



Agenda

Oxford City Council

Court House

TUESDAY, APRIL 2, 2019

EXECUTIVE SESSION

None.

1. Roll Call. Kate Rousmaniere, Mayor; Steve Dana, Vice-Mayor; Chantel Raghu; Glenn Ellerbe; Mike Smith; David Prytherch; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation “Annual Freedom Fund Banquet”



Proclamation

B. Proclamation – “Education & Sharing Day Oxford”



Proclamation

C. Proclamation – “OAGE & Oxford-For-All-Ages Day”



Proclamation

D. Request for use of Memorial Park – Coalition for a Healthy Community.



Staff Report/Park Permit

E. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

A. Minutes of the March 19, 2019 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. A Resolution declaring certain City property no longer needed for any municipal purpose as surplus and authorizing its advertisement and sale to the highest bidder at public auction or internet auction. (John Jones, Police Chief)



Staff Report/Resolution

5. Resolutions.

1. A Resolution accepting the bid and authorizing the City Manager to enter into a contract with Bearcat Construction, Inc. for the installation of handicap ramps with tactile dome mats as set forth on Exhibit “A” attached hereto at a cost of \$89,645.00 plus a contingency in the amount of \$6,676.00 for a total cost not to exceed \$96,321.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

2. A Resolution accepting the bid and authorizing the City Manager to enter into an agreement with Barrett Paving Materials, Inc. for the 2019 street resurfacing and

maintenance work at a cost of \$419,969.50 plus a contingency amount of \$29,800.00 for a total cost not to exceed \$449,769.50. (Mike Dreisbach, Service Director)



Staff Report/Resolution

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 2019. (Joe Newlin, City Manager)



Staff Report/Resolution

4. A Resolution authorizing the City Manager to approve the assignment of a license agreement for property located at 338 North Locust Street Oxford, Ohio. (Sam Perry, Community Development Director)



Staff Report/Resolution

5. A Resolution of Oxford City Council opposing Ohio House Bill 27 and urging Senator Coley and Representative Keller to oppose House Bill 27. (Steve Dana, Councilor)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Approving A Conditional Use Permit To Allow For The Expansion Of A Place Of Worship In The MU (Miami University) District At 800 Maple Street With Conditions. (Zachary Moore, Planner)



Staff Report/Ordinance

2. An Ordinance Enacting New Chapter 743 Of The Oxford Codified Ordinances Entitled Short Term Rentals. (Sam Perry, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Amending Ordinance No. 3493. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2019. (Joe Newlin, Finance Director)



Staff Report/Ordinance

4. An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Doug Elliott, City Manager) (Tabled until 4/16/19)

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption, And Adopting New Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption. (John Jones, Police Chief)



7. A. Announcements & Communications.

1. Remarks from City Council and City Staff. 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.

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

WED - Apr 3 Environmental Commission Meeting 7:00 p.m. Municipal Building

FRI - Apr 5 Student Community Relations Commission Meeting 1:30 p.m. LCNB

TUES- Apr 9 Public Arts Commission of Oxford Meeting 4:30 p.m. Municipal Building

TUES- Apr 9 Planning Commission Meeting 7:00 p.m.

WED-Apr 10 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

MON-Apr 15 Housing Advisory Commission Meeting 1:30 p.m. Municipal Building

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

WED-Apr 17 Board of Zoning Appeals Meeting 6:30 p.m.

THUR-Apr 18 Recreation Board Meeting 11:30 a.m. Municipal Building

FRI- Apr 19 Student Community Relations Commission 1:30 p.m. LCNB

FRI - Apr 26 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, March 19, 2019 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. John Detherage, Fire Chief; Mr. Alan Kyger, Economic Development Director; Ms. Amy Blankenship, City Attorney and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

HONORING SIBYL A. HARRIS MILLER

Mayor Rousmaniere read the Proclamation as shown on page 5 of Council's packet and presented it to Ms. Sibyl A. Harris Miller.

Ms. Sibyl A. Harris Miller, thanked Mayor Rousmaniere and Councilors for the Proclamation noting she was grateful to them as individuals and as the governing body in this wonderful City. Ms. Harris Miller advised the honor being bestowed upon her by the YWCA tomorrow is based on the mission of the YWCA which is eliminating racism and the empowering of women. Ms. Harris Miller noted she felt the City of Oxford was way ahead of other communities in Butler County or in southwestern Ohio in terms of both of these important missions. Ms. Harris Miller advised she and her husband left Oxford in 1967 and they did not know if they would be comfortable when they returned in 2000. Ms. Harris Miller noted when they returned they were embraced by the entire town and advised she was proud to be part of the City of Oxford. Ms. Harris Miller noted she felt Oxford had a heart for promoting the mission of eliminating racism and empowering women although there was much more to do. Ms. Harris Miller advised she felt we as a City and as a community can do this. Ms. Harris Miller recognized members of the Oxford League of Women Voters who were in the audience as well as her daughter, husband and Wendy Waters Connell, Executive Director of the YWCA. Ms. Harris Miller introduced Sandra Woy-Hazleton, Co- President of the League of Women Voters.

Ms. Sandra Woy-Hazleton, noted she was sure Council members were aware that Oxford was full of individuals and organizations who are acutely concerned about the environment, sustainability and who take seriously the challenges of planet change. Ms. Woy-Hazleton advised not everyone was aware of what all of the organizations, groups and individuals were doing. Ms. Woy-Hazleton note the Oxford League of Women Voters would like to hold a community-wide public meeting called a Climate Summit.

Ms. Woy-Hazleton advised the event would take place April 10, 2019 from 7:30 to 9:00 p.m. in the Presbyterian Seminary building at the corner of Poplar and Church Streets. Ms. Sandra Woy-Hazleton noted the league was asking everyone to come and provide information on their projects and what their organizations were doing to cooperate, promote sustainability and reduce Oxford's carbon footprint. Ms. Woy-Hazleton advised there would be an exchange of ideas and noted the different groups could figure out how to cooperate. Ms. Woy-Hazleton advised City Council has said that they would like to receive community input as they move forward in terms of doing a Climate Action Plan noting the league felt this would be a great start in terms of identifying those individuals who are most invested and interested in helping push this forward. Ms. Woy-Hazleton noted the Mayor, Councilors, Jessica Greene with Enjoy Oxford, professors from Miami University and individuals who are activists will all be there and noted her hope the 'house would be packed'.

Mayor Rousmaniere congratulated Ms. Harris Miller on her award from the YWCA and thanked the YWCA for supporting the City of Oxford and for visiting this evening. Mayor Rousmaniere noted Council was proud to have Sibyl amongst them.

PUBLIC COMMENTS

There were no additional comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the March 5, 2019 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the March 6, 2019 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION

ROOFING CONTRACT

A Resolution No. 7050 accepting the proposal and authorizing the City Manager to enter into an agreement with Revitalize, LLC to perform the Senior Center Roof Replacement project at the City owned structure located at 922 Tollgate Drive Oxford, Ohio, 45056 at a cost of \$31,000.00 plus a contingency amount of ten percent (10%) of the contract price or \$3,100.00 for a total cost not to exceed \$34,100.00. (Casey Wooddell, Parks and Recreation Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **SALE OF ALCOHOLIC** **BEVERAGES**

A Resolution No. 7051 authorizing the sale of alcoholic beverages in the Uptown Parks area for the Oxford Community Foundation's "Brews for Bricks" event to be held on August 17, 2019 from 4:00 p.m. until 9:30 p.m. with one condition. (Alan Kyger, Economic Development Director)

Mr. Kyger noted the noted the Uptown Parks can be reserved for any group or organization although when alcohol was involved it needed Council's approval. Mr. Kyger introduced Leah Flynn, Executive Director of the Oxford Community Foundation noting she would explain what the foundation desired to in terms of their event in the parks. Mr. Kyger advised staff had a recommendation to substitute the Resolution as shown on page 27 of Council's packet with another Resolution eliminating one of the 2 conditions for approval.

Ms. Leah Flynn, Director, Oxford Community Foundation, introduced Debbie Ross noting Debbie was the Chair of the "Brews for Bricks" event committee and a member of the Board of Directors for the foundation. Ms. Flynn advised Brews for Bricks was a new fundraising event that the Oxford Community Foundation is hosting to raise awareness and funds to support the operations of the foundation and to increase support for the local community. Ms. Flynn noted the event would be a family friendly evening with food trucks, craft beer and live music to celebrate and support the greater Oxford community. Ms. Flynn advised the proposed date was August 17 from 4-9:30 p.m. at the Uptown Parks and her hope was to promote families to attend from the greater Oxford community. Ms. Flynn noted the Oxford Community Foundation was founded in 1996 to serve the greater Oxford community by identifying, addressing and improving the evolving needs of the community now and for all time. Ms. Flynn advised in the last fiscal year the foundation awarded more than \$300,000 in grants and scholarships to support the local community. Ms. Flynn noted funds raised from their event will stay in the community to support the community. Ms. Flynn thanked Council for their consideration and for their support of the foundation throughout the years.

Mayor Rousmaniere inquired how the funds would be raised. Ms. Flynn advised anyone could attend the event to enjoy the music and noted to purchase beer or food tickets needed to be purchased. Ms. Flynn advised a portion of the ticket sales would go directly to the foundation.

Mr. Dana inquired if there would be any other means of raising funds. Ms. Flynn advised the committee thought about offering picnic blankets for people to purchase.

Ms. Southard noted the foundation wanted this to be family friendly event although beer was being sold. Ms. Flynn advised there would also be food trucks including a dessert specific truck, free activities for children and music.

Mr. Kyger referred to condition 2 on page 27 of Council's packet "The beer truck area shall be roped off and each person entering the roped off area shall be at least 21 years of age to purchase beer."

Mr. Kyger advised if condition 2 was left in the Resolution no one under the age of 21 would be allowed enter the park area which would defeat the family friendly theme. Mr. Kyger asked for a motion to substitute the Resolution with the replacement Resolution which removes condition 2.

Chief Jones advised OPD will require a Police Officer to be on duty for the event.

Mr. Prytherch noted his support for the event and advised he looked forward to attending.

Mr. Smith moved to substitute a new Resolution for the one that was in Council's agenda this evening. Mr. Dana seconded. The motion passed 7-0-0.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Ms. Southard moved to adopt Resolution No. 7051. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
WINE SALES AT THE
OXFORD FARMERS MARKET

A Resolution No. 7052 authorizing the City Manager to permit the Oxford Farmers Market Association to allow a Farmer's Market vendor to sell tasting samples of wine for consumption on premises, and wine in sealed containers for consumption off the premises of the Oxford Farmers Market in 2019 with conditions. (Alan Kyger, Economic Development Director)

Mr. Kyger reiterated that having alcohol on public property requires City Council approval noting Mr. Slocum was in attendance to explain what the Farmers Market did last year and what they hope to do again this year.

Mr. Larry Slocum, advised the winery would have their area roped off with an entrance and an exit so only anyone over 21 years of age could enter the tent. Mr. Slocum noted the wine sales went very well last year with no issues what so ever and advised he would like to repeat that for the 2019 season.

Ms. Southard inquired how successful the wine sales were last year. Mr. Slocum noted the vendor was excited to come back this summer as they did quite well.

Mr. Ellerbe inquired if any small breweries have requested the same thing and Mr. Slocum advised no, although he might try to locate one for next season.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana moved to adopt Resolution No. 7052. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
REVOLVING LOAN FUND LOAN

A Resolution No. 7053 approving a \$63,250.00 Revolving Loan Fund Loan to LogCon, LLC dba, Books & Brews. (Alan Kyger, Economic Development Director)

Mr. Kyger advised the petitioner submitted an application for a loan from the City's Revolving Loan Fund which was a fund of money the City has under its control that can only be used for business start-ups, business expansions or anything that will create new jobs. Mr. Kyger noted there was a list of criteria for what qualifies for a Revolving Loan Fund loan which was predominantly job creation and job creation for low to middle income families. Mr. Kyger referred to page 50 of Council's packet and discussed the RLF requirements and how the applicant has met all of the requirements. Mr. Kyger noted the proposed business would be located at the former Quarter Barrel location at 107 E. Church Street. Mr. Kyger advised the owners of Quarter Barrel came before the CIC and Council 10 years ago and borrowed \$93,000 for their project and paid it back in 5 years noting the City had a track record with a restaurant at that location.

Ms. Ann Kamphaus, applicant, introduced her husband Neil and noted she was excited to speak to Council with regard to Books & Brews. Ms. Kamphaus advised having this business has been a dream of theirs since moving to Oxford noting she was an avid reader and former librarian and there was not a bookstore in Oxford when they moved here. Ms. Kamphaus advised she wanted to provide a bookstore in a place that people could gather socially to disconnect. Ms. Kamphaus noted she and her husband started doing some research and found Books & Brews in Indianapolis which started its franchise in 2014. Ms. Kamphaus advised there were 10 Books & Brews in the Indianapolis market noting she and Neil purchased their franchise in September of 2017. Ms. Kamphaus noted she has visited 6 of the Books & Brews locations with her family and advised it was a family environment. Ms. Kamphaus displayed slides of the proposed business with the tag line of "Read, Drink, Converse". Ms. Kamphaus discussed the "books" portion of the business noting she would provide an excellent selection of new and used books for sale and advised 10% of the used book profits would be donated to the Oxford Community Foundation to support the Oxford Literacy Team. Ms. Kamphaus noted in accordance with their franchise agreement Books & Brews would carry 5 craft beers which are brewed in Indianapolis. Ms. Kamphaus discussed the menu while Neil provided a sample menu to Council and staff. Ms. Kamphaus discussed activities that would take place at Books & Brews including Trivia nights, Bingo nights, open mic nights and movie nights. Ms. Kamphaus advised special events could be booked at the store and noted they would also participate in fund raisers. Ms. Kamphaus discussed literary merchandise they would offer for sale with some of the proceeds going back to literacy events. Ms. Kamphaus advised Mr. Kamphaus has been a member of the Oxford Chamber of Commerce for a number of years and was currently on the United Way Board noting they both liked to be involved in their community and they wanted to make Books & Brews as much a part of the community as they possibly could. Ms. Kamphaus advised they planned to volunteer at the Wine Festival this year and the Brews for Bricks event that was discussed earlier. Ms. Kamphaus noted they would be partnering with the Oxford Literacy Team through the Talawanda School District and they had a partnership pending with Miami University which they were excited about. Ms. Kamphaus advised she had friends who owned their own businesses but do not have a brick and mortar building and noted Books & Brews would provide opportunities for them and others to have a pop-up shop in the store once a month or quarterly.

Ms. Kamphaus advised her husband would take care of the financial matters for the business and noted they had two sons who felt Oxford needed a Books & Brew.

Ms. Kamphaus advised the revolving loan would provide start-up capital to purchase furnishings and do some renovation prior to opening.

Mr. Kyger advised the loan review committee vetted the loan application thoroughly and recommended approval of the loan to the full CIC Board.

Ms. Leah Flynn, Oxford Community Foundation, spoke in support of the new business and commended the owners for their efforts to give back to the community.

Mr. Dana inquired how the life expectancy of the asset determined. Mr. Kyger advised there was a wide variety of things that would be purchased with the loan money and noted the loan review committee felt 10 years was too long and 5 years would be somewhat difficult based on the projected income and expenses. Mr. Kyger advised the loan review chose to recommend a 7 year loan.

Mayor Rousmaniere inquired what the plans were for renovation and timing. Ms. Kamphaus advised the lease at 107 E. Church begins on April 1st and noted they would do some modifications on the inside prior to opening in June.

Ms. Southard noted her support for the new business and wished Mr. and Ms. Kamphaus much success. Ms. Southard encouraged the owners to support local agriculture and use local foods and meats. Ms. Kamphaus noted she planned to seek out items as much as she could locally.

Ms. Raghu noted her support for the project and advised a bookstore would fill a gap in Oxford. Ms. Raghu inquired which other franchises in Oxford obtained a revolving loan fund loan. Mr. Kyger advised Buffalo Wild Wings received a revolving loan fund loan.

Mr. Prytherch wished Mr. and Ms. Kamphaus much success noting he felt Books & Brews would fill an important niche as we try to recruit the best people to live and work in Oxford. Mr. Prytherch noted he was happy the City can make loans such as this one.

Mr. Dana moved to adopt Resolution No. 7053. Mr. Smith seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

ADOPTING CHAPTER 1111

An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Doug Elliott, City Manager)

Mr. Elliott read his staff report into the record as follows:

“Included with this report is the amended and proposed Tree Preservation and Protection Ordinance. The original ordinance proposed by the Environmental Commission and reviewed by the Planning Commission in April of 2018 proposed language in the Planned Development Chapter 1145 and in the Design and Construction Standards in Section 1101.4 of the Subdivision Regulations Chapter 1101. In order to make the proposed regulations easy to find and understand the Environmental Commission was tasked with proposing a separate Chapter 1111. As written, the proposed ordinance applies to any privately owned parcel of land of 2 acres or more. This includes developed as well as undeveloped land. There are presently 108 privately owned parcels of land of 2 acres or more within the City of Oxford. However, the ordinance includes contiguous parcels of less than 2 acres owned by the same person. For example, Habitat for Humanity owns several parcels off of Hester Road and they would be required to comply with the proposed ordinance. The ordinance requires that before any protected tree or landmark tree is removed a tree survey and tree replacement plan must be approved either by the Community Development Director in the case of individual lots of 2 or more acres or by the Planning Commission for development projects. Developers must also submit a tree replacement plan. All trees to be removed must be marked. This will add to the cost of any new housing development in the City of Oxford including affordable housing for example, it is estimated that a tree survey for an acre of land with approximately 40 trees will cost \$2,500. The penalty for not complying is a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for any subsequent offense. The Tree Authority as written in this ordinance is the Environmental Commission.” Mr. Elliott offered to answer any questions.

Mr. Perry noted the Community Development department would enforce the proposed Ordinance if it is adopted. Mr. Perry advised he felt the proposed Ordinance was well written and well researched although he also felt it was not feasible and he did not recommend it be adopted. Mr. Perry advised he has done a tree survey himself and noted he has looked at some properties in Oxford that the proposed Ordinance would impact. Mr. Perry advised the proposed Ordinance does recognize that trees provide an ecological service, clean the air, reduce the effects of heat and provide shade and beauty. Mr. Perry noted he did not think Council had the opportunity to see what the economic impact would be on a new development or on a home owner. Mr. Perry advised he counted trees on three different properties around town and noted the impact will range \$20,000 to \$100,000 per acre based on the re-planting cost for trees which he felt was not feasible. Mr. Perry noted the cost for building a single family home could double or even triple. Mr. Perry advised he felt there was a better way to preserve trees without using the proposed method. Mr. Perry noted there would be an economic impact on the City operation as it would be something new to enforce. Mr. Perry advised he felt existing Ordinances are sufficient in the planned development and subdivision regulations. Mr. Perry noted there were existing regulations that require preservation of natural vegetation and a review of sensitive development areas. Mr. Perry advised the City has contracted with Butler Soil and Water to help with development review in the past year. Mr. Perry noted he felt it was important for Council to have as much information as possible before acting on the proposed Ordinance.

Mr. Vincent Hand, noted he was a member of and speaking on behalf of the Environmental Commission. Mr. Hand noted he would provide the history and some of the rationale behind the proposed Ordinance.

