



Agenda

Oxford City Council

Court House

TUESDAY, APRIL 18, 2017

EXECUTIVE SESSION

None.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; 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. Introduction - Steve Schnabl, New Executive Director, Oxford Seniors.
- B. Commendation - OPD Officer Ledermeier, OPD Officer Butler, MUPD Officer Jarvi.



Commendation

- C. Proclamation - 'Earth Day'



Proclamation

- D. Proclamation - 'Arbor Day'



Proclamation

- 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 April 4, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the April 5, 2017 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the April 5, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- D. A Resolution declaring certain City property no longer needed for municipal purposes 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 supporting a request by the Oxford Environmental Commission to submit a letter to the Ohio Governor, Senate and House of Representatives to reconsider their

opposition to the "Renewable and Energy Efficiency Standards" and to actively pursue the development of renewable energy. (Kate Rousmaniere, Mayor)



Staff Report/Resolution

2. A Resolution declaring that it is necessary to improve those portions of certain properties as shown in Exhibits "A" and "B" attached hereto in the City of Oxford, Ohio, by re-paving, re-curbing, and repairing the sidewalks, curbs, and gutters. (Mike Dreisbach, Service Director)



Staff Report/Resolution

6. Ordinances.

- A. First Reading - None.
- B. Second Reading.

1. An Ordinance Approving The Partial Vacation Of A Waterline Easement Located Within Lot 3832, Of Bishop Square Phase II As Described In Exhibit "A" Attached Hereto And Incorporated Herein For The Purpose Of Relocating Said Waterline Outside Of Its Recorded Easement. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

2. An Ordinance Accepting A Waterline Easement From EVR Investments, LLC Over The Property Of Grantor As Described In Exhibit "A" Attached Hereto And Incorporated Herein For The Purpose Of Relocating A City Owned Waterline Outside Of Its Recorded Easement. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Apr 19 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Apr 20 Recreation Board Meeting 4:00 p.m. Senior Center

FRI - Apr 21 Student Community Relations Commission Meeting 2:30 p.m. LCNB

WED - Apr 26 Civil Service Commission Meeting 5:30 p.m.

THUR - Apr 27 Police Community Relations Commission Meeting 7:00 p.m.

TUES - May 2 City Council Meeting 7:30 p.m.

WED - May 3 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

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

FRI- May 5 Student Community Relations Commission Meeting 2:30 p.m. LCNB

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

THUR - May 11 Community Relations Commission Meeting 4:00 p.m. Municipal Building

MON - May 15 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

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

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

THUR - May 18 Recreation Board Meeting 4:00 p.m. Senior Center

WED - May 24 Civil Service Commission Meeting 5:30 p.m. Municipal Building

8. Adjourn.

Commendation

On February 25, 2017, at approximately 10:20 p.m., Officer Ledermeier was in front of the Oxford Police Department, located at 11 S. Poplar St., when he received a field report of a fight in the area of Poplar St. and E. High St. Officer Ledermeier headed north on S. Poplar St. to investigate and witnessed several people surrounding a male, later identified as Bradley Bartuch, who was lying face down on the sidewalk south of The Woods, a bar which is located at 17 N. Poplar St. Officer Ledermeier exited his cruiser and witnessed another male, later identified as Kenneth Pollard, Jr., wrestle with the bar manager, Maxwell Harris. Officer Ledermeier struggled with but eventually detained Kenneth G. Pollard, Jr. and placed him in handcuffs.

Officer Butler arrived on scene and quickly assessed Bartuch. Officer Butler immediately determined that Bartuch was not breathing and began CPR. MUPD Officer Jarvi arrived on scene and at the request of Officer Butler, retrieved the Automated External Defibrillator (AED) bag from Officer Butler's vehicle. Officer Butler and Officer Jarvi deployed the AED, and the AED advised to continue with chest compressions, which Officer Butler continued to do until the Oxford Life Squad arrived on scene and took over. Bartuch regained a pulse, was transported by the Oxford Life Squad to McCullough-Hyde Memorial Hospital, was eventually flown to the University of Cincinnati Hospital due to his injuries, and has since recovered.

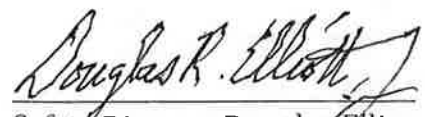
While this was unfolding, Officer Ledermeier controlled a volatile crowd, including having to put Kenneth Pollard, Jr. in the back of his patrol vehicle due to his highly emotional, disruptive behavior. Natalie Pollard was highly emotional as well and was impeding Officer Butler in the performance of his duties by continuing to try to grab at Bartuch while Officer Butler was administering CPR and deploying the AED. She was placed in the back of an MUPD vehicle by an MUPD officer.

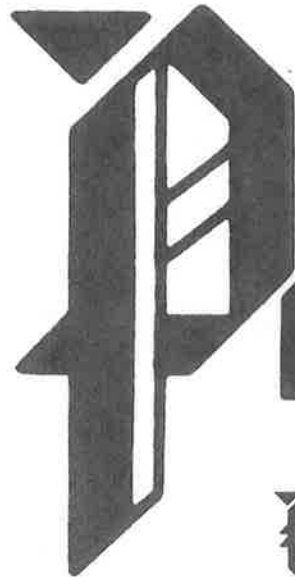
It is evident that the actions of Officer Butler, Officer Ledermeier, and MUPD Officer Jarvi contributed to saving the life of Bradley Bartuch. If not for Butler quickly assessing and determining to administer CPR on an unconscious and non-breathing Bartuch, Jarvi assisting in retrieving the AED from Butler's vehicle and then assisting with deploying the AED, and Ledermeier controlling a volatile crowd, Bartuch may not be alive today.

For the Police role, it is fitting and deserving that Officer Richard Butler be awarded the coveted OXFORD POLICE DIVISION LIFE SAVING AWARD and Officer Mark Ledermeier and MUPD Officer Matthew Jarvi receive a Certificate of Commendation. The lifesaving award consists of a medallion for display and a service bar for daily uniform wear.

Presented by Safety Director Douglas Elliott, Jr. and Mayor Kate Rousmaniere this 18th day of April, 2017.


Mayor Kate Rousmaniere


Safety Director Douglas Elliott, Jr.



Office of the Mayor

Proclamation

Whereas:

on April 22, 1970, United States Senator Gaylord Nelson of Wisconsin and Denis Hayes organized the first nation-wide day devoted to environmental awareness and education that was celebrated by an estimated 20 million Americans; and

WHEREAS, this day of environmental awareness and education is celebrated world-wide in some 180 countries, with the participation of over 4,000 separate organizations; and

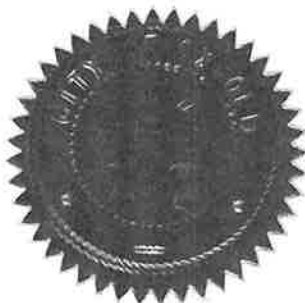
WHEREAS, individuals and institutions have a mutual responsibility to seek ecological, economical and ethical choices that enable the world, as well as our individual communities, to establish and maintain sustainable societies.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim that on Saturday, April 22, 2017 the City of Oxford will recognize and participate in the national and international celebration of:

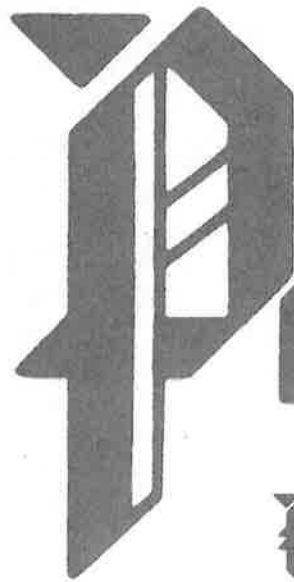
'EARTH DAY'

in the Uptown Parks and I urge all citizens to celebrate Earth Day and to remind each person of their right and responsibility to the wise use of this global home, to heal, preserve and improve the Earth and the quality of life for this and future generations, and to approach every day as an Earth Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 14th day of April, 2017.




KATE ROUSMANIERE, MAYOR



Office of the Mayor

Proclamation

Whereas:

in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska; and

WHEREAS, trees can produce oxygen, provide habitat for wildlife, reduce the erosion of our precious top-soil by wind and water, cut heating and cooling costs, moderate the temperatures, clean the air, and help to absorb rainwater and slow the velocity of storm water runoff; and

WHEREAS, trees are a resource providing us with wood for our homes, fuel for our fires, paper, and countless other wood products; and

WHEREAS, associated with the management of the approximately 3,342 street, park, and public trees in the community, the City of Oxford has fulfilled the national Arbor Day Foundation's requirements for "Tree City USA" for twenty one consecutive years.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, Tree City USA, do hereby proclaim that on April 28, 2017, the last Friday of the month, the City of Oxford will recognize and participate in the national and international celebration of:

"ARBOR DAY"

I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 14th day of April, 2017.


KATE ROUSMANIERE, MAYOR



A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, April 4, 2017 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard. Bob Blackburn was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director 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. Ms. Southard seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

'GENOCIDE AND HOLOCAUST EDUCATION & PREVENTION MONTH'

Mayor Rousmaniere read the Proclamation and presented it to Miami students, Cody Phillips and Natalie Roberts.

Mr. Cody Phillips, read the following into the record in part: 'Miami University's Center for American and World Cultures, Genocide and Holocaust Education Committee works throughout the year to put together a month long program that addresses and educates the university and the community about genocides that have occurred throughout history. The committee is made up of faculty, students, staff and community members. While the Holocaust may seem remote in time space and place let us not forget it continues to touch us here in Oxford, Ohio. Numerous Miami University students and Oxford residents have family members who perished in the tragic events of this era and a few have relatives who survived. They bear the psychological and physical scars of their experiences. Many of you have family members who fought in WWII and helped to liberate the camps. While it's important to realize that never again must truly mean never, we find ourselves today in a world where genocide seems to be common place once again. Syria and the Central African Republic come to mind. To this end we sought the City Council of Oxford to ask to proclaim April as Genocide and Holocaust Education and Prevention Month and in doing so, Oxford, Ohio for the second time will become the first state to declare such a proclamation in the State of Ohio. Several states including Minnesota and New Hampshire, Texas and California have passed genocide awareness legislation as well as City of Minnesota. Other cities have passed anti-genocide resolutions. Taking this step forward we will create a pathway to adopt a proclamation in the state in the near future. Our goal is to always remember and honor those who perished to ensure that human rights are held to the highest standard in any community and to call for the end of all genocides.' Mr. Phillips advised Ms. Roberts would provide information on the upcoming events.

Ms. Natalie Roberts, noted the events in the month of April were free and open to members of the community as well as Miami students and staff. Ms. Roberts advised a lecture and panel discussion would take place tomorrow at 5:30 p.m. titled 'Living in the Balance, FDR and the Dominican Republic, the Rescuing of European Jews during WWII. Ms. Roberts noted a film series would take place Wednesday, April 12 beginning at 9:00 a.m. and would include films on the Holocaust, the Cambodian Genocide, the Guatemalan Genocide and the Armenian Genocide. Ms. Roberts advised a "Reading of the Names" would take place Monday, April 24th from 8:00 a.m. until 5:00 p.m. on Miami's campus. Ms. Roberts advised a "Read In" would take place Wednesday, April 26 at 7:30 p.m. at the Miami University Bookstore. Ms. Roberts noted on Thursday, April 27th the program would conclude with a lecture and panel discussion regarding the Khmer Rouge at 5:30 p.m. at MacMillan Hall. Ms. Roberts advised the committee would love to see community members attend the events.

