a priority or not.

Mr. Dana noted he strongly supports setting this as a priority for staff. Mr. McKeehan inquired what statement are you asking us to endorse. Mayor Rousmaniere suggested 'does Council want to endorse the ACC's effort to change current behavioral use of alcohol in the community and to direct staff to make this a priority'. Mayor Rousmaniere clarified do we want staff to make it a priority to pay attention to the issue of alcohol abuse as presented by the ACC.

Mr. Ellerbe suggested the City should make an attempt to reduce and curtail the abuse and damage through inclusion of landlords and property owners when dealing with the problem especially with those where these parties are being held. Mr. Ellerbe noted we should also notify Miami so that they are aware if it is a student that has caused this disruption and hopefully this multifaceted approach will help in changing the behavior as well.

Ms. Southard noted any way we can strengthen the Ordinance to make it less comfortable to abuse the good nature of our citizens. Ms. Southard suggested reviewing ordinances to strengthen the City to give message out that we don't like excessive behaviors that damage property,

Mr. Ellerbe suggested again the City should actually hold landlords and property owners accountable if there is a location that has a tenant where there is consistent abuse and problems. Mr. Ellerbe noted the City may want to strengthen any regulation we have to change the environment for alcohol abuse.

Mr. Martin noted there were some recommendations from the task force changing the penalty from criminal to civil. Mr. McKeehan expressed this feeling this would be lessening the penalty and noted what we have discussed is contradictory to what the committee says.

Mr. Martin expressed his feeling we should show a unified front and try to keep over consumption as a priority.

Mr. McKeehan noted he was disappointed with the lack of direction coming from committee as there are no teeth, no penalties, and also noted he was a little distressed with the discussion as it felt like they were saying staff isn't doing their job. Mayor Rousmaniere noted this was in no way a critique of staff who do the lion's share of the work. Mayor Rousmaniere noted this was to consider maybe changing some of our regulations to do things a little bit better. Mr. Dana noted staff pursues a variety of ways to affect behavior to protect the environment.

Mr. Elliott we talked about putting together an Ordinance and noted he had explained to put an ordinance together, get it passed and in operation takes some time and would probably not be in effect until next fall. Mr. Elliott noted we have a number of groups, including the SCRC and the Coalition for Healthy Community gathering ordinances for review. Mr. Elliott also noted when we adopt an ordinance there are future costs to the City and noted we can only do so many things with 105 employees.

Mr. Elliott noted he would chat with staff and continue to work with committees and look into this unruly house party ordinance which would assist in putting some responsibility back on the property owners. Mr. Elliott noted he still wanted to continue with the different groups as we don't want to work in a vacuum and noted students need to take some responsibility too as we are all responsible for our house. Mr. Elliott noted he had also talked with other City Managers that have a college in their town and they are dealing with this issue as well and in working together perhaps we can come up with some ideas to address this.

Mayor Rousmaniere noted she had asked about changing the starting time of City Council and the majority of Council wanted it to stay at the same time of 7:30. Mayor Rousmaniere noted a suggestion to schedule longer times for work sessions to complete discussions.

Mr. Dana reminded everyone of the Mental Health Levy and advised he had signs available should anyone want for their yard or business.

Ms. Southard raised the issue of Council salaries noting it had been 16 years since a change in salary where Council salaries were increased from \$1800 year to \$3200 year and the mayor salary from \$1900 year to \$3800 year. Ms. Southard noted her feeling the salary could be a deterrent for people running for Council as it doesn't even pay expenses. Mayor Rousmaniere

inquired how do we go about this. Mr. Elliott noted this is a Council decision and noted he had presented Council with information on other City salaries. Mr. Elliott noted Council could decide on a rate and an ordinance would be prepared. Mr. Elliott noted for the public's information, this Council could vote on an increase, however, they would not receive the increase unless they were reelected again and for future new members. Mr. McKeehan noted it had been a long time with no increase and advised he was open to looking at a change.

Mayor Rousmaniere noted the League of Women Voters was holding a meeting on March 8th on Public Transportation in Oxford at 7:30 p.m. at the LCNB Community Room and is open to the public.

ADJOURN

Mr. Dana moved to adjourn at 9:35 p.m. Mr. Smith seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: March 15, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 10, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2016 grant funded through the Ohio Department of Public Safety. The Oxford Division of Police is the lead agency responsible for the administration of the grant.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2016. The administering agency for the FY2015 program was the Fairfield Police Department. Peter M. Reising served as a contract employee for Fairfield PD to administer the grant. Oxford PD took over the grant in September 2015 and Mr. Reising continued to function as the OVI Coordinator as an employee of the City.

Due to Mr. Reising's retirement on March 30, 2016, the Acting Police Chief is requesting that he continue to function as the OVI Coordinator as a contractual employee. Mr. Reising has the required skills and knowledge to perform as the OVI Coordinator. By hiring him as a contractual employee, the Division will avoid training another officer to perform this required work. The rate of pay was negotiated between OPD and Mr. Reising and is fully reimbursed through the grant. The rate of pay is slightly less than the rate paid by Fairfield PD as adjustments were made removing bonuses such as longevity and shift differential, due to his retirement.

Approved By:

Department Head:

City Manager:

Initial Date

DRE \ *3/11/16*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETER M. REISING TO PERFORM CONSULTING SERVICES AND TO FUNCTION AS THE BUTLER COUNTY OVI TASK FORCE COORDINATOR FOR THE 2016 GRANT FUNDED THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY

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

SECTION 1: The City has been designated as lead agency responsible for the administration of a grant received from the Ohio Department of Public Safety to operate the Butler County OVI Task Force.

SECTION 2: Sergeant Peter M. Reising has served as the OVI Coordinator for the City and the Acting Police Chief requests that Sergeant Reising can continue in this role as a contractual employee following his retirement on March 30, 2016.

SECTION 3: Council accepts the recommendation of the Acting Police Chief and hereby authorizes the City Manager to enter into an agreement with Peter M. Reising as a contractual employee acting as OVI Coordinator effective April 1, 2016.

SECTION 4: A copy of the Agreement with Peter M. Reising is marked Exhibit A, attached hereto and incorporated herein.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Exhibit "A"

AGREEMENT

THIS AGREEMENT entered into this 1st day of April, 2016 by and between the CITY OF OXFORD, OHIO, a municipal corporation of the State of Ohio (hereinafter referred to as the "City") and PETER M. REISING, (hereinafter referred to as the "Coordinator").

I. RECITALS

The City, in association with a number of Butler County law enforcement agencies has received a FFY 2016 OVI grant funded through the Ohio Department of Public Safety. This grant will be used to fund the Butler County OVI Task Force activities related to enforcement of laws related to operating a motor vehicle while under the influence. The Oxford Police Department has been selected as the lead agency responsible for administration of the grant.