Mr. Hand advised the Mayor requested an update to the sensitive areas Ordinance in August of 2016. Mr. Hand noted there was a request subsequently to focus on tree preservation in part due to some development issues. Mr. Hand advised the Environmental Commission prepared a revision of Chapter 935 which is the current Ordinance involving park and public trees which was passed on to staff and the Planning Commission. Mr. Hand noted then there was a long delay because the Environmental Commission was asked to re-write the Ordinance, there was a change of staff and the Environmental Commission was asked to re-write the Ordinance back. Mr. Hand advised Council had a Work Session in 2018 which was confirmation that the new Chapter should be independent of the development Ordinances. Mr. Hand advised the Environmental Commission has not had much to do with the Ordinance since October of 2017. Mr. Prytherch noted Council talked after the Work Session about ways they would like to see the Ordinance improved and inquired if the proposed Ordinance incorporated those concerns or if it was the draft Council saw in August of 2018. Mr. Hand noted it was a stand alone Chapter then it was incorporated into the development regulations at the request of a previous staff member and subsequently the Environmental Commission was requested to take it back out of the development regulations. Mr. Hand advised he felt it made far more sense as a stand alone Chapter. Mr. Hand provided slides and noted he wanted to mention how the proposed Ordinance is consistent with the Comprehensive Plans of 2008 and of 1998. Mr. Hand advised Chapter 3 on land use emphasizes managing growth, keeping the small town character, green areas and preserving farm land, expanding urban green space specifically requiring trees and landscapes in subdivisions and commercial properties, being a leader in environmental stewardship and environmentally sensitive and sustainable practices. Mr. Hand noted the plan also mentions utilities specifically storm-water and pointed out that trees are an important component in slowing the flow of run-off. Mr. Hand referred to Chapter 12 on implementation and advised based on an analysis of the 1998 Comprehensive Plan regulatory follow through was lacking in the 1998 plan and the consultant said the Planning Commission staff and the community could have benefitted from revised tools to implement key land use recommendations. Mr. Hand noted he felt substantial progress had been made since then. Mr. Hand advised the tree plan was consistent with adding tools for dealing with issues of regulatory implementation of key recommendations. Mr. Hand noted mature trees keep carbon dioxide, a greenhouse gas, out of the atmosphere. Mr. Hand advised he met with Mr. Prytherch and the OKI Regional Council of Governments and talked about sensitive areas and tree ordinances and they gave them a number of suggestions. Mr. Hand noted the primary source for the proposed language was the City of Delaware and the City of Springfield as they have implemented similar regulations. Mr. Hand advised the Environmental Commission liked to think that the proposed Ordinance was appropriate for Oxford and that it meets an expressed need since City Council requested it originally. Mr. Hand noted citizens have expressed concerns multiple times about tree clearing on at least 3 developments. Mr. Hand advised the Environmental Commission tried to make a practical trade-off between ease for owner occupants and trying to address concerns about clear cutting or removing trees un-necessarily. Mr. Hand noted the Environmental Commission tried to minimize the burden on owner occupied properties noting lots under two acres were exempt. Mr. Hand advised some cities require a permit for any tree removal by anyone which did not seem appropriate. Mr. Hand noted he was not sure if any landmark trees existed in Oxford and advised landmark trees are on a list of champion trees provided by the State of Ohio. Mr. Hand advised the proposed Ordinance requests that the cost of replacing trees is included in the City's fee Ordinance in the event that not all of the trees on the site can be replaced. Mr. Hand noted the Environmental Commission worked a lot with and consulted Chapter 934 regarding park and public trees and advised he felt that should be updated.

Mr. Hand reiterated the Environmental Commission felt the proposed Ordinance meets a need expressed by Council and by citizens which reflects long and careful thought. Mr. Hand noted he was sorry the Environmental Commission did not hear sooner about the practicalities of the survey and advised he would be interested in investigating that in more detail. Mr. Hand offered to answer any questions.

Mr. Coe Potter, noted he felt the purpose of the proposed Ordinance was laudable and advised his feeling very few citizens would object to its purpose. Mr. Potter inquired if the City has done an economic feasibility impact study. Mr. Potter advised the cost to the City for administration of the proposed Ordinance looking at it in totality appears to be an enforcement and compliance nightmare and very costly. Mr. Potter noted he looked at 15 properties on a cul-de-sac and of those 12 would not be subject to the regulations and 3 would be subject to it. Mr. Potter advised as a relator he has to disclose zoning for a property and for these 3 properties he would have to provide the purchaser a copy of the tree Ordinance because they would be subject to the regulations and their neighbors would not. Mr. Potter provided a map and referred to a City owned property on SR 732 South noting there are at least three properties that have single family homes on them now that would have to comply with the Ordinance and showed the properties that would not have to comply with the Ordinance. Mr. Potter noted that was an economic impact on the City for the cost of enforcement. Mr. Potter inquired about the economic impact on individuals with private property noting they were existing homes not developmental property. Mr. Potter inquired what percentage of the acreage in the community will be protected by the proposed Ordinance. Mr. Potter inquired if City property will fall under it. Mr. Potter noted his understanding was that Miami University property will not be subject to it and inquired about school district and federal property. Mr. Potter advised he felt a fairly small percentage of property would be protected by the proposed Ordinance and inquired if that small percentage had to be burdened by this while a huge percentage of the community is not burdened with it. Mr. Potter inquired if this will deter development by adding cost which is listed in Section 1111.17 and advised he felt it was going to be extremely expensive. Mr. Potter inquired if Council had investigated how much cost is involved in complying with that Section alone noting he felt it was cost prohibitive. Mr. Potter inquired what the adverse impacts would be and inquired if it would have an adverse impact on the OATS Trail. Mr. Potter inquired if the proposed Ordinance would have adverse impacts on affordable housing in Oxford. Mr. Potter advised he attended the Housing Advisory Commission meeting last night to find out if they were aware of this proposed Ordinance and they were not aware of it as a commission noting they were not in a position to comment to Council as to the effect this Ordinance might have on affordable housing.

Ms. Etta Reed, Bayer Becker, 110 S. College Avenue, noted she was very familiar with the developments that have prompted this as she was directly involved with those. Ms. Reed advised Bayer Becker has done a lot of work in other Tree Cities in the area such as the City of Mason, Lebanon, Hamilton and Fairfield noting the proposed regulations were significantly more restrictive and costly than what Bayer Becker sees in the other agencies. Ms. Reed noted most of the other cities do not require a tree survey and if they do it is only for trees 18" and larger in diameter not 6". Ms. Reed advised the proposed regulations would be very expensive for any type of development to occur. Ms. Reed offered recommended changes which she provided to Council and staff with regard to Definitions, Tree Preservation on Private Property, Acceptable Tree Removal Areas and Tree Survey and Tree Replacement Plan.

Ms. Reed noted she understood the intent of the proposed Ordinance although she felt it was very aggressive and that it would deter development due to the cost impact with regard to the tree survey and replacement.

Mr. Scott Webb, Architect, noted he wanted to echo the points Mr. Potter and Ms. Reed made noting they were not in attendance to say there should not be a tree Ordinance they were in attendance because of the severity and impracticality of its application. Mr. Webb advised a lot of the work will go to Mr. Perry as the Community Development Director and inquired what the appeal process was. Mr. Webb noted the appeals process was very important to the implementation of the proposed Ordinance. Mr. Webb advised he felt Mr. Perry should be commended for saying this may not be the right time or the right particular Ordinance for Oxford. Mr. Webb noted the City currently owned 47 acres that is currently for sale and advised the cost of the tree survey will be added to the development cost of it. Mr. Webb noted in line with the Comprehensive Plan perhaps City Council should be a leader and a good steward and survey the City owned acreage first to show everyone what this is all about.

Mr. Dana noted Mr. Perry stated the impact would be between \$20,000 and \$100,000 per acre and inquired how he arrived at that. Mr. Perry advised one of the properties he looked at had 19 trees on one acre and that equated to \$4,800 per quarter acre lot of tree replanting cost for all 19 trees. Mr. Dana inquired about the existing legislation noting Mr. Perry indicated he felt it was adequate. Mr. Perry advised the Subdivision and Planned Development Chapters of the Zoning Code have regulations for Sensitive Development Areas which covers floodplains, endangered wildlife areas, wetlands and existing mature tree areas. Mr. Perry noted when an application is submitted staff can look at the topography and determine whether existing mature trees were documented or not and ask for information during the submittal process prior to the Planning Commission's review.

Mayor Rousmaniere noted in 2016 a development plan came forward off of Country Club Road with a sensitive areas element that Council asked about and inquired if a sensitive areas review was voluntary. Mr. Perry advised it was not something the Planning Commission demanded. Mr. Perry noted knowing now the direction City Council is going staff could have asked for that in the submittal process and reviewed it to explain what mature trees were there. Mr. Perry advised a road dead-ended into the mature area so not everything could have been saved. Mr. Perry noted he felt that would have provided an opportunity for some negotiation. Mayor Rousmaniere inquired again if the sensitive areas regulation was mandatory. Mr. Perry advised the legislation states that mature trees should be preserved and it is up to the City as to how to interpret that. Mr. Perry noted if a change was to be made it can be done in the review process with the Planning Commission.

Mr. Prytherch noted as someone who was involved in that from the Planning Commission approaching this Ordinance makes him disposed to an Ordinance like this because of the Planning Commission experience. Mr. Prytherch advised the reality of some of the City's development projects is that the projects were laid out according to the logic of lot subdivision and roadway connectivity without much apparent prior survey of the site conditions. Mr. Prytherch noted when the Planning Commission reviews a project and sees a roadway going through a mature woodlands there was no mechanism to narrow the roadway or move the lots.

Mr. Prytherch inquired what would have to have been different under the code that would have allowed the Planning Commission to have a more meaningful conversation about the site conditions including mature woodlands. Mr. Prytherch inquired what would have influenced the layout of the streets and the lots in a way that did not happen.

Mr. Perry advised a revision was made that requires a surveyor or engineer to actually stamp the drawings when they are submitted. Mr. Perry noted that information can be relayed to the development community. Mr. Perry advised if Council felt a text amendment was needed to have more teeth in the sensitive development area Section of the code he was ok with that.

Mr. Prytherch noted Council does not want to impede development although they want development to go in places with the least impact.

Mayor Rousmaniere noted Ms. Reed indicated the proposed regulations are more restrictive than in other communities although the Environmental Commission looked at Delaware and Springfield Ohio's regulations and made Oxford's less restrictive. Mayor Rousmaniere advised at some point they were brought to the City Manager and made even less restrictive. Mr. Perry offered to talk to the City of Delaware and the City of Springfield.

Mr. Prytherch inquired what the recommendation was from the Planning Commission. Mr. Elliott advised this had been a long process and there had been different iterations of the language. Mr. Elliott congratulated the Environmental Commission noting they did a very fine job. Mr. Elliott noted he felt everyone agreed on what was trying to be accomplished and the question was how to get there. Mr. Elliott advised the proposed Ordinance deals with private property noting if the City developed its property on SR 732 it would be exempt. Mr. Elliott noted he was not sure if the proposed language is the appropriate language for Oxford. Mr. Elliott advised he felt there was a simpler way of doing this.

Mayor Rousmaniere advised while the proposed Ordinance was postponed a lot of trees were cut down behind Stewart Square noting it has taken a long time to get a tree preservation ordinance in place which has been very frustrating. Mayor Rousmaniere inquired what the Planning Commission recommended.

Mr. Prytherch noted Ms. Reed provided constructive suggestions as to how to make this work better. Mr. Prytherch advised perhaps the proposed Ordinance should be tabled. Mr. Prytherch noted the current situation means there is no inventory of trees prior to the development of property. Mr. Prytherch noted if Mr. Perry believes tree preservation can be achieved by adding additional language to the Zoning Code he was ok with that. Mr. Prytherch advised he wanted people to go into a site and think about where the trees are located before the development is laid out. Mr. Prytherch noted the current process has been inadequate to that challenge.

Mr. Ellerbe noted he felt the proposed Ordinance as written seems very hard on the City of Oxford in general. Mr. Ellerbe advised if a developer wanted to come to Oxford as this is written they are going to incur a significant cost. Mr. Ellerbe advised he felt this would send a very strong signal to developers to try to find anywhere else to develop but Oxford. Mr. Ellerbe noted as Mr. Perry mentioned there are alternatives to accomplish what he believes is the purpose of the proposed Ordinance.

Mr. Ellerbe advised he felt the City should have environmental impact legislation that has teeth to it noting he felt most of the issues here were with the survey and the definition of a protected tree. Mr. Ellerbe noted he felt those things can be hashed out and he did not think the proposed legislation was appropriate at this time with this iteration of this document. Mr. Ellerbe advised he felt Council should send a strong signal back to the Planning Commission to make this kind of environmental impact a decision standard to buy time to flesh this out and make sure it is appropriate and aligns with the vision of the City without inducing a cost on developers.

Mr. Dana advised there were issues that have to be reconciled with the cost involved on different parties.

Ms. Raghu noted she felt the outstanding issue was that everyone agrees trees should be preserved although maybe not because it might restrict whatever development we foresee doing in the future. Ms. Raghu advised ohio.gov quoted a paper from 2008 that said trees improve home values, tree cover provides up to \$20,000 or 10% in value to residential homes in urban settings. Ms. Raghu noted it was not solely economics, it was not solely the environment or the people it was where they meet in the middle. Ms. Raghu advised she could see how something like this does meet in the middle because Council is reprioritizing and saying this is important. Ms. Raghu noted maybe it was not exactly this iteration although just saying voluntarily protect the trees does not seem to be working.

Mayor Rousmaniere suggested the Environmental Commission review the recommendations from Etta Reed and then meet with Mr. Perry.

Mr. Hand noted the Environmental Commission heard a lot of good suggestions and from Etta Reed in particular. Mr. Hand advised he felt the two acre requirement needed to be discussed as the Environmental Commission considered the acreage long and hard. Mr. Hand noted the trade off is to make those areas large enough that owner occupants are not unduly burdened noting if the areas are too large it is possible to clear cut and then announce development plans. Mr. Hand noted the contiguous areas were included for developments such as Gaslight Avenue at Stewart Square. Mr. Hand advised that development was approximately 10 contiguous parcels none of which were 2 acres and they were owned by the same person. Mr. Hand noted the Environmental Commission was all volunteer and they worked very hard. Mr. Hand advised the Environmental Commission would be happy to work on the proposed language some more although they would like to have the interaction happen faster. Mr. Hand noted it was very frustrating to work on a project and have nothing happen for many months.

Mr. Prytherch advised if trees are to be protected the Ordinance needs to be something staff can work with and administer in a practical way noting Council needed staff input to know what that is. Mr. Prytherch advised he felt Council does not want to create issues that cut too deeply against the affordability issues.

Ms. Southard noted she felt too much time has passed and advised the Environmental Commission has spent an enormous amount of time on this project. Ms. Southard noted at the same time Mr. Perry has stated there are ways that land and entries can be protected. Ms. Southard noted she would like to see exactly how trees can be protected making this proposed Ordinance unnecessary.

Ms. Southard advised she did not want to see this Ordinance tabled noting she would rather see some amendments that would make it feasible and workable. Ms. Southard advised one of the purposes of a first reading was to air those issues. Ms. Southard noted she felt Council should ask for clarification of exactly what exists now that did not exist before and consider the suggestions from Ms. Reed. Ms. Southard inquired how the Ordinance can be crafted in a way Council can pass it responsibly.

Mayor Rousmaniere noted she understood that Ms. Southard does not wish to table the Ordinance and advised if it is not tabled 2 weeks may not be enough time to amend it. Mayor Rousmaniere noted her fear of tabling the Ordinance is that it will be stalled for another 3 years.

Ms. Blankenship noted another option was for Council to table the Ordinance to a date certain.

Mr. Elliott suggested the Ordinance be tabled until April 16 and advised he would work with Mr. Perry and the Environmental Commission on ways to address the concerns raised. Mr. Elliott noted as the Ordinance was written to include private parcels he felt that left the City open to a lawsuit.

Mr. Prytherch advised he felt the Ordinance should only focus on development proposals.

Mr. Ellerbe moved to table the proposed Ordinance until April 16, 2019 at which time Council will continue the First Reading. Mr. Dana seconded. The motion passed 5-1-1 with Ms. Raghu voting any and Ms. Southard abstaining.

ORDINANCE **NEW SECTION 303.08**

An Ordinance Repealing Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption, And Adopting New Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption. (John Jones, Police Chief)

Chief Jones advised Public Safety Assistants have been given authority to boot or impound vehicles and the proposed amendment would remove an unnecessary step of having a Police Officer issue the final authorization to boot or impound a vehicle. Chief Jones noted this amendment will improve the efficiency of this process.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana noted he felt the use of PSAs was a very positive step for traffic and parking control.

ORDINANCES **SECOND READING**

ORDINANCE **REPEALING ORDINANCE NO. 3513**

An Ordinance No. 3519 Repealing Ordinance Number 3513 Adopted February 19, 2019. (Sam Perry, Community Development Director)

Mr. Perry advised the Ordinance was being repealed so that Sections that were deleted in error could be reinstated.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

Mr. Dana moved to adopt Ordinance No. 3519. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW CHAPTER 1145

An Ordinance No 3520 Repealing Oxford Codified Ordinance Chapter 1145 Entitled Planned Developments, And Adopting New Oxford Codified Ordinance Chapter 1145 Entitled Planned Developments To Update The Application Requirements And To Clarify The Comprehensive Plan Goals For Housing Type Diversity And Affordability. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance will add the Sections that were deleted in error last month.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

Mr. Dana moved to adopt Ordinance No. 3520. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public on the City's Deer Management Program noting 5 deer were harvested this year with 3 being donated to the Community Meal Center in Hamilton. Mr. Elliott advised David Treleaven does an excellent job of managing the program.

Mr. Elliott updated Council and the public on the City's Bond Financing project.

Mr. Perry advised the addition for the building at 45 E. High Street was approved by the HAPC.

Mr. Perry noted 12. S. Beech Street should be demolished in the next few weeks.

Mr. Wooddell updated Council and the Public on the Aquatic Center fund raising campaign. Mr. Wooddell noted Butler Rural Electric Cooperative made a generous donation of \$25,000 towards that fundraiser. Mr. Wooddell advised Butler Rural has partnered with the Parks and Recreation Department on several projects.

Ms. Raghu thanked Mr. Hand for speaking this evening on behalf of the Environmental Commission. Ms. Raghu thanked the Environmental Commission for all of their efforts on the Tree Preservation and Protection project.

Mr. Ellerbe noted his hope Thursday would be an un-eventful day in Oxford.

Mr. Ellerbe referred to the Ordinance on this evening's agenda for the Police Division and applauded the Police Division for improving their efficiencies.

Mr. Dana reminded everyone if we are to respect the Comprehensive Plan the proposals that deal with development including requests for zoning changes must be carefully examined for how they will adhere to the direction of the Comprehensive Plan and to the newly adopted Ordinance on housing types and affordability.

Mr. Smith encouraged everyone to act and to drink responsibly on Thursday noting he heard many of the establishments will not open early this year.

Ms. Southard advised the annual Community Walking Challenge was a week long event in which people are encouraged to be healthier and to walk. Ms. Southard noted the kick-off was April 3 at 5:30 p.m. at the Leonard Howell Park. Ms. Southard advised a free skate event would be held at Goggin Arena on March 31 from 1-3 p.m. Ms. Southard noted the Coalition for a Healthy Community was sponsoring both events.

