



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	4.13.22
COUNCIL MEETING DATE:	4.19.22
AGENDA TITLE:	Approving the Paid Parental Leave Policy Memorandum of Understanding between the Non-Commissioned Police Division Employees Union and the City of Oxford.
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i>

DISCUSSION:

The City included a provision for paid parental leave in the Employee Handbook and Wage/Salary ordinance last year. The provision allows for eight weeks of paid parental leave that does not require the city employee to use their accrued leave and after eight weeks of paid parental leave the employee may use and additional four weeks of unpaid parental leave during which an employee may substitute the unpaid parental leave with available accrued vacation and or paid sick leave. This provision did not extend to the three police unions. All three police contracts currently have a maternity provision which allows the employee to use vacation, sick leave, or unpaid leave. Two of the unions (Sergeants/Lieutenants and Patrol) currently have a provision for paternity leave. The City is recommending the substitution of the parental leave language in the Employee Handbook language for the current contract language in the labor agreements

RESOLUTION NO.

A RESOLUTION APPROVING THE PAID PARENTAL LEAVE POLICY MEMORANDUM OF UNDERSTANDING BETWEEN THE NON-COMMISSIONED POLICE DIVISION EMPLOYEES UNION AND THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY.

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2022 to December 31, 2024; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3; and

WHEREAS, the City Manager and the Police Chief recommend Council authorize the City Manager to sign on behalf of the City, the proposed Memorandum of Understanding attached hereto as Exhibit “A” with the Non-Commissioned Police Division Employees Union.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Police Chief to provide Paid Parental Leave for the Non-Commissioned Police Division Employees Union and authorizes the City Manager to sign the Memorandum of Understanding on behalf of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

MEMORANDUM OF UNDERSTANDING
Between City of Oxford, Ohio and Non-Commissioned Police Division Employees

This Memorandum of Understanding (“MOU”) is entered into this ____ day of April, 2022 (“Effective Date”) by and between City of Oxford, Ohio (“City”) and Non-Commissioned Police Division Employees (“Union”)(collectively, the “Parties”).

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2022 to December 31, 2024; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the Current CBA, Article IX, Paragraph 3, provides Maternity Leave but not Parental Leave and reads as follows: “Maternity leave shall consist of sick leave and/or vacation time, with pay, and/or leave of absence without pay. After the employee utilizes, for maternity purposes, all of her accrued sick leave and vacation leave, she will be placed on leave of absence without pay for a period not to exceed six (6) months. During such leave of absence the City will continue the employee's group health insurance at the expense of the employee if the employee requests unless such leave without pay is mutually designated as Family Medical Leave time where health insurance will be provided as required by law. Additional leave of absence without pay may be granted by the City Manager upon request, for good cause upon showing of unusual circumstances. If the City Manager has reason to believe that an employee is unable to fulfill her usual duties by reason of pregnancy, the City Manager may request in writing that the employee begin sick leave, vacation leave or leave of absence without pay at a date earlier than that selected by the employee. Benefits other than health insurance do not accrue during the period of leave of absence without pay;” and

WHEREAS, the purpose of this MOU is to extend the City’s Paid Parental Leave Policy to the Union; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3.

NOW THEREFORE BE IT RESOLVED THAT the City and the Union agree as follows:

1. This Memorandum of Understanding (“MOU”) is intended by the City and Union to amend the Current CBA only as to Article IX, Paragraph 3, Maternity Leave;
2. The City and Union agree the Current CBA language in Article IX, Paragraph 3, shall be superseded and replaced with the Paid Parental Leave Policy set forth in the 2022 City of

Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D, attached as Exhibit A hereto;

3. The City and Union agree that this MOU will go into effect for this calendar year on the Effective Date set forth herein;
4. The City and Union agree that this MOU and the Paid Parental Policy will not have retroactive application and will only affect requests for Paid Parental Leave after the Effective Date set forth herein;
5. The City and Union agree that this MOU shall not be used as precedent by either party now or in the future;
6. This MOU constitutes the full and complete understanding of the City and the Union concerning this subject matter, and any amendments or modifications must be in writing signed by the Parties.

For the City:

For the Union:

Douglas R. Elliott
City Manager

Date

Date

Paid Parental Leave

The City of Oxford will provide eligible employees up to twelve (12) weeks of leave after the birth or adoption of his or her child. Of the twelve weeks, eight (8) weeks is Paid Parental Leave paid by the City without the employee having to use her/his accrued vacation and paid sick leave followed by four (4) weeks of Unpaid Parental Leave during which an employee may substitute the unpaid leave with accrued vacation and paid sick leave. Paid and Unpaid Parental Leave can be used as continuous or intermittent leave. The combination of Paid and Unpaid Parental Leave may not exceed twelve (12) weeks.

1. Paid Parental Leave will be paid in the same manner as an employee's biweekly paycheck (direct deposit into a bank account) and will include normal deductions.
2. If a recognized holiday occurs while the employee is on Paid Parental Leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total Paid Parental Leave entitlement.
3. City of Oxford will maintain all employer paid benefits for which employees would otherwise be eligible during the Paid Parental Leave period. For example, employees will continue to accrue vacation and paid sick leave while on Paid Parental Leave. Employees will remain responsible for any employee premiums, contributions or other normally required costs.
4. An employee who qualifies for Paid Parental Leave but has exhausted all or part of the FMLA leave for their rolling period will be afforded the same level of job protection for the period of time that the employee is on Paid Parental Leave as if the employee were on FMLA-qualifying leave.
5. Paid Parental Leave may be used in cases of stillbirth. In such an event, a maximum of eight (8) weeks of Paid Parental Leave may be used that includes the three (3) days provided in the bereavement section of the employee handbook for the death of a member of the employee's immediate family.

Eligibility for Paid Parental Leave

An employee must meet both criteria below to be considered eligible for parental leave:

6. Full-time (defined as one who is regularly scheduled in active pay status at least thirty two (32) hours per week and benefits eligible); and
7. Continuously employed with the City of Oxford for twelve (12) months, working 1,250 hours or more during that period.

If both parents work for the City of Oxford, the parental leave will be shared between the two employees.

Paid Parental Leave, Parental Leave and Family Medical Leave Act (FMLA) Leave Paid Parental Leave and Unpaid Parental Leave will run concurrently with FMLA leave, decreasing, in whole or in part, the amount of FMLA leave available to an employee.

Employees must inform the Human Resources Department at or before the start of Paid Parental Leave.

Rules Concerning the Use of Paid Parental Leave

The following limitations apply to the use of Paid Parental Leave:

8. An eligible employee may receive the eight-week Paid Parental Leave a maximum of two (2) times during their employment at the City of Oxford, regardless of any breaks in service. However, certain circumstances resulting in an employee gaining unexpected custody of a child under the age of 18 and approved by the Human Resources Department may qualify for Paid Parental Leave or additional Paid Parental Leave beyond the two- time limit.
9. Multiple births or adoptions that occur at the same time (for example, the birth of twins or concurrent adoption of two children) does not increase the length of Paid Parental Leave provided.
10. In the case of adoption, the following rules apply:
 - a. The child must be under the age of 18. However, if medical documentation is submitted to the Human Resources Department stating that the child or adoptee is incapable of self-care because of a mental or physical disability, the age limit of 18 may be waived.
 - b. For adoption purposes, Paid Parental Leave begins from the point a final decree of adoption or the legal equivalent is issued.
11. Employees serving as surrogate mothers and sperm donors are not eligible for Parental Leave including Paid Parental Leave.
12. Employees experiencing pre-natal complications requiring time off must use accrued leave (paid sick leave and/or vacation or unpaid FMLA, if eligible) for these absences.
13. An employee who adopts a spouse's child(ren) is not eligible for Paid or Unpaid Parental Leave.
14. Paid and Unpaid Parental Leave do not apply with regard to the placement of foster children.
15. All Paid Parental Leave must be taken within six (6) months after the birth or adoption. Any Paid Parental Leave remaining at the end of the 6 months period is not banked for later use or paid out, and cannot be combined with any future Paid Parental Leave.
16. Employees on continuous or intermittent Unpaid Parental Leave shall use accrued paid sick leave or vacation.

Required Documentation for Paid Parental Leave

Employees on Paid Parental Leave are required to provide the Human Resources Department, within 30 days, following the birth or adoption:

17. For the birth of a child – appropriate birth documentation, such as a birth certificate or hospital birth confirmation.
18. For the adoption of a child – appropriate adoption documentation, such as an adoption order.

Employee:

1. An employee is encouraged to provide his/her department at least 30 days advance notice before the birth or adoption if the need for leave is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.
2. The employee must contact the Human Resources Department to initiate a request for Parental Leave.
3. An employee approved for Paid Parental Leave is required to notify the Human Resources Department when the leave begins and ends in order to make sure the entry of time for payroll purposes is accurate and that her/his employee status is correct and accurate.

Department:

4. Notify the Human Resources Department when an approved employee begins parental leave, to make sure the entry of time for payroll purposes is accurate.
5. Notify Human Resources Department when an employee, off on parental leave, returns from leave, to make sure employee status is correct and accurate.
6. Supervisors must ensure that all relevant conversations with the employee are kept confidential, and all documentation received from the employee is promptly forwarded to the Human Resources Department where it is maintained in a confidential file, separate from personnel records. Under no circumstances may a department maintain any employee medical information (originals and/or copies) or court documents in the case of adoption.

Human Resources:

7. Human Resources will determine if the employee is eligible for parental leave.
8. The employee will be required to provide various documentation such as doctor statements or court documents to substantiate leave. Such information will be held confidentially by the Human Resources Department.
9. Employees will be notified in writing of their approval or denial of Paid Parental Leave with a copy to the employee's supervisor.

Return to Work:

10. The Human Resources Department and/or the department may require an employee to report periodically on her/his status and intent to return to work.
11. An employee needs to notify the Human Resources Department in writing of his/her return to work date at least three (3) business days in advance but does not need to provide a note from a health care provider.



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STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	4.13.22
COUNCIL MEETING DATE:	4.19.22
AGENDA TITLE:	A Resolution Opposing the Adoption of House Bill 563.
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i>

DISCUSSION:

HB 563 would preempt local governments from regulating or prohibiting the use of short-term rental (STR) properties. The City of Oxford has adopted reasonable and common sense regulations of STR's to protect and preserve the quiet enjoyment of our residential neighborhoods. The City of Oxford requires STR's to register by completing an application and a property inspection. The maximum number of days a structure may be rented as a STR is 90 per year. STR's are also required to pay the City's hotel and lodging tax at 6% total. This is a clear assault on the Home Rule authority granted by the Ohio Constitution. On the legislative agenda is a resolution in opposition to HB 563. I urge council to adopt this resolution.

**A RESOLUTION
OPPOSING THE ADOPTION OF HOUSE BILL 563,
CURRENTLY BEING CONSIDERED BY A COMMITTEE
OF THE OHIO HOUSE OF REPRESENTATIVES, WHICH
PROPOSES TO LIMIT LOCAL REGULATION OF SHORT-
TERM RENTAL PROPERTY**

WHEREAS, the City Council have been advised of a bill introduced into the Ohio House of Representatives, known as House Bill 563 (“HB563”) which purports to deny municipalities the ability to prohibit short-term rental properties or to regulate the number, duration or frequency of rental periods for short-term rental properties; and

WHEREAS the City Council strongly oppose proposed HB563 which will have a significant and detrimental effect on the City and its residents who bear the burden, by preempting the City by regulating or prohibiting short-term rental properties; and

WHEREAS, HB563 would attempt to unconstitutionally interfere with the Home Rule Powers of the municipal corporations in the State of Ohio and short-term rentals are, by their very nature, matters that should be subject to local control and should not be subjugated to state control and the preemption of the exercise of the police powers of the City; and

WHEREAS, HB563 would hinder development and Home Rule economic wellbeing to the City and its neighboring communities.