Pursuant to this end, a Management Coordinator is to be hired, and Peter M. Reising has agreed to act as the Management Coordinator (hereinafter referred to as the "Coordinator") to perform the consulting services under the following agreement:

II. TERMS OF THE AGREEMENT

- A. Services to be performed. City agrees to hire the Coordinator and Coordinator agrees to perform all necessary labor, materials and record keeping in order to perform the Coordination Services for the FFY 2016 OVI grant. The Scope of Services to be performed includes compliance with all Terms and Conditions for Ohio Traffic Safety Office (OTSO) Grants as described in the FFY 2016 Competitive Grants Proposal and Award of Grant documents, compliance with any Special Conditions for OVI Task Forces as in the FFY 2016 Competitive Grants Proposal and Award of Grant documents, and submission of all required data and reports as required by this grant.
- B. **Term.** The Agreement shall become effective **April 1, 2016** and shall continue to be in effective until **September 30, 2016** unless terminated as set forth below.
- C. Compensation. As compensation for the services performed by the Coordinator to City will be at the following schedule.
 - a. All activities and work performed by Coordinator shall be compensated at a rate of **Fifty-six Dollars and .36 cents (\$56.36) per hour**. The entire amount of compensation shall not exceed the total of **Fifteen Thousand Two Hundred Seventeen Dollars and Twenty Cents (\$15,217.20)** dollars for a maximum 270 hours of work to be spread throughout the term of this Agreement.
 - b. Additional Obligations and Covenants of the Coordinator. As part of this agreement, the Coordinator agrees to the following items.
- D. In performing the services under this Agreement, the Coordinator shall comply with, and bear the cost of compliance with all applicable local, state, and federal requirements.
- E. Coordinator shall be responsible for and pay all federal, state and local taxes, including but not limited to all income and withholding taxes.
- F. Except with respect to payment for services, in order to receive the compensation listed above, the Coordinator must submit invoices to the City detailing the amount due, either on a bi-weekly or monthly basis, as may be determined by the City. In no event, shall billing be for a period in excess of 31 days.
- G. Obligations of the City. In the performance of this Agreement, the City agrees to be accessible to the Coordinator, to comply with all reasonable requests of the Coordinator and to provide the

Coordinator reasonable access to documents that may be necessary to perform the services under this agreement.

H. Status of the Coordinator. It is understood and intended by both parties that the Coordinator, in performing the Services herein and receiving the compensation for such services, shall be acting as an independent contractor for the City and not as an employee or agent of the City. In that regard, no taxes or benefits shall be withheld from the compensation to be paid to the Coordinator, nor shall any such benefits, including, but not limited to unemployment compensation premiums or Workers' Compensation premium accrue to the Coordinator or be paid by the City on behalf of the Coordinator.

I. Indemnifications. Notwithstanding any provision in this Agreement or any attachment or exhibit hereto, Coordinator shall indemnify and hold harmless against any and all liability imposed or claimed, including reasonable attorney fees and other legal expenses by and person or entity arising directly or indirectly from an act or failure to act by the Coordinator and in which injury or death to any person or damage to property is caused.

J. Termination

- a. This Agreement may be terminated upon the delivery of a written notice of termination to the other party at least fifteen (15) days before the effective date of the termination.
- b. The City may terminate the Agreement effective immediately upon the material breach of this Agreement, including but not limited to, falsification of documents, dishonesty, theft or other intentional breach. In such an event, no further compensation will be due.

K. Miscellaneous Terms.

- a. This agreement shall comprise the entire agreement and shall supersede any and all other agreements between the parties, whether verbal and written.
- b. The laws of the State of Ohio shall control the validity, effect and interpretation of the Agreement.
- c. If any part, clause, provision or condition of this Agreement is held to be void, invalid or inoperative, such voidness, invalidity or inoperativeness shall not affect any other clause, provision or condition hereof; but the remainder of this Agreement shall be effective as though such clause, provision or condition had not been contained herein.
- d. Any notices of any communication required or permitted by this Agreement to be delivered to or served on either shall be deemed properly delivered to, served on, and received by other party when personally delivered to the party or in lieu of such personal service, when deposited in the United States mail, certified with postage prepaid, addressed to the party. Unless notified in writing otherwise, the following shall be used for notices.

City of Oxford

Chief John A. Jones
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

Coordinator

Peter M. Reising

With a Second Copy to:

Lt. Lara Fening
Oxford Police Department

11 S. Poplar Street
Oxford, OH 45056

- e. The parties agree that the approval and acceptance of this Agreement may be executed in any number of counterpart signature pages, all of which taken together shall constitute one and the same instrument, and any party or signatory hereto may execute its approval and acceptance of the Agreement by signing any such counterpart.

- L. Prohibition Against Assignment. The duties and obligations under this Agreement may not be assigned by the Coordinator without the prior written consent of the City.

Now therefore, the parties by and through their authorized officers have executed this Agreement on the _____ day of _____, 2016.

Witness:

Peter M. Reising:

Witness:

City of Oxford:

Douglas R. Elliott, Jr.
City Manager

Approved as to form:

Approved as to content:

Stephen M. McHugh
Law Director

John A. Jones
Chief of Police

Agreement with Peter M. Reising dated April 1, 2016

CERTIFICATE

The undersigned Finance Director for the City of Oxford, Ohio, hereby certifies that funds to cover payment for services or supplies embodied in this contract are presently available or in the process of collection and that Council has appropriated money for this purpose, and it remains unencumbered.

Joe Newlin
Finance Director

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: March 15, 2016

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

March 4, 2016
Date Prepared

Agenda Title: Environmental Commission Meeting of March 2, 2016

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, March 2, 2016 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Mayor Kate Rousmaniere; Mr. Ted Wong, Mr. Kevin Armitage, and Ms. Madeline Maurer. A quorum was present. Planning Commission Representative, Mr. Robert Bell had previously informed the Commission that he would be unable to attend this meeting.

The minutes from the February 3, 2016 Environmental Commission meeting were unanimously approved as presented.

Chair Gwyn provided an edited copy of a letter the City of Forest Park had sent to several Ohio state government representatives regarding Ohio's decision to suspend expansion of the renewable and energy efficiency standards. The edited copy incorporated revisions based upon Commissioners' previous comments. As the Supreme Court of the United States has placed a temporary hold on the implementation of the USEPA's "Clean Power Plan" pending hearings in a U.S. Court of Appeals, the potential urgency of issuing the request to Ohio state officials has been reduced. Additional comments regarding the formatting of the letter were made by Commissioners. Chair Gwyn will incorporate the comments into another revision of the letter and will issue it for Commissioners' review. Chair Gwyn requested this consideration be included in the April 2016 meeting

The Arbor Day Proclamation for 2016 was unanimously approved with edits. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Arbor Day observance would consist of planting a Skyline Honeylocust (*Gleditsia triacanthos inermis* 'Skyline') at the Oxford Community Park prior to Arbor Day on April 29, 2016. The previous Honeylocust at the planting location had been struck by a vehicle last winter. Typically, the Arbor Day observation ceremony is concurrent with a ceremony by Oxford's Parks and Recreation Department recognizing those who have participated in the Memorial Tree Plaque Program in the previous year.

The Earth Day Proclamation for 2016 was unanimously approved with edits. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Earth Day observation would occur on Saturday, April 16, 2016 in the Uptown Memorial Park, running from approximately 10:00 a.m. until 1:30 p.m. Staff has reserved a spot for the Environmental Commission at the event and intends to be present to distribute literature, take requests for changes in re-

(Continued)

Approved By:

Department Head:
City Manager:

Initial Date

WGE | 3/8/16
DRE | 3/11/16

cycling services, and be present to answer questions from the public. Commissioners were invited to attend the event.

Commissioners requested Staff inquire about the City's intentions for the funding from the landfill closure's Loan 2449 payments upon completion of the loan's servicing. If these funds are unspoken for, or partially available, the Commission would like to investigate their utilization into environmental-related services, such as code enforcement for litter and other property management issues associated with solid waste, funding for maintenance and expansion of bicycle lanes, funding for storm water management activities, etc.