Mr. Prytherch updated Council and the public on the Inter-Jurisdictional Collaboration project he and his students are working on this semester.

Mayor Rousmaniere reminded everyone that guests from Oxford's Sister City of Differdange, Luxembourg would be in Oxford on Friday. Mr. Elliott discussed the schedule of events taking place this weekend with the guests.

Mayor Rousmaniere noted Share-Fest would take place May 15-21 and advised the Buckeye Boys State event was June 9-16.

ADJOURN

Mr. Dana moved to adjourn at 9:47 p.m. Mr. Smith seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: April 2, 2019

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 6, 2019

Date Prepared

Agenda Title: Request for use of Uptown Park.

Recommendation: N/A

Discussion:

The Coalition for a Healthy Community (Obesity Prevention Workgroup) wishes to use the Oxford Memorial Park pavilion each Saturday, June through September, of 2019 from 8:45 until 10:00 a.m. for their "Yoga in the Park" event.

The period of use may not exceed 2 days without City Council approval. Council has approved this request since 2015.

If other events are taking place in the Memorial Park the yoga group will move to a Miami University property.

Approved By:

Department Head:

Initial Date

3/29

City Manager:

DRE

3/29/19

RECEIVED

3-6-19

Rev. 6/16



REQUEST FOR PUBLIC PARK PERMIT

City of Oxford



REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: 06 / 8 / 2019 through 09 / 28 / 2018 From: 9 AM To: 10 AM

Today's Date: 03 / 06 / 19

☐ Emergency Utility Repair (check box, if applicable)

--- Applicant shall allow a minimum of 3 business days for processing ---

Responsible Adult:

(18 years of age or older)*

Sharon Klein

Organization: Coalition for a Healthy Community- Oxford Area

Address:

110 North Poplar Street

Advisor:

Oxford, Ohio 45056

Address:

Telephone:

513-524-5421

Telephone:

Cellular:

513-839-0296

Cellular:

Fax:

513-524-5424

Fax:

Email:

sharon_klein@MHMH.trihealth.com

Email:

* Person in charge - Primary contact

Non-Profit:



Yes



No

PARK REQUESTED

- ☐ Merry Day Park (adjacent to the Miami Mobile Home Park, Reagh Way Drive)
- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) – Contact 523-6314 to confirm date(s)
- ☒ Memorial Park (E. Park Place & N. Main Street – has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street – animal sculptures & fountain)
- ☐ Other: _____

TITLE OF EVENT (be specific and include projected attendance)

Yoga in the Park- Held weekly on Saturday AMs

Projected Attendance: 50-75 weekly Has this event been held previously? ☒ Yes ☐ No If "YES", when? 2015-2017

Will food, goods, services or merchandise be sold at the event? ☐ Yes ☐ No

If "YES", please see Section 729.05, Sales on Certain Municipal Property Prohibited (attached to last page of application.)

Note: If you or your organization are handing out information on the public sidewalk, no permit is required.

DESCRIPTION OF EVENT

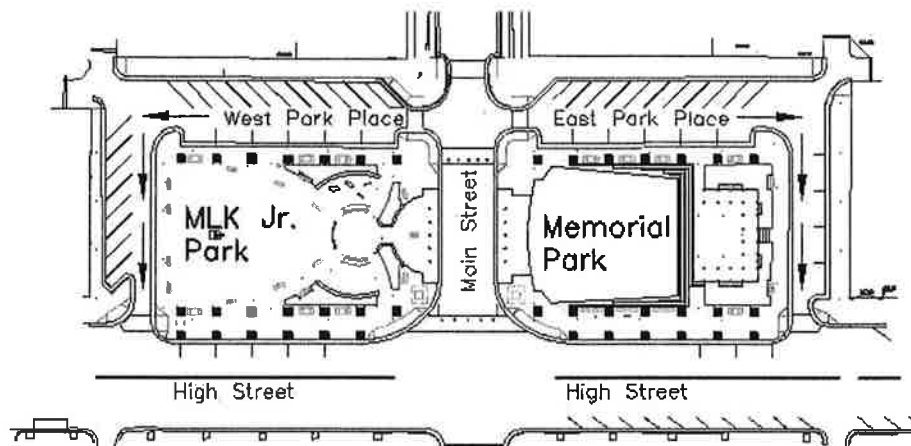
Place a description of the event, along with additional requests, on the appropriate attachment. If request is only for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature: Sharon Klein

Digitally signed by Sharon Klein
DN: cn=Sharon Klein, o=City of Oxford, ou=City of Oxford, email=sharon_klein@cityofoxford.com, c=US

Date: 03 / 06 / 19

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.



OXFORD MEMORIAL PARK & MARTIN LUTHER KING JR. PARK

Instructions for Applicant: Please clearly denote (1) the sections of the parks that you are requesting, (2) parking spots needed and (3) proposed street closures. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

We are asking for Memorial Park for Yoga in the Park every Saturday am from 0900-1000, for the months of June, July, August and September. We will coordinate with Jessica Greene for dates we will need to move our program to accommodate other programs (currently just dog days and porcshe show). We have an alternative site (MU President Crawford's home Lewis Place). Last year we averaged around 50 people each session, but we have grown each year. Attendance is free, but we will ask for donations for our Thriving Oxford matching grant funding.

Only set up is people setting out their yoga mats. They usually arrive between 0845-0900. We are gone by 10am.

Additional Requests:

(Include details in narrative)

- ☒ Pavilion
- ☐ Extra trash cans*
- ☐ Sound system (with operator)**
- ☐ Stage lighting*
- ☐ Special power requirements (explain in narrative)**
- ☐ Street Closure**
- ☐ Other: _____

Time Details

	Start	End
Setup	0845	
Event	0900	1000
Breakdown		

*See fee sheet

**** Contact the Streets & Maintenance Division 3 days prior to the event at 513-523-8412**

NOTE: Street closures will be at the discretion of the Oxford Police Department



Stipulations and Fees

Note: FULL PAYMENT REQUIRED BEFORE THE EVENT

RIGHT-OF-WAY

Applicants should allow a minimum of **three (3) business days** for the request to be processed from the time it is submitted to city officials. *(Please provide the City with as much lead time as possible. Events requiring road closures and staffing will require additional processing time. Large event requests shall be submitted no less than fourteen (14) days in advance of the event.)*

1. Applicant shall manage all work zones in the Right-of-Way in compliance with the Ohio Manual of Uniform Traffic Control.
2. Large events (estimated at over 500 people, including all concerts and performances, will require a pre-meeting with the Police (524-5247) and Service Department (524-5206) prior to approval. *Note: Requests **WILL NOT** be approved prior to the pre-meeting.*
3. The period of use may not exceed two (2) days without city council approval.
4. At least one legally responsible adult must sign the request.
5. The usage may not discriminate for or against a given class of people.
6. All ordinances that regulate noise shall be observed.
7. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.
8. The requestor is responsible for cleanup. Failure to cleanup may result in subsequent requests being denied or a deposit being required. In addition, a cleaning charge may be assessed.
9. Safety staffing levels will be determined by the Oxford Police Division and the requestor may be required to hire police officers.
10. All special conditions specified by department heads must be complied with. Fees may be assessed for special services – see below.
11. Miami University approval is required for student events.
12. NO markings may be made on streets or sidewalks within the public right-of-way.

USE OF PARKS (ALL THOSE ABOVE, PLUS)

1. No motor vehicles may be parked within the area of the park or on any sidewalk.
2. Banners are only permitted on the stage area during the function and must be removed immediately after the event. Tying is the only acceptable way of affixing a banner to the stage area.
3. No signs are permitted.
4. The requestor is responsible for damage to grass, shrubs or trees as a result of the event and agrees to compensate the City of Oxford the cost of repairs and/or replacement.
5. No structure shall be defaced and no structure shall be erected within four (4) feet of the base of a tree or shrub.
6. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.

FEE INFORMATION

No Parking Signs	\$.35 ea.
Metered Parking	\$10.00/ea
Trash Boxes	\$5.00/ea.

Personnel

Police Officer(s)	Contact OPD
Sound Technician	\$25.00/hr
Street Dept. Personnel	\$25.00/hr
Electrician	\$100.00
Park & Rec Personnel	Contact OPRD

Road Closures

Main Street	\$135.00**
US 27 Detour	\$135.00**

**Includes labor

Sports Fields/Gazebo

Contact OPRD – 523-6314

APPLICANT'S ASSURANCE

I have reviewed the estimated cost for the event and agree to compensate the City for services rendered as specified above. If the event runs past the stated end time, I understand that additional charges will accrue and agree to compensate the City accordingly.

Applicant's Signature

Date: ____/____/____

CITY USE ONLY

	Service	Hours	Rate	Estimate	Final
1			\$	\$	\$
2			\$	\$	\$
3			\$	\$	\$
4			\$	\$	\$
5			\$	\$	\$
	Total		\$	\$	\$

	Applicant's Initials	Review Date
Police Department		
1		
2		
3		
4		
Fire Department		
1		
2		
3		
4		
Service Department		
1		
2		
3		
4		
Recreation Department (if applicable)		
1		
2		
3		
4		
City Manager		
1		
2		
3		
4		

Pre-Meeting (if applicable): Reviewed with _____ on _____.

Reviewer(s): _____

APPROVAL SECTION (with conditions)

Police Chief: ☐ Approved ☐ Not Approved _____/_____

Fire Chief: ☐ Approved ☐ Not Approved _____/_____

Service Director: ☐ Approved ☐ Not Approved _____/_____

Recreation Director: ☐ Approved ☐ Not Approved _____/_____

City Manager: ☐ Approved ☐ Not Approved _____/_____

City Manager's Signature

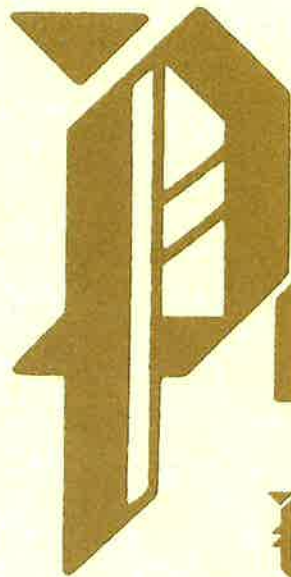
Date: _____

Reason(s) event not approved:

729.05 SALES ON CERTAIN MUNICIPAL PROPERTY PROHIBITED.

No person shall sell, offer to sell or solicit orders for goods, wares or merchandise for immediate or future delivery, or services to be furnished, performed or provided in the present or in the future, within parking meter zones or upon any municipally-owned or controlled property other than streets. This law shall not be applicable to nonprofit or charitable community organizations operating with the express consent of the Office of the City Manager and shall not apply to the lawful use of sidewalk space where such use is expressly authorized by the Codified Ordinances of Oxford, nor shall this section be applicable to the selling at a Farmers' Market of farm produce when such produce has been raised and grown by the vendors and provided that such selling has been specifically authorized and regulated by the Council. Any sale or use of alcohol upon any municipally-owned or controlled property shall be approved by City Council.

(Ord. 3211. Passed 3-19-13.)



Office of the Mayor

Proclamation

Whereas:

Miami University will host the Annual Conference of the Ohio Association of Gerontology and Education (OAGE), on April 4 and 5, 2019 on the Oxford Campus; and

WHEREAS, the purposes of the organization are to promote gerontological education, support Ohio's Department of Aging and the aging services network, serve as a resource for research and practice, and provide professional development for students, faculty and professionals; and

WHEREAS, Miami University's Scripps Gerontology Center, the Ohio Department of Aging, the Ohio Association of Gerontology and Education 2019 Conference, and the AARP Network of Livable Cities and Communities are supportive of the Age-Friendly Oxford Initiative; and

WHEREAS, the conference theme is "The Faces of Aging, Growth and Opportunity" and Oxford area community members have been invited to participate in conference events.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim Friday, April 5, 2019 as:

**"OHIO ASSOCIATION FOR GERONTOLOGY AND EDUCATION
AND
OXFORD-FOR-ALL-AGES DAY"**

and urge Oxford area community members of ALL ages to attend the opening session on "Ending Ageism or How Not to Shoot Old People" and the reception that follows to be held on Thursday, April 4, 2019, at 7:00 p.m. at Miami University's Shriver Center, in the Dolibois Room.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 2nd day of April 2019.



KATE ROUSMANIERE, MAYOR





Office of the Mayor

Proclamation

Whereas:

excellence in education is vital to the success of our city; and in Oxford we seek to instill each child and adolescent with a good education; and

WHEREAS, by preparing our students for the responsibilities and opportunities of the future, education develops the intellect through lessons on literacy, math and science; and

WHEREAS, the Rebbe, Rabbi Menachem Schneerson, dedicated his life to the betterment of mankind and tirelessly advocated for a better education for all Americans; and

WHEREAS, the Rebbe taught that education should not be limited to the acquisition of knowledge and preparation for a career, but also on character building, with emphasis on the universal moral and ethical values that are the basis of any peaceful civilized society; and

WHEREAS, the United States Congress has established "Education & Sharing Day USA" as an annual national day to commemorate the Rebbe's achievements; and the lessons and the vision he set forth are relevant to us all today.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim Tuesday, April 16, 2019 as,

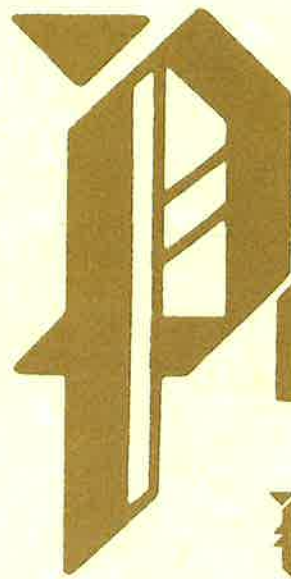
"EDUCATION & SHARING DAY OXFORD"

and call upon educators, volunteers and citizens, to reach out to young people and work to create a better, brighter, and more hopeful future for all.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 2nd day of April 2019.


KATE ROUSMANIERE, MAYOR



Office of the Mayor

Proclamation

Whereas:

the Oxford Unit of the NAACP will host the Annual Freedom Fund Banquet at the Miami University Shriver Center Dolibois Room and the theme is "All In For Justice And Civil Rights Now"; and

WHEREAS, the Banquet has grown over the years to become one of the most highly attended functions in the Oxford community; and

WHEREAS, the attendees of the Banquet represent all walks of life in the greater Oxford community; and

WHEREAS, since 1909 the NAACP's efforts have proved successful in historic legislative victories, and progressive changes that have affected our entire nation; and

WHEREAS, the NAACP focuses on challenging issues that are foremost in our changing society; and

WHEREAS, the Oxford Unit of the NAACP raises funds during this event to award scholarships to graduates of Talawanda High School; and

WHEREAS, this event will take place Sunday, April 7, 2019 at 5:00 P.M. and the Keynote Speaker will be David Singleton, Esq. who is the Executive Director of the Ohio Justice and Policy Center.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby recognize the NAACP and the:

'ANNUAL FREEDOM FUND BANQUET'

and urge all citizens of all ethnic groups to support this event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 2nd day of April, 2019.


KATE ROUSMANIERE, MAYOR



CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: April 2, 2019

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 15, 2019

Date Prepared

Agenda Title: Authorization to Dispose of Surplus Property

Recommendation: Approve

Discussion: The following vehicle has reached the end of its useful service to the Police Division. Staff requests authorization to declare the following vehicle as surplus so it may be taken out of service. Vehicles shall be auctioned to the highest bidder.

#8645 2008 Ford Crown Victoria marked police K9 vehicle

This Resolution will authorize the City Manager to dispose of the above referenced vehicle by public auction, including Internet electronic auction, at the earliest convenience of the City.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAG \ 3-15-19

DRE \ 3-30-19

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER AT PUBLIC AUCTION OR INTERNET AUCTION.

WHEREAS, vehicle # 8645 a 2008 Ford Crown Victoria is no longer needed for Police Division operations; and

WHEREAS, the City Manager and the Police Chief recommend vehicle # 8645 be declared surplus and that the same be advertised and sold to the highest bidder at public auction or internet auction at the earliest convenience of the City.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and hereby declares vehicle # 8645 as surplus.

SECTION 2: Council further authorizes the advertisement and sale of vehicle # 8645 to the highest bidder at public auction or internet auction with proceeds thereof deposited in the General Fund.

SECTION 3: 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

City Council Meeting of: April 2, 2019

Account Code #: 126.370.60014

Budgeted Amount: \$119,000.00

Service Department
Originating Department

Michael B. Dreisbach, Service Director
Prepared By

March 14, 2019
Date Prepared

Agenda Title: Program year 2018 CDBG Handicap Ramp Improvements Contract

Recommendation: Approve

Discussion: The City's 2019 capital improvement budget includes \$119,000 in the Community Development Block Grant (CDBG) fund for the construction of handicap ramps with tactile dome mats. \$96,321 is available for construction; the balance is used to offset costs to administer the program. Staff advertised using CDBG guidelines for improvements specified on the attached Exhibit "A".

Total estimated linear feet of curb / gutter replacements: **858 feet**

Total estimated square feet of sidewalk / ramp replacements: **4,410 sq. ft.**

Total new handicap ramps with tactile detection mats: **61**

The City advertised for bids in the *Hamilton Journal-News* on Feb. 22 & Mar. 1, 2019. Six sealed bids were opened and publicly read on March 8, 2019 with the following results:

Bearcat Construction	\$89,645.00
Jackson Construction	93,140.60
R.A. Miller Const.	95,165.00
Hendy, Inc.	104,587.50
Adleta Construction	105,480.00
W.G. Stang	138,520.00

The lowest and best bid for concrete improvements was provided by Bearcat Construction, Inc. in the amount of \$89,645.00. The City does not have direct experience with this contractor, but reference checks were acceptable including the Hamilton County Park District.

It is Staff's recommendation that Council authorize the City Manager to enter into an agreement with Bearcat Construction, Inc. for the installation of improvements per project specifications at a cost of \$89,645.00. Staff is requesting a contingency in the amount of \$6,676.00, therefore the contract not to exceed amount requested is **\$96,321.00**. This is the full allotment from HUD for construction expenses in the 2018 CDBG program year.

Approved By:

Department Head:
City Manager:

Initial Date

MBD \ 3/14/19
DRE \ 3/29/19

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BEARCAT CONSTRUCTION, INC. FOR THE INSTALLATION OF HANDICAP RAMPS WITH TACTILE DOME MATS AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AT A COST OF \$89,645.00 PLUS A CONTINGENCY IN THE AMOUNT OF AMOUNT OF \$6,676.00 FOR A TOTAL COST NOT TO EXCEED \$96,321.00.

WHEREAS, the City advertised for bids in the *Journal News* on February 22, 2019 and March 1, 2019. Six (6) sealed bids were opened and publicly read on March 8, 2019. The lowest and best bid was submitted by Bearcat Construction, Inc. in the amount of \$89,645.00; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid of Bearcat Construction, Inc. as the lowest and best bid for the installation of handicap ramps with tactile dome mats as set forth on Exhibit "A" attached hereto at a cost of \$89,645.00 plus a contingency in the amount of \$6,676.00 for a total cost not to exceed \$96,321.00; and

WHEREAS, the City Manager and the Service Director further recommend Council authorize the City Manager to enter into a contract with Bearcat Construction, Inc. for the installation of handicap ramps with tactile dome mats as set forth on Exhibit "A" attached hereto at a cost of \$89,645.00 plus a contingency in the amount of \$6,676.00 for a total cost not to exceed \$96,321.00.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: City Council accepts the recommendation of the City Manager and the Service Director and hereby accepts the bid of Bearcat Construction, Inc. and further authorizes the City Manager to enter into a contract with Bearcat Construction, Inc. for the installation of handicap ramps with tactile dome mats as set forth on Exhibit "A" attached hereto at a cost of \$89,645.00 plus a contingency in the amount of \$6,676.00 for a total cost not to exceed \$96,321.00.