Ms. Southard thanked the student group and the university for coordinating the Genocide and Holocaust Education Program. Ms. Southard noted this year Holocaust Remembrance Day or Yom HaShoah would be observed on April 24 and advised this memorial day began by government decree in Israel in 1953. Ms. Southard noted some nations observed January 27 as that was the day the concentration camp of Auschwitz was liberated. Ms. Southard advised although millions died in the concentration camps, most Jews were murdered in public view by their neighbors. Ms. Southard noted the word 'Genocide' derived from the words 'race' and 'murder' was invented by Raphael Lemkin, a Polish Jewish lawyer who in desperation lobbied the United Nations to make genocide a crime against humanity, a prosecutable offense. Ms. Southard advised the genocide of the Armenians in 1915 was the model for Hitler's war against the Jews. Ms. Southard recited a version of a speech by Pastor Martin Niemoller as follows:

"First they came for the communists, and I did not speak out – because I was not a communist.
Then they came for the Socialists, and I did not speak out – because I was not a Socialist.
Then they came for the Trade Unionists, and I did not speak out – because I was not a Trade Unionist.
Then they came for the Jews, and I did not speak out - because I was not a Jew.
Then they came for me – and there was no one left to speak for me."

Ms. Southard encouraged everyone to speak out now against discrimination or hatred of anyone, any religious, ethnic or racial group, or anyone targeted for their beliefs or behavior. Ms. Southard noted she felt we needed to speak up about dangerous nationalism which was why she wanted to congratulate the student group for their efforts.

PRESENTATION **OXFORD PARKS & RECREATION**

Casey Wooddell, Parks and Recreation Director, displayed photos of the Grand Opening of the Oxford Community Park in 2003 depicting youth activities and adult vintage softball games. Mr. Wooddell updated Council and the public on the many activities, events and programs taking place in the Parks and Recreation Department this spring and summer. Mr. Wooddell also discussed the Recreation Board's recommendation for placement of a new aquatic center at the Oxford Community Park. Mr. Wooddell addressed questions from Council members.

PUBLIC COMMENTS

Ms. Peggy Shaffer, Miami University, Department of History and Intercultural Studies, advised she was also involved with the Institute for Food. Ms. Shaffer noted she wanted to introduce to Council and to the City of Oxford the Institute for Food and to invite everyone to a Symposium on April 14th. Ms. Shaffer advised the Institute for Food was a Provost Interdisciplinary Innovation Project which began in 2015 to engage the Miami community around the issues of food, health and sustainable agriculture. Ms. Shaffer noted their goal was to foster healthy food, healthy eating, healthy communities and a healthy planet. Ms. Shaffer advised to achieve the goals the Institute for Food was in the process of developing an interdisciplinary co-major in food systems and food studies grounded in experimental learning by farming. Ms. Shaffer noted the Institute for Food was given permission by the university to use 8 acres of the Austin Magie Farm & Mill District (Fryman Farm) and last semester the group planted 7 acres in cover crop and 1 acre in vegetables which yielded 13,000 pounds of produce. Ms. Shaffer advised the produce was sold by forging partnerships with community members in the local food system. Ms. Shaffer invited everyone to attend the Symposium on April 14, 2017 from 1:00 p.m. to 5:30 p.m. at Alumni Hall for a series of panel discussions with leading experts in agricultural history, local food systems, and rural communities to explore the legacy of agriculture in Ohio, to document the history of the Austin Magie Farm & Mill District and to discuss the future of food, farming and opportunity in Southwest Ohio.

Mr. Dana inquired if the Symposium would be widely announced and Ms. Shaffer advised yes, promotional materials were being sent out and the university Communications and Marketing Department will be distributing it.

Ms. Michelle Boone, advised she was a scientist and was in attendance with a group of other scientists who were also concerned citizens. Ms. Boone noted they had a request for the Mayor and City Council to help Oxford play a role in improving our environmental health and quality through addressing issues of climate change through local action. Ms. Boone advised last Tuesday the President signed an executive order rolling back environmental protections by rescinding the climate action plan to reduce greenhouse gas emissions that would have helped the United States reduce the consequences of global climate change. Ms. Boone noted the President essentially repealed the clean power plan and instructed federal agencies not to consider climate change when making decisions. Ms. Boone advised there was overwhelming scientific evidence that demonstrates humans cause climate change resulting from increased greenhouse gases especially carbon dioxide that has reached concentrations not observed in the last 800,000 years well before the evolution of humans. Ms. Boone noted the ecological systems in human populations are already being affected and it was imperative the U.S. as the second largest emitter of greenhouse gases respond. Ms. Boone advised since the President seems disinclined to act it's imperative for Cities to lead the way. Ms. Boone on behalf of her group asked Mayor Rousmaniere with support of City Council to join the Global Covenant of Mayors for Climate and Energy, a global coalition committed to reducing local greenhouse gas emissions while publically tracking the progress. Ms. Boone noted Mayors were involved from cities of all sizes and a city had up to 3 years to meet the requirements which culminates in the creation of a full climate action and adaptation plan. Ms. Boone advised as scientists and citizens there were a number of people who were willing to help explore and implement this process.

Ms. Boone noted in the past the Institute for Environment and Sustainability at Miami University reported on greenhouse gas emissions in Oxford. Ms. Boone requested Mayor Rousmaniere with Council's support to consider joining the covenant and noted Council members could join the National League of Cities in signing a letter to the President to urge his administration to help prevent the most destructive effects of climate change. Ms. Boone noted scientists overwhelmingly agreed the failure to act to curb the effect of climate change could result in serious consequences for people and natural systems around the world. Ms. Boone advised the current administration was not poised to address the most important environmental threat in human history and requested Mayor Rousmaniere and Council to help by action at the local level.

Mr. Dana asked Ms. Boone to elaborate on the requirements she mentioned. Ms. Boone advised it was a four part process and the first part was to say the City was willing to commit and the organization would help set guidelines. Ms. Boone noted the City would assess the current carbon emissions and ways to potentially reduce them. Ms. Boone advised the City would then set goals to reduce emissions and develop a plan to implement.

Mr. David Gorchov, Professor of Biology and Advisor to Environmental Science Co-Major at Miami University, noted he supported what Dr. Boone presented with regard to Oxford joining the Global Covenant of Mayors for Climate and Energy and take local action to contribute to reducing greenhouse gas emissions. Dr. Gorchov advised in his view climate change is the existential crisis of our time and everyone needed to do what they could as individuals and as citizens of a country but at the local level as well. Dr. Gorchov noted a couple of years ago Oxford took a very significant step in arranging for renewable electricity to be purchased which was a huge action consistent with the Covenant. Dr. Gorchov referred to a map of the world depicting cities that have joined the Covenant noting in Ohio it was just Columbus and Cleveland as of now. Dr. Gorchov advised faculty, graduate students and under graduate classes at Miami might be able to assist with some of the effort to quantify and demonstrate what has been done and what was planned.

Mayor Rousmaniere advised she learned about this effort and spent some time researching it. Mayor Rousmaniere noted she would like Council to endorse the concept and explore it further. Mayor Rousmaniere reminded everyone large cities could have hundreds of employees in their environmental departments and Oxford had one. Mayor Rousmaniere noted this was something she felt Council would want to investigate and perhaps call on Miami for assistance in forming an ad-hoc committee to explore what a City like Oxford could do. Mayor Rousmaniere advised she was aware of a letter Council could sign and she would like to explore that more.

Ms. Southard advised she already signed the letter on her behalf noting she felt it was very worthwhile. Ms. Southard encouraged residents to use solar panels on their homes noting she had them on hers. Ms. Southard encouraged citizens to purchase electric and hybrid vehicles noting on an individual level citizens could take action.

Mayor Rousmaniere suggested creating a workgroup to further investigate this matter.

CONSENT AGENDA

MINUTES

Minutes of the March 21, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the March 14, 2017 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the March 15 2017 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the March 16, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the March 22, 2017 Civil Service Commission Meeting. (Candi Fyffe, Human Resources Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION

OVERLAY DISTRICT

A Resolution No. 5053 of Council accepting the petition to expand a Neighborhood Conservation Overlay District for Cedar Drive and East Chestnut Street and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was a request to expand an existing Overlay District which was the 2nd district to be created after the enabling legislation was introduced in 2012. Mr. Chen noted there were 13 overlay districts at the present time. Mr. Chen noted the same process was used to expand a district as to create one. Mr. Chen noted the request after Council approval would be forwarded to the Planning Commission for the zoning map amendment. Mr. Chen advised the proposed addition of 6 parcels to the district was shown on page 26 of Council's packet.

Mayor Rousmaniere inquired if the original petitioners signed the new petition for expansion and Mr. Chen advised yes.

Mr. Dana inquired if the new total was 21 parcels. Mr. Chen advised the original district contained 15 parcels and 6 were being added for a total of 21.

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

Mr. Dana moved to adopt Resolution No. 5053. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
BOND RELEASE

A Resolution No. 5054 of Council authorizing the City Manager to release the final ten percent (\$7,200.00) of the \$72,000.00 cash performance bond posted by New Village Construction, LLC. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised a few years ago with the development of Bishop Square and Miami Preserve the City required improvements to the traffic control signal on Locust Street. Mr. Dreisbach noted the developer completed those improvements and the City withheld 10% of their deposit as a one year surety bond. Mr. Dreisbach advised that time has elapsed and the signal is working as designed and Council's approval was needed to release the final 10% of the developer's bond.

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

Mr. Dana advised he supported the release of funds noting the inspection had been done. Mr. Dana advised this installation should be seen as part of a wider context of the response to the findings of the walk-about which the Mayor initiated last July on Locust Street.

Mr. Dana moved to adopt Resolution No. 5054. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTION
ACCEPT OPWC FUNDING

A Resolution No. 5055 of Council authorizing the City Manager to accept the Ohio Public Works Commission (OPWC) – Issue One funding in the amount of \$189,750.00 for the reconstruction of the Sandra Drive Bridge over Collins Run in the City of Oxford, Ohio, and to sign the necessary agreements with the OPWC to facilitate said project. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this project would replace the Sandra Drive culvert which was similar to a project done a couple of years ago on Dana Drive. Mr. Dreisbach noted the City applied to the Ohio Public Works Commission to assist with funding for this project and the City was successful in obtaining a 69% grant for the project. Mr. Dreisbach advised staff obtained Council's approval to apply for the grant and now Council's approval was necessary for the City Manager to sign the documents to accept the grant.

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

Ms. Southard inquired if any other culverts needed replaced and Mr. Dreisbach advised one on 27 S. Mr. Dreisbach noted the City made great strides in replacing culverts over the last few years.

Mr. Ellerbe moved to adopt Resolution No. 5055. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION
AGREEMENT WITH
BARRETT PAVING MATERIALS, INC.

A Resolution No. 5056 accepting the bid and authorizing the City Manager to enter into an agreement with Barrett Paving Materials, Inc. for the 2017 Street Resurfacing and Maintenance work at a cost of \$339,774.25 plus a contingency amount of 3.0% of the agreement price or \$10,225.00 for a total cost not to exceed \$349,999.25. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in conjunction with the Resolution he planned to give a presentation this evening on transportation projects that had been completed and what is being worked on currently. Mr. Dreisbach advised the resurfacing project was just one piece of the puzzle. Mr. Dreisbach noted he provided Councilors with a hand-out depicting various roadway, utility and sidewalk projects and discussed each one and the associated cost. Mr. Dreisbach advised the City worked well with ODOT, the Butler County Engineer's Office and Miami University to get a lot of good projects completed. Mr. Dreisbach noted the value of the projects he discussed was approximately 30 million dollars of which the City paid approximately 5 million dollars. Mr. Dreisbach discussed several projects that were currently underway or would be underway soon including a new gateway into the City from 27 N. in conjunction with Miami University. Mr. Dreisbach referred to page 38 of Council's packet and discussed the 2017 resurfacing project. Mr. Dreisbach recommended the contract for this project be awarded to Barrett Paving who provided the lowest bid.

