

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: March 21, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

March 8, 2017
Date Prepared

Agenda Title: Environmental Commission Meeting of March 1, 2017

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, March 1, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell; and Mr. Vince Hand. A quorum was present. Mr. Andor Kiss had previously notified the Commission that he would not be attending the meeting. Also in attendance was Oxford resident, Mr. Jonathon Ralinosky, and Miami University student, Ms. Claudia Worley.

The minutes from the February 1, 2017 Environmental Commission meeting were unanimously approved as presented.

Ms. Worley, President of the Miami Chemical Society's Green Application, made a presentation informing and inviting the Commission to the "Green Ball" to be held at the Shiver Center's Heritage Room the evening of Thursday, April 20, 2017. This is the first year for the Green Ball, and it is intended to provide the opportunity for Miami University graduates and students to discuss and/or make presentations regarding "green" chemical applications, research, and/or processes.

Mr. Bell informed the Environmental Commission that the Planning Commission anticipated receiving a consultant's recommendations regarding efforts to encourage higher density housing in the vicinity of Miami University's campus. Commissioners inquired if any requirements for reduction of storm water run-off were intended in the zoning regulations permitting the higher residential density, and asked that such restrictions be considered.

The Environmental Commission reviewed its work on crafting Sensitive Development Areas language for Oxford Codified Ordinance Chapter 1101.402. Some additional revisions and refinements were suggested and ultimately made to the draft text. Mayor Rousmaniere indicated she would provide the Commission's draft text to Community Development Director Jung-Han Chen for his review and potential additional revision suggestion(s).

(Continued)

Approved By:

Department Head:
City Manager:

Initial	Date
<u>ASD</u>	<u>3/14/17</u>
<u>DRE</u>	<u>3/16/17</u>

Mr. Bell informed the Commission that he and Community Development Director Chen had started the review of the Environmental Commission's draft revision to Oxford's Codified Ordinance Chapter 935 (Trees, Shrubs and Other Plants) regarding preservation and restoration of trees on private property developments. Presently, they were considering the suggestions to incorporate Oxford's Zoning Districts, specifically exempting R-1 and R-2 zoned properties, to delineate the type or nature of properties the Ordinance would potentially affect. Also, they were intending to re-order the presentation of the draft requirements in an effort to emphasize importance of the particular regulation. Mr. Bell indicated that he and Mr. Chen intend additional meetings on the subject.

The Arbor Day Proclamation for 2017 was unanimously approved as presented. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Tree City USA Awards Program is to be held in Lebanon, Ohio on Friday, April 21, 2017. Commissioners were invited to attend the event.

The Earth Day Proclamation for 2017 was unanimously approved as presented. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Earth Day observation ("EarthFest") would occur on Saturday, April 22, 2017 in the Uptown Memorial Park, running from approximately 9:00 a.m. until 12:00 noon. 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 recycling services, and be present to answer questions from the public. Commissioners were invited to attend the event.

The Commissioners concluded discussion at 8:50 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, April 5, 2017 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance
Originating Department

Council Meeting Of : 3/21/2017

Account Code No. : see below

Joe Newlin
Prepared By

Budgeted Amount : _____

3/15/2017
Date Prepared

Agenda Title: **2017 Supplemental Budget #3**

Recommendation: **Approve**

Issue 1

To make adjustment to amended budget for sidewalk improvements on Morning Sun Road and recognizing a donation or \$140,000 from McCullough-Hyde Trihealth Hospital

Action Needed:

Revenue Side

Capital Improvement (141) 140,000.00 Donation from McCullough-Hyde Trihealth Hospital

Expense Side

Capital Improvement (141) 140,000.00 Additional appropriation for sidewalk construction

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

Issue 2

To make adjustment to amended budget for revenue in the Fire & EMS Fund for township contributions
Oxford Township original budgeted revenue \$60,000 new \$80,000 for equipment and \$90,000 for services
Milford Township original budgeted revenue \$10,200 new \$16,200 for services

Action Needed:

Revenue Side

Fire & EMS (418) 110,000.00 Oxford Township contribution
Fire & EMS (418) 6,000.00 Milford Township contribution

Expense Side

Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Total Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Breakdown by Fund

Capital Improvement (141) -
Fire & EMS (418) 116,000.00

Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Approved By:

Department Head:

City Manager:

Initials Date
[Signature] 3/15/17
[Signature] 3/17/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