Mayor Rousmaniere informed the Commissioners that the League of Women Voters would be hosting a forum regarding local transportation, entitled "Public Transportation in Oxford" on the evening of March 8, 2016 at 7:30 p.m. in the LCNB Community Room, 30 West Park Place, Oxford. Tentative speakers at the forum are Mr. Connor Briggs, Director of the Transit Operations with the Butler County Regional Transit Authority, and Lieutenant Ben Spilman, director of Miami University Parking and Transportation Service.

The Commissioners concluded discussion at 8:30 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, April 6, 2016 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: March 15, 2016

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael B. Dreisbach, Service Director

Prepared By

March 7, 2016

Date Prepared

Agenda Title: Authorization to Dispose of Surplus Real Property by Sealed Bid

Recommendation: Approve

Discussion:

On May 20, 2014, City Council passed Resolution No. 4832 authorizing the City Manager to enter into an agreement with Bill D. and Nancy S. Colwell to take title to the property located at 18 Gardenia Dr. (Butler County Parcel # **H4000116000051**). The City accepted this parcel in lieu of payment to place the surface layer of asphalt throughout Silverleaf subdivision. The City's cost for this construction was \$32,429.25.

In October 2014, the City obtained an opinion of value for this property from Heritage Land Services (Heritage). The City has used this firm frequently in the past, and places significant confidence in their opinion. In late 2014, Heritage estimated the value of this undeveloped lot at \$30,000 - \$35,000. This real estate is not needed for municipal purposes.

City Staff recommends the sale of this lot by sealed bid in order to recover our costs in placing the surface layer of asphalt throughout the subdivision. Staff also recommends a reserve amount for bids (a minimum acceptable bid) of \$32,500. Should the sale of this property generate a surplus above and beyond the City's costs to maintain and market the property, excess funds above City costs will be returned to the Colwell's per our agreement with them. In addition to asphalt placement costs, City costs would include, but not be limited to, advertising and recording fees, real estate taxes, lot maintenance, and any special assessments.

It is Staff's recommendation that the City Council authorize the City Manager to advertise and receive sealed bids for the sale of property located at 18 Gardenia Dr., also known as Butler Co. parcel number H4000116000051, with a minimum acceptable bid of \$32,500.00.

Approved By:

Department Head:

City Manager:

Initial

Date

MBD \ 3/7/16

DRE \ 3/11/16

RESOLUTION NO.

A RESOLUTION BY OXFORD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ADVERTISE AND RECEIVE BIDS FOR THE SALE OF PROPERTY LOCATED AT 18 GARDENIA DRIVE; OXFORD, OHIO PURSUANT TO OHIO REVISED CODE SECTION 721.03.

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

SECTION 1: Council finds that the Real Estate known as Lot 3664, located at 18 Gardenia Drive, currently owned by the City of Oxford, is not needed for any municipal purpose and that it is in the best interest of the City that said property be sold.

SECTION 2: The City Manager is authorized to provide legal notice to potential bidders.

SECTION 3: The City Manager is authorized to receive bids no less than thirty-two thousand and five hundred dollars (\$32,500.00) and shall execute a contract for sale conveying the Real Estate to the highest bidder responding fully to the advertisement for bids. The City Manager may reject any bids found to be non-responsive or otherwise deficient, or may reject all bids.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: March 15, 2016

Kim Newton

Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

March 4, 2016

Date Prepared

Agenda Title:

Report regarding the March 2, 2016 Civil Service Commission Regular Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, March 2, 2016. Those members present were: Karen Martino, Chair; James Burchyett, Vice-Chair; Greg Smith; Brian Martin and Bill Brewer.

Candi Turpin, Human Resources Director; Kim Newton, Recording Secretary; and John Jones, Acting Police Chief were in attendance for the City of Oxford.

The Commission approved the State Personnel Board of Review's Report of Activities for 2015.

The Commission reviewed and approved the Police Officer Eligibility list as well as the Sports Coordinator Eligibility list. The Commission also reviewed and approved the exam and protocol for the Public Safety Assistant position in the Police Department.

The next Civil Service Commission meeting is scheduled for Wednesday, March 23, 2016 at 5:30 p.m.

Approved By:

Initial Date

Department Head:

City Manager:

Cut 3/4/16

DRE 3/11/16

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 15, 2016

Sam Perry
Prepared By

Account Code No. #:

March 9, 2016
Date Prepared

Budgeted Amount:

Agenda Title: **Acceptance of \$50,000 Grant from Interact For Health**

Summary:

The Oxford Visitors Bureau and the City of Oxford partnered on a grant application to Interact for Health, which serves the entire tristate area. The grant program is geared specifically toward the planning and implementation of bike and walking trails in the tristate. Oxford was successful in being awarded the Implementation grant and has now been presented with a contract to formalize the agreement. The \$50,000 will go toward the Oxford Area Trail Black Bridge Connector Project, already in process. The funding can be used for any part of the construction such as grading, paving or drainage structures. Staff will place the funds in a separate account to clearly document to the agency what portion of the larger project that the funds were used for. The agency will receive recognition through signage, press and any ribbon cutting events.

Recommendation:

Accept the grant funds to allow the City Manager to sign the agreement.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
<u>JHC</u>	<u>3/9/16</u>
<u>DRE</u>	<u>3/11/16</u>

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE INTERACT FOR HEALTH GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00 TO COMPLETE PHASE I OF THE OXFORD AREA TRAILS SYSTEM

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

SECTION 1: The City Manager is authorized to accept the Interact for Health Grant in the amount of \$50,000.00 to complete Phase I of the Oxford Area Trails System (Black Bridge Connector – 1.5 miles.)

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED: March 15, 2016

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

INTERACT FOR HEALTH

A Catalyst for Health and Wellness

March 7, 2016

Doug Elliott
City of Oxford
101 E. High Street
Oxford, OH 45056

Dear Doug Elliott:

Interact for Health ("Grantor" or "Interact") is pleased to inform you that its Board of Directors has approved a grant of \$50,000, over a 12-month period, to City of Oxford ("Grantee") to complete Phase 1 (Black Bridge Connector- 1.5 miles) of the Oxford Area Trails System. The goal and objectives of the Grant are further described in Exhibit A. Grantee has until March 31, 2016 to return this agreement to the Grantor; after that date, the offer of this grant is rescinded.

The grant funds may not be used for any of the following purposes: to attempt to influence the outcome of any specific public election; to make grants to individuals or to other organizations, which do not comply with the requirements of Section 4945 (d)(3) or (4) of the Internal Revenue Code; or undertake any activities for other than a charitable, educational or scientific purpose as those terms are used within the meaning of Section 501(c)(3). No part of the Grant is earmarked for attempts to influence legislation. Grantee agrees that it will not promote or engage in violence, terrorism or the destruction of any state, nor will it make sub-grants to any entity that engages in these activities

This grant is made only for the purposes stated in this letter, and the grant funds as well as any interest earned thereon may not be expended for any other purpose without the Grantor's prior written approval. Any funds not expended or committed for the purposes of the grant within the period stated above will be returned to the Grantor. Expenditures of Grant funds must adhere to the specific line items in the budget submitted to the Grantor by Grantee and attached hereto as Exhibit B. Transfers in excess of \$1,000 in total among line items (increases and decreases) must be approved in writing in advance by the Grantor. If you need to change your use of funds for any reason, contact your Program Officer at Interact for Health.