SECTION 2: 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)

2019 CDBG Sidewalks and Handicap Ramp Improvements

(2018 Funds)

2/15/2019

Exhibit A

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
Church & University			
NE	38	100	2
NW	38	162	2
SE	0	100	2
SW	10	200	2
Withrow & University			
NE	37	156	2
NW	40	140	2
SE	32	168	2
SW	30	120	2
Church & Bishop			
NE	0	133	2
NW	13	98	2
SE	0	28	1
Withrow & Bishop			
NE	35	138	2
NW	32	150	2
SE	28	96	2
SW	32	130	2
Church & Tallawanda			
NW	0	56	1
Withrow & Tallawanda			
NW	30	150	2
SW	21	100	1
Fairfield Rd & Kay Rench Dr			
NW	20	144	1
NE	20	168	1
SE	20	120	1
Campus & Collins			
NW	22	0	0
Campus & Ardmore			
SW	31	0	0
Withrow & Main			
SE	20	60	1
Withrow & Beech			
NE	28	150	2
NW	28	88	2
SE	19	125	2
SW	30	150	2
Withrow & College			
NE	25	125	2
NW	28	125	2
SE	26	180	2
SW	30	150	2
Withrow & Elm			
NE	31	144	2
NW	29	144	2
SE	35	132	2
SW	0	180	2
Totals of each	858	4410	61

Alternates to:

2019 CDBG Sidewalks and Handicap Ramp Improvements

(2018 Funds)

2/15/2019

Alternate # 1			
Oxford Community Park	Alternate # 1		
	72		
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
	72	0	0

Alternate # 2			
Vine & College			
NE	21	198	2
NW	29	120	2
SE	35	205	2
SW	0	108	2
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
	85	631	8

Alternate # 3			
Vine & Elm			
NE	32	190	2
NW	32	100	2
SE	35	190	2
SW	70	90	2
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
	169	570	8

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: April 2, 2019

Account Code #: 141.720.51000/63181

Budgeted Amount: \$449,743

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

March 14, 2019

Date Prepared

Agenda Title: 2019 Street Resurfacing and Maintenance Program

Recommendation: Approval

Discussion:

The 2019 Capital Improvement budget includes \$449,743 for street resurfacing and maintenance. Staff has evaluated the surface condition of City streets in order to provide data for the compilation of the 2019 Street Resurfacing Program. Several factors were considered in recommending a street for resurfacing including traffic volume, road base condition (or lack of a proper base), curb and gutter condition, drainage conditions, past street and utility cuts, proposed underground work scheduled, and current surface condition. Additionally, staff reviewed and updated the City Infrastructure Inventory which includes data on street, water, wastewater, and stormwater systems.

The list of streets proposed for resurfacing is detailed on the attached Exhibit "A".

A request for bids was published in the Hamilton Journal on Feb. 22 and Mar. 1, 2019. Sealed proposals were opened and read aloud on March 8, 2019. Three firms submitted bids with the following results:

Barrett Paving Materials, Inc.	\$ 419,969.50
John R. Jurgensen Co.	\$ 454,205.20
Rack & Ballauer Co.	\$ 469,237.00

(Continued)

Approved By:

Department Head:

Initial

Date

MBS

3/14/19

City Manager:

DRE

3/29/19

Bids submitted included the following line item cost breakdowns:

- Asphalt milling
- Asphalt placing and compacting
- Traffic control
- Pavement / traffic marking replacements
- Thermoplastic street markings
- Blue reflective armored markers to indicate fire hydrant locations
- Yellow / white markers to enhance lane marking safety

In addition to this street maintenance project, City Staff also evaluated if any facets of the *Corridor Safety Improvement Plan* could be implemented in association with this capital project. Sharrow road markings will be installed on Walnut St. per the plan from Campus Ave. to College Ave. At this time, a widened multi-use path along Campus Ave. has not been funded, but this could be installed in the future without disturbing new asphalt placement on Campus Ave. The City will be installing at least two sets of rectangular rapid flash beacons at marked pedestrian crossing located at SR732 & Dana Dr. as well as Fairfield Rd. at the entrance to the Oxford Community Park and Aquatic Center. Staff will be introducing a Resolution of Necessity requiring specified property owners to repair defective curb, gutter, and sidewalk segments on their property. Staff recommendations in this regard will be by separate Resolutions for Council's consideration and contract authorization.

The lowest and best bid for the 2019 Street Maintenance Program was provided by Barrett Paving Materials, Inc. with a bid of \$419,969.50. Staff is requesting a contingency amount of \$29,800 for this contract (approximately 7.0%). It is Staff's recommendation that Council authorize the City Manager to enter into an agreement with Barrett Paving Co. for a total amount not to exceed **\$449,769.50**.

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BARRETT PAVING MATERIALS, INC. FOR THE 2019 STREET RESURFACING AND MAINTENANCE WORK AT A COST OF \$419,969.50 PLUS A CONTINGENCY AMOUNT OF \$29,800.00 FOR A TOTAL COST NOT TO EXCEED \$449,769.50.

WHEREAS, a request for bids was published in the *Journal News* on February 22, 2019 and on March 1, 2019. Sealed proposals were opened and read aloud on March 8, 2019 with three firms submitting bids; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid and authorize the City Manager to enter into an agreement with Barrett Paving Materials, Inc. for the 2019 street resurfacing and maintenance work at a cost of \$419,969.50 plus a contingency amount of \$29,800.00 for a total cost not to exceed \$449,769.50

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council finds Barrett Paving Materials, Inc. to be the lowest and best bidder and accepts the bid of \$419,969.50 for the 2019 street resurfacing and maintenance work as described in Exhibit "A" attached hereto and incorporated herein.

SECTION 2: The City Manager is hereby authorized to enter into an agreement with Barrett Paving Materials, Inc. at a cost of \$419,969.50 plus a contingency amount of \$29,800.00 for a total cost not to exceed \$449,769.50 for the 2019 street resurfacing and maintenance work as described in Exhibit "A" attached hereto and incorporated herein.

SECTION 3: 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)

2019 City of Oxford Street Resurfacing

Street Name	From	To	cond	width	length
Campus Ave. A (Base Repairs)	Chestnut St.	Ardmore St.	2	TBD	TBD
Campus Ave. B (Base Repairs)	Ardmore	Plum St.	3	TBD	TBD
Campus Ave. C (Base Repairs)	Plum St.	Central Ave.	2	TBD	TBD
Campus Ave. D (Base Repairs)	Central Ave.	Rose Ave.	2	TBD	TBD
Campus Ave. E (Base Repairs)	Rose Ave.	Bern St.	3	TBD	TBD
Campus Ave. F (Base Repairs)	Bern St.	Spring St.	3	TBD	TBD
Campus Ave. G (Base Repairs)	Spring St.	Collins St.	3	TBD	TBD
Campus Ave. H (Base Repairs)	Collins St.	Walnut St.	3	TBD	TBD
Campus Ave. I (Base Repairs)	Walnut St.	High St.	3	TBD	TBD

Campus Ave. A (Surface)	Chestnut St.	Ardmore St.	2	35	144
Campus Ave. B (Surface)	Ardmore	Plum St.	3	35	216
Campus Ave. C (Surface)	Plum St.	Central Ave.	2	35	264
Campus Ave. D (Surface)	Central Ave.	Rose Ave.	2	35	290
Campus Ave. E (Surface)	Rose Ave.	Bern St.	3	35	576
	MU Parking Area		4	10	137
Campus Ave. F (Surface)	Bern St.	Spring St.	3	35	819

Campus Ave. G (Surface)	Spring St.	Collins St.	3	36	364
Campus Ave. H (Surface)	Collins St.	Walnut St.	3	36	381
Campus Ave. I (Surface)	Walnut St.	High St.	3	36	323

Walnut St. E	Main St.	Poplar St.	3	36	407
Walnut St. F	Poplar St.	Campus St.	3	36	413

Vine St. E	Beech St.	Main St.	2	27	408
Vine St. F	Main St.	Poplar St.	3	26	406
Vine St. G	Poplar St.	Campus Ave.	3	26	416
Vine St. H	Campus Ave.	University Ave	3	26	419

E/W Alley btw High & Church	College Ave	Beech St	2	19	365
N/S Alley btw Beech & College	High St	Church St	2	14	298

Poplar St. H	Spring St.	Collins St.	3	35	379
Poplar St. I	Collins St.	Walnut St.	3	37	382
Poplar St, (101 East High St)	OPD Parking Area / Alley		3	14	300
Poplar St. J	Walnut St.	High St.	3	35	378

ALTERNATE # 1

Merry Day Dr.	S. Terminus	College Corner	3	30	468
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**ALTERNATE # 2**

Contreras Rd. L	W. Corp Line	County Maint. Sign	4	21	2928
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CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: April 2, 2019

Joe Newlin

Account Code No. #: Various

Prepared By

Budgeted Amount: \$173,500

March 20, 2019

Date Prepared

Agenda Title: 2019 Property and Casualty Insurance

Recommendation: Approve

Discussion:

Staff is requesting Council to approve the property and casualty insurance renewal of up to \$173,500 for 2019. This represents an approximate 2.4% increase (\$4,041) over last year's cost of \$169,459. The primary increase is due to an increase in value of automobile replacement coverage over last year, and an increase in property values. Insurance premiums will be paid on a semiannual basis.

Approved By:

Department Head:
City Manager:

Initial Date
9/11 3/20/19
DRE \ 3/29/19

RESOLUTION NO.

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 2019.

WHEREAS, Insurance Specialist Group, Inc., dba Love Insurance Partners (hereinafter 'Love Insurance Partners') submitted an insurance bid not to exceed \$173,500.00 for the City's property and casualty insurance coverage for 2019; and

WHEREAS, the City Manager and the Finance Director recommend Council accept the insurance bid of Love Insurance Partners not to exceed \$173,500.00 for the City's property and casualty insurance coverage for 2019.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Finance Director and accepts the insurance bid of Love Insurance Partners not to exceed \$173,500.00 for the City's property and casualty insurance coverage for 2019.

SECTION 2: 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

Community Development
Originating Department

Council Meeting Of: April 2, 2019

Zachary Moore
Prepared By:

Account Code No. #: N/A

Budgeted Amount: N/A

March 21, 2019
Date Prepared:

Agenda Title: A Resolution retroactively approving the assignment of a License Agreement to allow alley right-of-way usage for a previously constructed driveway associated with property located at 338 North Locust Street, Oxford, Ohio

Recommendation: Approve

Discussion:

The proposed Resolution would authorize the City Manager to take all steps necessary to retroactively approve assignment of a License Agreement to the current owners of the property located at 338 N. Locust Street, Chantel L Raghu & Christopher Reagh. The agreement was initially authorized by Resolution No. 4428 in April 2009 and entered into in August 2009 between the City of Oxford and Oxford Community Foundation. Council most recently approved assignment of the agreement to the preceding owner Janie Spires fka Janie Robinson, by Resolution No. 4899 in March 2015. The property was transferred to the current owners in October 2017, though the City had not approved the assignment at that time, as was required under the terms of the initial agreement. The purpose of this Resolution is only to retroactively assign the agreement to the current owners; the terms remain the same as were approved by Council for the preceding owner in March 2015. Approval would allow a driveway in the alley right-of-way to continue being used as off-street parking for 338 N. Locust.

Approved By:

Department Head:
City Manager:

Initial **Date**
SR / 3-29-19
DRF / 3/29/19

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE ASSIGNMENT OF A LICENSE AGREEMENT FOR PROPERTY LOCATED AT 338 NORTH LOCUST STREET OXFORD, OHIO.

WHEREAS, in April 2009 the City entered into a License Agreement with the Oxford Community Foundation to allow a driveway in the alley right-of-way to be used as off-street parking for 338 N. Locust; and

WHEREAS, the License Agreement requires City approval to transfer to subsequent property owners; and

WHEREAS, in March 2015 the property was transferred from the Oxford Community Foundation to Janie Spires aka Janie Robinson and City Council approved the assignment of the License Agreement by Resolution 4899; and

WHEREAS, the property at 338 N. Locust has transferred again to Chantel L. Raghu and Christopher Reagh and City Council must authorize the assignment of the License Agreement.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: The City Manager recommends Council authorize him to approve the assignment of the License Agreement for the property located at 338 N. Locust Street, Oxford, Ohio from Janie Spires aka Robinson to Chantel L. Raghu and Christopher Reagh.

SECTION 2: Council hereby accepts the recommendation of the City Manager and further authorizes the City Manager to take all steps necessary to approve the assignment of the License Agreement to the new owner for the property located at 338 N. Locust Street.

SECTION 3: 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

City Manager

Originating Department

Council Meeting Of: April 2, 2019

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 26, 2019

Date Prepared

Agenda Title: A Resolution of Oxford City Council opposing Ohio House Bill 27 and urging Senator Coley and Representative Keller to oppose Ohio House Bill 27.

Recommendation: Adoption

Discussion:

As requested by Councilor Dana.

Approved By:

Department Head:
City Manager:

Initial Date

DRE \ 3/19/19

RESOLUTION NO.

A RESOLUTION OF OXFORD CITY COUNCIL OPPOSING OHIO HOUSE BILL 27 AND URGING SENATOR COLEY AND REPRESENTATIVE KELLER TO OPPOSE OHIO HOUSE BILL 27.

WHEREAS, Ohio House Bill 27 would virtually eliminate sovereign immunity for emergency responders in the event of an accidental motor vehicle collision involving any emergency vehicle responding to an emergency; and

WHEREAS, this bill would include police, fire and emergency medical services; and

WHEREAS, this bill as drafted, would only grant sovereign immunity in the event of a police chase, where the police officer operating the emergency vehicle collided with a vehicle operated by someone attempting to flee from law enforcement; and

WHEREAS, this substantially narrower provision for liability defense would impede the ability of first responders to safely, quickly and efficiently execute their duties; and

WHEREAS, the constant threat of lawsuits for negligence creates barriers preventing immediate action in response to an emergency; and

WHEREAS, removing liability defense for first responders will substantially increase litigation costs for each city and village; and

WHEREAS, local taxpayers would be responsible for paying for the cost of litigation, as well as claims paid by the municipality.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council having reviewed Ohio House Bill 27 hereby opposes the same and further urges Senator Coley and Representative Keller to oppose Ohio House Bill 27.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: STEVE DANA

PREPARED BY: LAW (STAFF)

BILL TO ELIMINATE SOVEREIGN IMMUNITY RECEIVES OPPONENT TESTIMONY

This week, representatives from local government entities across the state testified in opposition to HB 27. The bill, sponsored by Rep. Ingram (D - Cincinnati), would modify political subdivision liability for an employee's negligent operation of a motor vehicle. The bill as written would virtually eliminate sovereign immunity for political subdivisions except in the instance of a motor vehicle collisions that occurs during a police car chase.

Witnesses objecting to the legislation included Rod Davidson, Oetz Village Administrator who testified on behalf of the League. Davidson spoke of his personal experiences to confirm that the bill would negatively impact emergency response times. Also testifying on behalf of the League was Ashley Brewster, OML Director of Communications and Garry Hunter, the League's general counsel submitted written testimony. Others who provided testimony include Andrew Miler, assistant city attorney for Columbus, OTA Executive Director Matt DeTemple and Pleasant Valley Joint Fire District Chief Mark Kidd on behalf of the Ohio Fire Chiefs Association. You can read all of the March 19, 2019 the testimonies [HERE](#).

HB 27 would open municipalities up to copious amounts of frivolous lawsuits on the grounds of negligence. The witnesses during Tuesday's hearing outlined how current statute already fulfills the core intent of the bill by holding municipalities accountable for paying damages when the driver of the emergency vehicle acts in a "willful or wanton" manner. The law as written protects first responders while holding local governments accountable without opening municipalities up to large numbers of lawsuits for negligence.

If political subdivisions lost sovereign immunity, the lives of Ohioans would be endangered as response times would substantially increase. It would also increase the financial burden on many already struggling municipalities, particularly smaller villages. Taxpayers would bear the burden of paying municipal court costs or damages. Taxpayers would also suffer as municipal insurance premiums would rise, forcing many municipalities to increase local taxes to help make ends meet.



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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 27
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 27's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Ingram

Local Impact Statement Procedure Required: Yes

Tom Wert, Budget Analyst

Highlights

- Repealing political subdivisions' immunity against liability claims involving the negligent operation of an emergency vehicle responding to an emergency could result in significant new costs to pay liability claims resulting from these types of accidents.
- The bill specifies that compensatory damages against a political subdivision in these cases be reduced by the percentage of contributory fault attributable to the plaintiff or any other parties. This could reduce the amount paid by a political subdivision to settle these claims.

Detailed Analysis

Current law makes a political subdivision generally liable for injury, death, or loss caused by the negligent operation of any motor vehicle by an employee when engaged within the scope of employment. However, current law provides full defenses to that liability if the motor vehicle was being operated by municipal corporation police or fire departments or emergency medical services agencies owned or operated by a political subdivision responding to an emergency call so long as its operation did not constitute willful or wanton misconduct. The bill repeals these full defenses, thereby exposing political subdivisions to liability for death, injury, or loss resulting from negligent operation of emergency motor vehicles. However, a political subdivision would not be liable in these situations if the plaintiff was attempting to flee from a law enforcement officer so as to avoid apprehension for a criminal offense.

Liability claims

Liability claims against political subdivisions for the negligent operation of emergency motor vehicles could be significant, particularly so if a claim involves injury or death. As a result, political subdivisions would likely incur significant new costs to pay claims when found to be liable in these cases. However, the bill also specifies that compensatory damages recoverable

against a political subdivision for an employee's negligent operation of a motor vehicle must be reduced by the percentage of contributory fault attributable to the plaintiff or other parties. Under the bill, the reduction of compensatory damages in this manner would apply to negligent operation of a motor vehicle claims involving any motor vehicle, including nonemergency motor vehicles, operated by any employee in the scope of their employment. Although this may reduce costs for liability claims, it is difficult to determine how significantly they might be reduced, as liability claims vary greatly depending on the nature of death, injury, or loss.

Crashes involving emergency vehicles

Although data detailing the number of crashes involving the negligent operation of emergency motor vehicles is not readily available, summary data for the overall number of crashes involving emergency equipment is available from the Ohio Department of Public Safety. Between CY 2012 and CY 2016, the most recent years for which data are available, there was an average of 2,967 crashes involving emergency vehicles (ambulance, police, and fire) each year. On average, these crashes resulted in approximately eight fatalities and 603 injuries each year. Property loss crashes involving emergency equipment over this time period averaged 2,356 per year. The table below shows the total number of fatal, injury, and property loss crashes by vehicle type for each year for those years.