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

Mr. Dana referred to the staff report on page 35 of Council's packet "The City will also be using designated CDBG funds later in 2017 for the resurfacing of select alleys in the Mile Square". Mr. Dana noted he thought the CDBG funds might be severely cut or eliminated.

Mr. Dreisbach advised HUD usually awarded those funds in the fall and these were 2016 HUD funds. Mr. Dreisbach noted the City would be reimbursed from the county as the funds are expended.

Mayor Rousmaniere inquired if Mr. Dreisbach wished to speak more about Locust Street. Mr. Dreisbach advised a very productive meeting took place with the Transportation Sub-Committee of the Planning Commission and there was a desire to study access management, bike lanes and pedestrian safety through the Locust Street business district corridor. Mr. Dreisbach noted the desire was to limit access points into the shopping plaza, to make sure the sidewalk system was connected and functional, to make sure the traffic control signals are working properly and in sync with each other and possibly to add additional pedestrian safety signals to alert drivers of a complex area which included an off-set intersection at Wells Mills and the McDonalds drive through exit, and several cross walks going to the Lane Library and Bishop Square. Mr. Dreisbach advised much of this could be accomplished with paint. Mr. Dreisbach noted a discussion took place with the sub-committee regarding what the City can and can not afford to do.

Mr. Ellerbe referred to page 35 of Council's packet "2017 Street Resurfacing and Maintenance Program" and inquired what the Maintenance Program entailed. Mr. Dreisbach advised it consisted of striping the edge lines and center lines and installing raised reflective markers.

Mr. Dana moved to adopt Resolution No. 5056. MS. Southard seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
PARTIAL EASEMENT VACATION

An Ordinance Approving The Partial Vacation Of A Waterline Easement Located Within Lot 3832, Of Bishop Square Phase II As Described In Exhibit "A" Attached Hereto And Incorporated Herein For The Purpose Of Relocating Said Waterline Outside Of Its Recorded Easement. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised with the building of the out lots at Bishop Square for the new bank and other commercial businesses a water main had to be relocated on site. Mr. Dreisbach noted this and the next Ordinance went hand in hand. Mr. Dreisbach advised an easement had to be vacated where the water main was moved from and a new easement needed to be accepted where the water main was relocated to. Mr. Dreisbach noted this was a housekeeping matter to clean up the easements.

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

ORDINANCE

An Ordinance Accepting A Waterline Easement From EVR Investments, LLC Over The Property Of Grantor As Described In Exhibit "A" Attached Hereto And Incorporated Herein For The Purpose Of Relocating A City Owner Waterline Outside Of Its Recorded Easement. (Mike Dreisbach, Service Director)

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

ORDINANCES
SECOND READING

ORDINANCE
NEW CHAPTER 143

An Ordinance No. 3399 Repealing Current Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights; Community Relations Commission, And Adopting New Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights Commission. (Doug Elliott, City Manager)

Mr. Elliott advised presently, there were three City commissions which included the word “community” in the name. Mr. Elliott noted this included the Student Community Relations Commission (SCRC), the Police Community Relations & Review Commission (PCRRC), and the Community Relations Commission (CRC). Mr. Elliott advised each of the three commissions had a distinct and separate responsibility. Mr. Elliott noted to address the possibility of confusion and to provide some distinction between the other two commissions, the CRC members and he recommend the Community Relations Commission name should be changed to the Civil Rights Commission.

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

Mr. Dana noted he felt this was a sound and wise decision to clarify matters for the public.

Mr. Dana moved to adopt Ordinance No. 3399. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeegan, Mr. Smith, Ms. Southard, Mr. Dana, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance No. 3400 Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Elliott addressed the changes to the supplemental budget as outlined on pages 66 and 67 of Council’s packet and offered to answer any questions.

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. 3400. Mr. McKeegan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeegan, Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted staff was still in negotiations regarding the Patrol Officer's contract and will meet with a Fact Finder in May.

Mr. Elliott advised he and Councilor Southard were planning a reciprocal visit to Differdange, Luxembourg, Oxford's Sister City in May and noted he would keep Council posted on those details. Mr. Elliott thanked Councilor Southard for arranging a display at the Oxford Lane Library regarding Oxford's Sister City.

Mayor Rousmaniere inquired if Mr. Elliott had additional information from the Ohio Municipal League regarding income tax. Mr. Elliott advised he did not and noted his hope cities throughout the state would have an effect on the decision to centralize the collection of net-profit income tax as all cities and villages believed it was a bad idea.

Mr. Dana noted Representative Candice Keller was made aware of the City of Oxford's concerns regarding the centralized collection of income taxes and she and her staff indicated they would study the issue and report back to Mr. Elliott. Mr. Dana inquired if Mr. Elliott heard anything back from Representative Keller and Mr. Elliott advised no.

Chief Detherage noted in January Council approved a Resolution allowing the City to apply for the Local Government Safety Capital Grant program and advised he worked with Miami University and Oxford Township and a \$200,000 grant was awarded. Chief Detherage noted the funds would go toward the purchase of a new fire truck and two existing trucks would become surplus.

Mr. Chen noted a Kick-Off for the Walk 4 Seven challenge would take place tomorrow at 5:30 p.m. in the Uptown Park. Mayor Rousmaniere advised the Coalition for a Healthy Community was sponsoring the event for Oxford areas residents to reach 14 million steps in 7 days to celebrate the American Heart Association's National Walking Day.

Mr. Ellerbe noted it upset him that the Governor's budget contained the provision regarding income tax as it did not specify where the interest income was going to go when they switched the dispersion from a bi-monthly basis. Mr. Ellerbe noted he thought it accounted for over 3 million dollars annually being taken away from municipalities for it to be a line item in a budget that was officiated in a budget. Mr. Ellerbe advised he wished municipalities could take a stronger stance in saying 'no' to the proposal. Mr. Ellerbe noted his hope it would go in a favorable direction for the City of Oxford and for all cities in Ohio.

Mr. Dana concurred with Mr. Ellerbe.

Mr. Dana advised the NAACP banquet on Sunday was highly stimulating and Dr. Michael Dantley delivered a tremendous speech for a wonderful event.

Ms. Southard acknowledged and thanked the City for its support of the NAACP with many Councilors and staff in attendance at the banquet. Ms. Southard noted the speech was stirring and it was a great occasion to show support for all aspects of the community.

Ms. Southard noted a Sister City agreement with Differdange was signed in February and Proclamations issued by Mayor Rousmaniere and by the Mayor of Differdange were on display at the Lane Library in English and in French. Ms. Southard noted an article from the Oxford Press written by Bob Ratterman was also on display along with related pictures, souvenirs and books. Ms. Southard advised the display was next to the circulation desk and it would be there for a month.

Mayor Rousmaniere encouraged everyone to volunteer at the Merry Day Park on Saturday for Community Day from 10:00 a.m. until noon. Mayor Rousmaniere noted new playground equipment and a bike rack would be installed, the shelter would be painted, and other work would be done by the volunteers. Mayor Rousmaniere advised this was a collaborative effort of the City, Miami Athletics, the Coalition for a Healthy Community and McCullough Hyde Hospital.

Mayor Rousmaniere noted citizens could also attend Outdoor Bootcamp with the Crawfords on Saturday from 10-11 a.m. at Lewis Place.

Mayor Rousmaniere reminded everyone to count their steps for the 2017 Walk 4 Seven Challenge to reach 14 million steps in 7 days to celebrate the American Heart Association's National Walking Day.

ADJOURN

Mr. Ellerbe moved to adjourn at 8:58 p.m. Mr. Smith seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 18, 2017

Sam Perry
Prepared By

Account Code No. #:

April 11, 2017
Date Prepared

Budgeted Amount:

HAPC MEETING REPORT – April 5, 2017

New Business:

HAPC-2017-07, 101 E. High Street, Municipal Building, window and roof replacement, repair of existing cupola, installation of two overhead doors, **Michael Dreisbach, Applicant/Agent**

The Commission reviewed the City proposal for modifications to the Municipal Building for the future Oxford Police Station. The Commission discussed the details as presented by staff and approved the Certificate of Appropriateness as proposed.

HAPC-2017-08, 15 S. College Avenue, former Lane Library, installation of additional windows, and the removal and replacement of an existing rooftop air conditioning condensing units, **Michael Dreisbach, Applicant/Agent**

The Commission reviewed the City proposal for modifications to the former Lane Library for the future City Administration Building. The Commission discussed the details as presented by staff and approved the Certificate of Appropriateness as proposed.

HAPC-2017-11, 200-208 E. High Street, Beta Theta Pi Fraternity, renovation and addition to the Alpha Chapter House, **Renouveau Design, Inc., Tom Converse, Applicant, Agent**

The Commission reviewed the proposal as follow-up from the September 2016 pre-application. There were no changes. The proposal is to retain the historic buildings and re-use them by adding a two story connector addition. The Commission discussed the details as presented by the architect and approved the Certificate of Appropriateness as proposed.

Preservation Month Activities:

Potential historic marker applications
Walking tours

Administrative Approvals:

HAPC-2017-09-ADM, 29 E. High Street, formerly Lane & Kate, Hush Intimate Apparel, relocation of an awning to new location, **Scott Webb, Applicant, Agent**

HAPC-2017-10-ADM, 109 W. High Street, formerly Morning Sun Bakery, Oxford Smoke Time, removal of existing awning and installation of a wall sign above entrance door, **Karen Grimes, Applicant**

Announcements

- May Walking Tours
- May Historic Marker Applications
- Inventory Subcommittee
- Upcoming Planning Commission work session April 11

The next regular meeting is May 3, 2017 at 6:00 p.m. at 118 W. High Street.

Department Head:

City Attorney:

City Manager:

Handwritten signatures and dates:
JHC, 4/11/17
DRE, 4/13/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: April 18, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

April 7, 2017
Date Prepared

Agenda Title: Environmental Commission Meeting of April 5, 2017

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, April 5, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell; Mr. Vince Hand, and Jonathan Ralinovsky. A quorum was present. Mr. Andor Kiss had previously notified the Commission that he would not be attending the meeting.

The minutes from the March 1, 2017 Environmental Commission meeting were unanimously approved upon the correction of changing the month of the meeting from "February" to "March".

The Commission welcomed its newest member, Mr. Jonathon Ralinovsky.

Mayor Rousmaniere updated the Commissioners on recent City Council developments. At the April 4, 2017 Council meeting, a group of citizens requested that Oxford join the Compact of Mayors, which encourages climate leadership at the local level. Participation in the Compact of Mayors would require (among other items) Oxford to inventory its greenhouse gas (GHG) emissions, both directly and through incidental energy uses, and subsequently make a binding covenant for their reduction. Mayor Rousmaniere indicated she intended to meet further with the citizens, and asked that Environmental Commissioners assist her. Both Vice-Chair Maurer and Mr. Hand volunteered to assist the Mayor in discussions with the citizens. Mayor Rousmaniere indicated she was concerned about the amount of time and effort it would take to prepare a GHG inventory, particularly given the City's limited staffing.