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

Capital Improvement Fund 141	140,000.00
Fire & EMS Fund 418	116,000.00

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

Capital Improvement Fund 141	140,000.00
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SECTION 4: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

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

Community Development
Originating Department

Council Meeting Of: March 21, 2017

Sam Perry
Prepared By

Account Code No. #:

March 15, 2017
Date Prepared

Budgeted Amount:

HAPC MEETING REPORT – March 1, 2017

New Business

HAPC-2017-05, 13 N. Main Street, installation of a small cell pole in the right-of-way, David Kramer, Cincinnati Bell Applicant

The proposed pole is to be located between the sidewalk and parking lot curb in the North Main Street right of way adjacent to the lot known as “Lot 52” city parking lot. The pole will be 31 feet in total height, 20 inches wide at the base and powder coated dark green consistent with other poles and street furniture Uptown. The City recently passed legislation, Ordinance #3374 which provided for small cells to be located within public rights of way. This is one of four to be located in the City. It is the only one of the four to be in a historic district. The State of Ohio legislature also recently passed legislation restricting local jurisdictions from overly regulating small cells. The 1994 Historic District Design Guidelines do not address small cells. The closest related chapters are Street Furniture Chapter 22 and Utility Chapter 20. The intent is to guide new above ground features as to not negatively alter the character of the historic district. The COA was approved 4-0 with the conditions that the color be very dark green and the pole be located in the tree strip closest to the parking lot.

Administrative Approvals

HAPC-2017-06-ADM 110 E. High Street, canopy removal, Scott Webb, Applicant/Agent

This was an administrative approval to remove a dangerous canopy on an existing building for safety purposes.

Announcements

- May Walking Tours
- May Historic Marker Applications
- Inventory Subcommittee
- Continuing Education

HAPC is still seeking a seventh commission member to serve. The member could be a non-resident but would have to be a business owner, resident or property owner within one of the three Oxford historic districts.

The next regular meeting is April 5, 2017 at 6:00 p.m. at 118 W. High Street.

Department Head:
City Attorney:
City Manager:

MC 3/15/17
DRE 3/16/17

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: March 21, 2017

Account Code No. #: Various

Joe Newlin
Prepared By

Budgeted Amount: \$179,335

March 13, 2017
Date Prepared

Agenda Title: 2017 Property and Casualty Insurance

Recommendation: Approve

Discussion:

Staff is requesting Council to approve the property and casualty insurance renewal of up to \$167,500 for 2017. This represents an approximate 1.6% increase (\$2,760) over last year's cost of \$164,740. The primary increase is due to an increase in automobile coverage for a larger fleet than last year, and the replacement value coverage on certain fire vehicles. Insurance premiums will be paid on a semiannual basis. The City is experiencing a rate guarantee for 2017 as this is the final year of the 3 year rate guarantee.

Approved By:

Department Head:
City Manager:

Initial Date
[Signature] 3/13/17
DRE 3/17/17

RESOLUTION NO.

RESOLUTION ACCEPTING THE INSURANCE BID OF INSURANCE SPECIALIST GROUP, INC., DBA LOVE INSURANCE PARTNERS FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE COVERAGE FOR 2017.

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

SECTION 1: Insurance Specialist Group, Inc., dba Love Insurance Partners (hereinafter 'Love Insurance Partners') submitted an insurance bid not to exceed \$167,500.00 for the City's property and casualty insurance coverage for 2017, an approximate 1.6% increase over last year's cost of \$164,740.00.

SECTION 2: Council hereby accepts the insurance bid of Love Insurance Partners not to exceed \$167,500.00 for the City's property and casualty insurance coverage for 2017.

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

VICE MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: March 21, 2017

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 14, 2017

Date Prepared

Agenda Title: An Ordinance Repealing Current Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights; Community Relations Commission, And Replacing It With New Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights Commission.

Recommendation: Adopt the Ordinance.

Discussion:

In 1972, the Oxford City Council created the Community Relations Commission (CRC). One of its purposes was to investigate complaints in the areas of employment, housing, and public accommodations due to discrimination based on race, color, religion, ancestry, and/or national origin. In 2008, the protected classes were expanded to include sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status. The Commission since its inception in 1972 has always been called the Community Relations Commission. Although, in the City's Codified Ordinances, Chapter 143 is entitled Civil Rights; Community Relations Commission. (There was a brief time when the Police Advisory Board (PAB) was combined with the CRC. However, in 2005 the PAB was separated from the CRC.)