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

SECTION 1: The Ohio General Assembly and all of its applicable committees should immediately take action to oppose the referral of HB563 out of committee and to deny passage of HB563 for all the reasons set forth in the Whereas provisions of this Resolution, as well as statements of position presented by other communities.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the Speaker of the House, the Honorable Robert Cupp, and Representative Thomas Hall.

SECTION 3: This this Resolution shall take effect and be in full force after the earliest period allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

Office of the Mayor

Proclamation

Whereas:

the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945—six million were murdered; Roma (Gypsies), people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

Whereas, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

Whereas, we the people of the City of Oxford should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and

Whereas, we the people of the City of Oxford should actively rededicate ourselves to the principles of individual freedom in a just society; and

Whereas, the Days of Remembrance have been set aside for the people of the City of Oxford to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and

Whereas, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980), the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 24, through Sunday, May 1, 2022, including the Day of Remembrance known as Yom Hashoah, April 28, 2022;

NOW, THEREFORE, I William B. Snively, Mayor of Oxford, Ohio do hereby proclaim the week of Sunday, April 24, through Sunday, May 1, 2022, as Days of Remembrance in memory of the victims of the Holocaust. "DAYS OF REMEMBRANCE"

In honor of the survivors as well as the rescuers and liberators, and further proclaim that we, as citizens of the City of Oxford, should work to promote human dignity and confront hate whenever and wherever it occurs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Oxford to be affixed this 19th day of April, 2022.


WILLIAM B. SNAVELY, MAYOR





The City of Oxford
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15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	4.13.22
COUNCIL MEETING DATE:	4.19.22
AGENDA TITLE:	Approving the Paid Parental Leave Policy Memorandum of Understanding between the Oxford Police Officers, FOP Lodge 38 and the City of Oxford.
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i>

DISCUSSION:

The City included a provision for paid parental leave in the Employee Handbook and Wage/Salary ordinance last year. The provision allows for eight weeks of paid parental leave that does not require the city employee to use their accrued leave and after eight weeks of paid parental leave the employee may use and additional four weeks of unpaid parental leave during which an employee may substitute the unpaid parental leave with available accrued vacation and or paid sick leave. This provision did not extend to the three police unions. All three police contracts currently have a maternity provision which allows the employee to use vacation, sick leave, or unpaid leave. Two of the unions (Sergeants/Lieutenants and Patrol) currently have a provision for paternity leave. The City is recommending the substitution of the parental leave language in the Employee Handbook language for the current contract language in the labor agreements

RESOLUTION NO.

A RESOLUTION APPROVING THE PAID PARENTAL LEAVE POLICY MEMORANDUM OF UNDERSTANDING BETWEEN THE OXFORD POLICE OFFICERS, FOP LODGE 38 AND THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY.

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2020 to December 31, 2022; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3 and the Paternity Leave policy contained within Article X 1(A); and

WHEREAS, the City Manager and the Police Chief recommend Council authorize the City Manager to sign on behalf of the City, the proposed Memorandum of Understanding attached hereto as Exhibit “A” with the Oxford Police Officers, FOP Lodge 38.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Police Chief to provide Paid Parental Leave for the Oxford Police Officers, FOP Lodge 38, and authorizes the City Manager to sign the Memorandum of Understanding on behalf of the City.

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

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: WILLIAM SNAVELY
PREPARED BY: LAW (STAFF)

MEMORANDUM OF UNDERSTANDING
Between City of Oxford, Ohio and the Oxford Police Officers, FOP Lodge 38

This Memorandum of Understanding (“MOU”) is entered into this ____ day of April, 2022 (“Effective Date”) by and between City of Oxford, Ohio (“City”) and the Oxford Police Officers, FOP Lodge 38 (“Union”)(collectively, the “Parties”).

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2020 to December 31, 2022; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the Current CBA, Article IX, Paragraph 3, provides Maternity Leave and reads as follows: “Maternity leave shall consist of sick leave and/or vacation time, with pay, and/or leave of absence without pay. After the employee utilizes, for maternity purposes, all of her accrued sick leave and vacation leave, she will be placed on leave of absence without pay for a period not to exceed six (6) months. During such leave of absence the City will continue the employee's group health insurance at the expense of the employee if the employee requests unless such leave without pay is mutually designated as Family Medical Leave time where health insurance will be provided as required by law. Additional leave of absence without pay may be granted by the City Manager upon request, for good cause upon showing of unusual circumstances. If the City Manager has reason to believe that an employee is unable to fulfill her usual duties by reason of pregnancy, the City Manager may request in writing that the employee begin sick leave, vacation leave or leave of absence without pay at a date earlier than that selected by the employee. Benefits other than health insurance do not accrue during the period of leave of absence without pay;” and

WHEREAS, the Current CBA, Article X, Paragraph 1(A) allows up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) to be used for paternity leave arising from the birth of a child to his/her spouse; and

WHEREAS, the purpose of this MOU is to extend the City’s Paid Parental Leave Policy to the Union; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3 and the Paternity Leave policy contained within Article X 1(A); and

WHEREAS, the Parties agree that the remainder of Article X 1(A), Sick Leave and Recuperative Leave, shall remain unchanged and in effect, allowing the Union to continue to use

up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) for sickness in the immediate family requiring the employee's absence from work during the calendar year.

NOW THEREFORE BE IT RESOLVED THAT the City and the Union agree as follows:

1. This Memorandum of Understanding ("MOU") is intended by the City and Union to amend the Current CBA only as to Article IX, Paragraph 3, Maternity Leave, and Article X, Paragraph 1(A), only as to paternity leave;
2. The City and Union agree the Current CBA language in Article IX, Paragraph 3 and Article X, Paragraph 1(A), concerning the use of accumulated sick leave each year for paternity leave, shall be superseded and replaced with the Paid Parental Leave Policy set forth in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D, attached as Exhibit A hereto;
3. The City and the Union agree that this MOU will not replace or supersede the remaining language contained within Article X, Paragraph 1(A) of the Current CBA, allowing the Union to use up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) for sickness in the immediate family requiring the employee's absence from work during the calendar year;
4. The City and Union agree that this MOU will go into effect for this calendar year on the Effective Date set forth herein;
5. The City and Union agree that this MOU and the Paid Parental Policy will not have retroactive application and will only affect requests for Paid Parental Leave after the Effective Date set forth herein;
6. The City and Union agree that this MOU shall not be used as precedent by either party now or in the future;
7. This MOU constitutes the full and complete understanding of the City and the Union concerning this subject matter, and any amendments or modifications must be in writing signed by the Parties.

For the City:

For the Union:

Douglas R. Elliott
City Manager

Date

Date

Paid Parental Leave

The City of Oxford will provide eligible employees up to twelve (12) weeks of leave after the birth or adoption of his or her child. Of the twelve weeks, eight (8) weeks is Paid Parental Leave paid by the City without the employee having to use her/his accrued vacation and paid sick leave followed by four (4) weeks of Unpaid Parental Leave during which an employee may substitute the unpaid leave with accrued vacation and paid sick leave. Paid and Unpaid Parental Leave can be used as continuous or intermittent leave. The combination of Paid and Unpaid Parental Leave may not exceed twelve (12) weeks.

1. Paid Parental Leave will be paid in the same manner as an employee's biweekly paycheck (direct deposit into a bank account) and will include normal deductions.
2. If a recognized holiday occurs while the employee is on Paid Parental Leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total Paid Parental Leave entitlement.
3. City of Oxford will maintain all employer paid benefits for which employees would otherwise be eligible during the Paid Parental Leave period. For example, employees will continue to accrue vacation and paid sick leave while on Paid Parental Leave. Employees will remain responsible for any employee premiums, contributions or other normally required costs.
4. An employee who qualifies for Paid Parental Leave but has exhausted all or part of the FMLA leave for their rolling period will be afforded the same level of job protection for the period of time that the employee is on Paid Parental Leave as if the employee were on FMLA-qualifying leave.
5. Paid Parental Leave may be used in cases of stillbirth. In such an event, a maximum of eight (8) weeks of Paid Parental Leave may be used that includes the three (3) days provided in the bereavement section of the employee handbook for the death of a member of the employee's immediate family.

Eligibility for Paid Parental Leave

An employee must meet both criteria below to be considered eligible for parental leave:

6. Full-time (defined as one who is regularly scheduled in active pay status at least thirty two (32) hours per week and benefits eligible); and
7. Continuously employed with the City of Oxford for twelve (12) months, working 1,250 hours or more during that period.

If both parents work for the City of Oxford, the parental leave will be shared between the two employees.

Paid Parental Leave, Parental Leave and Family Medical Leave Act (FMLA) Leave Paid Parental Leave and Unpaid Parental Leave will run concurrently with FMLA leave, decreasing, in whole or in part, the amount of FMLA leave available to an employee.

Employees must inform the Human Resources Department at or before the start of Paid Parental Leave.

Rules Concerning the Use of Paid Parental Leave

The following limitations apply to the use of Paid Parental Leave:

8. An eligible employee may receive the eight-week Paid Parental Leave a maximum of two (2) times during their employment at the City of Oxford, regardless of any breaks in service. However, certain circumstances resulting in an employee gaining unexpected custody of a child under the age of 18 and approved by the Human Resources Department may qualify for Paid Parental Leave or additional Paid Parental Leave beyond the two- time limit.
9. Multiple births or adoptions that occur at the same time (for example, the birth of twins or concurrent adoption of two children) does not increase the length of Paid Parental Leave provided.
10. In the case of adoption, the following rules apply:
 - a. The child must be under the age of 18. However, if medical documentation is submitted to the Human Resources Department stating that the child or adoptee is incapable of self-care because of a mental or physical disability, the age limit of 18 may be waived.
 - b. For adoption purposes, Paid Parental Leave begins from the point a final decree of adoption or the legal equivalent is issued.
11. Employees serving as surrogate mothers and sperm donors are not eligible for Parental Leave including Paid Parental Leave.
12. Employees experiencing pre-natal complications requiring time off must use accrued leave (paid sick leave and/or vacation or unpaid FMLA, if eligible) for these absences.
13. An employee who adopts a spouse's child(ren) is not eligible for Paid or Unpaid Parental Leave.
14. Paid and Unpaid Parental Leave do not apply with regard to the placement of foster children.
15. All Paid Parental Leave must be taken within six (6) months after the birth or adoption. Any Paid Parental Leave remaining at the end of the 6 months period is not banked for later use or paid out, and cannot be combined with any future Paid Parental Leave.
16. Employees on continuous or intermittent Unpaid Parental Leave shall use accrued paid sick leave or vacation.

Required Documentation for Paid Parental Leave

Employees on Paid Parental Leave are required to provide the Human Resources Department, within 30 days, following the birth or adoption:

17. For the birth of a child – appropriate birth documentation, such as a birth certificate or hospital birth confirmation.
18. For the adoption of a child – appropriate adoption documentation, such as an adoption order.

Employee:

1. An employee is encouraged to provide his/her department at least 30 days advance notice before the birth or adoption if the need for leave is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.
2. The employee must contact the Human Resources Department to initiate a request for Parental Leave.
3. An employee approved for Paid Parental Leave is required to notify the Human Resources Department when the leave begins and ends in order to make sure the entry of time for payroll purposes is accurate and that her/his employee status is correct and accurate.