Mr. Bell informed the Environmental Commission that the Planning Commission had met with City Council to outline priorities for 2017. Included in the priorities for Planning Commission included updating the residential zoning in the Mile Square, and update commercial zoning throughout the community to prepare nuanced commercial zoning revisions based upon the business' (and its customers) vehicle usage. Mr. Bell also informed the Environmental Commissioners that a preliminary, concept plan for the "Vertigo" residential development south of Stewart Square had been received. The Environmental Commission requested that the development plan be reviewed for potential impact to localized storm water run-off, and that efforts to retain or reduce run-off be incorporated into the final development plan.

(Continued)

Approved By:

Department Head:
City Manager:

Initial Date

DRE 4-14-17

Chair Gwyn provided an edited copy of a letter that the Environmental Commission had recommended for the Mayor's signature last year (at the April 6, 2016 meeting), and had been sent to several Ohio state government representatives regarding Ohio's decision to suspend expansion of the renewable and energy efficiency standards. In February 2017, the State of Ohio proposed legislation that would (among other items) reduce existing, mandated renewable and energy efficiency standards to "goals", reduce the final energy efficiency target for 2027 from 22.5% to 17.2%, and that renewable and energy efficiency energy goals and standards would end in 2027. The currently proposed letter was reviewed and edited to reflect the Commissioner's concern with the proposed legislation. Commissioners voted on a Resolution endorsing the Mayor's signature and submittal of the letter to the Ohio state officials referenced in the letter. The Resolution passed unanimously with six votes in favor.

Mr. Bell had provided Commissioners with a refined partial draft revision to Oxford's Codified Ordinance Chapter 935 (Trees, Shrubs and Other Plants) that he had prepared in conjunction with Community Development Director Chen. They had re-worked the previous draft that the Environmental Commission had prepared that incorporated proposed requirements for preservation and/or replacement of trees on privately developed lands. The refined partial draft revision separates regulations regarding public trees (similar to the existing Chapter 935) and the proposed regulations for preservation and/or replacement of private trees. Presently, Mr. Bell had only re-worked the public tree portion of the draft ordinance, which the Commissioners reviewed and commented on. Mr. Bell intends to work with Director Chen and prepare the refined draft revision to Chapter 935 by the May 2017 Environmental Commission meeting.

Staff informed the Commission that the internal review of the Environmental Commission's Chapter 4 (Best Management Practices) to Oxford's revision of its Stormwater Management Design Manual had been completed. The confirmation of referenced citations had taken the majority of the review time to confirm that the citations were the most current revision of the document, and that the document itself could be located (rather than just repeated from another document). Oxford's Service Department Staff is currently making the revisions to Chapter 4 and it is intended that that Chapter 4 should be available for the Commissions review and approval by the May 2017 meeting.

Staff informed the Commissioners that this year's Tree City USA Awards Program is to be held in Lebanon, Ohio on Friday, April 21, 2017. Commissioners were invited to attend the event. Oxford's Arbor Day tree planting is intended to be a Colorado Blue Spruce at the TRI Recreation Facility. Also, a recognition ceremony at the Oxford Community Park (OCP) is to be held for the Memorial Tree Plaque Program. Both of these events are scheduled for the morning of Friday, April 28, 2017 (Arbor Day). During the past year, Oxford citizens have purchased three Memorial Trees (two Eastern Redbuds and a Sunset Red Maple) to be planted at the OCP. Commissioners were invited to attend the events.

Staff reminded the Commission of the upcoming Earth Day "EarthFest" observation on Saturday, April 22, 2017 in the Uptown Memorial Park from approximately 9:00 a.m. until 12:00 noon. Staff has reserved a spot for the Environmental Commission at the event and intends to be present to distribute literature, take requests for changes in recycling services, and be present to answer questions from the public. Commissioners were invited to attend the event.

The final presentation by the Miami University Institute for the Environment and Sustainability graduate student's Professional Service Project (PSP) regarding storm sewer outfall inspections and preparation of an illicit discharge detection and elimination program manual for Oxford is scheduled for Tuesday, April 25, 2017 at 1:00 p.m. in Shideler Hall. This PSP was undertaken to assist Oxford with its responsibilities as a participant in the Ohio Environmental Protection Agency's Storm Water Management Program. Commissioners were invited to attend the event.

The Commissioners concluded discussion at 8:25 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, May 3, 2017 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: April 18, 2017

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 11, 2017

Date Prepared

Agenda Title: Authorization to Dispose of Surplus Property

Recommendation: Approve

Discussion: The following vehicles have reached the end of their useful service to the Police Department. Staff requests authorization to declare the following vehicles as surplus so they may be taken out of service and auctioned to the highest bidder:

#104	2001 Chevy Impala marked Citizen Observer Patrol vehicle
#105	2003 Ford Expedition 4x4 marked police SUV
#130	1999 Ford Crown Victoria marked parking vehicle
#141	2004 Ford Crown Victoria marked police cruiser
#163	2001 Audi A6 covert vehicle

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

Approved By:

Department Head:
City Manager:

Initial Date

JA \ 4-11-17
DRE \ 4-14-17

RESOLUTION NO.

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

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

SECTION 1: The vehicles set forth in Exhibit 'A' attached hereto and incorporated herein, are hereby declared surplus for City purposes and no longer needed for municipal purposes, and that said property is hereby declared to be surplus.

SECTION 2: Council hereby authorizes the sale of said vehicles at public auction or internet auction to the highest bidder 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)

EXHIBIT “A”

- #104 2001 Chevrolet Impala marked Citizen Observer Patrol vehicle
- #105 2003 Ford Expedition 4x4 marked police SUV
- #130 1999 Ford Crown Victoria marked parking vehicle
- #141 2004 Ford Crown Victoria marked police cruiser
- #163 2001 Audi A6 covert vehicle (former seizure)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: April 18, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

April, 10 2017
Date Prepared

Agenda Title: Environmental Commission Resolution of Support

Recommendation: For Review and Consideration

Discussion:

During the regularly scheduled meeting of the Environmental Commission on April 5, 2017, a quorum was present including: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell; Mr. Vince Hand, and Jonathan Ralinovsky. Mr. Andor Kiss had previously notified the Commission that he would not be attending the meeting.

In February 2017, the State of Ohio proposed legislation that would (among other items) reduce existing, mandated renewable and energy efficiency standards to "goals", reduce the final energy target for 2027 from 22.5% to 17.2%, and that renewable and energy efficiency energy goals and standards would end in 2027.

The Commissioners have prepared a letter of endorsement for the Mayor's signature, requesting that Ohio State officials not only preserve the renewable and efficiency energy standards, but also strive to strengthen these standards.

Commissioners voted on a motion endorsing the Mayor's signature and submittal of the letter to the Ohio state officials referenced in the letter. The motion passed unanimously with six votes in favor.

Approved By:

Department Head:
City Manager:

Initial Date

DRE 4-14-17

RESOLUTION NO.

A RESOLUTION SUPPORTING A REQUEST BY THE OXFORD ENVIRONMENTAL COMMISSION TO SUBMIT A LETTER TO THE OHIO GOVERNOR, SENATE AND HOUSE OF REPRESENTATIVES TO RECONSIDER THEIR OPPOSITION TO THE “RENEWABLE AND ENERGY EFFICIENCY STANDARDS” AND TO ACTIVELY PURSUE THE DEVELOPMENT OF RENEWABLE ENERGY.

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

SECTION 1: A request by the Environmental Commission was made to the Oxford City Council to submit a letter in support of renewable energy development to State officials as described in Attachment “A.”

SECTION 2: The State’s proposed “modifications” to the renewable and energy efficiency standards are not in the City’s or the State’s best interest both fiscally and environmentally.

SECTION 3: The City of Oxford is supporting renewable energy development through an energy aggregation program. When the program was inaugurated 97% of the City’s eligible residential customers chose to purchase their energy generated from wind farms.

SECTION 4: The Mayor of Oxford is hereby authorized to sign and submit a letter to State officials.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: OXFORD ENVIRONMENTAL COMMISSION

April 19, 2017

Attachment "A"

The Honorable John Kasich
Office of the Governor
77 S. High Street
30th Floor
Columbus, Ohio 43215

The Honorable Larry Obhof
Ohio Senate
1 Capitol Square
2nd Floor
Columbus, Ohio 43215

The Honorable Bill Coley
Ohio Senate
1 Capitol Square
1st Floor
Columbus, Ohio 43215

The Honorable Cliff Rosenberger
Ohio House of Representatives
77 S. High Street
14th Floor
Columbus, Ohio 43215

The Honorable Candice Keller
Ohio House of Representatives
77 S. High Street
11th Floor
Columbus, Ohio 43215

RE: Ohio Renewable and Energy Efficiency Standards

Dear Governor Kasich, President Obhof and Speaker Rosenberger:

This year, as in 2016, the state will again face a serious challenge to the well-being of our state's economy. As state leaders, you will be confronted with another obstacle to establishing and maintaining long-term, renewable and energy efficiency standards.

As you know, the Ohio Legislature voted in 2014 to freeze these standards, which were set to move us to 25 percent clean energy by 2025 (currently 2.5%) and reduce consumption 22.5 percent by 2025, and establish a study committee to provide recommendations on changes to the standards. Many hoped the committee would return with changes that would "fine tune" and improve these standards. Instead, in 2015, the Energy Mandates Study Committee chose to extend the freeze indefinitely. Media across the state, the business community, and Chambers of Commerce sharply criticized this action. Fortunately, the Committee failed.

However, in 2017, the Ohio legislature is resurrecting this issue and is spearheading an effort to weaken the standards. Examples of this include:

- Making renewable standards "goals" rather than mandates,
- Clarifying the law so that all energy goals and standards would end in 2027,

- Changing efficiency standard compliance to every three years from every year, and
- Reducing the 22.5% final energy efficiency target in 2027 to 17.2%.

This action is contrary to Governor Kasich's statement (*Cincinnati Enquirer*, Feb. 21, 2016) recognizing that "human beings affect the climate" and "we need to develop all of the renewables." It also contradicts his statements supporting renewable energy development made during several of his presidential debates. This action is leading Ohio in the opposite direction of at least 40 states that have either initiated steps to meeting similar goals or announcing their support for it.

For example,

- California, a major manufacturing and agricultural competitor of Ohio, has set ambitious goals:
 - 50 percent clean energy by 2030 and
 - 80 percent reduction in greenhouse-gas emissions by 2050.
- Illinois
 - 25 percent clean energy by 2026

As one can see, Ohio has the potential to fall behind other states in its pursuit of developing economic opportunities. This could very easily cost Ohio jobs, impact our public health, and slow our economy, all of which would put our state at a competitive disadvantage.

Communities throughout Ohio are working hard to help the state meet these renewable standards. Whether it is constructing new LEED Certified buildings, retrofitting existing buildings with increased insulation and more energy efficient lighting and HVAC systems, or developing/passing energy aggregation legislation utilizing wind and solar as part of their energy network, Ohio communities are extending a hand to help the state reach these important goals. In 2014, Oxford joined the effort by passing electric aggregation legislation that resulted in 97% of eligible residential customers choosing renewable wind energy for their electrical power when the program was inaugurated.

Ohio communities are doing their part to help the state reach and maintain these standards; we implore you to do yours. We ask Ohio to not only preserve these standards, but to also strengthen them. We also ask that the Ohio legislature actively pursue innovative solutions to develop smart economic growth and sustainable energy policies. It would be a shame to watch from a distance as our fellow states benefit from our lack of vision.