Crashes Involving Emergency Vehicles (CY 2012-CY 2016)					
Year	Vehicle Type	Fatal	Injury	Property Loss	Total
2012	Ambulance	5	83	374	462
	Fire	1	37	251	289
	Police	2	351	1,213	1,566
Subtotal 2012		8	471	1,838	2,317
2013	Ambulance	2	97	368	467
	Fire	1	75	420	496
	Police	2	429	1,523	1,954
Subtotal 2013		5	601	2,311	2,917
2014	Ambulance	2	103	403	508
	Fire	2	102	467	571
	Police	5	441	1,707	2,153
Subtotal 2014		9	646	2,577	3,232

Crashes Involving Emergency Vehicles (CY 2012-CY 2016)					
Year	Vehicle Type	Fatal	Injury	Property Loss	Total
2015	Ambulance	3	103	453	559
	Fire	0	97	432	529
	Police	7	446	1,759	2,212
Subtotal 2015		10	646	2,644	3,300
2016	Ambulance	3	113	398	514
	Fire	1	63	359	423
	Police	3	477	1,652	2,132
Subtotal 2016		7	653	2,409	3,069
TOTAL		39	3,017	11,779	14,835

Source: Ohio Department of Public Safety *Ohio Traffic Crash Facts: All Counties* for years 2012-2016

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 2, 2019

Zachary Moore
Prepared By:

Account Code No. #:

Budgeted Amount:

March 22, 2019
Date Prepared:

PC-2019-06, CONDITIONAL USE, 800 Maple Street, to allow for the addition to an existing structure, Oxford Bible Fellowship, Applicant
--

Recommendation: Approval with conditions

Proposal Summary:

On behalf of Oxford Bible Fellowship (OBF), Etta Reed, PE of Bayer Becker is requesting a conditional use permit to construct a 3,328 square foot addition to OBF's existing building located at 880 S Maple Street, south of the Miami University campus. The church is housed on a 2-acre lot situated at the northwest corner of Maple Street and E. Chestnut Street. The addition is to be located in the northeast corner of the property and would add a total of 9,021 square feet of floor area. The conditional use process is intended to address the appropriateness of the expanded use in the given location, as well as address the mitigation of any potential adverse impacts to the neighborhood resulting from the use.

Discussion and Recommended Conditions:

The Planning Commission felt that the proposed plan & building design were significantly better than previous proposals. The requested waivers were also deemed acceptable – including a lot coverage adjustment from 35% to 57%, since the current lot coverage is at 56%. There was no resident opposition voiced at the meeting. The Commission voted 7-0 to recommend approval of the church expansion plans to City Council subject to the following 4 conditions:

1. The following waivers to zoning provisions shall be granted:
 - a. The maximum lot coverage shall be adjusted from 35% to 57%.
 - b. The minimum number of loading spaces shall be adjusted from 2 to 0.
 - c. The maximum number of parking spaces shall be adjusted from 53 to 102.
2. Materials/items present behind the shed in the northwestern corner of the site shall be moved to an enclosed location on-site or moved off-site to another appropriate location, no later than the time of Building/Zoning Permit approval.
3. A fire hydrant and Fire Department Connection (FDC) shall be provided in a location along Maple Street found satisfactory to the Fire Chief.
4. Two (2) mature trees near the northern property line shall be protected during construction.

Approved By:

Department Head:
City Manager:

SP 3-29-19
DRE 3/29/19

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE EXPANSION OF A PLACE OF WORSHIP IN THE MU (MIAMI UNIVERSITY) DISTRICT AT 800 MAPLE STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

WHEREAS: the Planning Commission held a public hearing on March 12, 2019 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Oxford Bible Fellowship, c/o Etta Reed, PE, Bayer Becker, for a conditional use permit to allow for the expansion of a place of worship in the MU (Miami University) District at 800 Maple Street Oxford, Ohio 45056; and

WHEREAS, the Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for the expansion of a place of worship in the MU (Miami University) District at 800 Maple Street, Oxford, Ohio 45056 with conditions.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: 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 for the expansion of a place of worship in the MU (Miami University) District at 800 Maple Street, Oxford, Ohio 45056 in accordance with the following conditions:

1. The following waivers to zoning provisions shall be granted:
 - a. The maximum lot coverage shall be adjusted from 35% to 57%.
 - b. The minimum number of loading spaces shall be adjusted from 2 to 0.
 - c. The maximum number of parking spaces shall be adjusted from 53 to 102.
2. Materials/items present behind the shed in the northwestern corner of the site shall be moved to an appropriate enclosed location no later than the time of Building/Zoning Permit approval.
3. A fire hydrant and Fire Department Connection (FDC) shall be provided in a location along Maple Street found satisfactory by the Fire Chief.
4. Two (2) mature trees near the northern property line shall be protected during construction.

SECTION 2: 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)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-06

Date – March 12, 2019

GENERAL INFORMATION

Applicant:	Oxford Bible Fellowship, c/o Etta Reed, PE, Bayer Becker
Location:	800 S Maple Street
Owner:	Oxford Bible Fellowship
Action Request:	Conditional Use Permit Application for expansion of an existing Place of Worship
Current Use:	Place of Worship
Lot Size:	2.001 acres
Zoning:	MU (University) District
Surrounding Land Uses:	Institutional, Residential Single-Family

PROPOSAL SUMMARY

On behalf of Oxford Bible Fellowship (OBF), Etta Reed, PE of Bayer Becker is requesting a conditional use permit to construct a 3,328 square foot addition to OBF's existing building located at 880 S Maple Street, south of the Miami University campus. The church is housed on a 2.001-acre lot situated at the northwest corner of Maple Street and E Chestnut Street. The addition is to be located in the northeast corner of the property and would add a total of 9,021 square feet of floor area to the existing structure; this floor area is divided between 3,428 square feet at the basement level, 3,328 square feet on the main level, and 2,265 square feet on a mezzanine level. Inclusion of the basement is dependent upon church fundraising and may not become a part of the final build; if built, a majority of it would be unfinished at the time of initial construction. The conditional use process is intended to address the appropriateness of the expanded use in the given location, as well as address the mitigation of any potential adverse impacts to the neighborhood resulting from the use.

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 comments returned

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. No public comments have been received as of this report.

STAFF RECOMMENDATION

Staff recommends approval of the conditional use application subject to the following conditions:

- 1) The following waivers to zoning provisions shall be granted:
 - a) The maximum lot coverage shall be adjusted from 35% to 57%.
 - b) The minimum number of loading spaces shall be adjusted from 2 to 0.
 - c) The maximum number of parking spaces shall be adjusted from 53 to 102.
- 2) Materials/items present behind the shed in the northwestern corner of the site shall be moved to an enclosed location on-site or moved off-site to another appropriate location, no later than the time of Building/Zoning Permit approval.

- 3) A hydrant and FDC shall be provided in a location along Maple Street found satisfactory to the Fire Department.
- 4) Two (2) mature trees near the northern property line shall be protected during construction.

WAIVER REQUESTS

The applicant has requested the following waivers as part of the conditional use application (language below adapted from applicant cover letter):

- 1) **Section 1143.11(c)(3)C.1 – Lot Coverage – maximum is 35% total**
The existing site contains 56% lot coverage. OBF requests a waiver in order to construct the building addition and increase the lot coverage by 638 square feet to 57% lot coverage.
- 2) **Section 1149.05(e)(2) – 2 loading spaces are required**
OBF does not receive deliveries from vehicles larger than a UPS truck, therefore they do not have the need for loading spaces.
- 3) **Section 1149.03(d)(h) – maximum number of parking spaces is limited to no more than 150% of the minimum unless approved by Conditional Use Permit**
Based upon a 275 seat sanctuary, the site is to have a minimum of 35 and a maximum of 53 parking spaces. The site currently contains 103 parking spaces. With the proposed building addition, 1 parking space will be lost, reducing the total number of parking to 102 spaces. OBF requests a waiver to retain their 102 parking spaces to accommodate future growth in programs at the Church.

STAFF ANALYSIS

History

The existing church was built in the early 1980s and has undergone multiple site changes and revisions throughout its history. A summary of recent case history is provided below:

- **PC-2017-24, Conditional Use: Withdrawn by the applicant at the September 12, 2017 Planning Commission meeting.** This proposal sought the construction of a new 18,000 square foot building, containing a new sanctuary for the church. The new building would have been directly south of the existing building which was to be converted into an annex. The proposal also involved relocation of the playground facility to replace parking in the northeast corner of the site, as well as removal of the easternmost access point from Chestnut Street. An examination of the September 2017 meeting minutes revealed that several members of the Commission felt the proposed building was too large in scale, with an insufficient setback from the public right-of-way and possessing an architectural style uncharacteristic of the surrounding neighborhood.
- **PC-2017-34, Conditional Use: Approved by City Council on January 16, 2018 by Ord No. 3460.** This proposal sought to demolish the existing 8,500 square foot building and to build a new building with a footprint of approximately 12,000 square feet in the northwest corner of the lot. The proposed building was 2 stories tall with an outdoor courtyard. The period of validity for this approval has lapsed, since a construction permit was not filed within 1 year of the approval date. Nonetheless, the current application contains enough substantial deviations from the prior approval to require a new decision to be rendered by the City.
- **PC-2018-18-ADM, Minor Amendment to a Conditional Use: Approved by Staff and Planning Commission Vice Chair on June 18, 2018 (Reported at July 10, 2018 Planning Commission meeting).** To move the new structure 2 ½ feet east to accommodate the sub-grade emergency exits, courtyard, stairwell, and retaining wall on the west side of the building.

Commentary

Staff comments on site conditions and a number of key redevelopment aspects are provided below:

- **Building Addition:** The existing building consists of 2 levels: (1) the main level, containing the worship center and fellowship space; and (2) a lower level, containing meeting/office spaces, mechanical, etc. The addition will add a maximum of 3,428 square feet of space to the basement level, though only 478 square feet will be finished as part of the final build. The inclusion of the remaining “unfinished” basement space will depend on church funds available for construction. On the main level, 3,328 square feet of added space will support Sunday school classrooms and a family lobby, coupled with remodeling of the fellowship space to serve as a “hub” gathering space with a café counter, restrooms, kitchen, and nursery. The café and kitchen are not new additions, and are only being relocated as part of the renovation. A 2,265 square foot mezzanine level is proposed to be constructed as part of the addition, to house youth/multi-purpose space and a common seating area. A new elevator is proposed to connect the addition’s 3 levels, along with an emergency egress staircase descending from the mezzanine level’s western exterior down to parking lot level. To enable pedestrian connectivity to the addition’s main level, a retaining wall roughly 25 feet in length is also planned in the front yard. The addition meets district setback requirements and utilizes materials intentionally selected to match the existing building’s walls and roof.
- **Fencing:** There is an existing chain-link fence along the northern property line, as well as a wooden privacy fence along the western property line to screen the site from the adjoining heating/cooling plant for Miami University. Approximately half of the chain-link fence row (on the eastern side) is visibly rusty and missing segments, though the fence is actually on University property.
- **Landscaping:** Complementary landscaping is planned along both the new and old facades, with 4 new medium trees, ornamental shrubs, large shrubs, and “tall evergreen” arborvitae. Pursuant to Section 1149.05(e)(6)(D), an applicant may submit an “alternate design plan” for landscaping as part of a Conditional Use Permit application.
- **Lighting:** No modifications are proposed to the existing site lighting fixtures.
- **Loading:** Per Section 1149.05(e)(2), 2 loading spaces are required for the use due to redevelopment of the site. Staff supports the requested waiver for this requirement as outlined earlier in this report.
- **Parking and Circulation:** The applicant proposes eliminating the entrance lane and curb cut off Maple Street to make room for the building expansion. The lane currently provides access to 4 angled parking spaces, which will be removed along with the lane itself; however, 3 additional parking spaces will be tucked into the northeast corner of the lot, resulting in a net loss of only 1 parking space. The proposed plan contains approximately 37,000 square feet of drivable surface area, of which approximately 28,300 square feet (76.4%) currently consists of pervious pavers, with the remaining portion surfaced with concrete material. With removal of the Maple Street curb cut, the only points of access will be the 2 separated ingress and egress points off Chestnut Street and the cross-access between the church property and Miami University’s heating and cooling plant to the west.
- **Pedestrian Access:** A sidewalk connection to Chestnut Street had been a requirement of the previously approved conditional use. According to the applicant, the thinking was to extend the sidewalk which runs behind the wooden privacy fence approximately 62 feet further south to reach the main sidewalk on the north side of Chestnut Street. However, the survey of the property reveals that this sidewalk is located on University property. On another note, pedestrian connectivity between the front of the church and Maple Street, as well as between the church building and the playground facility, is maintained as part of the site plan.
- **Playground Facility:** The existing playground is currently enclosed with a fence, and is to remain untouched at the south end of the property.

- **Signage:** An existing freestanding sign is located near the corner of Chestnut Street and Maple Street. The applicant has not expressed any plans to remove, replace, or alter the existing sign.
- **Storage Shed:** A shed approximately 200 square feet in size is located in the northwest corner of the site, and is planned to remain unaffected by the proposed construction. Some excess materials, including a wheel barrow, baby pool, ladder, and wooden supports are stored in the open behind the shed. These need to be moved into an enclosed structure to comply with Section 1141.04(h)(1), which specifies *outdoor storage, including, but not limited to junk, trash, salvage, building material, or parts thereof...shall be prohibited anywhere within the City of Oxford except in an authorized junk yard or scrap processing facility.* A conditional of approval (#2) is recommended requiring these materials to be removed and stored in another enclosed location in order for a Building/Zoning Permit to be approved.
- **Trash Collection:** Trash and recycled materials are currently collected through use of a wheeled rear-loading dumpster and a wheeler tote, respectively. These containers are located within a striped area of the parking lot in the northwestern corner of the site. Section 1141.04(j)(2) requires properties to *have adequately sized, conveniently located, accessible, trash and recycling facilities, to accommodate the specific needs of the proposed use(s) on the site.* Additional standards requiring, among other things, masonry enclosures with gates for trash/recycling collection facilities apply only to *commercial or multiple-dwelling structures* according to Section 1141.04(j)(3). The applicant has expressed there will not be a larger volume of trash generated by the new facility, since the café and kitchen are not new features for the facility.

General Decision Standards

All Conditional Uses shall satisfy the General Decision Standards provided in Section 1147.02(c)(2). The standards found within this section are below with staff analysis provided for each:

- 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. It is specifically listed.
- B. The use and site will satisfy the general intent of the Zoning Code.**
Yes, the proposed use can be satisfied by allowing an expansion to the church as long as the changes are not negative to the surroundings.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.**
The site falls within the "University District" character area, which is appropriate for "civic" uses. The expansion will take place on an existing developed site within the Mile Square, and provide a service accessible by foot and by car to members of the community including youth and college students.
- D. The size and shape of the site are sufficient for the proposed use.**
The property currently supports the Oxford Bible Fellowship Church. The lot size is adequate to permit the proposed building addition.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
Staff finds the expansion is appropriately situated on the site so as to cause the least perceptible impact to surrounding single-family residential properties, and will be compatible in comparison to the University structures/uses in proximity.
- 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.**

The main purpose of the addition is to provide adequate circulation and activity space for young children and elementary, middle, and high school students who are members of the church, with some oversizing to accommodate future growth of around 2-3 kids per classroom. Therefore, not much additional traffic impact is anticipated, and the size of the existing sanctuary space will be unaffected by the expansion project.

- 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.**

Existing accessory uses include the playground facility on the south side of the site and storage shed in the northwest corner of the site. These facilities will remain in place, and are incidental to the principal use of the site as a Place of Worship.

- 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.**

Opportunity for comment was provided to Fire, Police and Service Departments. Though no formal comments were received from Fire, email correspondence did address siting of a future hydrant and FDC.

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

Opportunity for comment was provided to Fire, Police and Service Departments.

- 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 addition is planned to be sided with Hardie lap and panel siding, along with red brick to match the existing structure and a split face concrete block base. Staff finds the architectural styling to be compatible with the existing style and character of the existing building, and fitting into the general character of the surrounding neighborhood.

- 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 redesign of the site involves the elimination of a single ingress-only curb cut off Maple Street. Staff believes this serves as an overall improvement to the site design by reducing the automotive presence on the Maple Street side of the property, and any negative impacts to the public street system in terms of reduced access to/from the site will be minimal, to none.

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

There are a couple mature trees located along the northern property line that should be protected as much as possible from the construction activity to commence on the site. A condition of approval (#4) is recommended to this effect.

- 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.**

Staff is not aware of any obstacles for the applicant or owner to obtain additional licensing or permits. A building permit will be required before the construction commences.

SUBMITTED BY:

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is written in a cursive style with a large, stylized 'Z' and 'M'.

Zachary Moore, AICP
Planner

DATE: March 1, 2019

APPENDIX

RELEVANT ZONING CODE PROVISIONS

Chapter 1147 governs the Conditional Use application and outlines the potential concerns and use regulations for each permissible Conditional Use.

1147.02(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 testimony 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 appropriate for 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.

1147.02(d) Action by Planning Commission

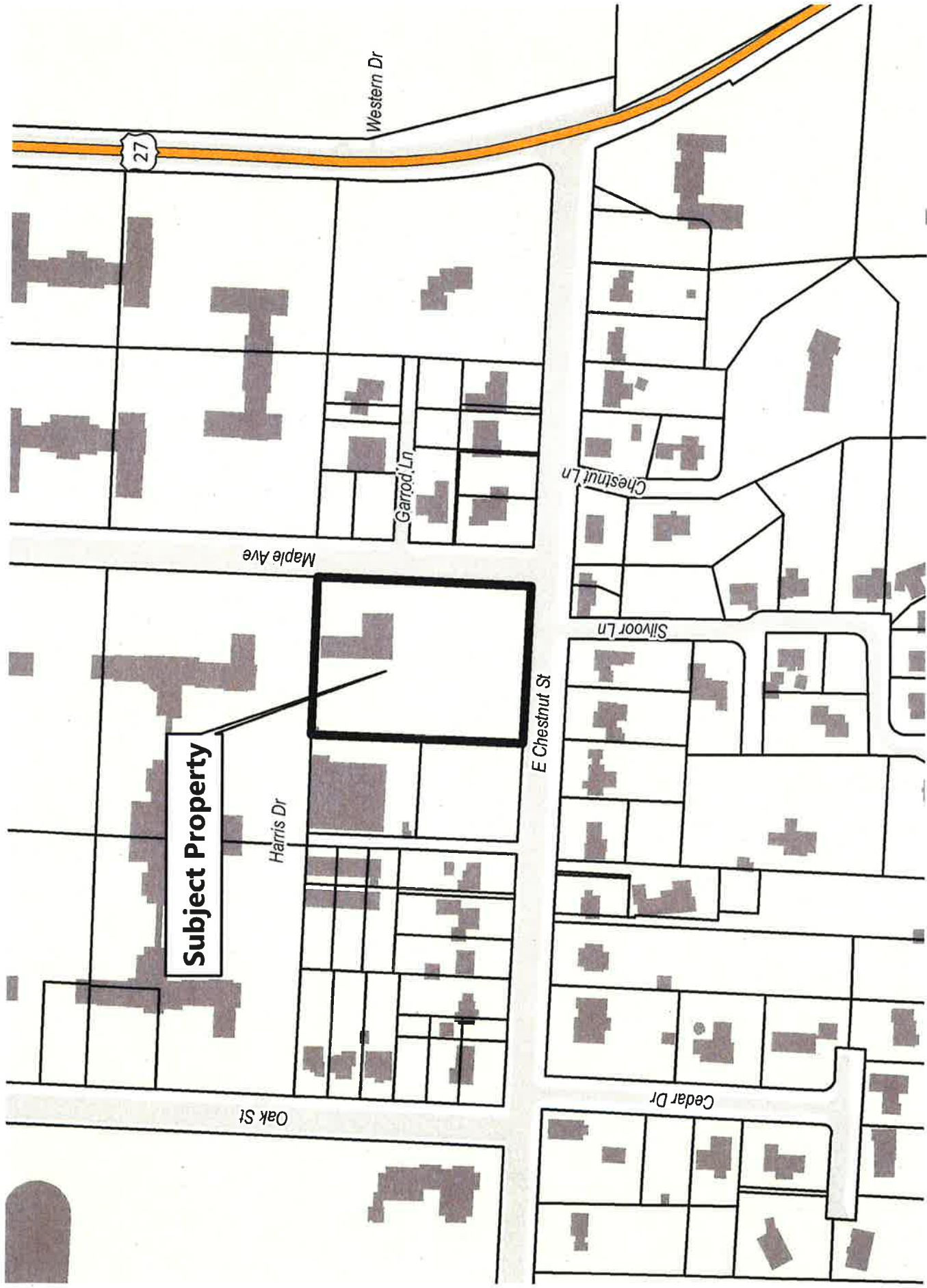
- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the

application satisfies the General Decision Standards and the Decision Standards for the proposed use. **In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.**

1147.03(b)(15) Churches, Libraries, Community and Recreation Centers

- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion.
 - 2. Location and screening of outdoor recreation areas.
 - 3. Bus or van storage.
 - 4. Lighting.
 - 5. Parking and traffic impact.
- B. Regulations.
 - 1. None.