Presently, there are three City commissions which include the word "community" in the name. This includes the Student Community Relations Commission (SCRC), the Police Community Relations and Review Commission (PCRRC), and the Community Relations Commission (CRC). Each of the three commissions has a distinct and separate responsibility.

In order to address the possibility of confusion and provide some distinction between the other two commissions, the CRC members and I are recommending to City Council that the Community Relations Commission name should be changed to the Civil Rights Commission.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

3/17/17

ORDINANCE NO.

AN ORDINANCE REPEALING CURRENT CHAPTER 143 OF THE OXFORD CODE OF ORDINANCES ENTITLED CIVIL RIGHTS; COMMUNITY RELATIONS COMMISSION, AND ADOPTING NEW CHAPTER 143 OF THE OXFORD CODE OF ORDINANCES ENTITLED CIVIL RIGHTS COMMISSION.

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

SECTION 1: Council hereby finds that it is necessary to repeal Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission and adopt new Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights Commission. It is the legislative determination of this Council that it is in the best interest of the City of Oxford to rename Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission to Civil Rights Commission to better reflect the purpose of the commission in its title.

SECTION 2: Council hereby repeals Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission, and adopts new Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights Commission attached hereto and incorporated herein as Exhibit "A". Deletions are struck through and additions are bolded.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

CHAPTER 143

~~Civil Rights; Community Relations Commission~~ Civil Rights Commission

143.01 DEFINITIONS.

As used in this chapter, the following terms shall have the meanings ascribed in this section, unless the context requires otherwise:

- (a) "Commission" shall refer to the Oxford ~~Community Relations~~ **Civil Rights** Commission.
- (b) "~~Community Relations~~ **Civil Rights** Director" means an employee of the City appointed to these duties by Council.
- (c) "Discriminate" and "discrimination" include segregate or separate and any difference in treatment based on race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.
- (d) "Employer" means any person who employs four or more persons, within the City, including the City of Oxford, its departments, boards, commissions and authorities.
- (e) "Employment agency" means any person regularly undertaking with or without compensation, to procure opportunities for employment or to procure, recruit, refer or place employees.
- (f) "Housing accommodations" includes any building or structure or portion thereof which is used or occupied or intended, arranged or designed to be used or occupied as a home residence or sleeping place of one or more individuals, groups, or families, whether or not living independently of each other; and any vacant land offered for sale or lease. It also includes any housing accommodation held or offered for sale or rent by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner, by the owner himself, or by his legal representative. Owner-occupied dwellings which consist of not more than four units are exempt from the rental portions of this chapter.
- (g) "Labor organization" includes any organization which exists for the purpose, in whole or in part, for collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.
- (h) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee and lending institution, and the City of Oxford and all political subdivisions, authorities, agencies, boards and commissions thereof.

(i) "Place of public accommodation" means any inn, restaurant, eating house, barbershop, public conveyance by air, land or water, theater, store or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation, advantages, facilities or privileges thereof are available to the public.

(j) "Restrictive covenant" means any specification in a deed, land contract or lease limiting the use of any housing because of race, color, religion, national origin, ancestry, sexual orientation or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status as a condition of affiliation or approval.

143.011 ~~COMMUNITY RELATIONS~~ CIVIL RIGHTS COMMISSION.

(a) The ~~Community Relations~~ **Civil Rights** Commission shall consist of five greater Oxford area residents selected by Council to serve three-year overlapping terms: one member shall be appointed for one year, two members shall be appointed for two years, and two members shall be appointed for three years. Thereafter, members shall be appointed for three-year terms of office.

(b) The Commission, in addition to the powers and duties set forth elsewhere in this chapter, shall have the power and responsibility of studying, investigating, conducting public meetings and public hearings relative to any and all matters of factual situations wherein there is the possibility of the existence of discriminatory practices or prejudice or discrimination which in any manner could conceivably result in any degree of deprivation of the civil rights of any person within the City of Oxford.

(c) Said Commission may initiate action pursuant to these powers upon its own motion and shall have the duty of initiating such action whenever a majority of the members of said Commission deem action necessary and appropriate.

(d) No provision of this section shall be construed so as to limit the power or authority of the Commission in the area of discriminatory practices or civil rights violations, and this section shall be construed broadly to permit the Commission great latitude in these areas.

(e) In addition to other purposes contained in this chapter, it shall be a primary purpose of the Commission to become acquainted with any and all discriminatory practices, civil rights violations or matters of similar nature existing within the City of Oxford, and to acquaint both the public and Council, as well as other persons, as to the nature thereof, as well as to make findings of fact, determinations and recommendations.