Department:

4. Notify the Human Resources Department when an approved employee begins parental leave, to make sure the entry of time for payroll purposes is accurate.
5. Notify Human Resources Department when an employee, off on parental leave, returns from leave, to make sure employee status is correct and accurate.
6. Supervisors must ensure that all relevant conversations with the employee are kept confidential, and all documentation received from the employee is promptly forwarded to the Human Resources Department where it is maintained in a confidential file, separate from personnel records. Under no circumstances may a department maintain any employee medical information (originals and/or copies) or court documents in the case of adoption.

Human Resources:

7. Human Resources will determine if the employee is eligible for parental leave.
8. The employee will be required to provide various documentation such as doctor statements or court documents to substantiate leave. Such information will be held confidentially by the Human Resources Department.
9. Employees will be notified in writing of their approval or denial of Paid Parental Leave with a copy to the employee's supervisor.

Return to Work:

10. The Human Resources Department and/or the department may require an employee to report periodically on her/his status and intent to return to work.
11. An employee needs to notify the Human Resources Department in writing of his/her return to work date at least three (3) business days in advance but does not need to provide a note from a health care provider.

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

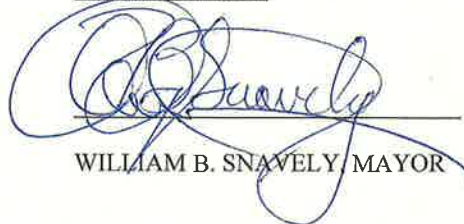
WHEREAS, associated with the management of the some 3,510 street, park, and public trees in the community, the City of Oxford has fulfilled the national Arbor Day Foundation's requirements for "Tree City USA" for twenty six consecutive years.

NOW, THEREFORE, I, William B. Snavely, Mayor of the City of Oxford, Ohio, Tree City USA, do hereby proclaim that on April 29, 2022, 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 Oxford to be affixed this 19th day of April, 2022.


WILLIAM B. SNAVELY, MAYOR





The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	4.13.22
COUNCIL MEETING DATE:	4.19.22
AGENDA TITLE:	Approving the Paid Parental Leave Policy Memorandum of Understanding between the Police Sergeants and Lieutenants, FOP Lodge 38 and the City of Oxford.
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i>

DISCUSSION:

The City included a provision for paid parental leave in the Employee Handbook and Wage/Salary ordinance last year. The provision allows for eight weeks of paid parental leave that does not require the city employee to use their accrued leave and after eight weeks of paid parental leave the employee may use and additional four weeks of unpaid parental leave during which an employee may substitute the unpaid parental leave with available accrued vacation and or paid sick leave. This provision did not extend to the three police unions. All three police contracts currently have a maternity provision which allows the employee to use vacation, sick leave, or unpaid leave. Two of the unions (Sergeants/Lieutenants and Patrol) currently have a provision for paternity leave. The City is recommending the substitution of the parental leave language in the Employee Handbook language for the current contract language in the labor agreements

RESOLUTION NO.

A RESOLUTION APPROVING THE PAID PARENTAL LEAVE POLICY MEMORANDUM OF UNDERSTANDING BETWEEN THE POLICE SERGEANTS AND LIEUTENANTS, FOP LODGE 38 AND THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY.

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2020 to December 31, 2022; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3 and the Paternity Leave policy contained within Article X 1(A); and

WHEREAS, the City Manager and the Police Chief recommend Council authorize the City Manager to sign on behalf of the City, the proposed Memorandum of Understanding attached hereto as Exhibit “A” with the Police Sergeants and Lieutenants, FOP Lodge 38.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Police Chief to provide Paid Parental Leave for the Police Sergeants and Lieutenants, FOP Lodge 38, and authorizes the City Manager to sign the Memorandum of Understanding on behalf of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: WILLIAM SNAVELY
PREPARED BY: LAW (STAFF)

MEMORANDUM OF UNDERSTANDING

Between City of Oxford, Ohio and the Oxford Police Sergeants and Lieutenants, FOP Lodge 38

This Memorandum of Understanding (“MOU”) is entered into this ____ day of April, 2022 (“Effective Date”) by and between City of Oxford, Ohio (“City”) and the Oxford Police Sergeants and Lieutenants, FOP Lodge 38 (“Union”)(collectively, the “Parties”).

WHEREAS, the City and the Union are parties to a collective bargaining agreement (“Current CBA”) effective from January 1, 2020 to December 31, 2022; and

WHEREAS, the City added a Paid Parental Leave Policy (the “Paid Parental Leave Policy”) in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D that allows for eight (8) weeks of Paid Parental Leave that does not require the City employee to use their accrued leave and after eight (8) weeks of Paid Parental Leave the employee may use an additional four (4) weeks of Unpaid Parental Leave during which an employee may substitute the Unpaid Parental Leave with available accrued vacation and/or paid sick leave; and

WHEREAS, the Current CBA, Article IX, Paragraph 3, provides Maternity Leave and reads as follows: “Maternity leave shall consist of sick leave and/or vacation time, with pay, and/or leave of absence without pay. After the employee utilizes, for maternity purposes, all of her accrued sick leave and vacation leave, she will be placed on leave of absence without pay for a period not to exceed six (6) months. During such leave of absence the City will continue the employee's group health insurance at the expense of the employee if the employee requests unless such leave without pay is mutually designated as Family Medical Leave time where health insurance will be provided as required by law. Additional leave of absence without pay may be granted by the City Manager upon request, for good cause upon showing of unusual circumstances. If the City Manager has reason to believe that an employee is unable to fulfill her usual duties by reason of pregnancy, the City Manager may request in writing that the employee begin sick leave, vacation leave or leave of absence without pay at a date earlier than that selected by the employee. Benefits other than health insurance do not accrue during the period of leave of absence without pay;” and

WHEREAS, the Current CBA, Article X, Paragraph 1(A) allows up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) to be used for paternity leave arising from the birth of a child to his/her spouse; and

WHEREAS, the purpose of this MOU is to extend the City’s Paid Parental Leave Policy to the Union; and

WHEREAS, the City and Union’s approval of this MOU shall result in the City’s Paid Parental Leave Policy superseding and replacing the Maternity Leave policy set forth in the Current CBA, Article IX, Paragraph 3 and the Paternity Leave policy contained within Article X 1(A); and

WHEREAS, the Parties agree that the remainder of Article X 1(A), Sick Leave and Recuperative Leave, shall remain unchanged and in effect, allowing the Union to continue to use

up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) for sickness in the immediate family requiring the employee's absence from work during the calendar year.

NOW THEREFORE BE IT RESOLVED THAT the City and the Union agree as follows:

1. This Memorandum of Understanding ("MOU") is intended by the City and Union to amend the Current CBA only as to Article IX, Paragraph 3, Maternity Leave, and Article X, Paragraph 1(A), only as to paternity leave;
2. The City and Union agree the Current CBA language in Article IX, Paragraph 3 and Article X, Paragraph 1(A), concerning the use of accumulated sick leave each year for paternity leave, shall be superseded and replaced with the Paid Parental Leave Policy set forth in the 2022 City of Oxford Employee Handbook, Section 3.15, Leaves of Absence, Paragraph D, attached as Exhibit A hereto;
3. The City and the Union agree that this MOU will not replace or supersede the remaining language contained within Article X, Paragraph 1(A) of the Current CBA, allowing the Union to use up to ten percent (10%) of accumulated sick leave balance (as of January 1st each year) for sickness in the immediate family requiring the employee's absence from work during the calendar year;
4. The City and Union agree that this MOU will go into effect for this calendar year on the Effective Date set forth herein;
5. The City and Union agree that this MOU and the Paid Parental Policy will not have retroactive application and will only affect requests for Paid Parental Leave after the Effective Date set forth herein;
6. The City and Union agree that this MOU shall not be used as precedent by either party now or in the future;
7. This MOU constitutes the full and complete understanding of the City and the Union concerning this subject matter, and any amendments or modifications must be in writing signed by the Parties.

For the City:

For the Union:

Douglas R. Elliott
City Manager

Date

Date

Paid Parental Leave

The City of Oxford will provide eligible employees up to twelve (12) weeks of leave after the birth or adoption of his or her child. Of the twelve weeks, eight (8) weeks is Paid Parental Leave paid by the City without the employee having to use her/his accrued vacation and paid sick leave followed by four (4) weeks of Unpaid Parental Leave during which an employee may substitute the unpaid leave with accrued vacation and paid sick leave. Paid and Unpaid Parental Leave can be used as continuous or intermittent leave. The combination of Paid and Unpaid Parental Leave may not exceed twelve (12) weeks.

1. Paid Parental Leave will be paid in the same manner as an employee's biweekly paycheck (direct deposit into a bank account) and will include normal deductions.
2. If a recognized holiday occurs while the employee is on Paid Parental Leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total Paid Parental Leave entitlement.
3. City of Oxford will maintain all employer paid benefits for which employees would otherwise be eligible during the Paid Parental Leave period. For example, employees will continue to accrue vacation and paid sick leave while on Paid Parental Leave. Employees will remain responsible for any employee premiums, contributions or other normally required costs.
4. An employee who qualifies for Paid Parental Leave but has exhausted all or part of the FMLA leave for their rolling period will be afforded the same level of job protection for the period of time that the employee is on Paid Parental Leave as if the employee were on FMLA-qualifying leave.
5. Paid Parental Leave may be used in cases of stillbirth. In such an event, a maximum of eight (8) weeks of Paid Parental Leave may be used that includes the three (3) days provided in the bereavement section of the employee handbook for the death of a member of the employee's immediate family.

Eligibility for Paid Parental Leave

An employee must meet both criteria below to be considered eligible for parental leave:

6. Full-time (defined as one who is regularly scheduled in active pay status at least thirty two (32) hours per week and benefits eligible); and
7. Continuously employed with the City of Oxford for twelve (12) months, working 1,250 hours or more during that period.

If both parents work for the City of Oxford, the parental leave will be shared between the two employees.

Paid Parental Leave, Parental Leave and Family Medical Leave Act (FMLA) Leave Paid Parental Leave and Unpaid Parental Leave will run concurrently with FMLA leave, decreasing, in whole or in part, the amount of FMLA leave available to an employee.

Employees must inform the Human Resources Department at or before the start of Paid Parental Leave.

Rules Concerning the Use of Paid Parental Leave

The following limitations apply to the use of Paid Parental Leave:

8. An eligible employee may receive the eight-week Paid Parental Leave a maximum of two (2) times during their employment at the City of Oxford, regardless of any breaks in service. However, certain circumstances resulting in an employee gaining unexpected custody of a child under the age of 18 and approved by the Human Resources Department may qualify for Paid Parental Leave or additional Paid Parental Leave beyond the two- time limit.
9. Multiple births or adoptions that occur at the same time (for example, the birth of twins or concurrent adoption of two children) does not increase the length of Paid Parental Leave provided.
10. In the case of adoption, the following rules apply:
 - a. The child must be under the age of 18. However, if medical documentation is submitted to the Human Resources Department stating that the child or adoptee is incapable of self-care because of a mental or physical disability, the age limit of 18 may be waived.
 - b. For adoption purposes, Paid Parental Leave begins from the point a final decree of adoption or the legal equivalent is issued.
11. Employees serving as surrogate mothers and sperm donors are not eligible for Parental Leave including Paid Parental Leave.
12. Employees experiencing pre-natal complications requiring time off must use accrued leave (paid sick leave and/or vacation or unpaid FMLA, if eligible) for these absences.
13. An employee who adopts a spouse's child(ren) is not eligible for Paid or Unpaid Parental Leave.
14. Paid and Unpaid Parental Leave do not apply with regard to the placement of foster children.
15. All Paid Parental Leave must be taken within six (6) months after the birth or adoption. Any Paid Parental Leave remaining at the end of the 6 months period is not banked for later use or paid out, and cannot be combined with any future Paid Parental Leave.
16. Employees on continuous or intermittent Unpaid Parental Leave shall use accrued paid sick leave or vacation.