City of Oxford ("Grantee") which operates under Federal Tax Identification Number: 31-6001080 agrees to provide a final narrative and financial report on the use of grant funds to the Foundation's representative upon completion of the grant period. The report should include:

- a) an account of what was accomplished by the expenditure of funds;
- b) a description of progress made towards achieving the goal and objectives of the grant (these are listed in the attached Exhibit A);
- c) a financial statement attested by the grantee's responsible officer or a certified public accountant; and
- d) copies of any publications resulting from the grant.

Although the grant funds need not be physically segregated into a separate bank account, such funds should be shown separately on your books for ease of reference and verification. Records of receipts and expenditures under the grant, as well as copies of reports submitted to the Grantor, should be kept for at least four years following completion of such receipts and expenditures. Your books and reports are to be made available for the Grantor's inspection at reasonable times.

In the administration of the Grant or of the program for which the Grant is awarded, Grantee shall not discriminate on the basis of race, color, religion or religious affiliation, sex, national origin, sexual orientation, age or disability. This grant shall not be used for recruitment into a religious denomination or congregation.

City of Oxford agrees to cooperate with Interact for Health in evaluating the project. Grantee will undertake evaluation activities relevant to the organization's or program's needs, as well as cooperate with Grantor, at Grantor's expense, in its evaluation of certain health outcomes or groups of grants.

Rookwood Tower
3805 Edwards Road, Suite 500
Cincinnati, OH 45209-1948

InteractForHealth.com
P: 888.310.4904
F: 513.458.6610

Grantee will recognize Interact for Health in its regular signage, with the language and format approved by Kate Keller. Grantee will comply with Interact's Recognition Guidelines.

Interact may include information about this grant in its periodic public reports, press releases and other public information. Grantee will coordinate its own announcements and publicity with Kate Keller, Vice President, Policy and External Relations (513-458-6616). Grantee will recognize Grantor's contributions to the funded project in all announcements about it for a period of three years. City of Oxford agrees to reasonably assist the Grantor in its communication efforts.

The foregoing conditions comply with our obligations under the law to make reasonable efforts and establish adequate procedures to see that grant funds are spent solely for the purposes for which they were granted, and to obtain full and complete records about how grant funds have been expended. Changes in the law, or in the regulations interpreting them, may require the Grantor to ask that more detailed reports be submitted or that other steps be taken and Grantee agrees to comply with any such reasonable requests the Grantor may make.

If this letter and its attachment correctly set forth your understanding of the arrangements made regarding this grant, will you please countersign and return one copy of this letter to Kristine Niergarth, Grants Manager at Interact for Health.

Assuming compliance with the terms of this letter, the Grantor will make the grant funds available. The funds will be paid after receipt by the Grantor of a countersigned copy of this letter signifying acceptance of the terms set forth herein. Your questions and notifications should be directed to your Program Officer, Megan Folkerth.

On behalf of Interact for Health, I extend every good wish for the success of this endeavor.

Sincerely,

INTERACT FOR HEALTH

By: 

Title: Vice President, Community Strategies

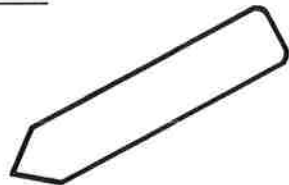
Date: 3-4-16

CITY OF OXFORD

By: _____

Title: _____

Date: _____



City of Oxford

EXHIBIT A:

Goal of the Grant: to complete Phase 1 (Black Bridge Connector- 1.5 miles) of the Oxford Area Trails System.

EXHIBIT B: Grant Budget Description:

Description	Amount
Salaries	
Benefits and taxes	
Consultants	\$ 50,000
Meeting costs	
Travel - conference expenses	
Travel - mileage	
Equipment	
Supplies	
Print/copy	
Promotion	
Incentives	
Other	
Total:	\$ 50,000

City of Oxford

EXHIBIT C:

Grant Disbursement Schedule: Grant Period: 6/1/16 to 5/31/17

Year One

Dates: <u>6/1/16</u> to <u>5/31/17</u>		
	Date	Amount
1 st Check*	<u>6/30/16</u>	<u>\$50,000</u>
2 nd Check		
3 rd Check		
4 th Check		
Year One Total:		<u>\$50,000</u>

* The first check in Year One can be disbursed on any date on or after the Grant Start Date indicated above. After the first check, grant disbursements can be made quarterly on these dates: March 30, June 30, September 30 and December 30

Interact for Health
Grantee Checklist - Small Grant

Grantee Name: City of Oxford

Project Title: Oxford Area Trails - Black Bridge Connector

Grant Project #: 2015-4-2759 I

Procedures for Start-Up of Your Grant Award:

 1.

Review your grant agreement according to your procedures for contract approval.

 2.

Exhibit A contains the goals and objectives for which you will be accountable by virtue of accepting the grant.

 3.

Exhibit B is your line item budget.
Note that you need your Program Officer's advance written approval to vary your expenses from this budget. (See your agreement for your threshold.)

 4.

Exhibit C is your Grant Disbursement Schedule.
Note that in this schedule, you will tell us when and how much to pay you.

- In many cases, you will need to request your first payment prior to the end of a quarter. The first payment can be taken any time on or after the Grant Start Date; however, additional payments are made at the end of each quarter.
- The disbursement schedule (Exhibit C) and line item budgets (Exhibit B) can be modified later, but only with the written approval of the Program Officer.

 5.

Your Grantee Reporting Requirements include:
Annual written report (s) covering: a) the project's accomplishments, issues and status, and b) the financial report attested to by your organization's financial officer.

Requirement Type	Due Date
Annual & Financial Report	6/30/17
Site Visits	7/30/17
Evaluation Plan*	6/30/16

*A written Evaluation Plan for review and approval (allow time for this) by the Program Officer and the Director of Evaluation is due within 60 days from the Grant Start Date. If this requirement is not met grant payments could be affected.

SP 6.

You have two originals of the Grant Agreement. Sign them both and keep one for yourself. Return one signed grant agreement to Kristine Niergarth, Grants Manager at Interact for Health by 3/31.

SP 7.

You must notify your Program Officer in writing if any of the following events occur:

- Change in the non-profit status of your organization
- Change in CEO
- Change in your Project Officer
- Changes that prevent you from accomplishing the goals and objectives of your grant

SP 8.

If you hire someone to manage this project, we expect you to be responsible for ensuring that project staff is aware of project goals and objectives. You should provide project staff with a copy of your proposal to Interact for Health, your Grant Agreement (including project goals and budgets), and this checklist. You should review these with the project staff who will be responsible for carrying them out.

SP 9.

Announcing your Grant and Sharing Results:
Interact for Health believes it is important to get news about projects out to the community. Please coordinate all announcements related to this grant with Kate Keller, Vice President, Policy and External Relations at 513-458-6616 or kkeller@interactforhealth.org. If you choose, you can perform any of the following activities after your grant agreement is signed:

Grant announcement
Newsletter
Conference session or paper
Conference poster

Journal article
Results news release
Results news conference
Results report

Grantee will comply with Interact's Recognition Guidelines (<https://www.interactforhealth.org/grantee-recognition-guidelines>). Please reference Interact for Health with our full and complete name when preparing any of the documents listed above.

SP 10.

Award Photos and Big Checks:

If you would like a photo of your agency's staff with Interact for Health's, or you want a photo in which we present you with a "big check," you can arrange for it to be taken at our mutual convenience

☐ No Thanks

☒ Yes: when TBD

SP 11.