(f) The Commission may accept its own rules of procedure and whenever the Commission shall convene a hearing, said Commission may administer oaths and take such testimony as shall be deemed necessary by the Commission to effectuate such hearing.

143.02 FAIR HOUSING.

It shall be unlawful discriminatory practice for any person to do any of the following:

- (a) Refuse to sell, transfer, assign, rent, lease, sublease, finance or otherwise deny or withhold housing accommodations from any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any prospective owner, occupant or user of such housing accommodation.
- (b) Represent to any person that housing accommodations are not available for inspection when in fact they are so available.
- (c) Refuse to lend money, whether secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations or otherwise withholding financing of housing accommodations from any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodation, provided such person, whether an individual, corporation or association of any type, lends money as one of the principal aspects of his business and not only as a part of the purchase price of an owner-occupied residence he is selling nor merely casually or occasionally to a relative or friend.
- (d) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing any housing accommodations or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing accommodations, because of race, color, religion, ancestry, national origin sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodation.
- (e) Discriminate against any person in the terms or conditions of any loan of money, by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodations, because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodations.
- (f) Print, publish or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease or acquisition, construction, rehabilitation, repair or maintenance of any housing which indicates any preference, limitation, specification or discrimination based upon race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.
- (g) Make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status in connection with the sale or lease of any housing accommodations or the loan of

any money, whether or not secured by a mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations.

(h) Include in any deed, land contract or lease of any housing accommodations any restrictive covenant, or honor or exercise or attempt to honor or exercise, any such restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision.

(i) Induce or solicit or attempt to induce or solicit any housing accommodations listing, sale or transaction by representing that a change has occurred or may occur with respect to the racial, religious, or ethnic composition of the block, neighborhood or area, in which the property is located, or induce or solicit or attempt to induce or solicit such sale or listing by representing that the presence or anticipated presence of persons of persons who are pregnant or of any race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, height, weight, or veteran status in the area will or may have results such as the following:

- (1) The lowering of property value.
- (2) A change in the racial, religious or ethnic composition of the block, neighborhood or area in which the property is located.
- (3) An increase in criminal or anti-social behavior in the area.
- (4) A decline in the quality of schools serving the area.

(j) Discourage or attempt to discourage the purchase by prospective purchasers of any housing accommodations by representing that any block, neighborhood or area has or might undergo a change with respect to the religious, racial, national or sexual composition of the block, neighborhood or area.

(k) Nothing in this section shall bar any religious or denominational institution or organization, or any charitable or educational organization, which is operated, supervised or controlled by or in connection with a religious organization, or any bona fide private or fraternal organization, from giving preference to persons of the same religion or denomination, or to members of such private or fraternal organization, or from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained, unless membership in such organization is restricted on the basis of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(l) Discriminate in any manner against any other person because he has opposed any unlawful practice defined in this chapter, or because he has made a charge, testified, assisted or participated in any manner, in any investigation, proceeding or hearing under the provisions of this chapter.

(m) Nothing in this chapter shall require any person to offer housing or business accommodations for sale or lease or to show such accommodations to any person if such person is not negotiating for the purchase or lease thereof in good faith.

143.03 UNLAWFUL EMPLOYMENT PRACTICES.

It shall be an unlawful discriminatory practice, except where based upon applicable national security regulations established by the United States:

(a) For any employer to refuse to hire any person or otherwise to discriminate against any person with respect to hiring, tenure, compensation, promotion, discharge or any other terms, conditions or privileges directly or indirectly related to employment because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(b) For any employer, employment agency or labor organization to establish, announce, or follow a policy of denying or limiting, through a quota system or otherwise, the employment or membership opportunities of any person or group of persons because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(c) For any employer, labor organization or joint labor management committee controlling apprentice training programs to discriminate against any person because of race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status in admission to or employment in any program established to provide apprentice training.

(d) For any employer, employment agency or labor organization to publish or circulate or to cause to be published or circulated any notice or advertisement relating to employment or membership which indicated any preference, limitation, specifications or discrimination based upon race, religion, color, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(e) For any employment agency to fail or refuse to classify properly or refer to employment or otherwise discriminate against any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(f) For any employer to substantially confine or limit recruitment or hiring of employees with intent to circumvent the provisions of this chapter, to any employment agency, employment service, labor organization, training center, training school or any other employee referring source known to discriminate against persons because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(g) For any labor organization to discriminate against any person or limit his employment opportunities or otherwise adversely affect his status as an employee, or his wages, hours or employment conditions because of his race, color, religion, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(h) For any employer, employment agency or labor organization to discriminate against any person because he has opposed any practice forbidden by this chapter, or because he has made a complaint or testified or assisted in any manner any investigation or proceeding under this chapter.