Respectfully,

Kate Rousmaniere, Mayor

C: Council
City Manager

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: April 18, 2017

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

April 10, 2017
Date Prepared

Agenda Title: Notice to Property Owners Declaring the Necessity to Improve Property.

Recommendation: Approve

Discussion:

As part of the City's capital improvement program for street resurfacing, Staff has identified properties with defective, missing, or sub-standard curb, gutter, sidewalks, and/or driveway aprons. Many of these deficiencies were identified as trip hazards and areas that contribute to lowering the expected lifespan of street improvements. Staff has already sent notices to property owners and informed them of the project and the need to repair defective sections of concrete. Staff also informed the owners that if the deficiencies were not corrected, the City would proceed to have the work done and charge the cost against the property. The City will follow the assessment process as defined in Ohio Revised Code Section 729. Staff has added two additional properties outside of the project limits to the listing based on public complaints or reports of persons injured while tripping over defective concrete areas.

Exhibits "A" and "B", attached to this report, show a complete listing of the properties involved for these projects, the types of repairs that are necessary, and an estimate of probable cost for the improvements. A copy of plans and specifications for necessary repairs has been filed with the Clerk of Council's office, and are available for inspection. The total costs for the project, as well as the estimated costs to property owners, are as follows:

<u>Project</u>	<u>Total Est. Project Cost (Public)</u>	<u>Total Est. Costs to Property Owners</u>
Street and Sidewalk Improvements	\$ 690,000	\$ 333,296

By addressing the repairs at this time, the public investment in street resurfacing may be expected to retain its value for several additional years, eliminate significant hazards to pedestrians and cyclists, and improve the aesthetics of the community. It is Staff's recommendation that the City Council approve this Resolution so that the process to complete necessary repairs and improvements may begin. The City will serve notice to all property owners involved and they will have 30 days to make repairs from the date of service. Should a property owner disagree with the City's order, they may appeal to the City Manager for a hearing on their property and the required improvements. A Resolution will then be required for the City to contract for the improvements. Once work is completed, a Resolution will need to be approved stating the total actual cost to each parcel owner, followed by an Ordinance levying special assessments to the parcels for the improvements.

Currently, \$290,000 has been appropriated for the City to contract for repairs and new sidewalk construction should the property owners choose not to have the work done. Should the City have to contract for repairs in excess of this amount, a transfer from other appropriations or a supplemental appropriation will be necessary.

Approved By:

Department Head:

City Manager:

Initial Date

DRE 4-14-17

RESOLUTION NO.

A RESOLUTION DECLARING THAT IT IS NECESSARY TO IMPROVE THOSE PORTIONS OF CERTAIN PROPERTIES AS SHOWN IN EXHIBITS "A" AND "B" ATTACHED HERETO IN THE CITY OF OXFORD, OHIO, BY RE-PAVING, RE-CURBING, AND REPAIRING THE SIDEWALKS, CURBS, AND GUTTERS.

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

SECTION I: It is necessary to improve certain properties listed on Exhibits "A" and "B", a copy of which is attached hereto and incorporated herein by reference, by repaving, re-curbng and repairing the sidewalks, curbs, and gutters.

SECTION II: The plans, specifications and estimate of the cost of the improvements have been filed in the accordance with Ohio Revised Code Section 729.02 with the Clerk of Council.

SECTION III: It is hereby determined and declared that said improvements are conducive to the public health, convenience, safety and welfare of said City and the inhabitant thereof.

SECTION IV: Council hereby approves the plans, specifications and estimate of cost of repair on file.

SECTION V: Notice of the passage of this resolution of necessity, in accordance with Section 729.03 of the Ohio Revised Code, shall be served by the Clerk of Council upon the owners of the lots or lands abutting upon the sidewalks, curbs, and gutters to be constructed or repaired in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his or her last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods.

SECTION VI: Those sidewalks, curbs, and gutters located on the properties described in Exhibit "A" and "B" shall be repaired by the owners of the lots or lands abutting thereon in accordance with the specifications on file in the office of the Clerk of Council no later than thirty (30) days after receipt of the notice described in Section V.

SECTION VII: In the event such owner does not construct or repair such sidewalks, curbs, and gutters in accordance with such specifications and within thirty (30) days after receipt of the notice described in Section V, the City will repair such sidewalks, curbs, and gutters, and assess the costs thereof against the owner of the lots or lands abutting thereon.

SECTION VIII: The costs of the sidewalks, curbs, and gutters improvements shall be assessed by the foot front of the property bounding and abutting on the improvement, upon the following described lots of land, to-wit: All lots and land bounding and abutting upon the proposed improvement between the termini aforesaid, which said lots and lands are hereby determined to be specifically benefited by said improvement; and the cost of said improvement shall not include the costs of preliminary and other surveys, plans, specifications, profiles and estimates of printing, serving, and publishing notices, resolutions and ordinances, the amount of damages resulting from the improvement assessed in favor of any owner of land affected by the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, but the cost of said improvement to be assessed shall include the expenses of legal services including obtaining an approving legal opinion, cost of labor and material and interest on bonds and notes issued in anticipation of the levy and collection of the special assessments together with all other necessary expenditures relative to expenses of financing, and relative to re-paving, re-curbings, or repairing the sidewalks, curbs, and gutters.

SECTION IX: The City Engineer is hereby authorized and directed to prepare and file in the office of the Clerk of Council the estimated assessments of the cost of the improvements described in this resolution. Such estimated assessments shall be based upon the estimate of cost of said improvement now on file in the office of the Clerk of Council, and shall be prepared pursuant to the provisions of this resolution.

SECTION X: The assessments to be levied shall be paid in five (5) annual installments, with interest on deferred payments at rate of five percent (5%); provided, that the owner of any property assessed may, at his or her option, pay such assessment in cash within thirty (30) days after passage of the assessing ordinance.

SECTION XI: The entire cost of said improvements, after application of the assessments herein provided for, shall be paid by the City of Oxford from funds available for this purpose in the Capital Improvement Fund.

SECTION XII: This resolution 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)

EXHIBIT A

[illegible]

EXHIBIT B

Address	Direction	Street Name	Property Owner	Parcel #	Lineal Ft Curb	Square Feet Sidewalk	Square Feet Sidewalk thru driveway	Square Ft Drive Apron	Square Ft Apron Remove Only	Estimated Cost
406	W	Chestnut	MELISSA A & MAURICE L NELSON	H4100122000001	40	0		0		\$ 1,800.00
819	S	Locust	REBECCA J. RUDOLPH	H4000105000019	15	0		0		\$ 675.00
812	S	Locust	ROGER CRAIG	H4100122000024	5	110		0		\$ 995.00
811	S	Locust	ROBERT G & ROSEMARY J PELPHREY	H4000105000109	15	0		0		\$ 675.00
406		Edgehill	BONNIE L ARLOSKI	H4100122000025	45	0		0		\$ 2,025.00
805	S	Locust	JOANNE H HARPER	H4100105000014	50	0		0		\$ 2,250.00
802	S	Locust	EVR INVESTMENTS LLC	H4100122000045	65	30		0		\$ 3,135.00
719	S	Locust	BETTY H BROOKBANK	H4100105000003	30	0		0		\$ 1,350.00
718	S	Locust	THELMA JANE DAWLEY	H4100122000046	45	75		0		\$ 2,550.00
714	S	Locust	OXFORD APARTMENTS LLC	H4100119000004	185	100		65		\$ 9,545.00
713	S	Locust	DENNIS AND BARBARA DAY	H4100105000101	60	0		0		\$ 2,700.00
705	S	Locust	DENNIS AND BARBARA DAY	H4100105000102	90	0		176		\$ 5,458.00
627	S	Locust	HOELZER/HOELZER RENTALS INC	H4100105000111	60	75		0		\$ 3,225.00
621	S	Locust	HOELZER/HOELZER RENTALS INC	H4100105000110	88	0		0		\$ 3,960.00
619	S	Locust	PAPA JOHNS OHIO LLC	H4100105000105	10	0		0		\$ 450.00
618	S	Locust	OXFORD APARTMENTS LLC	H4100122000055	90	0		0		\$ 4,050.00
614	S	Locust	OXFORD APARTMENTS LLC	H4100122000056	80	0		0		\$ 3,600.00
610	S	Locust	OXFORD APARTMENTS LLC	H4100122000057	70	100		16		\$ 3,978.00
602	S	Locust	OXFORD APARTMENTS LLC	H4100123000001 & H4100123000003	5	175		0		\$ 1,450.00
550	S	Locust	CORE MT OXFORD OH LLC	H4100119000072	197	125		0		\$ 9,740.00
BISHOP SQUARE			EVR INVESTMENTS LLC	H4100104000088, H4100104000087, & H4100104000085	200	0		0		\$ 9,000.00
500	S	Locust	GOLDNER TOLLGATE MALL LTD	H4100119000081	82	0		0		\$ 3,690.00
305	S	Locust	DAY ESTATES LLC	H4100104000002	255	1395		0		\$ 21,240.00
300	S	Locust	SSC OXFORD LLC	H4100119000079	160	50		44		\$ 7,902.00
327	W	Spring	GAIL J YOUNG & DOUGLAS A DAY SUCC CO-TR	H4100104000001	63	540		263		\$ 8,719.00
400	N	Locust	ST MARYS CHURCH	H4100015000018	120	0		0		\$ 5,400.00
400	N	Locust	ST MARYS CHURCH	H4100015000021	35	0		9		\$ 1,647.00
331	W	Withrow	BRIAN J KNOWLES	H4100008000068	0	50		0		\$ 350.00
330	W	Withrow	STEVEN D BROWN	H4000008000067	16	275		0		\$ 2,645.00
223	N	Locust	HELEN LOUISE BRADY	H4000008000049	57	25		0		\$ 2,740.00
400	W	Vine	WILLIAM & SUSAN MCGRATH	H4000015000024	15	300		0		\$ 2,775.00
302	N	Locust	DONALD J & DEBORAH S BAKER	H4100015000025	20	365		0		\$ 3,455.00
330	W	Vine	NICOLE AND JONATHAN VIVODA	H4100008000043 & H4100008000048	47	275	75	143	0	\$ 5,784.00
333	N	Locust	RODBRO & MYERS INVESTMENTS LLC	H4100015000026	0	240		0		\$ 1,680.00
334	N	Locust	KAREN K & SYDNEY V FERRARIO	H4100008000047	41	15		55		\$ 2,390.00
335	N	Locust	JUDITH E BERNHEIM	H4000015000027	0	25		0		\$ 175.00
336	N	Locust	NORTH SEA INVESTMENT GROUP LLC	H4000008000046	12	125		0		\$ 1,415.00
338	N	Locust	JANIE A ROBINSON	H41000080000246	0	50		0		\$ 350.00
340	N	Locust	LESHING LI	H4100008000002	12	125		0		\$ 1,415.00
341	N	Locust	ERIC W & JANET L FEAZELL	H4000015000029 & H4000015000030	85	0		60		\$ 4,305.00
344	N	Locust	TERRY DUDLEY	H4100008000001 & H4100008000004	98	125		42		\$ 5,621.00
5032		CC Pike	PARKVIEW ARMS LLC	H4100015000037	35	0		0		\$ 1,575.00
400	W	Sycamore	BOARD OF EDUCATION OF THE TALAWANDA CSD	H4100012000036	125	150		81		\$ 7,323.00
333	W	Sycamore	CHRISTOPHER R WOLFE & SHARI L WADE	H4000008000007, H4000008000008, & H4000008000009	93	25		45		\$ 4,720.00
327	W	Sycamore	JR ZIMMERMAN PROPERTIES LLC	H4100008000010, H4000008000011, & H4000008000012	31	50	65	45		\$ 2,625.00
319	W	Sycamore	CATHLEEN & JOHN F GOODE	H4100008000013, H4000008000015, & H4000008000018	20	0	0	0		\$ 900.00
310	W	Sycamore	CLINTON J & HEATHER R MAGEL	H4100012000008	5	0	0	0		\$ 225.00
400	W	Sycamore	BOARD OF EDUCATION OF THE TALAWANDA CSD	H4100012000036	10	0	75	60		\$ 1,530.00
320	N	Elm	JOSEPH & KATHRYN JACKSON	H4000008000021 & H4000008000022	40	0	0	0		\$ 1,800.00
323	N	Elm	BRUCE HAUTAU TR	H40000080000140	55	30	50	0		\$ 3,085.00
250	W	Sycamore	ANDREW BUCKLEY	H4000012000012	25	0	25	48		\$ 1,709.00
240	W	Sycamore	MEYER BENNETT MEYER	H4000012000013	5	75	50	0		\$ 1,150.00
230	W	Sycamore	OXFORD RESIDENTIAL & MIAMI STUDENTS RENTA	H4000012000014	15	25	0	0		\$ 850.00
220	W	Sycamore	ROGER PERRY	H4100012000015	16	75	50	45		\$ 2,005.00
219	W	Sycamore	SAGUARO PROPERTIES LLC	H4100008000138	40	25	55	30		\$ 2,655.00
217	W	Sycamore	IRENE PIERCE	H4000008000136 & H4000008000137	5	20	0	0		\$ 365.00