Location Map



Location Map

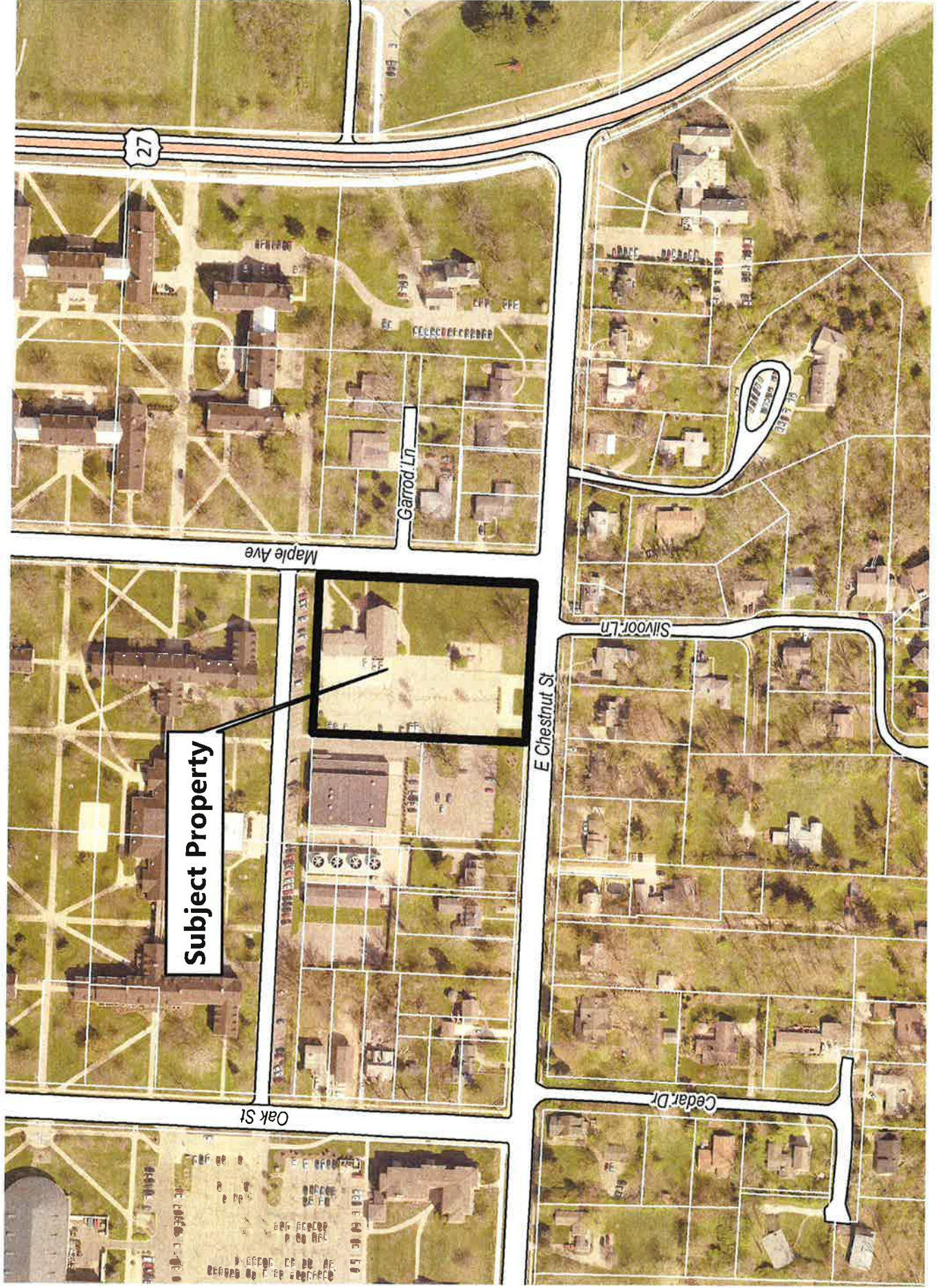
 Site Parcel(s)

500 Feet

250

125

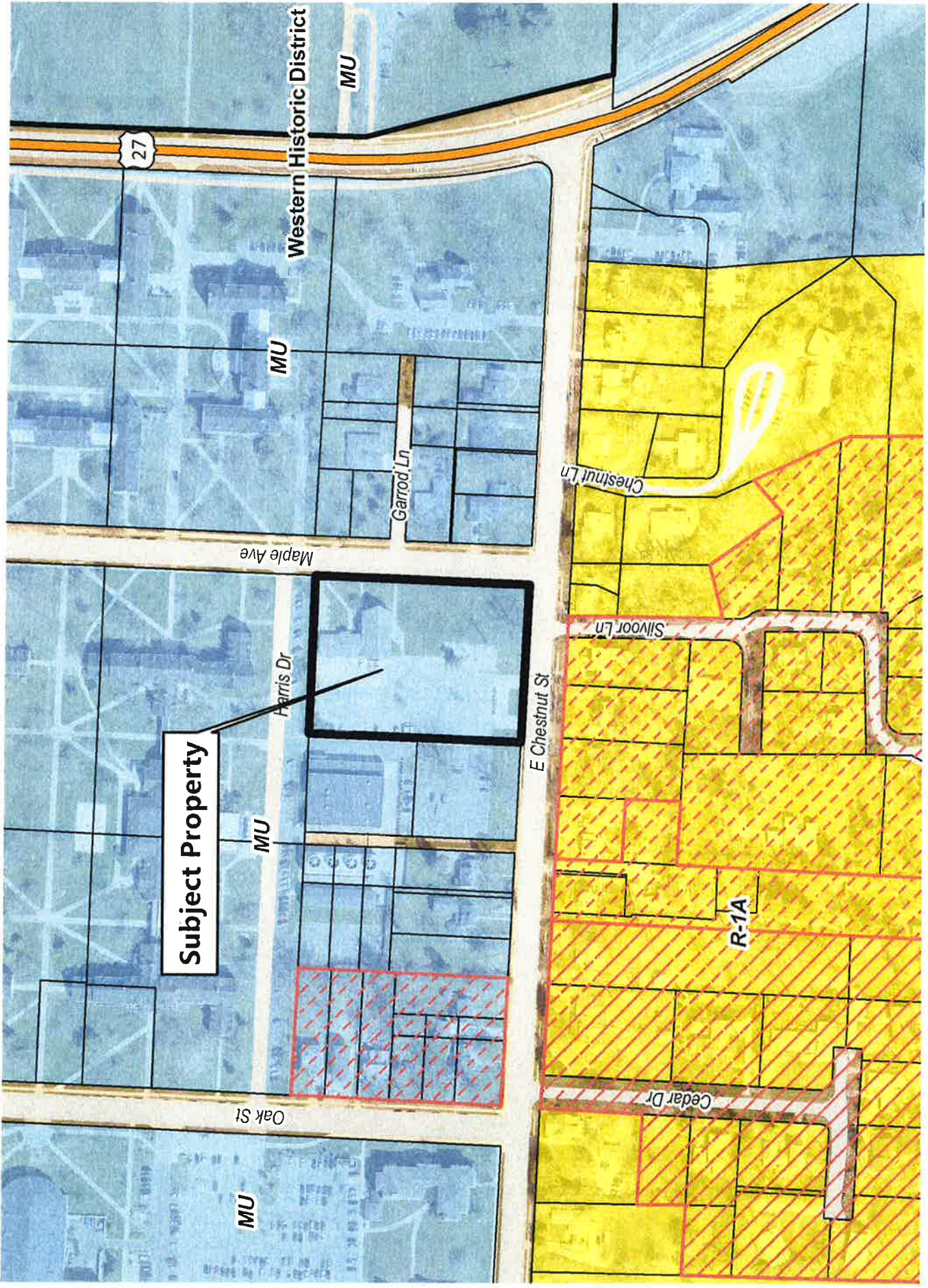
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Location Map



 Site Parcel(s)



RECEIVED JAN 23 2019



City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 31, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-06, CONDITIONAL USE – Addition to an existing Structure – 800 Maple Street – Oxford Bible Fellowship, Applicant

☒ Review ☐ Revisions ☐ Other

Please return no later than: February 14, 2019 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: 2-11-19

PRINTED NAME

RECEIVED JAN 28 2019

City of Oxford
Inter-Office Review Transmittal Sheet

Date: January 31, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-06, CONDITIONAL USE – Addition to an existing Structure – 800 Maple Street – Oxford Bible Fellowship, Applicant

 X Review Revisions Other

Please return no later than: **February 14, 2019** 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: Scott Otto Date: 2/11/19

Scott Otto
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

RECEIVED JAN 20 2019

Date: January 31, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-06, CONDITIONAL USE – Addition to an existing Structure – 800 Maple Street – Oxford Bible Fellowship, Applicant

 X Review Revisions Other

Please return no later than: **February 14, 2019** 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: 2/4/19

John A. Jones

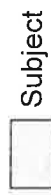
PRINTED NAME



PC-2019-06

Surrounding Property Owners Notifications Map

Legend



Subject



200 Ft. Buffer



Oxford Corp. Limit



Address Point



Parcel

16.5' Vacated ROW



Building Footprint



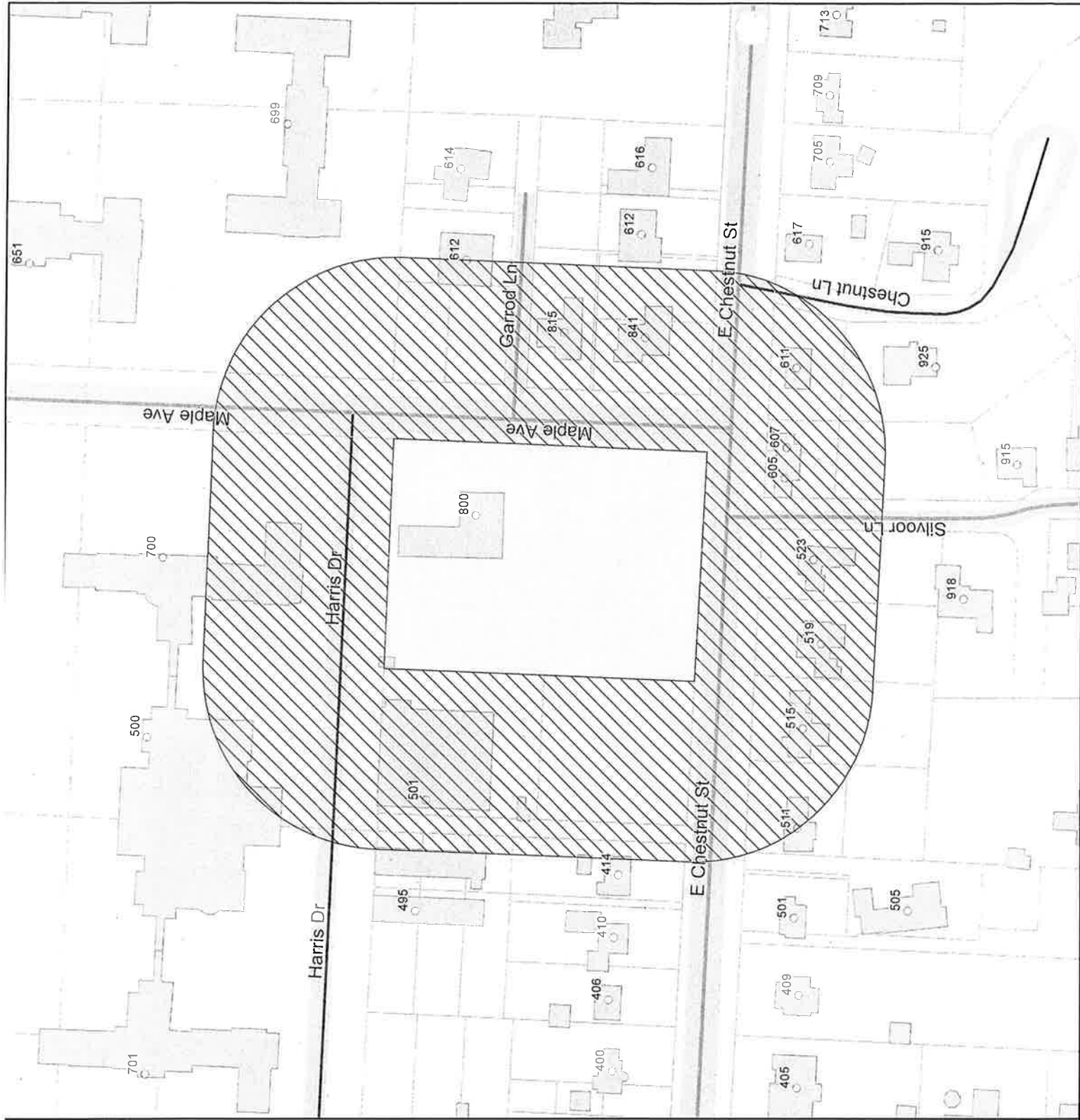
Paved Roadway



1 inch = 150 feet

Prepared on Friday, February 22, 2019

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.





Internal Use Only:

Case No.

PC-2019-06

Date Filed

1/28/19

Conditional Use Permit Application

Applicant Information

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

Name * Oxford Bible Fellowship

Mailing Address * 800 S. Maple Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-523-5300

Email Address gnates@obf.org

Owner Information

Name * Oxford Bible Fellowship

Mailing Address * 800 S. Maple Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-5300

Email Address gnates@obf.org

Location and Lot Information

Location of Property * 800 S. Maple Street

Legal Description * Lot 3393 - Parcel #H4100-108-000-038

Zoning District * MU - University District

Total Area * 2.001 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Church

Proposed Use Description * Church

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 fees are \$400.00 plus \$10.00 for postage. You may write a \$410.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *


11/21/19

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 made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, 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 *

1/28/19

Receipt Number *

239147

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/>



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Meets Functionality*

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

January 25, 2019

Mr. Sam Perry
Community Development Director
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: Oxford Bible Fellowship Church
Conditional Use Submittal

Dear Mr. Perry:

Enclosed please find the following items in support of Oxford Bible Fellowship's Application for Conditional Use approval of the construction of a 3,328 SF main level building addition on the property located at 800 South Maple Street. There is a basement of 3,428 SF and a mezzanine level of 2,265 SF for a total SF addition of 9,021 SF.

- 1) Executed Conditional Use Permit Application.
- 2) Check in the amount of \$410.00 made payable to the City of Oxford for the application fee.
- 3) CD containing a pdf of all the submitted documents.
- 4) Thirteen individual packets containing one (1) copy of each of the following:
 - a. Planned Development Application.
 - b. List of property owners within 200 feet of the site.
 - c. Legal description of the property.
 - d. Site plan.
 - e. Landscape plan.
 - f. Preliminary Building Elevations and Floor Plans.
 - g. Color Building Rendering.
 - h. Photos of the subject site and surrounding area.
- 5) Applicant and Property Owner:

*Oxford Bible Fellowship
800 South Maple Street
Oxford, Ohio 45056
513-523-5300*
- 6) Design Professionals:
 - a. Architect:

*Aspen Group
90 Executive Drive, Suite C
Carmel, IN 46302
317-582-5100*

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 S. College Ave., Ste. 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

b. Engineer & Surveyor:
Bayer Becker
110 S. College Ave., Suite 101
Oxford, OH 45056
513-336-6600

- 7) A legal description of the boundary of the property is enclosed.
- 8) The property currently contains the Oxford Bible Fellowship Church, along with a playground, shed and associated parking.
- 9) The property is zoned MU – University District.
- 10) Description of proposed use:
- a) A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles.
- The proposed building addition will consist of classrooms and gathering spaces. The existing main level lobby and classrooms will be remodeled and two new ADA restrooms and elevator added. The sanctuary will not be modified with the proposed construction. The current occupancy of the sanctuary is 275 people.*
- b) Hours of operation.
- Normal business hours during the week are Monday thru Friday 9:00 a.m. to 4:00 p.m. However, the building is open on Sunday mornings for worship services and numerous times in the evenings during the week for meetings and other events.*
- 11) A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
- a) How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
- The proposed building addition will be located in the northeast corner of the property. Individuals will be able to access the Church from the existing parking lot to the west, and sidewalk will be constructed so individuals can access the building from Maple Street. The existing connection to the Miami University parking lot to the west will remain.*
- b) How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
- The proposed building addition will be located in the northeast corner of the property, adjacent to the institutional uses and distant from the residential land uses on and near Chestnut Street. The two-story building addition with a basement and mezzanine will be constructed of brick, split face concrete masonry units, and siding (James Hardie, LP or similar products) with large windows, which will complement the surrounding buildings located on the Miami University Campus. Additionally, the site will be beautifully landscaped providing an aesthetically pleasing view for all passing by.*
- c) If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.
- The proposed building addition will not involve any operations that create potential nuisances.*
- d) How any potential negative effects on adjacent land will be mitigated.
- The building addition will not have a negative effect on adjacent land, as the use of the property will remain the same. Construction of the building addition will require the elimination of the existing*

vehicular access point on Maple Street, which will improve safety along Maple Street. Furthermore, landscaping will be installed throughout the site.

- 12) A statement about why the location proposed is more appropriate for the use than other locations.

The proposed site is an ideal location for the expansion of the church facility for the following reasons:

- a) The use will remain the same. Currently, the property contains a church with associated parking.*
- b) Due to the close proximity to the Miami University campus and within the Mile Square, it is an ideal and convenient location for students and residents to worship.*
- c) The existing green space at the south east corner of the site will remain.*
- d) The infrastructure is currently in place to support the expansion.*

- 13) A statement of the necessity or desirability of the proposed use to the neighborhood or community.

Due to recent and projected growth, the Oxford Bible Fellowship Church is in need of additional facilities. The proposed building addition will allow the Church to expand to meet the growing needs and interests of their members. The addition and remodel will also be an asset to the community and college students with the commons area and meeting spaces both indoors and outdoors.

- 14) Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.

- a) Adequate lot size to permit future expansion.