(i) For any person, whether or not an employer, employment agency or labor organization, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful discriminatory practice by this chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter to be an unlawful discriminatory practice.

(j) Nothing in this chapter shall require any person, company or business to offer employment to any person not applying for such employment in good faith.

143.04 UNLAWFUL PUBLIC ACCOMMODATION PRACTICES.

It shall be an unlawful discriminatory practice:

(a) For any proprietor or his employee, keeper or manager of a place of public accommodation to deny to any person, except for reasons applicable alike to all persons regardless of race, color, religion, national origin, ancestry, sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status the full enjoyment of the accommodation, advantages, facilities or privileges thereof.

(b) For any proprietor or his employee, keeper or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services and privileges of any such place shall be refused, withheld, or denied to any person on account of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status or that such person is unwelcome, objectionable or not acceptable, desired or solicited.

(c) For any person, whether or not included in subsections (a) and (b) hereof, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful discriminatory practice under this chapter.

143.05 COMPLAINT PROCEDURE.

(a) Whenever it is charged in writing, by a person or aggrieved organization, hereinafter referred to as "complainant", that any person, employer, employment agency and labor organization, hereinafter referred to as the "respondent", has engaged in or is engaged in any unlawful discriminatory practices as defined in this chapter, or upon its own initiative, in matters relating to such discriminatory practices, the ~~Community Relations~~ **Civil Rights** Director may initiate a preliminary investigation. Such charge shall be filed with the Director within six months after the alleged unlawful discriminatory practices are committed. If the Director determines after such investigation, that it is not probable that unlawful discriminatory practices have been or are being engaged in, the Director shall notify the complainant of the determination and recommendation to not pursue further action on the matter.

(b) If the Director determines, after such investigation, that it is probable that unlawful discriminatory practices have been or are being engaged in, he shall endeavor to eliminate such practices by informal methods of conference, conciliation and persuasion. If after such investigation and conference, the Director is satisfied that any unlawful discriminatory practice of the respondent will be eliminated, it may treat the complaint as conciliated and notify the complainant that it will not initiate prosecution of the matter.

(c) If the Director fails to effect the elimination of such unlawful discriminatory practices or to obtain conciliation of the matter, or, if the circumstances warrant, in advance of or during any such preliminary investigation or endeavors to conciliate the matter, the Director shall issue and cause to be served upon the respondent a notice of an investigative hearing, notifying the respondent of an investigative hearing before the ~~Community Relations~~ **Civil Rights** Commission, at a time and place therein fixed to be held not less than ten days after the service of such notice and stating the charges specified in the original charge against the respondent.

(d) Any such charge may be amended by the Director or complainant at any time prior to or during the hearing based thereon. The respondent shall have the right to file an answer or to amend an answer to the original or amended charge, and to appear at such hearing in person, by attorney or otherwise to examine and cross-examine witnesses.

(e) The complainant shall be a party to the proceeding, and any person who is an indispensable party to a complete determination or settlement of the question involved in the proceeding shall be joined. Any person who has or claims an interest in the subject of the hearing and in obtaining or presenting relief against the acts or practices complained of, may be, in the discretion of the ~~Community Relations~~ **Civil Rights** Commission, permitted to appear for the presentation of oral or written argument.

(f) In any proceeding the ~~Community Relations~~ **Civil Rights** Commission shall not be bound by the rules of evidence prevailing in the courts of law or equity, but shall in ascertaining the practices followed by the respondent, take into account all reliable, probative and substantial evidence, statistical or otherwise, produced at the hearing, which may tend to prove the existence of an unlawful discriminatory practice or a predetermined pattern of unlawful discriminatory practice under this chapter, provided that nothing contained in this section shall be construed to

authorize or require any person to observe the proportion which persons of any race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status bear to the total population or in accordance with any criterion other than the individual qualifications of the applicant.

(g) The testimony taken at the hearing shall be under oath and shall be reduced to writing, and filed with the ~~Community Relations~~ **Civil Rights** Commission. Thereafter, in its discretion, the Commission upon notice to the plaintiff, ~~Community Relations~~ **Civil Rights** Director and to the respondent with an opportunity to be present may take further testimony or hear arguments.