210	W	Sycamore	RYAN G RAMMINGER	H4100012000016	5	150	50	0		\$ 1,675.00
207	W	Sycamore	CATHERINE NEWREN	H4100008000141	41	50	0	44		\$ 2,547.00
205	W	Sycamore	D & B FAMILY LTD PRT	H4000008000142 & H4000008000143	29	0	75	30		\$ 2,145.00
200	W	Sycamore	WAYNE AND CONNIE BRACK	H4000012000017	45	0	25	42		\$ 2,561.00
130	W	Sycamore	PATE & GRUBBS PROPERTIES LLC	H4100011000065	42	50	25	30		\$ 2,680.00
120	W	Sycamore	ROBERT L & MELISSA C BLACKBURN	H4000011000063	5	0	0	0		\$ 225.00
327	N	College	YELLOW BRICK VENTURES LLC	H4100008000207	86	25	0	30		\$ 4,285.00
321	N	College	HOF GROUP LLC	H4100008000208	20	50	75	39		\$ 2,162.00
117	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4100008000209	30	155	90	54		\$ 3,587.00
114	W	Sycamore	KNOX PROPERTIES OF OXFORD LLC	H4000011000046	40	225	0	0		\$ 3,375.00
111	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4100008000250	60	25	0	0		\$ 2,875.00
110	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4100011000099	5	30	0	0		\$ 435.00
105	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4100008000251	46	325	0	0		\$ 4,345.00
100	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4100011000098	30	25	0	0		\$ 1,525.00
20	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4000011000077	10	25	0	0		\$ 625.00
SE Corner Beech & Sycamore			RICHARD A & JANET S MILLER	H4100007000001	38	25	50	36		\$ 2,573.00
19	W	Sycamore	JAYNE S MILLER	H4100007000002	43	0	0	66		\$ 2,463.00
16	W	Sycamore	OXFORD MIAMI PROPERTIES LLC	H4000011000079	24	25	75	54		\$ 2,287.00
15	W	Sycamore	TODD E NIERHEYER	H4100007000071	30	0	50	42		\$ 2,086.00
10		Sycamore	MORRISON RENTALS LLC	H4100011000033	5	150	0	0		\$ 1,275.00
5111		Morning Sun	H & P PROPERTIES INC	H4100011000032	0	75	0	0		\$ 525.00
322	N	Main	TONY MILLER BUILDERS LLC	H4100007000072	27	25	0	48		\$ 1,774.00
102	S	Main	THOMAS J CONRAD TR ETAL	H4100003000070	10	70	0	0		\$ 940.00
9	W	Walnut	WILLIAM T CONRAD	H4100003000072	5	0	0	0		\$ 225.00
15	W	Walnut	WILLIAM A AND GLADYS PHILLIPS TRS	H4100003000073	0	45	0	0		\$ 315.00
20	W	Walnut	4-D INVESTMENTS INC	H4100003000037	0	45	0	0		\$ 315.00
28	W	Walnut	TRES WALNUT LLC	H4100003000036	5	0	0	0		\$ 225.00
33	W	Walnut	MYRON MESLER ETAL	H4000003000039 & H4000003000040	88	105	0	96		\$ 5,463.00
19	S	Beech	GRACIE HOLDINGS LTD	H4100003000035	29	185	0	114		\$ 3,512.00
22	S	Beech	MICHAEL & MARK MESLER	H4100004000156	38	150	0	96		\$ 3,528.00
103	W	Walnut	KATHRYN Z PETERKA & KIMBERLY PETERKA	H4000004000160	50	96	0	0		\$ 2,922.00
113	W	Walnut	LORI ANN AUER	H4100004000159	57	116	0	50		\$ 3,777.00
114	W	Walnut	JAMES CLAWSON	H4000004000157	25	75	0	0		\$ 1,650.00
115	W	Walnut	WALNUT ST PROFESSIONAL	H4000004000158	21	16	0	0		\$ 1,057.00
117	W	Walnut	KIMBERLY K PETERKA	H4100004000125	25	140	0	0		\$ 2,105.00
123	W	Walnut	WILLIAM F HARGRAVES II TR	H4100004000126	35	40	0	0		\$ 1,855.00
129	W	Walnut	TRES WALNUT LLC	H4100004000127	22	0	0	0		\$ 990.00
100	S	College	GO IRISH LLC	H4100004000093	52	150	0	144		\$ 4,542.00
10	S	College	PRES & TRS OF MIAMI U	H4000004000070 & H4000004000090	15	305	0	0		\$ 2,810.00
215	W	Walnut	AUSTIN PARKER	H4000004000091	0	0	20	0		\$ 160.00
219	W	Walnut	CLAWSON PROPERTIES II LLC	H4000004000068	30	100	0	0		\$ 2,050.00
225	W	Walnut	ANDREW MAGEE TR	H4100004000067	25	125	0	60		\$ 2,480.00
231	W	Walnut	MATZETTI LLC	H4100004000066	15	25	0	0		\$ 850.00
802	S	Locust	CITY OF OXFORD		0	25	0	0		\$ 175.00
338	N	Locust	CITY OF OXFORD (Alley Apron)		0	0	0	208		\$ 1,664.00
341	N	Locust	CITY OF OXFORD (ROW)		21	0	0	0		\$ 945.00
550	S	Locust	CITY OF OXFORD (Catch Basin)		14	0	0	0		\$ 630.00
BISHOP SQUARE			CITY OF OXFORD		10	0	0	0		\$ 450.00
330	W	Church	CITY OF OXFORD (Alley Apron)		0	48	0	60		\$ 864.00
223	N	Locust	CITY OF OXFORD (Alley Apron)		22	50	0	42		\$ 1,726.00
217	W	Sycamore	CITY OF OXFORD (Alley Apron)		23	0	0	48		\$ 1,419.00
102	S	Main	CITY OF OXFORD (Catch Basin)		14	0	0	0		\$ 630.00
6	W	Walnut	CITY OF OXFORD (Parking Garage)		80	0	0	126		\$ 4,608.00
15	S	College	CITY OF OXFORD (Old Lane Library)		40	25	0	0		\$ 2,000.00
219	W	Walnut	CITY OF OXFORD (Alley Apron)		25	0	50	84		\$ 1,797.00
Total:					4540	8616	1030	2870	0	\$ 295,535.00
					\$204,300.00	\$60,312.00	\$8,240.00	\$22,960.00	\$0.00	

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: April 4, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

March 21, 2017
Date Prepared

Agenda Title: Partial Release of Easement

Recommendation: Approve

Discussion:

Construction of new buildings has begun on outlots in the Bishop Square development (formerly known as the Wal-Mart site) just off Locust Street. In order to accommodate a canopy at the northern most outlots, a City water main had to be relocated outside of its recorded easement. The developer has requested the City grant a partial release of easement for this area, specifically noted on Exhibit "A" to this report and represented by the "hatched" trapezoidal area of 0.007 acres.

In order to protect the city's relocated water main, the developer will grant two new water easements as noted on Exhibit "A" as 0.001 acres and 0.005 acres adjacent to existing easement proposed for release.

On the advice of our law director, staff has requested separate Ordinances for the release of easement and for the acceptance of easement. Staff recommends approval of both Ordinances.

Approved By:

Department Head:

City Manager:

Initial Date

MBD \ 3/21/17

DRE \ 3/21/17

ORDINANCE NO.

AN ORDINANCE APPROVING THE PARTIAL VACATION OF A WATERLINE EASEMENT LOCATED WITHIN LOT 3832, OF BISHOP SQUARE PHASE II AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR THE PURPOSE OF RELOCATING A CITY OWNED WATERLINE OUTSIDE OF ITS RECORDED EASEMENT.

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

SECTION 1: Council finds that a request to partially vacate a waterline easement located within Lot 3832, of Bishop Square Phase II has been made by the owner of Bishop Square to accommodate their out lot development project. The easement is described in the document attached hereto as Exhibit "A".

SECTION 2: Council finds that there is good cause for the partial vacation of the waterline easement located within Lot 3832, of Bishop Square Phase II as described in the document attached hereto as Exhibit "A"; and that said partial vacation of the waterline easement is not detrimental to the general public interest.

SECTION 3: Council hereby orders that the waterline easement located within Lot 3832, of Bishop Square Phase II as described in the document attached hereto as Exhibit "A" be partially vacated.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

PARTIAL RELEASE OF EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THE CITY OF OXFORD, OHIO, an Ohio municipal corporation (the "City"), hereby releases, discharges and quitclaims until EVR INVESTMENTS, LLC, an Ohio limited liability company, its successors and assign, all right, title and interest in a portion of the waterline easement (the "Easement") granted to the City in the Recorded Plat of Bishops Square, of record in Plat Book 8636, Page 266, Recorder's Office, Butler County, Ohio, with such release only pertaining to the real estate described in Exhibit A attached hereto and made a part hereof. The Easement shall remain unmodified and in full force and effect as to all property encumbered thereby, other than the real property described in Exhibit A.

EXECUTED this _____ day of _____, 2017.