Subscription to Greater Cincinnati Health Watch

If you would like to subscribe to Health Watch, a weekly e-mail newsletter produced by Interact for Health that contains the latest health information for our region as well as upcoming Interact for Health events, please visit <https://www.interactforhealth.org/greater-cincinnati-health-watch>.

80 12. The Grantee is aware that Interact for Health is exempt from federal income tax under Section 501(c) (4) of the tax code.

80 13. Grantee Meetings: March 7, 2016, 2:00 pm - 4:00 pm and others to be scheduled

____ 14. Capacity Building: _____

____ 15. Other: _____

Grantee's Project Officer:

Sam Perry

Interact for Health Program Officer:

Megan Felt

Date:

3/27/16

HOW INTERACT FOR HEALTH'S
SECTION 501(c)(4) TAX EXEMPT STATUS
MIGHT AFFECT GRANTEES

Interact for Health is exempt from federal income tax as an organization described in Section 501(c)(4). Interact for Health is not tax exempt under Section 501(c)(3).

Many Interact for Health grantees are Section 501(c)(3) organizations that are not private foundations. (Non-private foundation classification is referred to as public charity status.) Due to the benefits of public charity status, Interact for Health wants to be sure its grantees consider whether a grant from Interact for Health will affect their public charity status.

Many (though not all) Section 501(c)(3) public charities must meet a public support test to retain their public charity status. The public support test – if it applies – is annually calculated as part of Schedule I of the Form 990. Application of the public support test can be quite complex. Failure of the public support test may result in negative consequences to your organization.

For purposes of the public support test, contributions from Interact for Health are not received from a public charity or a publicly supported organization. If you are unsure about the effect of an Interact for Health grant on your organization's public support test, you should contact a professional adviser.

Interact for Health does not provide advice concerning a grantee's public support test or the effect of an Interact for Health grant on a grantee's status as a public charity. Nothing in this notice should be construed as legal or professional advice.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 1, 2016

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

February 18, 2016

Date Prepared:

PC-2016-02 CONDITIONAL USE PERMIT for an indoor shooting range and training facility at 6711 Ringwood Road. **Scott Webb, Applicant, Agent**

Recommendation by the Planning Commission: Approval with Conditions

Discussion:

This application is a conditional use permit for an indoor shooting range and training facility on 11 acres, currently vacant, industrial parcel, which has approximately a 30' wide access drive to Ringwood Road. The site also has very narrow frontage along US 27. The proposal shows a 12,000 sq. ft. free standing building on this 11 acre site.

The applicant indicated in his narrative statement that the building will be designed to accommodate state-of-the-art safety and bullet capture technology and will provide soundproofing technology to minimize the impact on the surrounding neighborhood. Much of the required information, such as signage, parking, landscaping and parking lighting and the building elevation that should have been submitted with this application, was not provided. It is not anticipated that there would be any major challenges, but staff would have to review those during the building plan review process to ensure the proposal meets all the zoning requirements.

After a public hearing, the Commission discussed soundproofing, dust residue and other aspects of the operation with the applicant in detail and satisfied that this conditional use application had met the decision standards of the Conditional Use stipulated in Chapter 1147, voted 6-0-0 to recommend approval of the application to Council subject to the following conditions:

1. The Commission waives the loading space, pedestrian safety and bicycle/motorcycle parking requirements.
2. Vehicle parking on the access drive is not allowed.
3. That, the facility will be designed and operated in accordance with best indoor shooting industry standards as articulated by the National Shooting Sports Foundation.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC / 2/17/16
DRK/mac / 2-26-16

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN INDOOR TARGET SHOOTING RANGE, TRAINING FACILITY AND RETAIL SPACE TO BE LOCATED AT 6711 RINGWOOD ROAD OXFORD, OHIO WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on February 9, 2016 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Agent for a conditional use permit to allow an indoor target shooting range, training facility and retail space to be located at 6711 Ringwood Road Oxford, Ohio.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow an indoor target shooting range, training facility and retail space to be located at 6711 Ringwood Road Oxford, Ohio with the following conditions:

1. The loading space, pedestrian safety and bicycle/motorcycle parking requirements shall be waived.
2. Vehicle parking shall not be allowed on the access drive.
3. The facility shall be designed and operated in accordance with the best indoor target shooting industry standards as articulated by the National Shooting Sports Foundation.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow an indoor target shooting range, training facility and retail space to be located at 6711 Ringwood Drive Oxford, Ohio in accordance with the conditions set forth above.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

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

<u>Report Date</u>	March 1, 2016
<u>Case Number</u>	PC-2016-02
<u>Applicant Information</u>	Scott Webb Architect Jeff Day, Owner
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	To allow for an indoor target shooting and training facility in a LI (Light Industrial) District
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on February 9, 2016. A Public Hearing notice was published in the Journal News on January 10, 2016. Courtesy notices were mailed to adjacent property owners on January 14, 2016. Signage was posted at the site on February 2, 2016.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval with the following conditions: The Commission waives the loading space, pedestrian safety and bicycle/motorcycle parking requirements The vehicle parking on the access drive is not allowed That, the facility will be designed and operated in accordance with shooting industry standards as articulated by the National Shooting Sports Foundation.
<u>Commission Findings and Conclusions</u>	Discussion was mainly regarding noise to surrounding properties, specifically the church, a shared driveway, and compliance with appropriate industry standards.
<u>*Exhibits Included</u> <u>(Please note: plans and elevations are excerpts only)</u>	1. Staff Report Dated February 9, 2016 2. Interoffice reviews 3. Surrounding Property Owner Map Notifications 4. Letter of Agency 5. Conditional Use Application Dated December 28, 2015 6. Applicant Documents 7. Site Plan 8. Aerial Photograph

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2016-02

Date – February 9, 2016

APPLICATION

Applicant:	Scott Webb, Architect, Applicant
Location:	6711 Ringwood Road, Parcel #H4000028000015
Owner:	Jeff Day
Action Request:	Conditional Use permit application for an indoor target shooting and training facility
Current Use:	Vacant industrial site
Zoning:	LI (Light Industrial) District
Surrounding Existing Land Uses:	Existing manufacturing facilities, concrete plant

GENERAL DESCRIPTION

The applicant is seeking approval for a conditional use to build an indoor target shooting and training facility on a currently vacant industrial site. The site is over 11 acres in size and has an access drive, approximately 30 feet in width, off Ringwood Road. The site also has a very narrow frontage along US 27. The proposal shows a 12,000 Sq. Ft. free standing building on this 11 acre site. Staff reviewed the proposal last year with the owner and determined this would fit into the light industrial use, under the conditional use category. The owner also came before the Planning Commission in July, 2015 and confirmed with the Commission about the proposal.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a notice sign was placed on the property. No comments were received as of this writing.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	Returned without comments
Fire:	Returned without comments
Engineering:	Returned without comments
Econ. Dev.:	No comment received

SITE AND SURROUNDING PROPERTY HISTORY

Oxford Industrial Park PUD (approved, Ordinance # 1623, 12-16-80)
6732 Ringwood Road- Additional Use for light manufacturing, office, distribution multi-use building (Approved, Ordinance # 1912, 12/2/86)
6701 Ringwood Road- Additional use for a reception hall (Approved, Ordinance #2379, 1/17/95)
6701 Ringwood Road- Additional use for a place of worship (Approved, Ordinance # 2763, 9/17/02)

ZONING CODE REVIEW

1143.14 LIGHT INDUSTRIAL DISTRICT

- (b) Uses
- (2) Conditional Uses, the following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

.....