Required Documentation for Paid Parental Leave

Employees on Paid Parental Leave are required to provide the Human Resources Department, within 30 days, following the birth or adoption:

17. For the birth of a child – appropriate birth documentation, such as a birth certificate or hospital birth confirmation.
18. For the adoption of a child – appropriate adoption documentation, such as an adoption order.

Employee:

1. An employee is encouraged to provide his/her department at least 30 days advance notice before the birth or adoption if the need for leave is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.
2. The employee must contact the Human Resources Department to initiate a request for Parental Leave.
3. An employee approved for Paid Parental Leave is required to notify the Human Resources Department when the leave begins and ends in order to make sure the entry of time for payroll purposes is accurate and that her/his employee status is correct and accurate.

Department:

4. Notify the Human Resources Department when an approved employee begins parental leave, to make sure the entry of time for payroll purposes is accurate.
5. Notify Human Resources Department when an employee, off on parental leave, returns from leave, to make sure employee status is correct and accurate.
6. Supervisors must ensure that all relevant conversations with the employee are kept confidential, and all documentation received from the employee is promptly forwarded to the Human Resources Department where it is maintained in a confidential file, separate from personnel records. Under no circumstances may a department maintain any employee medical information (originals and/or copies) or court documents in the case of adoption.

Human Resources:

7. Human Resources will determine if the employee is eligible for parental leave.
8. The employee will be required to provide various documentation such as doctor statements or court documents to substantiate leave. Such information will be held confidentially by the Human Resources Department.
9. Employees will be notified in writing of their approval or denial of Paid Parental Leave with a copy to the employee's supervisor.

Return to Work:

10. The Human Resources Department and/or the department may require an employee to report periodically on her/his status and intent to return to work.
11. An employee needs to notify the Human Resources Department in writing of his/her return to work date at least three (3) business days in advance but does not need to provide a note from a health care provider.



OXFORD CITY COUNCIL Meeting Minutes

Tuesday, April 19, 2022

[Link for website video here](#)

Full Transcript available online.

Roll Call [TIME 00:04](#)

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

A regular meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, April 19, 2022 at 7:30 p.m. Members in attendance were Jason Bracken, William Snavelly, Amber Franklin, Glenn Ellerbe, and Alex French. Chantel Raghu was excused.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Sam Perry, Community Development Director; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Goeff Robinson, Police Lieutenant; Mr. Ben Mazer, Assistant Law Director; and Ms. Heather Barbour, Clerk of Council.

Approval of the Agenda [TIME 00:22](#)

Motion – To Adopt

(Voice Vote) 1st Ms. French 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Public Participation [TIME 00:41](#)

- A. Proclamation “ Days of Remembrance” Page 5 of the Agenda Packet – Received by a member of Hillel at Miami University
- B. Proclamation “ Arbor Day” Page 6 of the Agenda Packet – Received by Mr. Dreisbach, Service Director

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.

Resident Name address Resident Comment / Request

Amy Shaiman 11 Heather Ridge Court Resident Comment / Request – Ms. Shaiman thanked the City Council and City Staff for the work they put into the Oxford Tomorrow program that was held yesterday. Ms. Shaiman thanked the Mayor and the City for the “Days of Remembrance” Proclamation.

Steven Snell 6 Old Stone Court Resident Comment / Request – Mr. Snell inquired about the absence of the Pledge of Allegiance at City Council Meetings.

Consent Agenda [TIME 11:19](#)

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

- A. Minutes of the April 5, 2022 City Council Meeting (Heather Barbour, Clerk of Council)
Page 7 of the Agenda Packet

Motion – To Adopt

(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolutions

Resolution No. 7393 [TIME 12:19](#)

Page 30 of the Agenda Packet

1. A Resolution Opposing the Adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, Which proposes to limit local regulation of short-term rental property. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7393

(Voice Vote) 1st Ms. French 2nd Mr. Ellerbe

AYE #6

NAY #0

ABS #0

Resolution No. 7394 [TIME 14:36](#)

Page 33 of the Agenda Packet

2. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Non-Commissioned Police Division Employees Union and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7394

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Resolution No. 7395 [TIME 17:30](#)

Page 40 of the Agenda Packet

3. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Oxford Police Officers, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7395

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolution No. 7396 [TIME 18:20](#)

Page 47 of the Agenda Packet

4. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Police Sergeants and Lieutenants, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7396

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Ordinances

Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

First Reading None

Comments from the Public – None

Second Reading

Ordinance No. 3676 [TIME 19:11](#)

Page 54 of the Agenda Packet

1. An Ordinance Approving a Conditional Use Permit Application to allow for the Re-Establishment of a Fraternity use located at 406 East Withrow Street, Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development Director)

Motion – To Adopt Ordinance No. 3676

(Roll Call Vote) 1st Mr. Ellerbe 2nd Mr. Prytherch

AYE #6

Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Mayor Snively

NAY #0

Names Here

ABS #0

Announcements & Communications

Remarks from City Council and City Staff [TIME 22:03](#)

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

Adjournment

Motion to Adjourn Meeting at 8:08 p.m. [TIME 38:10](#)

(Voice Vote) 1st Ms. Franklin 2nd Mr. Prytherch

AYE #6

NAY #0

ABS #0

Request has been sucessfully updated.

Public Comment to Council Form

Print

Submitted by: Jason Roberts

Submitted On: 2022-04-28 09:05:33

Status: Acknowledged

Priority: Normal

Assigned To: Doug Elliott

Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* **First Name**

Jason

Enter your First Name

* **Last Name**

Roberts

Enter your Last Name

* **Address**

30 Josie Ln

* **City**

Oxford

* **State**

OH

* **Email**

j.edward.roberts@gmail.com

Phone

216-965-6658

* **I am a...**

- ☐ Visitor
- ☒ Resident
- ☐ Business Manager
- ☐ Business Owner
- ☐ Employee in Oxford
- ☐ Student
- ☐ Other

* **Comment(s)**

For the record, I am not in support of year-round DORA expansion. As someone that's lived in various cities in Columbus, Toledo, and Cleveland, Oxford has a great deal of vibrancy and tourism all on its own in comparison. I do support the current DORA schedule as it is.

Make a public comment for review by City Council

0:00:00.0 Mayor Snavely: Read the roll please.

0:00:02.4 Clerk: Mr. Prytherch?

0:00:04.8 Mr. David Prytherch: Here.

0:00:05.6 Clerk: Mr. Bracken?

0:00:06.9 Mr. Jason Bracken: Here.

0:00:07.3 Clerk: Mr. Ellerbe?

0:00:08.4 Mr. Glenn Ellerbe: Here.

0:00:08.9 Clerk: Ms. Franklin?

0:00:10.0 Ms. Amber Franklin: Here.

0:00:10.5 Clerk: Ms. French?

0:00:11.5 Ms. Alex French: Here.

0:00:12.0 Clerk: Mayor Snavely?

0:00:13.2 Mayor Snavely: Here. So I'm gonna call the meeting to order and move to the first item which is approval of the agenda, can I have a motion?

0:00:23.2 Ms. French: So moved.

0:00:23.8 Mayor Snavely: Thank you Councilor French.

0:00:25.3 Ms. Franklin: Second.

0:00:25.7 Mayor Snavely: Seconded by Councilor Franklin. Are there any changes? All those in favor indicate by saying aye.

0:00:34.3 Group: Aye.

0:00:34.6 Mayor Snavely: Opposed? Thank you. Next, we will move to public participation. We have two proclamations. And I will read the first one. Whereas the Holocaust was the state-sponsored systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945, 6 million were murdered. Roma Gypsies, people with disabilities and Poles were also targeted for destruction or decimation for racial, ethnic or national reasons and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents also suffered grievous suppression and death under Nazi tyranny. And whereas the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individual societies and governments. And whereas we, the people of the city of Oxford should

always remember the terrible events of the holocaust and remain vigilant against hatred, persecution and tyranny.

0:01:47.1 Mayor Snavelly: And whereas we the people of the city of Oxford should actively re-dedicate ourselves to the principles of individual freedom in a just society and probably re-educate as well. And whereas the days of remembrance have been set aside for the people of the city of Oxford to remember the victims of the Holocaust, as well as to reflect on the need for respect for all people. And whereas pursuant to an act of Congress, the United States Holocaust Memorial Council designates the days of remembrance of the victims of the Holocaust to be Sunday April 24th through Sunday May 1st, 2022, including the day of remembrance known as Yom HaShoah April 28th, 2022.

0:02:38.5 Mayor Snavelly: Now therefore, I William B. Snavelly, Mayor of Oxford, Ohio do hereby proclaim the week of Sunday, April 24th through Sunday, May 1st, 2022 as days of remembrance in memory of the victims of the Holocaust. In honor of the survivors, as well as the rescuers and liberators, and further proclaim that we as citizens of the city of Oxford, should work to promote human dignity and confront hate whenever and wherever it occurs. And Amy, are you here? Oh Eli's here?

[background conversation]

0:03:53.9 Mayor Snavelly: The second 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. Parenthetically, I lived in Nebraska for three years and they needed it.

[chuckle]

0:04:22.5 Mayor Snavelly: And whereas trees can produce oxygen, provide habitat for wild life, 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 run-off. 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 sum 3510 street, park and public trees in the community, the city of Oxford has fulfilled the national Arbor Day foundations requirements for Tree City USA for 26 consecutive years. Now therefore, I William B. Snavelly Mayor of the city of Oxford, Ohio Tree City USA, do hereby proclaim that on April 29th, 2022, the last Friday of the month, the city of Oxford will recognize and participate in the national and international celebration of Arbor Day. And 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.

0:05:50.1 Mr. Dreisbach: Thank you sir. Appreciate your support.

0:06:01.2 Mayor Snavelly: When we moved to Nebraska, my wife looked around and she said, "Where are the trees?"

[laughter]

0:06:09.8 Mayor Snavelly: And when fall came, we drove to Iowa to find a forest. [chuckle] So, it's appropriate that it started in Nebraska I think. We will move now to public comments, and we welcome comments from the public. Anyone wishing to address council about items that are not on the agenda or on the consent agenda, please come forward at this time. State your name and address for the record, and we'll give you five minutes. Welcome.

0:06:47.8 Ms. Amy Shaiman: Good evening. Amy Shaiman, 11, Heather Ridge Court. I just wanted to quickly thank city council and the city staff for the Oxford Tomorrow program that happened yesterday. I really appreciated the briefing and the updates and the summaries of what was gathered previously, as well as the opportunity to continue to participate as a community. I think it's really, really valuable, and I believe that the website that was shared for people who wanted to participate, who were not able to be there last night, is oxfordtomorrow.org. I see heads nodding; for people who are listening and not watching. So I encourage people to continue to do that and participate, and I look forward to seeing those comments woven in. In addition, I wanna thank the mayor and the city for the proclamation and remembrance of Holocaust and genocide awareness.

0:07:35.8 Ms. Amy Shaiman: Unfortunately, it was neither the first nor the last of the genocides that have happened in our world, and unfortunately there are actions happening today in various parts of the world that are also genocidal. But as someone who is a member of a community that were very significantly decimated for European roots, I appreciate that it's remembered and there's... Your slip of saying reeducate is very true there. I saw a statistic, I'm not remembering it precisely off the top of my head right now, of the low percentage of current high school and college aged people who believe that the Holocaust happened or even know what it was, is sad. So, I appreciate it being something that we pay attention to in our community and that we all work to end hatred of all kinds. Thanks.