THE CITY OF OXFORD, OHIO,
an Ohio municipal corporation

By: _____
Name: _____
Title: _____

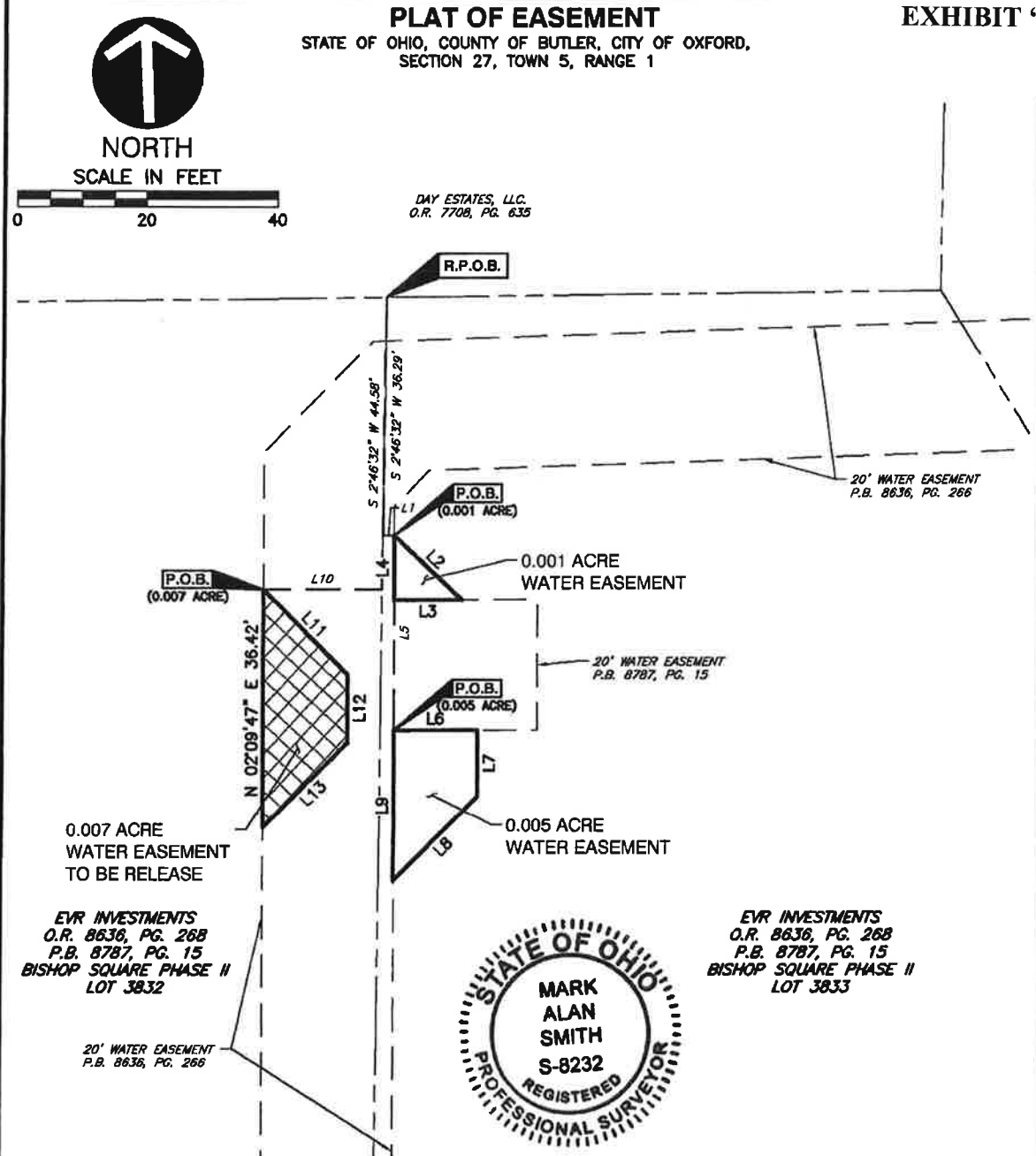
STATE OF _____ :
COUNTY OF _____ : SS

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by _____, the _____ of the City of Oxford, Ohio, an Ohio municipal corporation.

Notary Public
[Seal]

This instrument was prepared by:
Robert S. Ryan, Esq.
Kephart Fisher LLC
407 N. Fourth Street
Columbus, Ohio 43215

EXHIBIT 'A'



LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	S 87°50'13" E	1.73'	L6	S 87°50'13" E	12.97'	L11	S 42°50'13" E	18.34'
L2	S 44°32'58" E	14.38'	L7	S 02°08'47" W	10.16'	L12	S 02°08'47" W	10.48'
L3	N 87°50'13" W	10.47'	L8	S 47°08'47" W	18.34'	L13	S 47°08'47" W	18.34'
L4	N 02°08'47" E	9.88'	L9	N 02°08'47" E	23.13'			
L5	S 02°08'47" W	28.88'	L10	N 87°50'13" W	18.18'			

BASIS OF BEARINGS
 THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE BEARING OF SOUTH 87°21'37" EAST FOR THE SOUTH RIGHT-OF-WAY LINE OF SPRING STREET OF RECORD IN OFFICIAL RECORD 8636, PAGE 266.

[Signature] 2/13/2017
 MARK ALAN SMITH
 REGISTERED SURVEYOR NO. S-8232 DATE

 Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085 614-540-6633 · 888-598-6808 www.cecinc.com	0.001 ACRE WATER EASEMENT 0.005 ACRE WATER EASEMENT 0.007 ACRE WATER EASEMENT RELEASE
	CITY OF OXFORD BUTLER COUNTY, OHIO

DRAWN BY: JEC	CHECKED BY: JWC	APPROVED BY: MAS	DRAWING NO.:
DATE: FEBRUARY 2017	DWG SCALE: 1"=20'	PROJECT NO: 163-973/170-306	1 OF 1

**DESCRIPTION OF 0.007 ACRES
RELEASE OF EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.007 acres within Lot 3832, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3832 and Lot 3833 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 44.58 feet, to a point;

Thence, North 87°50'13" West, a distance of 18.18 feet, to the westerly line of an existing waterline easement as shown in said Bishops Square Phase II, and being **THE POINT OF TRUE BEGINNING**;

Thence, through said Lot 3832, and through said existing waterline easement, the following courses:

South 42°50'13" East, a distance of 18.34 feet, to a point;

South 02°09'47" West, a distance of 10.48 feet, to a point;

South 47°09'47" West, a distance of 18.34 feet, to a point. in the westerly line of said existing waterline easement;

Thence, North 02°09'47" East, along the westerly line of said existing waterline easement, a distance of 36.42 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.007 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith

Mark Alan Smith P.S.
Registered Surveyor No. 8232

2/15/2017
Date

**DESCRIPTION OF 0.005 ACRES
WATER EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.005 acres within Lot 3833, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3833 and Lot 3832 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 36.29 feet, to a point;

Thence, South 87°50'13" East, a distance of 1.73 feet, to a point in the easterly line of an existing waterline easement as shown said Bishops Square Phase II;

Thence, South 02°09'47" West, through said Lot 3833 and with the easterly line of said existing waterline easement, a distance of 39.72 feet, to **THE POINT OF TRUE BEGINNING**;

Thence, South 87°50'13" East, continuing through said Lot 3833 and along the southerly line of said existing waterline easement, a distance of 12.97 feet, to a point;

Thence, continuing through said Lot 3833, the following courses;

South 02°09'47" West, a distance of 10.16 feet, to a point;

South 47°09'47" West, a distance of 18.34 feet, to a point in the easterly line of said existing waterline easement;

Thence, North 02°09'47" East, with the easterly line of said existing waterline easement, a distance of 23.13 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.005 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

A handwritten signature of Mark Alan Smith in black ink.

Mark Alan Smith P.S.
Registered Surveyor No. 8232

2/13/2017

Date

**DESCRIPTION OF 0.001 ACRES
WATER EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.001 acres within Lot 3833, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3833 and Lot 3832 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 36.29 feet, to a point;

Thence, South 87°50'13", a distance of 1.73 feet, to **THE POINT OF TRUE BEGINNING**;

Thence, South 44°32'59" East, a distance of 14.38, to a point in the north line of the existing waterline easement as shown in said Bishop Square Phase II plat;

Thence, North 87°50'13" West, along the northerly line of said existing waterline easement, a distance of 10.47 feet, to a point in the easterly line of the existing waterline easement, as shown in said Bishop Square Phase II plat;

Thence, North 02°09'47" West, along the easterly line of said existing waterline easement, a distance of 9.86 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.001 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith

Mark Alan Smith P.S.
Registered Surveyor No. 8232

2/13/2017

Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: April 4, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

March 21, 2017

Date Prepared

Agenda Title: Acceptance of a Water Easement

Recommendation: Approve

Discussion:

Construction of new buildings has begun on outlots in the Bishop Square development (formerly known as the Wal-Mart site) just off Locust Street. In order to accommodate a canopy at the northern most outlots, a City water main had to be relocated outside of its recorded easement. The developer has requested the City grant a partial release of easement for this area, specifically noted on Exhibit "A" to this report and represented by the "hatched" trapezoidal area of 0.007 acres.

In order to protect the city's relocated water main, the developer will grant two new water easements as noted on Exhibit "A" as 0.001 acres and 0.005 acres adjacent to existing easement proposed for release.

On the advice of our law director, staff has requested separate Ordinances for the release of easement and for the acceptance of easement. Staff recommends approval of both Ordinances.

Approved By:

Department Head:

City Manager:

Initial Date
MBD 3/21/17

DRE 3/21/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING A WATERLINE EASEMENT FROM EVR INVESTMENTS, LLC OVER THE PROPERTY OF GRANTOR AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN, FOR THE PURPOSE OF RELOCATING A CITY OWNED WATERLINE OUTSIDE OF ITS RECORDED EASEMENT.

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

SECTION I: The City Manager and the Service Director recommend Council authorize the City Manager to accept on behalf of the City of Oxford a Waterline Easement from EVR Investments, LLC over the property of grantor as described in Exhibit "A" attached hereto and incorporated herein, for the purpose of relocating a City owned waterline outside of its recorded easement.

SECTION II: City Council hereby accepts the recommendation of the City Manager and the Service Director and authorizes the City Manager to accept on behalf of the City of Oxford a Waterline Easement from EVR Investments, LLC over the property of grantor as described in Exhibit "A" attached hereto and incorporated herein, for the purpose of relocating a City owned waterline outside of its recorded easement.

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)

WATERLINE EASEMENT

KNOW ALL MEN BY THESE PRESENT THAT EVR INVESTMENTS, LLC, an Ohio limited liability company, (the "Grantor"), for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations paid by the CITY OF OXFORD, OHIO, an Ohio municipal corporation (the "Grantee"), the receipt of which are hereby acknowledged, does hereby for itself and its successors and assigns grant and convey to the Grantee, its successors and assigns forever, a perpetual right of way and easement to construct, install, operate, repair, replace, relocate, inspect and maintain a waterline, together with all appurtenances incidental thereto, on, over, through, under and across the property of Grantor, located in the City of Oxford, County of Butler, and State of Ohio, and described in Exhibit A, which is attached hereto and made a part of this easement (the "Easement Area").

To have and to hold said easement with all of the privileges and appurtenances thereto belonging to said Grantee, its successors and assigns forever.

In the case of underground services, the Grantee, and its successors and assigns, is hereby granted the right and easement to install all necessary service facilities, which shall remain the property of the Grantee, and its successors and assigns, from its distribution lines, in such location or locations in the Easement Area as may be necessary to serve with water services all buildings existing or to be constructed on the premises adjacent to the Easement Area.

The Grantee, its successors and assigns, shall have the right of ingress to and egress from the Easement Area, and the right to do any and all things reasonably necessary, proper or incidental to the successful operation and maintenance of said waterline and all necessary appurtenances, in accordance with ordinances for management and protection of the City of Oxford.

The Grantee, its successors and assigns, shall restore all property, excluding fences, buildings or other structures within the Easement Area, to its original condition insofar as practicable, after entering upon the Easement Area for the purposes hereinbefore set forth, including construction, repair, maintenance, replacement, relocation, operation, inspection and maintenance of all facilities and improvements of the Grantee, its successors and assigns within the Easement Area.

Grantor reserves all rights to use the Easement Area for any purposes not inconsistent with rights granted herein.

Grantor, for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that Grantor is lawfully seized of the premises as a good and indefensible estate in fee simple, have good rights to grant the same, and will warrant and defend the premises with the appurtenances there unto belonging to the Grantee, its successors and assigns, against all claims of all persons whosoever.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be subscribed this _____ day of _____, 2017.