The property currently contains the Oxford Bible Fellowship Church. The lot size is adequate to permit the proposed building addition. The possibility for future expansion on the property would be minimal.

- b) Location and screening of outdoor recreation areas.

The existing playground will remain untouched at the south end of the property. The playground is currently enclosed with a fence, and does not include screening.

- c) Bus or van storage.

The Oxford Bible Fellowship Church does not own any vans or buses which must be parked on site. They do however allow The Bridge, which is a church in Oxford that does not have a permanent facility, park a van and mini bus on their property.

- d) Lighting.

The existing site lighting will remain.

- e) Parking and traffic impact.

With the construction of the building addition, the vehicular access point on Maple Street will be eliminated, thus improving the safety of Maple Street.

Per the Zoning Code, 35 parking spaces are required for the site. The site currently contains 102 parking spaces. With the construction of the building addition 3 of the 4 parking spaces that were located in front of the building will be relocated to the rear of the building. The Church has a verbal agreement with Miami University which allows them to park in the parking lots to the north and west of the site. Additionally, on street parking is available on Maple Street. So, while parking on the site has been reduced, the Church does have additional parking available off site.

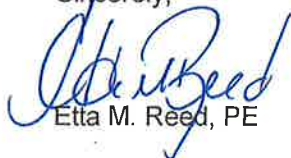
Oxford Bible Fellowship would like to request the following waivers from the City of Oxford Zoning Code:

- 1) Section 1143.11(c)(3)C.1 - Lot Coverage – 35% total
The existing site contains 56% lot coverage. Oxford Bible Fellowship Church requests a waiver in order to construct the building addition and increase the lot coverage by 638 SF to 57% lot coverage.
- 2) Section 1149.05(e)(2) - 2 loading spaces are required.
The Oxford Bible Fellowship Church does not receive deliveries from vehicles larger than an UPS truck, therefore they do not have the need for loading spaces.
- 3) Section 1149.03(d)(h) – The maximum number of parking spaces is limited to no more than 150% of the minimum unless approved by Conditional Use Permit.
Based upon a 275 seat sanctuary, the site is to have a minimum of 35 and maximum of 53 parking spaces. The site currently contains 102 parking spaces. With the proposed building addition, 1 parking space will be lost, reducing the total number of parking to 101 spaces. Oxford Bible Fellowship Church requests a waiver to retain their 101 parking spaces to accommodate future growth in programs at the Church.

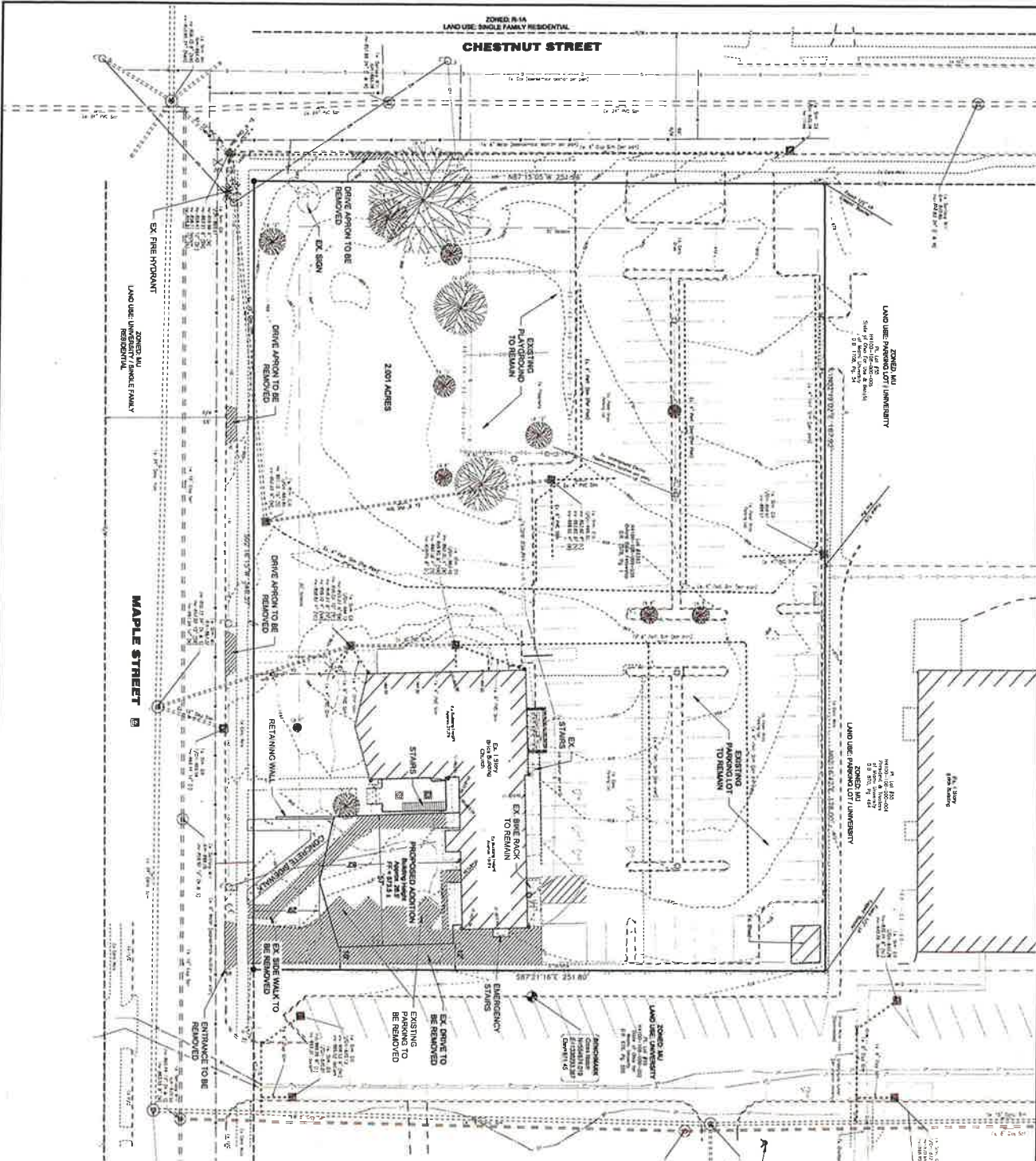
Please place this item on the March 12th Planning Commission Meeting agenda.

Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,



Etta M. Reed, PE



The locations of underground utilities as shown herein are based on underground utilities and record drawings. Locations of underground utilities structures may vary and are shown as best known. Additional buried structures may be encountered.

LEGEND
 PROPOSED CONCRETE
 CONCRETE TO BE REMOVED

PARKING SUMMARY
 Building Parking: 112 Spaces
 Proposed Parking: 170 Spaces @ 8' x 18' / Space = 28 Spaces
 Maximum Parking: 28 Spaces @ 150% = 50 Spaces

PROPOSED LOT COVERAGE = 48.77% / 87,164 sq ft = 51%
 Proposed Impervious Surface: 19,629 sq ft
 Proposed Paved: 30,148 sq ft
 Total Impervious Surface: 49,777 sq ft

EXISTING LOT COVERAGE = 48.13% / 87,164 sq ft = 56%
 Existing Impervious Surface: 18,991 sq ft
 Existing Paved: 30,148 sq ft
 Total Impervious Surface: 49,139 sq ft

PROPOSED IMPERVIOUS SURFACE RATIO = 18,629 sq ft / 87,164 sq ft = 21%
 (with paved as pervious)
 Proposed Impervious Surface Ratio: 18,629 sq ft / 87,164 sq ft = 21%

EXISTING IMPERVIOUS SURFACE RATIO = 18,991 sq ft / 87,164 sq ft = 22%
 (with paved as pervious)
 Existing Impervious Surface Ratio: 18,991 sq ft / 87,164 sq ft = 22%

PROPOSED LOT AREA = 2.07 Acres = 87,164 sq ft
 TOTAL SITE AREA = 2.07 Acres = 87,164 sq ft
 IMPERVIOUS SURFACE RATIO:
 Existing Impervious Surface: 18,991 sq ft
 Proposed Impervious Surface: 19,629 sq ft
 Total Impervious Surface: 38,620 sq ft

EXISTING LOT AREA = 2.07 Acres = 87,164 sq ft
 TOTAL SITE AREA = 2.07 Acres = 87,164 sq ft
 IMPERVIOUS SURFACE RATIO:
 Existing Impervious Surface: 18,991 sq ft
 Proposed Impervious Surface: 19,629 sq ft
 Total Impervious Surface: 38,620 sq ft

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 Existing Impervious Surface: 18,991 sq ft
 Proposed Impervious Surface: 19,629 sq ft
 Total Impervious Surface: 38,620 sq ft

PROPOSED P.H.
BY OTHERS

VICINITY MAP
NOT TO SCALE



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 www.bayer-becker.com
 110 S. College Avenue
 Oxford, OH 43080-2223 2223 4270

**OXFORD BIBLE FELLOWSHIP
 PROPOSED EXPANSION**
 LOT #3393
 CITY OF OXFORD
 BUTLER COUNTY, OHIO
 ADDITIONAL USE - SITE PLAN

Revision	Description	Date	Drawn	Check



Date: July 12, 2017

Description: Lot #3393

Location: City of Oxford
Butler County



Situated in City of Oxford, Butler County, Ohio, being entire Lot #3393 of said City of Oxford and being the lands of Oxford Bible Fellowship as recorded in Official Record 7578, Page 1 of the Butler County Ohio Recorder's Office and being further described as follows:

Beginning at the southeast corner of said Lot #3393, being the intersection of the northerly right of way of Chestnut Street and the westerly right of way of Maple Street and being the **True Point of Beginning**;

thence, leaving said southeast corner of said Lot #3393 and with said northerly right of way of Chestnut Street, North 87° 15' 05" West, 251.96 feet to the southwest corner of said Lot #3393;

thence, leaving said northerly right of way of Chestnut Street and with the westerly boundary of said Lot #3393, North 02° 19' 02" East, 167.92 feet;

thence, continuing with the westerly boundary of said Lot #3393, North 02° 16' 42" East, 178.00 feet to the northwest corner of said Lot #3393;

thence, leaving said westerly boundary of Lot #3393 and with the northerly boundary of said Lot #3393, South 87° 21' 16" East, 251.80 feet to the westerly right of way of a said Maple Street and being the northeast corner of said Lot #3393;

thence, leaving said northerly boundary of Lot #3393 and with the westerly right of way of said Maple Street, South 02° 16' 15" West, 346.37 feet to the **True Point of Beginning**, containing 2.001 acres of land, more or less and being subject to all legal highways, easements, restrictions and agreements of record.

17-0141 2.001 Acres.doc

6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-6600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

110 South College Avenue, Suite 101
Oxford, Ohio 45056
513-523-4270

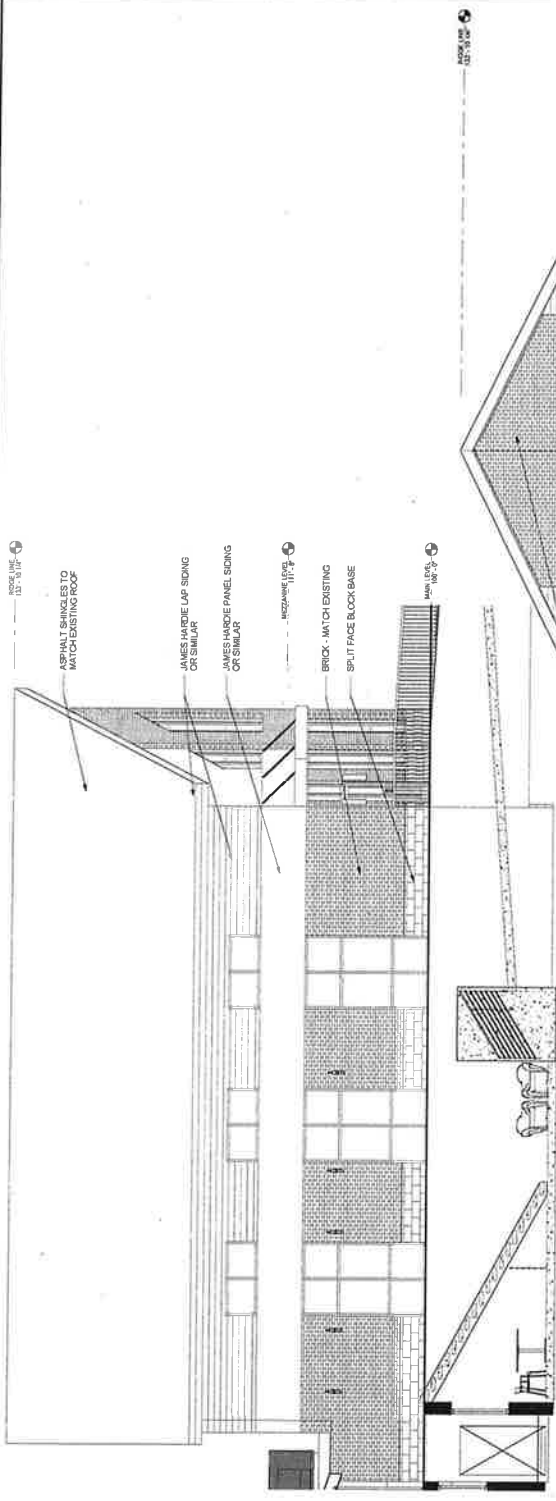
1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

1 LOWER LEVEL FLOOR PLAN
1/4" = 1'-0"

ALIGNMENT SET		
REV	DATE	DESCRIPTION

EXTERIOR ELEVATIONS

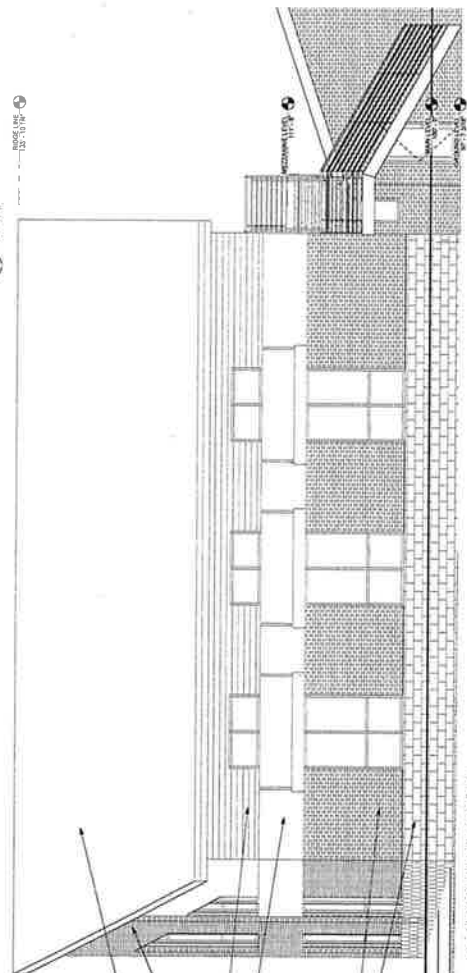
A.200



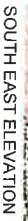
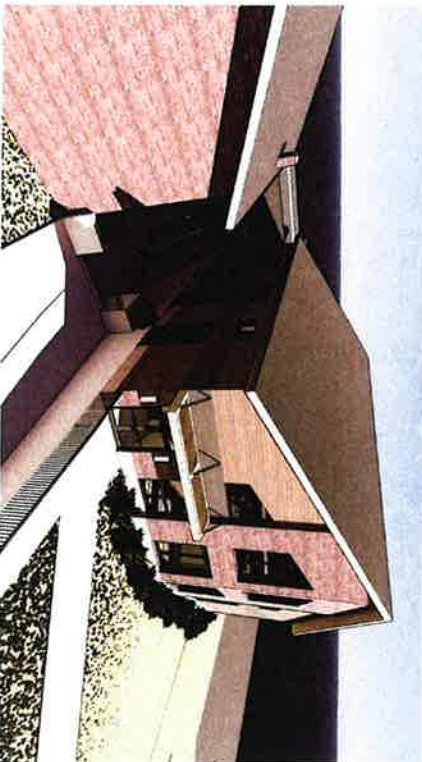
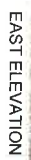
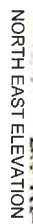
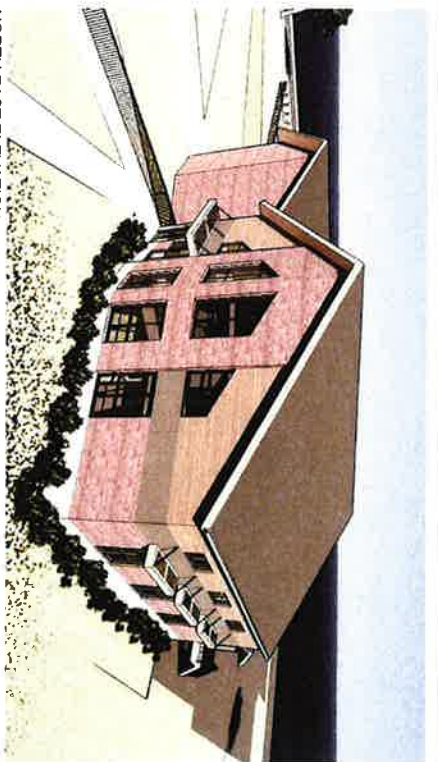
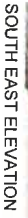
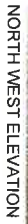
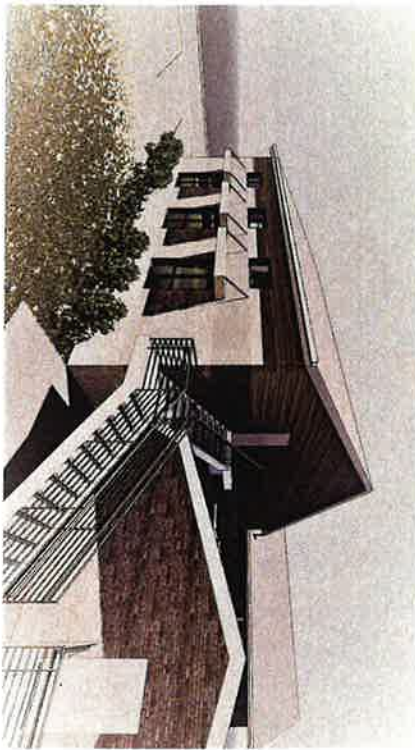
① SOUTH ELEVATION
1/4" = 1'-0"



② EAST ELEVATION
1/4" = 1'-0"