0:08:27.5 Mayor Snavelly: You're welcome. Would anyone else like to address council tonight? Welcome.

0:08:42.1 Mr. Steve Snell: Hey, thank you. My name is Steve Snell. I live here in Oxford with my wife and my young son. So I notice on the March 15th meeting that I attended and then again, April 5th, and then again tonight, I'm seeing a pattern emerge. So I'm curious. When did we stop saying the pledge of allegiance at the start of these meetings and who made that decision?

0:09:06.1 Mayor Snavelly: I did.

0:09:06.7 Mr. Steve Snell: Okay, could you tell me why?

0:09:08.0 Mayor Snavelly: Yeah, I can. All it takes, and I would support it, is a motion. What the city manager and I looked at was the rules of council, and the rules of council identify what should be on the agenda. And while that was done out of tradition not many years ago when I was on council before, but in the meantime it's not in the rules of council. And so the next time we review the rules of council, I think we can bring that up.

0:09:42.0 Mr. Steve Snell: Do you have a copy of tonight's agenda in front of you?

0:09:44.5 Mayor Snavelly: Yes, I have a copy of it.

0:09:46.3 Mr. Steve Snell: What's the line underneath the 7:30 PM start date, or start time, say?

0:09:52.7 Mayor Snavelly: I will say this. We're not having a debate and so you may make your comment...

0:09:56.7 Mr. Steve Snell: I'm not trying to debate, sir, I'm just asking you what does the agenda state?

0:10:00.5 Mayor Snavelly: Go ahead and tell me what you think the agenda states.

0:10:01.1 Mr. Steve Snell: I don't have it in front of me. Does anybody have an agenda?

0:10:04.5 Mayor Snavelly: It says roll call.

0:10:06.3 Ms. Greene: I can correct. I understand there's a discrepancy...

0:10:10.3 Mr. Steve Snell: I must be mistaken then. I'm sorry, I apologize.

0:10:12.8 Mayor Snavelly: That's okay.

0:10:13.0 Mr. Steve Snell: I'm pulling it up online, it said...

0:10:13.2 Mayor Snavelly: No, I just didn't wanna have a debate with you.

0:10:15.1 Mr. Steve Snell: I'm not trying to debate anything.

0:10:19.2 Mayor Snavelly: Thank you.

0:10:20.8 Ms. Greene: The Granicus tool that we use online does not allow us to make edits, and it's a template that's locked in and it does say pledge of allegiance online and the printed version does not so there is a discrepancy, based with the tool that we used to build the agenda.

0:10:37.6 Mr. Steve Snell: Is the Granicus online agenda valid?

0:10:41.9 Ms. Greene: It is the tool we use to publish the agenda. And we can't... We've asked for a template to be changed and they... One of the reasons we're not... We're looking at changing from Granicus.

0:10:53.2 Mr. Steve Snell: Okay, so how do the people of Oxford get a copy of the agenda?

0:10:58.4 Mayor Snavelly: Any councilor can propose changes to the rules of council.

0:11:03.3 Mayor Snavelly: Thank you.

0:11:11.5 Mayor Snavelly: Would anyone else like to address council? Okay. We will move to the consent agenda. Can I have a motion to approve the consent agenda?

0:11:21.7 Mr. Prytherch: So moved.

0:11:22.3 Ms. Franklin: So moved.

0:11:22.9 Mayor Snavely: It's been moved by Councilor Prytherch, seconded by Councilor Franklin. Are there any items to be removed? There's only one, so I assume not. All those in favor of approving the consent agenda, indicate by saying aye.

0:11:41.0 Group: Aye.

0:11:41.5 Mayor Snavely: Opposed? Thank you.

0:11:42.3 Mr. Prytherch: Can I just introduce some thanks? I know that the minutes have been evolving to try to improve as we try to develop a more efficient system, and I appreciate the moves to try to make them more transparent and link to the videos. So thank you to Heather and Jessica and anybody else for trying to make... We went to the straight action minutes and they were not very informative, so I like the links to the videos, and the transcript although imperfect is... I think we're moving in the right direction, so thank you.

0:12:10.7 Mayor Snavely: Okay. We will move then to resolutions. We may read the resolution.

0:12:18.2 Clerk: A resolution opposing the adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, which proposes to limit local regulation of short-term rental property.

0:12:34.2 Mayor Snavely: Is there a motion to adopt this resolution?

0:12:36.9 Ms. French: So moved.

0:12:38.9 Mayor Snavely: Thank you.

0:12:39.4 Mr. Ellerbe: It's been seconded.

0:12:44.0 Mayor Snavely: And seconded. French and Ellerbe. And...

0:12:44.7 Mr. Elliott: Thank you. Yes, House Bill 563, which is being considered by the Ohio House state and local government committee, they've had three hearings on it, would preempt local governments from regulating or prohibiting the use of short-term rental properties. As you know, the city of Oxford has adopted reasonable and common sense regulations of short-term rentals to protect our residential neighborhoods. We require short-term rentals to complete an application and a property inspection. We limit the maximum numbers of days that a structure may be rented to the 90 days per year. And we also require short-term rentals to pay the city's hotel and lodging tax at 6% total. So as I said earlier, it's being considered by the House, State and Local Government Committee. They've had three hearings on it. I believe they're in recess now, but we feel that this is a clear assault on our home rule authority, granted under the Ohio Constitution. And we have then on the legislative agenda, this resolution, and opposition to house bill 563. And I would urge council to adopt this resolution. Thank you.

0:14:01.1 Mayor Snavelly: Thank you. Is there anyone from the public who'd like to address this resolution? Seeing none. Councilors, any comments, questions? Okay.

0:14:14.6 Mr. Prytherch: Thank you. And I... If we have to do battle on this one with other municipalities, I hope we join with them because...

0:14:19.5 Mayor Snavelly: Yep.

0:14:19.7 Mr. Prytherch: This is our purview.

0:14:23.3 Mr. Bracken: And this is important to us.

0:14:24.7 Mayor Snavelly: All those in favor of the resolution indicate by saying "Aye."

0:14:27.3 Group: Aye.

0:14:29.7 Mayor Snavelly: Opposed? Resolution is adopted. Can you read the second?

0:14:33.1 Clerk: Sure. A resolution approving the Paid Parental Leave Policy, Memorandum of Understanding between the non-commissioned Police Division Employees Union, and the city of Oxford, and authorizing the City Manager to sign the Memorandum of Understanding on behalf of the city.

0:14:52.1 Mayor Snavelly: Is there a motion to adopt?

0:14:54.9 Mr. Ellerbe: So moved.

0:14:55.8 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:14:58.7 Ms. French: Second.

0:15:00.2 Mayor Snavelly: It's seconded by Councilor French.

0:15:01.6 Mr. Elliott: So I have basically, the same report for the next three resolutions. As you know, the city included paid parental leave in their employee handbook, and wage and salary ordinance that we adopted last year. And this provision allows for eight weeks of paid parental leave that does not require the employee to use their accrued leave. And after eight weeks of paid parental leave, the employee may use an additional four weeks of unpaid parental leave, during which an employee may substitute sick leave or vacation.

0:15:35.9 Mr. Elliott: The provision did not extend to our three Police Unions, the Sergeants and Lieutenants, the Patrol, and the Non-commissioned Officers. All three of those police contracts currently have a maternity provision, which allows the employee to use vacation, sick leave or unpaid leave. Two of the unions, the Sergeants and Lieutenants, and patrol, currently have a provision for a paternity leave. So we're recommending that we swap out that language for the language that we have in our employee handbook. And that's what you have on the agenda tonight. And this would make our policy consistent with what we have in the handbook. So we're recommending adoption of all three of these resolutions as you read them.

0:16:19.7 Mayor Snavelly: Okay. Thank you. Is there anyone from the public who would like to address this resolution? Hearing none. Councilors, any comments?

0:16:33.9 Mr. Bracken: I think this is great. I think it demonstrates our values and what we care about. And I'm happy to do it.

0:16:37.9 Mayor Snavelly: Okay. Yeah, it's good to keep all the employees on the same page. So I'm glad to bring the police force onto it.

0:16:46.8 Mr. Prytherch: I would note that it is... I mean, this is kind of an unusual situation, through a Memorandum Of Understanding, to modify a contract. Unionization it's... Adjust contracts in certain periods. But it's nice to think that unionization, and... The union and management relationship doesn't need to be adversarial all the time, and that it doesn't need to be inflexible in the face of change. So if we're able to do this, I'm glad that we're able to do this, and not have to wait until the next contract negotiations. So I agree.

0:17:19.1 Mayor Snavelly: All those in favor of the resolution indicate by saying, "Aye."

0:17:21.5 Group: Aye.

0:17:23.0 Mayor Snavelly: Opposed? Resolution is adopted. Please read number three.

0:17:28.9 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Oxford Police Officers, FOP Lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:17:45.5 Mayor Snavelly: Is there a motion?

0:17:47.2 Mr. Ellerbe: So moved.

0:17:48.1 Ms. Franklin: Second.

0:17:48.6 Mayor Snavelly: Moved and seconded. I assume the staff report is the same?

0:17:53.6 Mr. Elliott: Yeah, the staff report is the same unless you have questions?

0:17:56.2 Mayor Snavelly: Okay. Are there any comments from the public? You'll have another chance if you think of anything. Any additional discussion on the council? All those in favor of the resolution indicate by saying "Aye."

0:18:11.6 Group: Aye.

0:18:13.0 Mayor Snavelly: Opposed? That resolution is adopted. Please read number four.

0:18:19.6 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Police Sergeants and Lieutenants, FOP lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:18:35.8 Mayor Snavelly: Is there a motion?

0:18:38.0 Mr. Ellerbe: So moved.

0:18:38.6 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:18:41.2 Ms. French: Second.

0:18:41.5 Mayor Snavelly: Seconded by Councilor French. Staff report is the same?

0:18:45.4 Mr. Elliott: Yes.

0:18:47.0 Mayor Snavelly: Anyone from the public? Okay. Any, hope... Councilors on this one? All those in favor indicate by saying "Aye."

0:18:56.7 Group: Aye.

0:18:57.1 Mayor Snavelly: Opposed? And that resolution is adopted. We have no first readings. We have one second reading. And I would invite our clerk to read it when she's ready.

0:19:10.0 Clerk: An ordinance approving a conditional use permit application to allow for the re-establishment of a fraternity use located at 406, East Withrow Street, Oxford Ohio 45056, with conditions.

0:19:25.2 Mayor Snavelly: Okay. And is there a motion to adopt this ordinance?

0:19:30.0 Mr. Ellerbe: So moved.

0:19:30.7 Mr. Prytherch: Seconded.

0:19:31.5 Mayor Snavelly: Okay. It's moved by Councilor Ellerbe, and seconded... I heard... Okay, by Councilor Prytherch. Sam, anything new here?

0:19:42.2 Mr. Perry: Nothing new. Thank you.

[laughter]

0:19:45.9 Mr. Perry: I can give a summary again if you'd like.

0:19:49.0 Mayor Snavelly: I think we had it last time.

0:19:50.6 Mr. Perry: Okay.

0:19:51.6 Mayor Snavelly: Alright. If there's questions, we'll call you back. Is there anyone from the public who would like to address this ordinance? Hearing none. Councilors, is there any further discussion?