EVR INVESTMENTS, LLC,
an Ohio limited liability company

By: _____
Name: _____
Title: _____

STATE OF _____

COUNTY OF _____, ss:

Before me, a Notary Public, in and for said County and State, personally appeared _____, the _____ of EVR Investments, LLC, an Ohio limited liability company, who acknowledged that he did sign the foregoing instrument and the same is his free act and deed on behalf of Grantor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 2017.

Notary Public

This Instrument Prepared by:
Robert S. Ryan, Esq.
Kephart Fisher LLC
207 N. Fourth Street
Columbus,

OH

43215

CONSENT TO GRANT OF EASEMENT

RE NVC OXFORD COMMERCIAL, LLC, an Ohio limited liability company ("Tenant"), whose mailing address is 4242 Tuller Road, Dublin, Ohio 43017, is the tenant under a certain Amended and Restated Ground Lease Agreement for Commercial Development (Lot 3832 of Bishops Square Phase II) and a certain Amended and Restated Ground Lease Agreement for Commercial Development (Lot 3833 of Bishops Square Phase II) (collectively "Leases") with EVR INVESTMENTS, LLC, an Ohio limited liability company ("Grantor"), both dated May 29, 2015, memorandums of which were recorded on June 8, 2015 in Book 8800, Page 2030 and Book 8800, Page 2026, in the Butler County Recorder's Office, Butler County, Ohio.

The property subject to the Leases (the "Property") is located in the City of Oxford, Butler County, Ohio and legally described as follows:

Situate in Section 27, Town 5, Range 1, City of Oxford, Butler County, State of Ohio; being Lots 3832 and 3833 as shown on the record plat of Bishops Square Subdivision Phase II, being a Replat of Lots 3812-3813 Bishops Square, as the same are delineated on the plat of such subdivision recorded in Book 8787, Page 15, Recorder's Office, Butler County, Ohio.

Tenant acknowledges that Grantor is granting the Waterline Easement dated the ____ day of _____, 2017 to THE CITY OF OXFORD, OHIO, an Ohio municipal corporation ("Grantee"), over, upon and across a portion of the Property and, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, consents to and agrees to comply with the terms of the Waterline Easement.

TENANT:

RE NVC OXFORD COMMERCIAL, LLC,
an Ohio limited liability company

By: _____

Robert L. Fiorita, Manager

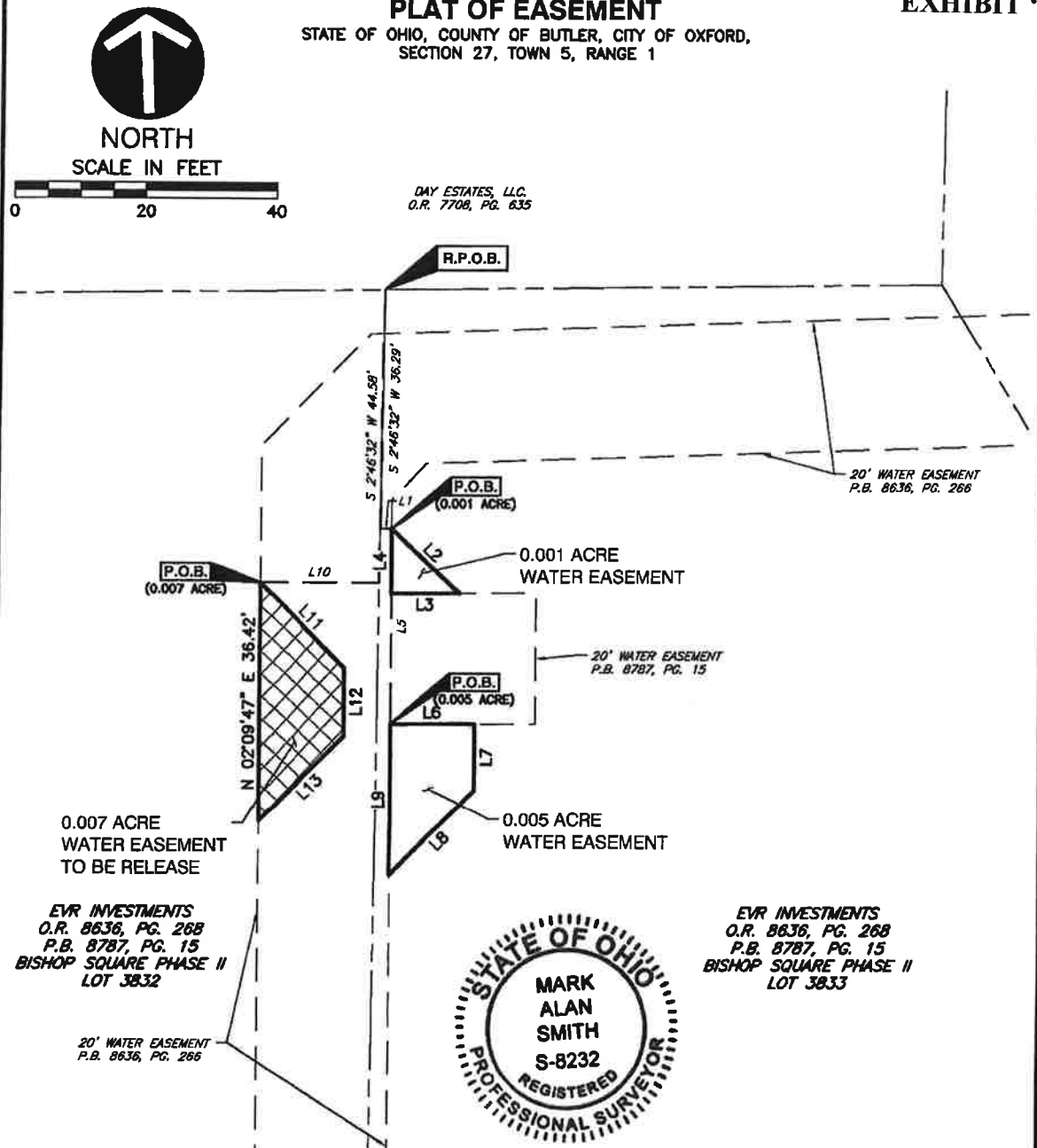
ACKNOWLEDGMENT

STATE OF OHIO)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Robert L. Fiorita, Manager of RE NVC Oxford Commercial, LLC, an Ohio limited liability company, on behalf of said limited liability company.

Notary Public

EXHIBIT 'A'



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S 87°50'13" E	1.73'
L2	S 44°32'59" E	14.38'
L3	N 87°50'13" W	10.47'
L4	N 02°09'47" E	0.86'
L5	S 02°09'47" W	28.86'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L6	S 87°50'13" E	12.87'
L7	S 02°09'47" W	10.16'
L8	S 47°09'47" W	18.34'
L9	N 02°09'47" E	23.13'
L10	N 87°50'13" W	18.18'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L11	S 42°50'13" E	18.34'
L12	S 02°09'47" W	10.48'
L13	S 47°09'47" W	18.34'

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE BEARING OF SOUTH 87°21'37" EAST FOR THE SOUTH RIGHT-OF-WAY LINE OF SPRING STREET OF RECORD IN OFFICIAL RECORD 8636, PAGE 266.

Mark Alan Smith 2/13/2017
MARK ALAN SMITH
REGISTERED SURVEYOR NO. S-8232
DATE

C&E
Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
614-540-8633 · 888-598-6808
www.cecinc.com

0.001 ACRE WATER EASEMENT
0.005 ACRE WATER EASEMENT
0.007 ACRE WATER EASEMENT RELEASE

CITY OF OXFORD
BUTLER COUNTY, OHIO

DRAWN BY: JEC CHECKED BY: JWC APPROVED BY: MAS DRAWING NO.:
DATE: FEBRUARY 2017 DWG SCALE: 1"=20' PROJECT NO: 163-973/170-306 **1 OF 1**

**DESCRIPTION OF 0.005 ACRES
WATER EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.005 acres within Lot 3833, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3833 and Lot 3832 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 36.29 feet, to a point;

Thence, South 87°50'13" East, a distance of 1.73 feet, to a point in the easterly line of an existing waterline easement as shown said Bishops Square Phase II;

Thence, South 02°09'47" West, through said Lot 3833 and with the easterly line of said existing waterline easement, a distance of 39.72 feet, to **THE POINT OF TRUE BEGINNING**;

Thence, South 87°50'13" East, continuing through said Lot 3833 and along the southerly line of said existing waterline easement, a distance of 12.97 feet, to a point;

Thence, continuing through said Lot 3833, the following courses;

South 02°09'47" West, a distance of 10.16 feet, to a point;

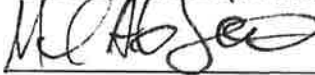
South 47°09'47" West, a distance of 18.34 feet, to a point in the easterly line of said existing waterline easement;

Thence, North 02°09'47" East, with the easterly line of said existing waterline easement, a distance of 23.13 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.005 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



2/13/2017

Mark Alan Smith P.S.
Registered Surveyor No. 8232

Date

**DESCRIPTION OF 0.001 ACRES
WATER EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.001 acres within Lot 3833, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3833 and Lot 3832 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 36.29 feet, to a point;

Thence, South 87°50'13", a distance of 1.73 feet, to **THE POINT OF TRUE BEGINNING**;

Thence, South 44°32'59" East, a distance of 14.38, to a point in the north line of the existing waterline easement as shown in said Bishop Square Phase II plat;

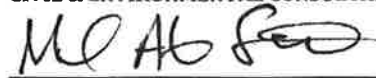
Thence, North 87°50'13" West, along the northerly line of said existing waterline easement, a distance of 10.47 feet, to a point in the easterly line of the existing waterline easement, as shown in said Bishop Square Phase II plat;

Thence, North 02°09'47" West, along the easterly line of said existing waterline easement, a distance of 9.86 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.001 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

 2/13/2017
 Mark Alan Smith P.S. Date
 Registered Surveyor No. 8232

**DESCRIPTION OF 0.007 ACRES
RELEASE OF EASEMENT
BUTLER COUNTY, OHIO**

Situated in the State of Ohio, County of Butler, City of Oxford, Township 5, Range 1, Section 27, and being 0.007 acres within Lot 3832, of Bishops Square Phase II, of record in Plat Book 8787, Page 15, all being of record in the Recorder's Office, Butler County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a corner common to said Lot 3832 and Lot 3833 as shown in said Bishop Square Phase II plat;

Thence, South 02°46'32" West, leaving said common corner, a distance of 44.58 feet, to a point;

Thence, North 87°50'13" West, a distance of 18.18 feet, to the westerly line of an existing waterline easement as shown in said Bishops Square Phase II, and being **THE POINT OF TRUE BEGINNING**;

Thence, through said Lot 3832, and through said existing waterline easement, the following courses:

South 42°50'13" East, a distance of 18.34 feet, to a point;

South 02°09'47" West, a distance of 10.48 feet, to a point;

South 47°09'47" West, a distance of 18.34 feet, to a point in the westerly line of said existing waterline easement;

Thence, North 02°09'47" East, along the westerly line of said existing waterline easement, a distance of 36.42 feet, to **THE POINT OF TRUE BEGINNING**, containing 0.007 acres, more or less.

The bearings described herein are based on the southerly right-of-way line of Spring Street as shown in Plat Book 8636, Page 266, and as being South 87°21'37" East.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith

Mark Alan Smith P.S.

Registered Surveyor No. 8232

2/15/2017

Date