(h) No person shall be compelled to be a witness against himself in any hearing, formal or informal, before the ~~Community Relations~~ **Civil Rights** Director or ~~Community Relations~~ **Civil Rights** Commission.

(i) In conducting any hearing as provided herein, the Commission may subpoena as witnesses any person believed to have knowledge of facts relevant to such hearing, may compel the production of books, papers, records or other evidence relative to such hearing by the person having custody or control thereof and may administer oaths, take testimony and issue such rules as shall be necessary to effectuate an investigatory hearing under this section.

(j) Upon written application of the respondent, complainant or Director, the ~~Community Relations~~ **Civil Rights** Commission shall issue subpoenas as if issued on its own motion.

(k) If upon all the reliable, probative and substantial evidence the Commission determines that the respondent has engaged in, or is engaging in, any unlawful discriminatory practice under this chapter, whether against the complainant or others, the Commission may endeavor to eliminate such practices by informal methods of conference, conciliation and persuasion. If the Commission fails to effect the elimination of such unlawful discriminatory practices or to obtain conciliation of the matter, or, if the circumstances warrant, in advance of or during such investigative hearing, or endeavors to conciliate the matter, the Commission may direct the ~~Community Relations~~ **Civil Rights** Director to guide the complainant in the prosecution of this matter in the appropriate court of record.

(l) If the Commission finds that no probable cause exists for crediting the charges, or if upon all the evidence the Commission finds that the respondent has not engaged in any unlawful discriminatory practice under this chapter, against the complainant or others, it shall state its findings or fact, and shall notify the complainant and respondent that it will not prosecute the matter further.

143.06 VALIDITY AND SEVERABILITY.

This chapter and each part of any section thereunder are hereby declared to be independent sections and parts of sections and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of any section or the application thereof to any person or circumstance is held to be invalid, the remaining sections or parts of sections and the application of such provision to any person or circumstances other than

those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and parts of sections would have been passed independently of such section or parts of such sections so known to be invalid.

143.99 PENALTY.

(a) Any person who fails to comply with a subpoena issued by the ~~Community Relations~~ **Civil Rights** Commission as provided in this chapter shall, upon conviction thereof, be fined not more than fifty dollars (\$50.00).

(b) Any person convicted of a violation under this chapter shall be fined not more than one hundred dollars (\$100.00) for a first offense and not more than five hundred dollars (\$500.00) for any subsequent offense.

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance

Originating Department

Council Meeting Of : 3/7/2017

Joe Newlin

Prepared By

Account Code No. : see below

Budgeted Amount : _____

2/28/2017

Date Prepared

Agenda Title:	2017 Supplemental Budget #2
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Recommendation:	Approve
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Issue 1

To make adjustment to amended budget for transfer from the General Fund to the Municipal Facilities Improvement Fund \$3,400,000

Action Needed:

Revenue Side

Municipal Facilities Improvement (143)	3,400,000.00	Transfer from General Fund
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Expense Side

General Fund (110)	3,400,000.00	Transfer to Municipal Facilities Improvement Fund
Municipal Facilities Improvement (143)	3,400,000.00	Increase of Appropriations for Municipal Facilities Improvements

Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
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Breakdown by Fund

General (110)	(3,400,000.00)
Municipal Facilities Improvement (143)	-

Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
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Approved By:	Department Head:	<table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Initials</td> <td style="width: 50%; text-align: center;">Date</td> </tr> <tr> <td style="text-align: center;"><i>[Signature]</i></td> <td style="text-align: center;">2/28/17</td> </tr> <tr> <td style="text-align: center;"><i>[Signature]</i></td> <td style="text-align: center;">3/3/17</td> </tr> </table>	Initials	Date	<i>[Signature]</i>	2/28/17	<i>[Signature]</i>	3/3/17
Initials	Date							
<i>[Signature]</i>	2/28/17							
<i>[Signature]</i>	3/3/17							
	City Manager:							

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	3,400,000.00
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SECTION 3: The following transfer(s) be executed:

Transfer from:	
General Fund 110	3,400,000.00

Transfer to:	
Municipal Facilities Improvement Fund 143	3,400,000.00

SECTION 4: The following increase/(decrease) in revenues be made:

Municipal Facilities Improvement Fund 143	3,400,000.00
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SECTION 5: The following increase/(decrease) in revenues be made:

Municipal Facilities Improvement Fund 143	3,400,000.00
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SECTION 6: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)