0:20:04.7 Mr. Bracken: Sure. I would just like to... So I was at the dissenting vote in the Planning Commission. I just wanted to explain that briefly. So I felt that there was some inconsistency in how we address parking regulations, but I understand, and I don't wanna get in the way of this, it's not a bias inconsistency. It's more about ticketing values. So you have the issue of not wanting to burden streets and parking, but at the same time, you want a walkable city, you want more affordable housing, you want to preserve green spaces, you wanna reduce pavement. And so it's been so many inconsistent and something that we're gonna work on the Planning Commission, but that's why I decided not because this is problematic or in any other way.

0:20:45.5 Mayor Snavelly: Okay.

0:20:46.0 Mr. Jason Bracken: That's all.

0:20:47.7 Mayor Snavelly: So this is reverting from what it was originally built as with the same owners. And so it was their fraternity. It was a church facility for a while, now it's gonna be the fraternity again.

0:21:02.8 Mr. Prytherch: And I would note that the main... I think there was agreement in almost everything except for parking in the size of the sign, and I know the applicants would wish for a sign that were larger maybe in line with what the historical non-conforming size of the sign was. But one of the things that I... When I teach planning is, it's all about fairness. And so if you extend to one person something, you have to be prepared to extend it to everyone else, and we have to try to be very careful with signage size. So I know it wasn't quite as large as the applicant would wish, but it's also not as small as our code would probably require it to be, but I think what we worked out was a compromise, and so I think it's fair.

0:21:41.0 Mayor Snavelly: Would you please call the roll.

0:21:45.8 Clerk: Mr. Bracken?

0:21:47.7 Mr. Bracken: Yes.

0:21:47.7 Clerk: Mr. Ellerbe?

0:21:48.7 Mr. Ellerbe: Yes.

0:21:49.6 Clerk: Ms. Franklin?

0:21:50.4 Ms. Franklin: Yes.

0:21:51.3 Clerk: Ms. French?

0:21:52.1 Ms. French: Yes.

0:21:52.8 Clerk: Mr. Prytherch?

0:21:53.6 Mr. Prytherch: Yes.

0:21:53.6 Clerk: Mayor Snavely?

0:21:55.1 Mayor Snavely: Yes. So ordinance is adopted. We'll move to announcements and communications, and I'll begin with the City Manager, Doug Elliott.

0:22:04.2 Mr. Elliott: I'll just share with you one thing I did put in my written report, but when we look at our water and sewer utility rates, they compare very favorably to statewide averages. Each year, the Ohio Environmental Protection Agency completes a survey of residential water and sewer rates, and the rates are calculated on an annual basis and are based on water consumption of 700... Excuse me, 7756 gallons per month or 1037 cubic feet per month. So the 2019 average annual residential sewer rate in Ohio was \$749, and this was a 4.5% increase over 2018. The city of Oxford's annual sewer rate for the same amount of consumption was \$544, so it's 27.4% less than the statewide average. When we look at our residential water rate, the average Ohio residential water rate was \$697, which was a 4.2% increase over 2018. The city of Oxford's annual water rate for that same amount of consumption was \$421, which is a 39.6% less than the statewide average.

0:23:21.1 Doug Elliott: I might also share with you that in comparison to the Southwest Regional Water District, their rate is \$622 for that amount of consumption, and the city's water rate in comparison to them is 32.3% less. As you probably know, the city of Oxford last raised water and sewer rates in 2016 by 2%. At that time, we also lowered refuse rates, and prior to that, we had not raised water rates since 2019, and sewer rates had not been raised since 1997. So as you can see, we have very competitive water and sewer utility rates. We're fortunate because we made some improvements back in 1992 to find a new water treatment plant, additional wells of US 127 and a transmission line. And to pay for those, we issue debt, and in 2014, we made the last debt service payment of just under \$900,000.

0:24:26.6 Doug Elliott: Those improvements were needed to increase the water capacity because, Mike had shared with me the story about the 1989 water crisis, and I think I knew some students maybe that contributed to some of that as well. So we can currently have no outstanding debt in the water or sewer funds, but we do, of course, anticipate water rate increase needed to finance the water softening project when we get into that. We're looking to develop the RFP now for the engineering for that, and we'll be having a work session with Council on that when we get to that point. But we have very competitive rates, and I just wanted to share that with the Council and the public. That's all I have this evening. Thank you.

0:25:14.2 Mayor Snavely: Thank you.

0:25:14.3 Mr. Dreisbach: Nothing from us. Thank you.

0:25:14.7 Mayor Snavely: Thank you. Chief?

0:25:26.7 Chief Jones: One thing I noticed not on the agenda that I should have already raised with Heather, but I thought I would make the announcement just a bit early, is on May 12th, we have police community relations and review commission meeting at 7:00 o'clock here at the courthouse. So I should have gotten that added in, but I'll just make the announcement for the public. There's still plenty of time. I just wanted to say a few comments about a situation we had last night. I'm sure you heard about it. There was a lot of media coverage where an armed suspect was barricaded along with other citizens, bystanders. So we were already pretty short-handed when that started, when it

all kicked off, but we were able to get off-duty personnel in pretty quickly to help in a quick manner. And then of course, when we called out the SWAT team, which were are a member of, we received numerous resources from all around the county. So I was just very proud of how our team operated last night. We handled that situation. We were able to gain compliance from the suspect and revolve violence situation without injury to anyone involved and really without any property damage which doesn't always happen.

0:26:46.7 Chief Jones: It doesn't always end that way, and we've seen that in other situations we've been involved in, and we don't always control how it ends either, but I just wanted to thank, say last night, it worked well, it was an efficient system, to we take time. Time is on our side, and we inconvenienced some people by keeping that area shut down, but in the end, it's worth it because there was no loss of life, no injury, and just a shout out to our team who came in and helped, and also the other agencies who came in but are kind of Sheriff's Office and all the other police departments that are part of the regional spot team.

0:27:28.4 Mayor Snavelly: You're to be congratulated, maybe it really was a successful evening in that respect. Could you remind the public who may be watching if they don't have Nixle, how to get that on their phone?

0:27:42.2 Chief Jones: Sure, so one of the things with that situation there's a lot of support around that. They don't always see and that one of those things is media and getting messaging across, and sometimes we don't always get those messages out, but last night with the prolonged situation, we were able to get a message out through Nixle, it's a public safety alerting tool if you go to Nixle, nixle.com, you can sign up and get public safety alerts, which may include things like tornado warnings, fire emergencies or road closures, and as if last night was a shelter in place to the folks who lived in that area, and also to us to avoid the area, so it's a good tool to sign up for, and I will say when we put those alerts out, we knew this was gonna cause us more work with the media, but we wanna try to spread that message just in case, so we can avoid people in the area.

0:28:44.1 Mayor Snavelly: Thank you. I encourage people to sign up for Nixle if you haven't already done so, it is not over-used and it is rare that they come out, but when they do it's important, and I think it's good for people to be aware. Thank you. Joe?

0:29:00.1 Mr. Newlin: Nothing, thank you.

0:29:03.4 Mayor Snavelly: Okay, Chief?

0:29:05.6 Chief Detherage: Nothing, sir.

0:29:09.3 Mayor Snavelly: Okay. Sam?

0:29:10.5 Mr. Perry: As several have said Oxford Tomorrow workshop went well last night, and thanks for many of those of you that attended and public, we had around 100 or so, went really well, is a very positive and organized environment for collaboration and ideas from the community, so the next several weeks will be processing, those many ideas and the hundreds of post-it notes and verbal conversations to some extent that were contributed into what will be, we hope, realistic goals and objectives that will bring back to you later, probably early fall, and then we'll have something in front of you, but there'll be some steering committee meetings and then more of a public open house

to kinda bring back all of that into a more defined plan, so looking forward to that, and there were some data that was presented for those of you that as reviewed the slides in advance at the steering committee meeting that some of the voices that we haven't heard a lot from, have been the lower income community members, but with your contributions and your leadership over the past many months, some of those ideas that we think would be helpful that are needed by the lower income community have already been folded into some of your goals, but to the extent that you can help with that and allow some of those needs to be brought forth over the next several weeks, we'd appreciate that. Thank you.

0:30:32.4 Mayor Snavelly: Thank you. Assistant City Manager, Jessica Greene, welcome.

0:30:41.6 Ms. Greene: Good evening. I just wanted to give you some updates, but first, I also wanna thank Sam and Zachary Moore from the Community Development Department for MKSK for the great visiting workshop last night and the tremendous job, and they really have been, put a lot of hours into it, so thank you. Along those same lines, the online survey for those who were not able to attend last night, we'll go out, we hope tomorrow, and that survey will be open until May 6th, so we'll start publishing that here tomorrow or the next day. Make sure people are aware of that deadline, and we encourage anyone who wasn't able to attend in person to please put their feedback on to that survey. And then just wanted to let you know that Heather and I are actively researching agenda and management tools to make sure that we're using the right one, and also Mike Dreisbach and Pat O'Malley are researching our AV equipment to make sure that we're kind of using the proper tools and research, and if we need to make any upgrades, so stay tuned on that progress.

0:31:42.6 Ms. Greene: And that's my only other update for you tonight. It's just seem like a short night to give you an opportunity to let you know what we're working on. So we are actively, from your retreat, developing a new Dora application for an extended area and setting up dates for the Red Brick Fridays, and we're developing a budget for that business, a special assessment area, so we hope to have those to be coming forward to the next couple of months. And the more longer term we'll continue, we've started researching child care availability in the city of Oxford, both in-home and commercial and vouchers and not. So that's a little bit of a longer term research project, but we're hoping to get some good data to share with you, and then we're developing models with our American rescue plan funds in both the housing category and economic development categories, so we're really trying to do a lot of research and bring forward to you what we think are gonna be some best practices for the use of those dollars, so that's what's going on behind the scenes right now. Thanks.

0:32:40.4 Mayor Snavelly: Thank you, Heather?

0:32:42.9 Clerk: Nothing, thank you.

0:32:43.8 Mayor Snavelly: Okay.

0:32:46.2 Mr. Mazer: Nothing tonight, thank you.

0:32:46.3 Mayor Snavelly: Nothing from the law department. We'll just go to Glenn.

0:32:49.1 Mr. Ellerbe: I just like to thank the City and this departments for the excellent communication that we've had so far, just as a regular citizen, I feel like I'm very informed about

the various things they've been going on, whether it's an emergency or otherwise, so thanks a lot.

0:33:05.0 Mayor Snavelly: Thank you, Glenn. Alex.

0:33:06.9 Ms. French: I'm gonna do some reiteration, the Oxford Tomorrow event kudos to everybody. It was really well run. Very well attended. I know that I'm gonna put the link to the survey on all of my social media pages, so if you're out there watching tonight and haven't had a chance to voice your opinions yet, please let us know at oxfordtomorrow.org and stay tuned to that page for any other public input sessions, Sam mentioned that we have one more public workshop session coming up that date and location is to be determined, and then I also want to tip my cap to our Oxford Police Department. I tangentially know through my work how hard it is to coordinate a crisis.

0:33:45.2 Ms. French: When counseling schools on how to handle that, to do that for a whole town and a whole apartment complex, full of people on a very highly traveled road and keep everybody safe is a huge deal. So just I... I'm very proud of our town for a lot over the last couple days. So kudos to everybody. Thank you.

0:34:06.3 Mayor Snavelly: Thank you.

0:34:07.1 Ms. Franklin: Yeah, I just like to echo what was said and to also thank Chief Jones and OPD for the excellent work in the crisis management last night. Thank you.

0:34:15.8 Mr. Bracken: Yeah, I would say the same thing, but I wanted to add how excited I am about potential childcare possibilities and affordable housing going forward. So thanks for that to staff and everybody involved in this. It's being pretty great lately. Thanks for all the work.