- K. Other manufacturing, processing, or storage uses determined by the Planning Commission to be of the same general character as the permitted uses previously listed and found not to be a nuisance or offensive by reason the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, water or air pollution. In this regard, the Planning Commission may seek expert advice on what conditions should be imposed on a particular operation to carry out the purposes of this zone: the cost of such expert assistance shall be borne by the applicant.

1147. Conditional Uses

Generally, there are specific regulations and potential concerns related to a conditional use application outlined in the Oxford Zoning Code. The proposed use is not common and is unique in its operation; therefore, the specific concerns are generically tailored to this proposed use. Additionally, the proposed use is somewhat similar to indoor recreational facilities in certain aspects, so the specific/potential concerns of indoor recreation facilities may also be used as a reference. Several issues to be considered are as follows:

1. Traffic volume during peak hours, as well as parking and site access issues;
2. Proximity to residential and surrounding properties;
3. Outdoor operations;
4. Potential noise, vibration, fume, smoke, dust and other pollution;

The applicant also provided some narrative statements to address some potential concerns that they felt might be relevant to this proposed use.

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

- (2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.

A. The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.

Yes, the use can be allowed as a conditional use, as determined by the Planning Commission.

B. The use and site will satisfy the general intent of this Zoning Code.

Yes, the proposed use will satisfy the general intent of the Zoning Code.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

Not applicable.

D. The size and shape of the site are sufficient for the proposed use.

The size is approximately 11 acres in area; the proposed building is to be a single-story masonry building around 12,000 Sq. Ft. The building and the associated parking/access should have a small coverage of the site, less than 10%. The applicant has no specific plan for the remainder of the site, other than maintaining it with the current status.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

The proposed use will be an indoor target shooting range and training facility. Several potential concerns may be noise from target shooting, as well as traffic in and out of this use, in conjunction with the adjoining use. It appears that the adjoining use is using the proposed driveway of this proposed facility, as parking facility. The potential congestion on this access must be rectified and worked out.

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

See above.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

The applicant also indicated that there will be some retail space, approximately 900 Sq. Ft. of indoor space.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

It would seem that the site would be served by public infrastructures and service, since Engineering Office did not have any comments to this proposed Conditional Use application.

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

None is expected.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

The proposed single-story masonry building would seem to be consistent with general industrial buildings constructed in this area.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

The new access drive, along with the parking area, must be paved to meet the Parking and Site Access standards. The proposed access drive of this proposed use seems to be used partially by the adjoining property as a parking area. No parking shall be located within the required front setback and no parking shall be allowed within 6 feet of the property line, per section 1149.05(A) and (B)

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

The proposed location of the building does not appear to have any impact to natural scenic or historic features of importance.

M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Yes, as stated by applicant.

ANALYSIS

The proposed indoor target shooting range and training facility would take up a small portion of the site. The applicant also indicated in the narrative statement that the building will be designed to accommodate state-of-the-art safety and bullet capture technology and will provide soundproofing technology to minimize the impact on the surrounding area. Additionally, for the proposed new building to be located on the site, that is significantly large, would create physical separation and potentially minimize any negative impact to the adjoining uses.

Much of the required information, such as signage, parking, landscaping and parking lighting and the building elevation that should have been submitted with this application, was not provided. It is not anticipated that there would be any major challenges, but staff would have to review those during the building plan review process to ensure the proposal meets all the zoning requirements. This application is for a conditional use for the proposed use and it could be argued that the applicant is looking for Commission's positive recommendations before any detailed design can proceed. It is necessary to point out those deficiencies early on, so the applicant will have time to address those deficiencies before the building application is submitted, so any proposed site improvements will meet the zoning requirements,

including landscaping requirements for the parking lot, parking lot lighting, hard surface access driveway, just to name a few.

Several requirements from the Oxford Zoning Code would need to be decided by the Commission whether they need to be provided.

1. The required loading space for non-residential uses;
2. Pedestrian safety provision;
3. Bicycle and motorcycle parking;

However, given that the site presents difficulty in providing bike and pedestrian access, it certainly would be reasonable to waive the requirements for these requirements.

RECOMMENDATION

Based on the Decision Standards, staff would recommend approval of this Conditional Use Permit, subject to the following conditions:

1. The Commission waives the loading space, pedestrian safety and bicycle/motorcycle parking requirements.
2. The vehicle parking on the access drive is not allowed.

SUBMITTED BY:


Jung-Han Chen,
Community Development Director

DATE: January 26, 2016

ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/7/2015

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2016-02 CONDITIONAL USE Ringwood Road and College Corner Pike, Parcel
H4000028000015, 11.28 acres, approval of an indoor target shooting range and
training facility, **Scott Webb, Applicant/Agent**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/3/2016** 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:

John Dethridge
John Dethridge
PRINT NAME

Date: 1-8-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/7/2015

To: Fire Department **Engineering Division** Police Department Economic Development

From: Community Development

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PC-2016-02 CONDITIONAL USE Ringwood Road and College Corner Pike, Parcel
H4000028000015, 11.28 acres, approval of an indoor target shooting range and
training facility, **Scott Webb, Applicant/Agent**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/3/2016** 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. Popescu

VICTOR POPESCU

PRINT NAME

Date: _____

1-11-16

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/7/2015

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2016-02 CONDITIONAL USE Ringwood Road and College Corner Pike, Parcel
H4000028000015, 11.28 acres, approval of an indoor target shooting range and
training facility, **Scott Webb, Applicant/Agent**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/3/2016** Note: If no comments are received, we will assume the
project meets your department's standards.

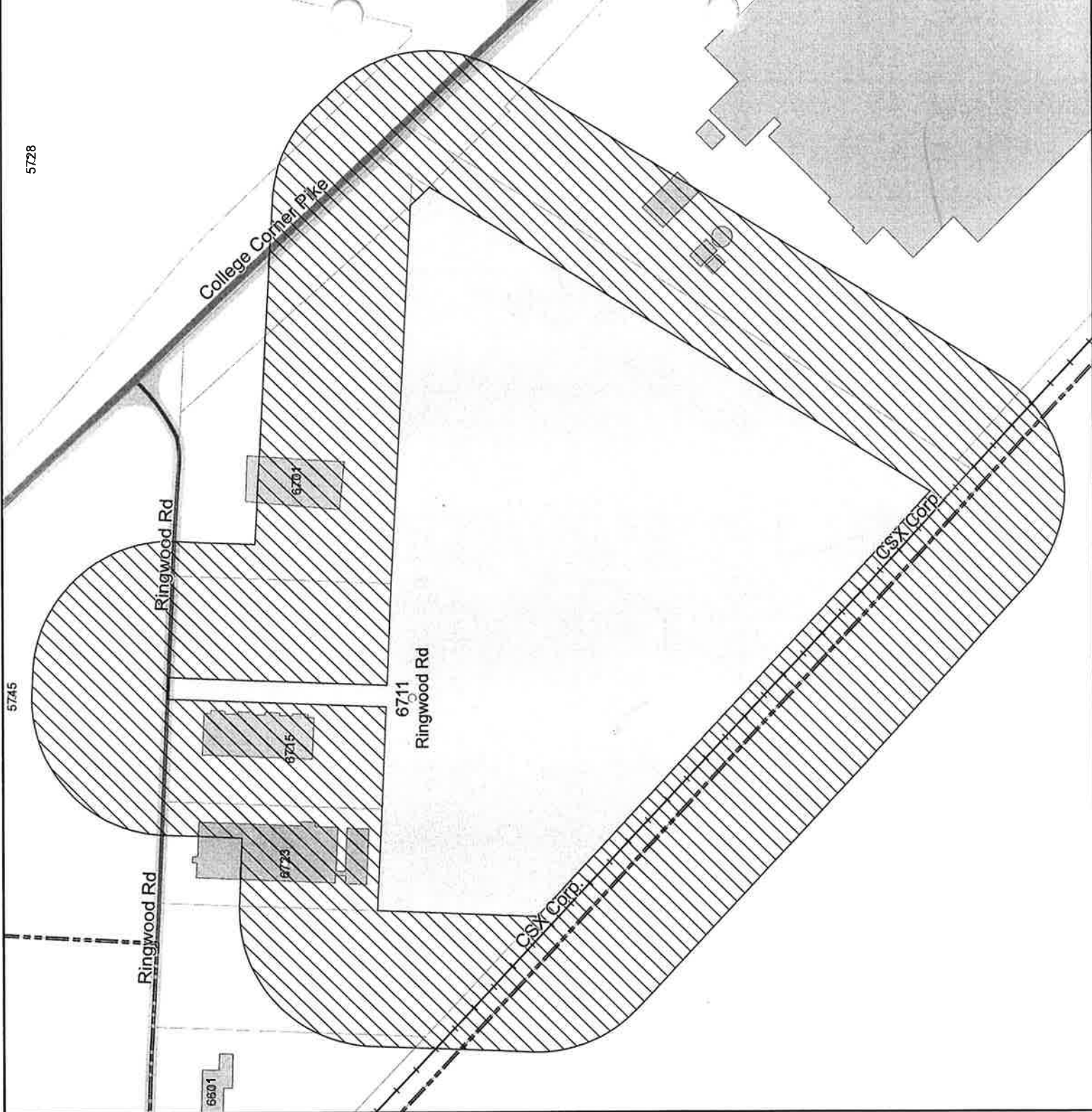
.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 1-11-16