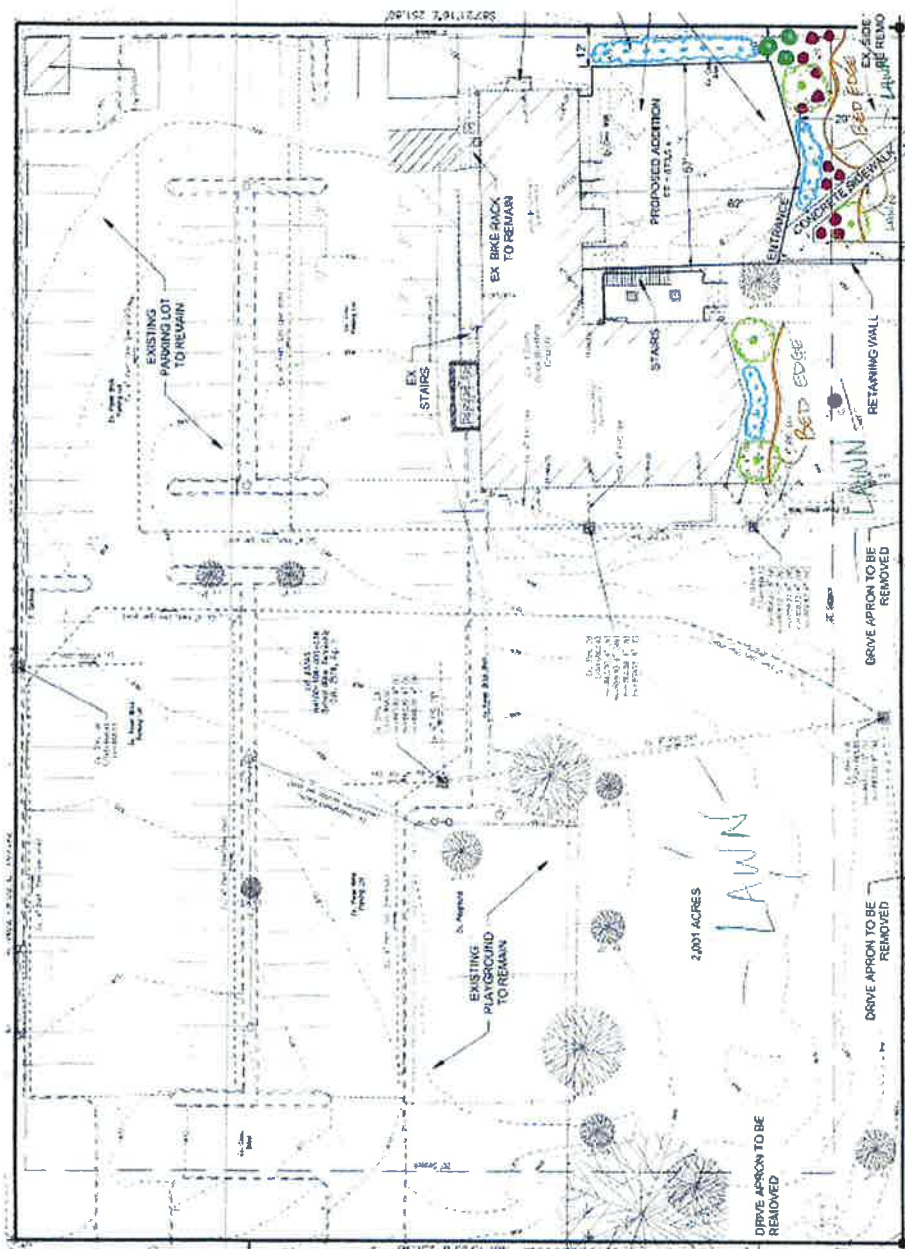


③ NORTH ELEVATION
1/4" = 1'-0"





AN



DATE: 1/23/2019 1:02 PM

Plant Key:

-  Medium Tree
-  Deciduous Shrub
-  Arisea (an undulating landscape)
-  Grass

SHADENAKS
 LANDSCAPE ARCHITECT
 7525 FAIRFIELD RD.
 OXFORD, OH 43056
 Cultural Skills Fellowship
 By Doug Shaden 01/23/2019

RECEIVED JAN 23 2019



1)View from the southeast property corner facing west along E. Chestnut St.



2)View from the southeast property corner facing northwest.



3) View from the southeast property corner facing north along Maple St.



4) View from the east property line along Maple St. facing west.



5) View from the east property line along Maple St. facing west.



6) View from the northeast property corner facing south along Maple St.



7) View from the northeast property corner facing southwest.



8) View from the northeast property corner facing west along Harris Dr.



9) View from the northeast property along Harris Dr. facing south.



10) View from the northwest property corner facing east along Harris Dr.



11) View from the northwest property corner facing southeast.



12) View from the northwest property corner facing south along the west property line.



13)View from the west property line facing east.



14) View from the west property line facing east.



15) View from the southwest property corner facing north along the west property line.



16) View from the southwest property corner facing northeast.



17) View from the southwest property corner facing east along E. Chestnut St.



18) View from the south property line along E. Chestnut St. facing North.

Memo



To: City Council
From: Sam Perry, Community Development 
Date: 3/25/2019
Re: Short-Term Rentals Registration Program

DRE

Under direction from the City Manager, the Community Development Department has developed a set of proposed regulations for a short-term rental registration program within the City of Oxford. Planning Commission previously recommended approval of amendments to the Zoning Code dealing with short-term rentals in September 2018. However, staff recommends holding off on adopting land use regulations at this time until the situation is better understood through means of a registration program.

Community Development staff proposes a new chapter in Part Seven (Business Regulation Code) of the Oxford Codified Ordinances. This new Chapter 743 includes provisions for applicable definitions, minimum requirements, and enforcement. There is also a blanket provision which requires adherence to all other applicable federal, state, and local regulations, including laws on nondiscrimination, zoning, building, health and safety. The proposed language borrows heavily from Chapter 115 of the Louisville/Jefferson County Metro Government's Business Regulations, though it has been tailored in many respects to appropriately fit Oxford's context.

The purpose of the proposed registration program is for the City administration to gather more significant data on short-term rentals, in order to gain a broader understanding of the present level and nature of such activities within the City, including the geographic spread and concentration of short-term rental locations. Acquiring this data will enable staff to make better informed recommendations based on information beyond minimal anecdotal knowledge, and may in turn lead to new land use regulations in the City's Zoning Code in the near future. The Planning and Zoning Code (Part Eleven) is not being amended as part of this Ordinance.

Minimum registration information is set forth in the proposed regulations, including the name and contact information for the individual "hosting" the short-term rental, the actual physical address of the rental, and a designated emergency contact should the host not reside within a reasonable distance from Oxford. Latitude is given to the Community Development Director to further develop content for the registration form; some of the additional questions likely to be included are: (1) specifying the rental's host platform (e.g., AirBnB, VRBO, etc.); (2) expressing the number of average days per month that the unit is rented; and (3) whether the unit is the host's primary residence. The form would be administered online on the City website, though a hard-copy version would also be made available for hosts to complete in-person or by mail. The department would rely on its existing communication resources (i.e., email, flyers, and possibly selective postal mail), as well as notices in utility bills (email and postal mail), to effectively inform property owners and managers within the community about the registration requirement and where to access the online form.

A grace period of six (6) months following the effective date is provided for existing short-term rentals to comply by registering with the Community Development. Following this period, the regulation allows for enforcement action to be taken should any active rentals fail to register. It is the department's intention to be as customer friendly as possible in providing notice to hosts of the registration requirement, and only in rare cases of neglect may enforcement action be exercised. Rentals which are newly established following the grace period would be required to register prior to renting to guests.

ORDINANCE NO.

ORDINANCE ENACTING NEW CHAPTER 743 OF THE OXFORD CODIFIED ORDINANCES ENTITLED SHORT TERM RENTALS.

WHEREAS, localities across the United States have implemented, or are implementing, regulations and standards for short-term rentals; and

WHEREAS, the State of Ohio currently has no regulations on short-term rentals; and

WHEREAS, the City of Oxford may consider short-term rental regulations to address the health, safety and welfare concerns of renters and residential property owners; and

WHEREAS, prior to regulating short-term rentals, City Council and City staff require further information regarding the prevalence of short-term rentals within the City; and

WHEREAS, the City of Oxford, in order to gather relevant information regarding the use of short-term rentals within the City, finds it necessary to enact a registration procedure for short-term rentals; and

WHEREAS, upon the effective date of this ordinance, hosts shall have a grace period of six (6) months to comply by registering existing short-term rentals with the City's Community Development Department. Following the six (6) month grace period, all short-term rentals shall be registered prior to renting to transient users.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby finds that it is necessary to enact new Chapter 743 of the Oxford Codified Ordinances entitled Short Term Rentals to require registration of short-term rentals operating within the City of Oxford.

SECTION II: Council hereby adopts new Oxford Codified Ordinance Chapter 743 entitled Short Term Rentals as follows:

PART SEVEN – BUSINESS REGULATION CODE CHAPTER 743 – SHORT TERM RENTALS.

743.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) "Director" means the Director of the City of Oxford Community Development Department or his/her designee.
- (b) "Host" means any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short term rental.

- (c) “Hosting Platform” means an internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange short term rental and payment through the hosting platform.
- (d) “Short Term Rental” means a dwelling unit that is rented, leased or otherwise assigned for tenancy of less than 14 consecutive days duration, where no meals are served.
- (e) “Transient User” means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than 14 consecutive days duration.

743.02 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate a short term rental on any premises within the City of Oxford unless the short term rental has been registered annually with the Community Development Department.

743.03 ANNUAL REGISTRATION.

Each annual registration for a short-term rental shall be per the procedure prescribed by the Director, and shall be available for paperless, online registration upon the effective date of this chapter. The registration form, at a minimum, shall include the following:

- (a) The name, address, phone number, and email address of the host and of a person residing or located within Butler County or any other county bordering Butler County who shall be responsible for addressing any maintenance or safety concerns; and
- (b) The location of the short-term rental.

743.04 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.

Each separate short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

743.99 ENFORCEMENT AND PENALTY.

Failure to comply with any section or provision of this chapter shall be deemed a violation. Enforcement of any of the provisions of the chapter may be by civil action and/or criminal prosecution. Whoever violates Section 743.02 is guilty of a minor misdemeanor.

SECTION III: 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)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance
Originating Department

Council Meeting Of : 4/2/2019

Account Code No. : see below

Budgeted Amount : _____

Joe Newlin
Prepared By

3/26/2019
Date Prepared

Agenda Title:	2019 Supplemental Budget #3
----------------------	------------------------------------

Recommendation:	Approve
------------------------	----------------

Issue 1

To make adjustment to budget for reimbursements and medical expenses from unencumbered balance, reimbursements for claims exceeding stop loss levels

Action Needed:

Revenue Side

Employee Benefits (230)	1,200,000.00	Reimbursements
-------------------------	--------------	----------------

Expense Side

Employee Benefits (230)	1,200,000.00	Expenditures for medical expenses
-------------------------	--------------	-----------------------------------

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

Issue 2

To make adjustment to budget for an insurance claim for damages canopy at OCP, replacement and installation from unencumbered balance

Action Needed:

Revenue Side

Capital Equipment (140)	2,024.00	Reimbursements
-------------------------	----------	----------------

Expense Side

Capital Equipment (140)	2,024.00	Expenditures for proposed settlement agreement
-------------------------	----------	--

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

Issue 3

To make adjustment to budget for a receipt of Fire Loss Claims for South Beech St. building and subsequent release after City Manager receives proof of compliance unencumbered balance

Action Needed:

Revenue Side

Fire Loss Claims (426)	75,000.00	
------------------------	-----------	--

Expense Side

Fire Loss Claims (426)	75,000.00	
------------------------	-----------	--

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

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

Breakdown by Fund

Employee Benefits (230)	-	
Capital Equipment (140)	-	
Fire Loss Claims (426)	-	

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

Approved By:

Department Head:

City Manager:

Initials

Date

13/26/19

DRE 1 3/29/19

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3493. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS 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:

Employee Benefits Fund 230	1,200,000.00
Capital Equipment Fund 140	2,024.00
Fire Loss Claims Fund 426	75,000.00

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

Employee Benefits Fund 230	1,200,000.00
Capital Equipment Fund 140	2,024.00
Fire Loss Claims Fund 426	75,000.00

SECTION 4: In all other respects, Ordinance No. 3493 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: Douglas Elliott

Police

Originating Department

Council Meeting Of: March 19, 2019

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 12, 2019

Date Prepared

Agenda Title: ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION

Recommendation: Approve

Discussion: Passage of this ordinance would give Public Safety Assistants (PSAs) the expressed authority to impound or immobilize a vehicle pursuant to this section without requiring a police officer to issue the final authorization. In 2016, this ordinance was amended to give PSAs authority to impound or immobilize a vehicle. PSAs had performed these duties for several years as an agent of the Police Chief, but a review by the Law Director determined that an amendment to this section giving a PSA the expressed authority under this section was prudent.

Since that language change, PSAs have had to wait for police officer approval over the radio before actually placing a boot on a vehicle or impounding the car. This proposed ordinance would remove the language that requires a police officer to issue the final authorization before a vehicle is impounded or immobilized. This would allow for a more streamlined protocol where a PSA is authorized to take action for certain violations and under certain conditions. Situations outside of those conditions would still require approval by a police supervisor.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] \ 3/12/19
DRE \ 3/15/19

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION.

WHEREAS, per the recommendation of the Chief of Police, it is necessary to revise Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption, in order to clarify the authority of Public Safety Assistants to impound and boot vehicles.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby accepts the recommendation of the Chief of Police and finds that it is necessary to repeal Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption, and adopting new Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption to clarify the authority of Public Safety Assistants to impound and boot vehicles.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption, and adopts new Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption as follows (additions are bolded and deletions are struck through):

303.08 IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION.

(a) Police officers are authorized to provide for the removal and impounding of a vehicle or the booting of a vehicle, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon the right of way of any road or highway or upon private residential property under the following circumstances

(1) When any vehicle is left unattended upon any street, bridge or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with street cleaning or snow removal operations, or firefighters or workers in any other calamity.

(2) When any vehicle has been stolen or operated without the consent of the owner.

(3) When any vehicle displays illegal license plates or fails to display the current lawfully required license plates.

(4) When any vehicle has been used in or connection with the commission of a felony.

(5) When any vehicle has been damaged or wrecked so as to be inoperable or violates equipment provisions of this Traffic Code whereby its continued operation would constitute a condition hazardous to life, limb or property.

(6) When any vehicle is left unattended due to the removal of an ill, injured or arrested operator.

(7) When any vehicle has been operated by any person who has failed to stop in case of an accident or collision.

(8) When any vehicle has been operated by any person who is driving without a lawful vehicle license or while his license has been suspended or revoked.

(9) When any vehicle is found for which two or more citation tags for violations of this traffic code have been issued and the owner or operator therefore has failed to respond to such citation tags as lawfully required.

(10) When any unattended vehicle is parked so as to be in violation of Traffic Code Section 351.03.

(11) When any unattended vehicle is parked during a snow emergency violation of Section 351.16.

(12) When any unattended vehicle is parked in violation of Section 351.17.

(13) When any unattended vehicle is parked in violation of Section 351.03(r).

(14) When any unattended vehicle is parked so as to be in violation of Oxford Code Section 351.18.

(15) When any unattended vehicle is parked in violation of Section 351.19.

(16) When vehicle is parked in violation of Section 353.03(a) upon the fourth or subsequent offense within twenty-four months.

(17) When any vehicle is parked in violation of Section 351.06.

(18) When any vehicle is parked in violation of Section 351.13.

(b) Police officers are further authorized to provide for the removal and impounding or the booting of any motor vehicle when so authorized pursuant to the provisions of the Ohio Revised Code.

(c) The Police Department shall forthwith notify the registered vehicle owner of the fact of such removal and impounding, reasons therefore and the place of storage, or if the vehicle is immobilized by a boot, a notice of the booting shall be placed on the windshield that explains the reason for booting and the release procedure. Any person desiring to redeem an impounded or booted vehicle shall appear at the Police Department to furnish satisfactory evidence of identity and ownership or right to possession. Prior to issuance of a release form, the claimant, owner or operator shall either pay the amount due for any fines for violations on account of which such vehicle was impounded or booted or, as the court may require, post a bond in an amount set by the court, to appear to answer to such violations. The pound operator shall release such vehicle upon the receipt of the release form and payment of all towage and storage charges, or a police officer may remove the boot after all applicable fines and fees are paid.

(d) Public Safety Assistants are also authorized to provide for the removal and impounding of a vehicle or the booting of a vehicle pursuant to this Section. ~~A police officer must issue final authorization before a vehicle is removed and impounded or booted under this Section pursuant to an order by a Public Safety Assistant.~~

(e) No owner or operator shall remove a boot or an impounded vehicle from the place of storage without complying with the above procedure. Possession of a vehicle which has been booted or impounded and unlawfully taken from the place of storage, by the owner or operator, shall constitute prima facie evidence that it was so removed by the owner or operator. Whoever violates this section is guilty of obstructing justice pursuant to Section 525.08.

(f) Impound Fees: Fees for impounded vehicles shall be those fees adopted in the City of Oxford Fee Ordinance. These fees as set forth in the Fee Ordinance shall be paid prior to release of any vehicle from the impound lot.

(g) Towing Charges: The City of Oxford will pay towing charges for vehicles towed to the City impound lot at the request of the Oxford Police Department. The fee for the towing charges are set forth in the Oxford Fee Ordinance. Additional charges at the prevailing rate may be paid

for services requiring specialized equipment or extra personnel. These charges will be reimbursed to the City prior to the release of any vehicle from the impound lot.

(h) No vehicle which has been immobilized by the Oxford Police Department, by use of a boot, may be released unless and until each and everyone of the following conditions are satisfied:

(1) Sufficient proof is presented to the Police Department showing that all outstanding fines for violations or a bond as ordered by the Court, issued for that vehicle, have been paid in full, including any court costs.

(2) Payment is made to the Police Department for an immobilization removal fee in the amount as set forth and established by the Oxford Fee Ordinance.

(i) Refund: Any person found not guilty or having the charge nulled when such charges authorized and directly resulted in towing and impounding or booting, shall thereupon be refunded by the City and towing and impound fees or booting fees so paid.

(j) Courtesy Notice: Whenever a police officer or Public Safety Assistant chalks a tire or by any other manner commences to observe a vehicle suspected of violating the 72-hour parking prohibition, such police officer or Public Safety Assistant shall place under the windshield wiper of such vehicle, or other convenient place, a written notification to the effect that said vehicle is subject to towing and impoundment if it remains parked for more than 72 hours. This notice is intended as a courtesy and is not jurisdictional and proof of such notification is not required in determining guilt or innocence of a defendant.

(k) Towing Requirements:

(1) Eligibility: Any wrecker service located in the City of Oxford shall be eligible to receive calls from the Police Division for wrecker service provided such person or company agrees to provide wrecker service 24 hours per day, seven days a week, and submits proof of liability insurance as well as proof of ability to perform to the Police Division. In addition, to be placed on such eligibility list, such person or company shall sign a statement provided by the Police Division to the effect that they have received a copy of subsections (f) and (j) hereof and do agree to be bound by all terms and conditions therein contained as well as administrative rules or regulations promulgated by the Chief of Police relative to towing procedure

(2) Rotation List: The Police Division shall maintain an eligibility list of wrecker operators complying with subsections (f) and (j) hereof and the police dispatcher shall call such operators in rotation. The Chief of Police may remove the name of any wrecker service operator failing to comply with subsections (f) and (j) hereof.

(3) Owner/Operator Responsibility: Wrecker service and towing charges for any vehicle not taken to the City impound lot shall be the sole responsibility of the owner or operator of such vehicle and said charges will not be paid or collected by the City except as hereinafter provided.

(4) Emergency City Responsibility: In any emergency situation, such as street repair, water main break and snow accumulation, the Chief of Police may authorize vehicles to be moved and not taken to the impound lot. When so authorized by the Chief of Police, wrecker charges will be paid by the City at an hourly rate agreed upon and established in advance by the Chief of Police and the wrecker service.

(5) When so authorized by the Chief of Police and whenever multiple vehicles need to be towed, wrecker charges will be paid by the City at an hourly rate agreed upon and established in advance by the Chief of Police and the wrecker service.

SECTION III: 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)