0:34:31.4 Mr. Prytherch: So, don't wanna reiterate other than it was a great team effort that was brought to it last night. Obviously our staff between Sam and Zach and Jessica and all the interns, Casey was there manning. So we had staff and department heads there MKSK, its doing a great job. But our citizens invested a lot of passion in that event last night. I mean, a hundred people came out who are really believing the plan. They wouldn't come out on a Wednesday night if they didn't care about the topics and they didn't really... They weren't optimistic that we would take them seriously. I know from some experience that just because you make a plan doesn't mean... Plans don't implement themselves and you have to be ready to take all those ideas and figure out how to translate them into action.

0:35:15.0 Mr. Prytherch: I think we made enormous progress that way, but you can... We just don't wanna do a disservice to our citizens, to invest all that energy in us, to not then be ready to do all that we can. So it's a long term. I mean, we're gonna write the plan, but the challenge will then be ours to figure out as a city, as an organization. How do we figure out how to... Bite, eat the elephant one bite at a time, and set realistic expectations on what possible. So I'm proud of the cultural change that we've made. But it's really possible to write a plan and not use it. So, I think given how much investment people making as the city, as our tax dollars and staff. But the public, we... It's really incumbent on us to just respect and thank the people by figuring out a mechanism for doing these things that they're asking us to do. So...

0:36:05.7 Mayor Snavelly: I want to thank chief, members of police department. I think the city of

Oxford is blessed to have such excellent employees across the board, and none are better example of that than our police department. And please convey that all of council very much appreciates them. Number of people ask, when are things gonna start happening again and things uptown. While we had Earth day, that was pretty well attended. We had this wonderful planning session last night. But coming up this Saturday, two things that you may be interested in that are big community events and that you can take part in and the weather should co-operate. It should be sunny and warm. And one of those is the 66th Annual Pancake Day put on by Oxford's Kiwanis Club. And you can get tickets or you can pay an extra dollar at the door, if you want to.

0:37:12.2 Mayor Snavelly: Almost everybody in the community tends to want to go to it and you see everybody there and the money that is spent, goes to helping kids in our community. And I think it's a really good cause, and I hope that you have an opportunity to go. This is the last pitch I'll make. I have some few tickets left. The other thing is that Electric Roots Music festival is also going to be going on and this weekend. And I hope you have a chance to go uptown and enjoy the music. And there will be music from...

0:37:48.8 Ms. Franklin: To make a note on...

0:37:49.1 Mayor Snavelly: Yeah.

0:37:49.3 Ms. Franklin: Mm-hmm.

0:37:49.4 Mayor Snavelly: There's quite a few performers. And do you know the time? It's 2:00...

0:37:54.7 Ms. Franklin: It's all day. It's like 2:00 to I believe 9:00.

0:37:56.3 Mayor Snavelly: 2:00 to 10:00 or 9:00.

0:38:00.2 Ms. Franklin: Yeah, it's a full day, so...

0:38:01.2 Mayor Snavelly: So get out there. Enjoy the music, enjoy congregating with your fellow citizens. With that, I will entertain a motion to adjourn.

0:38:13.7 Ms. Franklin: So moved.

[laughter]

0:38:14.4 Mr. Ellerbe: Seconded.

0:38:19.1 Mayor Snavelly: That was a hard one to get. Seconded, all those in favor, indicate by say aye.

0:38:22.Group: Aye.

0:38:22.7 Mayor Snavelly: Opposed? Thank you. The meeting is adjourned.



OXFORD CITY COUNCIL Meeting Minutes

Tuesday, April 19, 2022

[Link for website video here](#)

Full Transcript available online.

Roll Call [TIME 00:04](#)

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

A regular meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, April 19, 2022 at 7:30 p.m. Members in attendance were Jason Bracken, William Snavelly, Amber Franklin, Glenn Ellerbe, and Alex French. Chantel Raghu was excused.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Sam Perry, Community Development Director; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Goeff Robinson, Police Lieutenant; Mr. Ben Mazer, Assistant Law Director; and Ms. Heather Barbour, Clerk of Council.

Approval of the Agenda [TIME 00:22](#)

Motion – To Adopt

(Voice Vote) 1st Ms. French 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Public Participation [TIME 00:41](#)

- A. Proclamation “ Days of Remembrance” Page 5 of the Agenda Packet – Received by a member of Hillel at Miami University
- B. Proclamation “ Arbor Day” Page 6 of the Agenda Packet – Received by Mr. Dreisbach, Service Director

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.

Resident Name address Resident Comment / Request

Amy Shaiman 11 Heather Ridge Court Resident Comment / Request – Ms. Shaiman thanked the City Council and City Staff for the work they put into the Oxford Tomorrow program that was held yesterday. Ms. Shaiman thanked the Mayor and the City for the “Days of Remembrance” Proclamation.

Steven Snell 6 Old Stone Court Resident Comment / Request – Mr. Snell inquired about the absence of the Pledge of Allegiance at City Council Meetings.

Consent Agenda [TIME 11:19](#)

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

- A. Minutes of the April 5, 2022 City Council Meeting (Heather Barbour, Clerk of Council)
Page 7 of the Agenda Packet

Motion – To Adopt

(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolutions

Resolution No. 7393 [TIME 12:19](#)

Page 30 of the Agenda Packet

1. A Resolution Opposing the Adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, Which proposes to limit local regulation of short-term rental property. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7393

(Voice Vote) 1st Ms. French 2nd Mr. Ellerbe

AYE #6

NAY #0

ABS #0

Resolution No. 7394 [TIME 14:36](#)

Page 33 of the Agenda Packet

2. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Non-Commissioned Police Division Employees Union and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7394

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Resolution No. 7395 [TIME 17:30](#)

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3. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Oxford Police Officers, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7395

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolution No. 7396 [TIME 18:20](#)

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4. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Police Sergeants and Lieutenants, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7396

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Ordinances

Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

First Reading None

Comments from the Public – None

Second Reading

Ordinance No. 3676 [TIME 19:11](#)

Page 54 of the Agenda Packet

1. An Ordinance Approving a Conditional Use Permit Application to allow for the Re-Establishment of a Fraternity use located at 406 East Withrow Street, Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development Director)

Motion – To Adopt Ordinance No. 3676

(Roll Call Vote) 1st Mr. Ellerbe 2nd Mr. Prytherch

AYE #6

Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Mayor Snively

NAY #0

Names Here

ABS #0

Announcements & Communications

Remarks from City Council and City Staff [TIME 22:03](#)

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

Adjournment

Motion to Adjourn Meeting at 8:08 p.m. [TIME 38:10](#)

(Voice Vote) 1st Ms. Franklin 2nd Mr. Prytherch

AYE #6

NAY #0

ABS #0

Request has been sucessfully updated.

Public Comment to Council Form

Print

Submitted by: Jason Roberts

Submitted On: 2022-04-28 09:05:33

Status: Acknowledged

Priority: Normal

Assigned To: Doug Elliott

Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* **First Name**

Jason

Enter your First Name

* **Last Name**

Roberts

Enter your Last Name

* **Address**

30 Josie Ln

* **City**

Oxford

* **State**

OH

* **Email**

j.edward.roberts@gmail.com

Phone

216-965-6658

* **I am a...**

- ☐ Visitor
- ☒ Resident
- ☐ Business Manager
- ☐ Business Owner
- ☐ Employee in Oxford
- ☐ Student
- ☐ Other

* **Comment(s)**

For the record, I am not in support of year-round DORA expansion. As someone that's lived in various cities in Columbus, Toledo, and Cleveland, Oxford has a great deal of vibrancy and tourism all on its own in comparison. I do support the current DORA schedule as it is.

Make a public comment for review by City Council

0:00:00.0 Mayor Snavelly: Read the roll please.

0:00:02.4 Clerk: Mr. Prytherch?

0:00:04.8 Mr. David Prytherch: Here.

0:00:05.6 Clerk: Mr. Bracken?

0:00:06.9 Mr. Jason Bracken: Here.

0:00:07.3 Clerk: Mr. Ellerbe?

0:00:08.4 Mr. Glenn Ellerbe: Here.

0:00:08.9 Clerk: Ms. Franklin?

0:00:10.0 Ms. Amber Franklin: Here.

0:00:10.5 Clerk: Ms. French?

0:00:11.5 Ms. Alex French: Here.

0:00:12.0 Clerk: Mayor Snavelly?

0:00:13.2 Mayor Snavelly: Here. So I'm gonna call the meeting to order and move to the first item which is approval of the agenda, can I have a motion?

0:00:23.2 Ms. French: So moved.

0:00:23.8 Mayor Snavelly: Thank you Councilor French.

0:00:25.3 Ms. Franklin: Second.

0:00:25.7 Mayor Snavelly: Seconded by Councilor Franklin. Are there any changes? All those in favor indicate by saying aye.

0:00:34.3 Group: Aye.

0:00:34.6 Mayor Snavelly: Opposed? Thank you. Next, we will move to public participation. We have two proclamations. And I will read the first one. Whereas the Holocaust was the state-sponsored systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945, 6 million were murdered. Roma Gypsies, people with disabilities and Poles were also targeted for destruction or decimation for racial, ethnic or national reasons and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents also suffered grievous suppression and death under Nazi tyranny. And whereas the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individual societies and governments. And whereas we, the people of the city of Oxford should

always remember the terrible events of the holocaust and remain vigilant against hatred, persecution and tyranny.

0:01:47.1 Mayor Snavelly: And whereas we the people of the city of Oxford should actively re-dedicate ourselves to the principles of individual freedom in a just society and probably re-educate as well. And whereas the days of remembrance have been set aside for the people of the city of Oxford to remember the victims of the Holocaust, as well as to reflect on the need for respect for all people. And whereas pursuant to an act of Congress, the United States Holocaust Memorial Council designates the days of remembrance of the victims of the Holocaust to be Sunday April 24th through Sunday May 1st, 2022, including the day of remembrance known as Yom HaShoah April 28th, 2022.

0:02:38.5 Mayor Snavelly: Now therefore, I William B. Snavelly, Mayor of Oxford, Ohio do hereby proclaim the week of Sunday, April 24th through Sunday, May 1st, 2022 as days of remembrance in memory of the victims of the Holocaust. In honor of the survivors, as well as the rescuers and liberators, and further proclaim that we as citizens of the city of Oxford, should work to promote human dignity and confront hate whenever and wherever it occurs. And Amy, are you here? Oh Eli's here?

[background conversation]

0:03:53.9 Mayor Snavelly: The second 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. Parenthetically, I lived in Nebraska for three years and they needed it.

[chuckle]

0:04:22.5 Mayor Snavelly: And whereas trees can produce oxygen, provide habitat for wild life, 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 run-off. 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 sum 3510 street, park and public trees in the community, the city of Oxford has fulfilled the national Arbor Day foundations requirements for Tree City USA for 26 consecutive years. Now therefore, I William B. Snavelly Mayor of the city of Oxford, Ohio Tree City USA, do hereby proclaim that on April 29th, 2022, the last Friday of the month, the city of Oxford will recognize and participate in the national and international celebration of Arbor Day. And 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.

0:05:50.1 Mr. Dreisbach: Thank you sir. Appreciate your support.

0:06:01.2 Mayor Snavelly: When we moved to Nebraska, my wife looked around and she said, "Where are the trees?"

[laughter]

0:06:09.8 Mayor Snavelly: And when fall came, we drove to Iowa to find a forest. [chuckle] So, it's appropriate that it started in Nebraska I think. We will move now to public comments, and we welcome comments from the public. Anyone wishing to address council about items that are not on the agenda or on the consent agenda, please come forward at this time. State your name and address for the record, and we'll give you five minutes. Welcome.