JOHN A. JONES, ACTING POLICE CHIEF
PRINT NAME



PC-2016-02 **Surrounding** **Property Owners** **Map**

Legend

-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 200 feet

Prepared on Thursday, January 14, 2016

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.

LETTER OF AGENCY

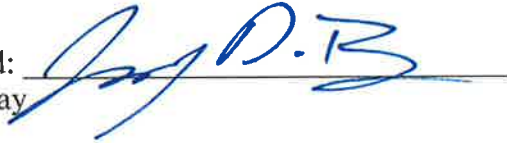
To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford Board of Planning Commission and City Council, and act on our behalf regarding a conditional use for a new Indoor Target Shooting & Training Facility

Thank-you,

Signed:

Jeff Day

A handwritten signature in blue ink, appearing to read "Jeff D.B.", written over a horizontal line.

Date:

12-28-15



Internal Use Only:	
Case No.	PC-2016-02
Date Filed	12/28/15

Conditional Use Permit Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * Scott Webb, Architect
Mailing Address * 103 West Walnut Street
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * (513) 523-3838
Email Address scott@scottwebbarchitect.com

Owner Information

Name * Jeff Day
Mailing Address * 5384 Brown Road
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * (513) 200-8121
Email Address maydays44@gmail.com

Location and Lot Information

Location of Property * Ringwood Road & US 27 (no Address assigned)
Legal Description * Parcel H4000028000015
Zoning District * LI - Light Industrial
Total Area * 11.28 acres → Check One * Acres ☒ Square Feet ☐
Existing Use Description * Vacant land
Proposed Use Description * Indoor Target Shooting Range & Training Facility

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- A. Application Fee.
- B. Description of Use and Site.
- A written, detailed description shall include the following information. A separate response is required for each subsection.
1. The name, mailing address, and telephone number of the applicant and the property owner.
 2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 3. A legal description of the site, including all separate lots.

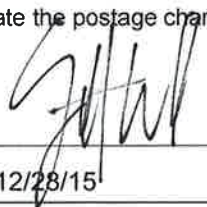
- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Fees & Receipt

The required fee is \$400.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *



Date *

12/28/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

12/28/15

Receipt Number *

77738

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter/>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Indoor shooting Range & Training Facility
Ringwood Road & college corner pike
Parcel H4000028000015 (No address assigned)

December 28, 2015

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Conditional Use for an indoor target shooting & training facility on Ringwood Road in the LI Zoning District..

The attached proposal has been prepared for and with the help of the following:

Property Owners:

Jeff Day.
5384 Brown Road
Oxford, Ohio 45056

Architect:

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Civil Engineer:

Bayer Becker, Engineers & Surveyors.
318 South College Avenue
Oxford, Ohio 45056

Narrative Statement describing how the proposed Conditional Use meets the following decision standards of the zoning district in which it is located.

In response to the decision standards outlined in the application, we offer the following:

A. *The proposed use is in fact a Conditional Use in the Zoning District in which it is proposed;*

The City Planner directed my client to proceed as a conditional use in the LI District as an "other manufacturing, processing, or storage uses" considered to be of the same

general character as the permitted uses. This was confirmed at the concept review at Planning Commission.

- B. *The use and site will satisfy the general intent of the Zoning Code;*

The property is Zoned LI, and is considered by staff to be the appropriate zoning district for a use of this type..

- C. *The use and site will be compatible with general intent of the Comprehensive Plan;*

The Comprehensive Plan encourages reinvestment and favors infill over sprawl.

- D. *The size and shape of the site are sufficient for the proposed use.*

At over 11 acres, the size and shape of the site is more than adequate for the proposed use. The shape and size of the lot accommodates the building, maneuvering & parking, with generous setbacks from all property lines.

- E. *The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.*

The proposed use will not be disturbing to neighbors already providing light manufacturing, or to other permitted uses were the adjacent properties to be developed.

The existing church chose to locate in a Light Industrial district.

- F. *The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.*

As described above, all functions of the facility will happen inside the proposed structure, and will not generate noise, fumes, or excessive traffic

- G. *The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.*

The proposed building includes accessory uses inside the building as part of the business, including classrooms & incidental retail.

- H. *The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal or adequate provisions will be made to provide the same services privately.*

All utilities are available at the proposed location. No special provisions are required.

- I. *Development of the site and operation of the use will not require substantial public expenditure for infrastructure or services.*

No public expense is anticipated by this project.

- J. *The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district*

The proposed building is intended as a single story building, similar in scale and materials as the adjacent buildings and those permitted in the LI district

- K. *The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.*

Though the site touches US 27, the site is designed for access from Ringwood Road, similar to the Gillman Home Center. No curb cut is proposed on US 27

- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.*

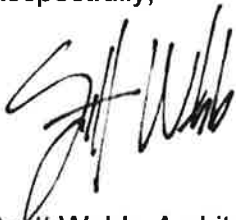
The proposal contained herein is designed for an vacant piece of undeveloped land with no natural scenic or historic features.

- M. All Necessary permits and licenses for the Conditional Use and its operation have been obtained or can be obtained for the use at the proposed location.*

A professional review of the building code has been performed, and all necessary permits and licenses can be obtained for this use in this location..

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written in a cursive style.

Scott Webb, Architect

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Conditional Use
Proposed Indoor shooting Range & Training Facility
Ringwood Road & college corner pike
Parcels H4000028000015 (No address assigned)

December 28, 2015

Dear Mr. Chen,

In addition to the narrative statement required on the Conditional Use Application, please accept this letter as the additional narrative statement required by Section 1147.02 of the Zoning Code.

In response to the items listed in 1147.02, we offer the following:

6. *A description of the proposed use.*

- a. *A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery & service vehicles*

The proposed building is designed to provide indoor target shooting & training for firearms. The facility will offer training, classes, & associated retail areas.

The building is designed to accommodate state-of-the-art safety & bullet capture technology and will provide soundproofing technology to minimize the impact on the surrounding area.

The owner is expecting 30 – 40 customers per day which will be separated into individual target lanes, and are expected to stay approximately one hour.

- b. *Hours of operation*

The proposed hours of operation are from 10:00 AM to 8:00 PM.

7. *A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties;*

- a. *How is the use similar to or different from existing area uses and if there will be any interaction between the proposed and existing uses*

The property is zoned LI and is surrounded by semi-industrial uses (Capital Varsity), a church, and vacant LI land or agricultural uses outside the City limits.

- b. *How any existing structures, proposed structures, and the site design relate to adjacent structures and sites*

The property is currently undeveloped.

The proposed building will be a single story masonry building, appropriate for the use and for the LI Zoning District.

- c. *If the use will involve any operations that create potential nuisances, such as excessive noise, lighting, odor, fumes, vibration, or emissions.*

The proposed building will be provided with state-of-the-art bullet capture and soundproofing technology. Additionally, setbacks are provided at 300% or greater of the minimum required.

- d. *How any potential negative effects on adjacent land will be mitigated.*

The design of the internal equipment & the site layout have been provided to mitigate these potential concerns.

8. *A statement about why the location proposed is more appropriate for use than other locations;*

While our Zoning Code does not address businesses like this at all, it was the feeling of the City Planner that this would be the appropriate zoning designation for a business of this type. A concept review at Planning Commission resulted in an affirmation of this location.

9. *A statement of the necessity or desirability of the proposed use to the neighborhood or community.*

Training in the proper use of firearms is essential in this era. There are currently no indoor gun ranges or training facilities within 30 miles of this location. The owner has received encouragement from the community at large and local law enforcement for the construction of such a facility.

The appropriateness of this particular location has been addressed above.

10. *Separate detailed statements that individually address each of the items listed as potential concerns for the proposed use.*

There are currently no potential concerns listed in the Zoning Code for such a use. Based on discussions at the preliminary review and other similar uses in the Zoning Code, we offer the following;

A. *Potential Concerns:*

1. *Adequate Lot Size*

The lot is more than adequate for the use, and allows setbacks over 300% of the minimum.

2. *Design of Vehicle Management Area*

The vehicle management areas are designed to accommodate the anticipated traffic.

3. *Outdoor Use*

All activities will happen inside the building. No outdoor shooting is proposed or allowed.

4. *Hours of Operation*

The proposed hours of operation are from 10:00 AM to 8:00 PM

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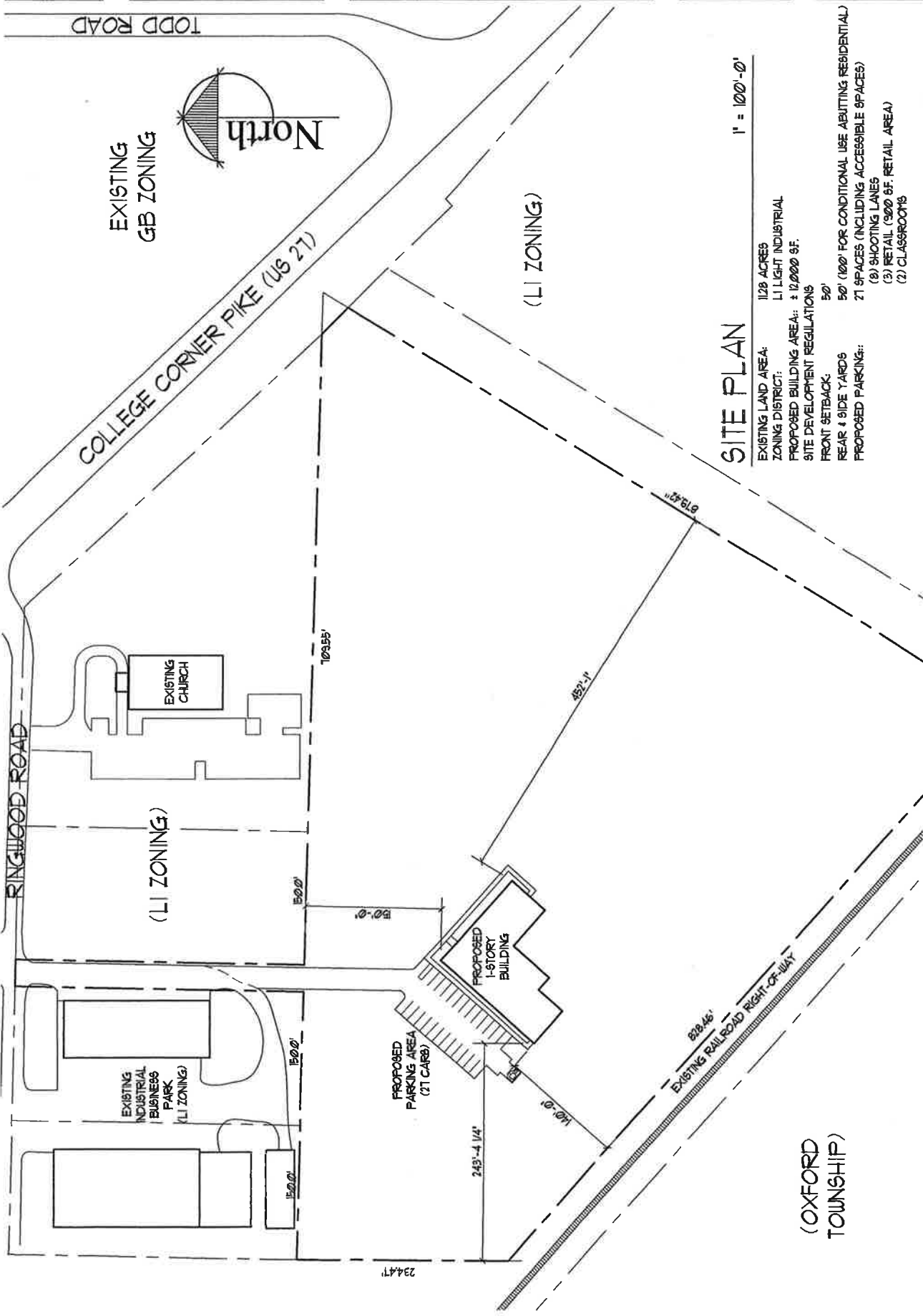


SCOTT
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PROPOSED NEW BUILDING
& Training Facility
May Day Indoor Shooting Range
RINGWOOD ROAD
TODD ROAD

DATE	December 28, 2015
REVISIONS	

A-1



SITE PLAN

1" = 100'-0"

- EXISTING LAND AREA: 11.28 ACRES
- ZONING DISTRICT: LI LIGHT INDUSTRIAL
- PROPOSED BUILDING AREA: ± 12,000 SF.
- SITE DEVELOPMENT REGULATIONS
- FRONT SETBACK: 50'
- REAR & SIDE YARDS: 50'
- PROPOSED PARKING: 21 SPACES (INCLUDING ACCESSIBLE SPACES)
- (8) SHOOTING LANES
- (3) RETAIL (500 SF RETAIL AREA)
- (2) CLASSROOMS

(OXFORD
TOWNSHIP)