0:06:47.8 Ms. Amy Shaiman: Good evening. Amy Shaiman, 11, Heather Ridge Court. I just wanted to quickly thank city council and the city staff for the Oxford Tomorrow program that happened yesterday. I really appreciated the briefing and the updates and the summaries of what was gathered previously, as well as the opportunity to continue to participate as a community. I think it's really, really valuable, and I believe that the website that was shared for people who wanted to participate, who were not able to be there last night, is oxfordtomorrow.org. I see heads nodding; for people who are listening and not watching. So I encourage people to continue to do that and participate, and I look forward to seeing those comments woven in. In addition, I wanna thank the mayor and the city for the proclamation and remembrance of Holocaust and genocide awareness.

0:07:35.8 Ms. Amy Shaiman: Unfortunately, it was neither the first nor the last of the genocides that have happened in our world, and unfortunately there are actions happening today in various parts of the world that are also genocidal. But as someone who is a member of a community that were very significantly decimated for European roots, I appreciate that it's remembered and there's... Your slip of saying reeducate is very true there. I saw a statistic, I'm not remembering it precisely off the top of my head right now, of the low percentage of current high school and college aged people who believe that the Holocaust happened or even know what it was, is sad. So, I appreciate it being something that we pay attention to in our community and that we all work to end hatred of all kinds. Thanks.

0:08:27.5 Mayor Snavelly: You're welcome. Would anyone else like to address council tonight? Welcome.

0:08:42.1 Mr. Steve Snell: Hey, thank you. My name is Steve Snell. I live here in Oxford with my wife and my young son. So I notice on the March 15th meeting that I attended and then again, April 5th, and then again tonight, I'm seeing a pattern emerge. So I'm curious. When did we stop saying the pledge of allegiance at the start of these meetings and who made that decision?

0:09:06.1 Mayor Snavelly: I did.

0:09:06.7 Mr. Steve Snell: Okay, could you tell me why?

0:09:08.0 Mayor Snavelly: Yeah, I can. All it takes, and I would support it, is a motion. What the city manager and I looked at was the rules of council, and the rules of council identify what should be on the agenda. And while that was done out of tradition not many years ago when I was on council before, but in the meantime it's not in the rules of council. And so the next time we review the rules of council, I think we can bring that up.

0:09:42.0 Mr. Steve Snell: Do you have a copy of tonight's agenda in front of you?

0:09:44.5 Mayor Snavelly: Yes, I have a copy of it.

0:09:46.3 Mr. Steve Snell: What's the line underneath the 7:30 PM start date, or start time, say?

0:09:52.7 Mayor Snavelly: I will say this. We're not having a debate and so you may make your comment...

0:09:56.7 Mr. Steve Snell: I'm not trying to debate, sir, I'm just asking you what does the agenda state?

0:10:00.5 Mayor Snavelly: Go ahead and tell me what you think the agenda states.

0:10:01.1 Mr. Steve Snell: I don't have it in front of me. Does anybody have an agenda?

0:10:04.5 Mayor Snavelly: It says roll call.

0:10:06.3 Ms. Greene: I can correct. I understand there's a discrepancy...

0:10:10.3 Mr. Steve Snell: I must be mistaken then. I'm sorry, I apologize.

0:10:12.8 Mayor Snavelly: That's okay.

0:10:13.0 Mr. Steve Snell: I'm pulling it up online, it said...

0:10:13.2 Mayor Snavelly: No, I just didn't wanna have a debate with you.

0:10:15.1 Mr. Steve Snell: I'm not trying to debate anything.

0:10:19.2 Mayor Snavelly: Thank you.

0:10:20.8 Ms. Greene: The Granicus tool that we use online does not allow us to make edits, and it's a template that's locked in and it does say pledge of allegiance online and the printed version does not so there is a discrepancy, based with the tool that we used to build the agenda.

0:10:37.6 Mr. Steve Snell: Is the Granicus online agenda valid?

0:10:41.9 Ms. Greene: It is the tool we use to publish the agenda. And we can't... We've asked for a template to be changed and they... One of the reasons we're not... We're looking at changing from Granicus.

0:10:53.2 Mr. Steve Snell: Okay, so how do the people of Oxford get a copy of the agenda?

0:10:58.4 Mayor Snavelly: Any councilor can propose changes to the rules of council.

0:11:03.3 Mayor Snavelly: Thank you.

0:11:11.5 Mayor Snavelly: Would anyone else like to address council? Okay. We will move to the consent agenda. Can I have a motion to approve the consent agenda?

0:11:21.7 Mr. Prytherch: So moved.

0:11:22.3 Ms. Franklin: So moved.

0:11:22.9 Mayor Snavely: It's been moved by Councilor Prytherch, seconded by Councilor Franklin. Are there any items to be removed? There's only one, so I assume not. All those in favor of approving the consent agenda, indicate by saying aye.

0:11:41.0 Group: Aye.

0:11:41.5 Mayor Snavely: Opposed? Thank you.

0:11:42.3 Mr. Prytherch: Can I just introduce some thanks? I know that the minutes have been evolving to try to improve as we try to develop a more efficient system, and I appreciate the moves to try to make them more transparent and link to the videos. So thank you to Heather and Jessica and anybody else for trying to make... We went to the straight action minutes and they were not very informative, so I like the links to the videos, and the transcript although imperfect is... I think we're moving in the right direction, so thank you.

0:12:10.7 Mayor Snavely: Okay. We will move then to resolutions. We may read the resolution.

0:12:18.2 Clerk: A resolution opposing the adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, which proposes to limit local regulation of short-term rental property.

0:12:34.2 Mayor Snavely: Is there a motion to adopt this resolution?

0:12:36.9 Ms. French: So moved.

0:12:38.9 Mayor Snavely: Thank you.

0:12:39.4 Mr. Ellerbe: It's been seconded.

0:12:44.0 Mayor Snavely: And seconded. French and Ellerbe. And...

0:12:44.7 Mr. Elliott: Thank you. Yes, House Bill 563, which is being considered by the Ohio House state and local government committee, they've had three hearings on it, would preempt local governments from regulating or prohibiting the use of short-term rental properties. As you know, the city of Oxford has adopted reasonable and common sense regulations of short-term rentals to protect our residential neighborhoods. We require short-term rentals to complete an application and a property inspection. We limit the maximum numbers of days that a structure may be rented to the 90 days per year. And we also require short-term rentals to pay the city's hotel and lodging tax at 6% total. So as I said earlier, it's being considered by the House, State and Local Government Committee. They've had three hearings on it. I believe they're in recess now, but we feel that this is a clear assault on our home rule authority, granted under the Ohio Constitution. And we have then on the legislative agenda, this resolution, and opposition to house bill 563. And I would urge council to adopt this resolution. Thank you.

0:14:01.1 Mayor Snavelly: Thank you. Is there anyone from the public who'd like to address this resolution? Seeing none. Councilors, any comments, questions? Okay.

0:14:14.6 Mr. Prytherch: Thank you. And I... If we have to do battle on this one with other municipalities, I hope we join with them because...

0:14:19.5 Mayor Snavelly: Yep.

0:14:19.7 Mr. Prytherch: This is our purview.

0:14:23.3 Mr. Bracken: And this is important to us.

0:14:24.7 Mayor Snavelly: All those in favor of the resolution indicate by saying "Aye."

0:14:27.3 Group: Aye.

0:14:29.7 Mayor Snavelly: Opposed? Resolution is adopted. Can you read the second?

0:14:33.1 Clerk: Sure. A resolution approving the Paid Parental Leave Policy, Memorandum of Understanding between the non-commissioned Police Division Employees Union, and the city of Oxford, and authorizing the City Manager to sign the Memorandum of Understanding on behalf of the city.

0:14:52.1 Mayor Snavelly: Is there a motion to adopt?

0:14:54.9 Mr. Ellerbe: So moved.

0:14:55.8 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:14:58.7 Ms. French: Second.

0:15:00.2 Mayor Snavelly: It's seconded by Councilor French.

0:15:01.6 Mr. Elliott: So I have basically, the same report for the next three resolutions. As you know, the city included paid parental leave in their employee handbook, and wage and salary ordinance that we adopted last year. And this provision allows for eight weeks of paid parental leave that does not require the employee to use their accrued leave. And after eight weeks of paid parental leave, the employee may use an additional four weeks of unpaid parental leave, during which an employee may substitute sick leave or vacation.

0:15:35.9 Mr. Elliott: The provision did not extend to our three Police Unions, the Sergeants and Lieutenants, the Patrol, and the Non-commissioned Officers. All three of those police contracts currently have a maternity provision, which allows the employee to use vacation, sick leave or unpaid leave. Two of the unions, the Sergeants and Lieutenants, and patrol, currently have a provision for a paternity leave. So we're recommending that we swap out that language for the language that we have in our employee handbook. And that's what you have on the agenda tonight. And this would make our policy consistent with what we have in the handbook. So we're recommending adoption of all three of these resolutions as you read them.

0:16:19.7 Mayor Snavelly: Okay. Thank you. Is there anyone from the public who would like to address this resolution? Hearing none. Councilors, any comments?

0:16:33.9 Mr. Bracken: I think this is great. I think it demonstrates our values and what we care about. And I'm happy to do it.

0:16:37.9 Mayor Snavelly: Okay. Yeah, it's good to keep all the employees on the same page. So I'm glad to bring the police force onto it.

0:16:46.8 Mr. Prytherch: I would note that it is... I mean, this is kind of an unusual situation, through a Memorandum Of Understanding, to modify a contract. Unionization it's... Adjust contracts in certain periods. But it's nice to think that unionization, and... The union and management relationship doesn't need to be adversarial all the time, and that it doesn't need to be inflexible in the face of change. So if we're able to do this, I'm glad that we're able to do this, and not have to wait until the next contract negotiations. So I agree.

0:17:19.1 Mayor Snavelly: All those in favor of the resolution indicate by saying, "Aye."

0:17:21.5 Group: Aye.

0:17:23.0 Mayor Snavelly: Opposed? Resolution is adopted. Please read number three.

0:17:28.9 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Oxford Police Officers, FOP Lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:17:45.5 Mayor Snavelly: Is there a motion?

0:17:47.2 Mr. Ellerbe: So moved.

0:17:48.1 Ms. Franklin: Second.

0:17:48.6 Mayor Snavelly: Moved and seconded. I assume the staff report is the same?

0:17:53.6 Mr. Elliott: Yeah, the staff report is the same unless you have questions?

0:17:56.2 Mayor Snavelly: Okay. Are there any comments from the public? You'll have another chance if you think of anything. Any additional discussion on the council? All those in favor of the resolution indicate by saying "Aye."

0:18:11.6 Group: Aye.

0:18:13.0 Mayor Snavelly: Opposed? That resolution is adopted. Please read number four.

0:18:19.6 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Police Sergeants and Lieutenants, FOP lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:18:35.8 Mayor Snavelly: Is there a motion?

0:18:38.0 Mr. Ellerbe: So moved.

0:18:38.6 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:18:41.2 Ms. French: Second.

0:18:41.5 Mayor Snavelly: Seconded by Councilor French. Staff report is the same?

0:18:45.4 Mr. Elliott: Yes.

0:18:47.0 Mayor Snavelly: Anyone from the public? Okay. Any, hope... Councilors on this one? All those in favor indicate by saying "Aye."

0:18:56.7 Group: Aye.

0:18:57.1 Mayor Snavelly: Opposed? And that resolution is adopted. We have no first readings. We have one second reading. And I would invite our clerk to read it when she's ready.

0:19:10.0 Clerk: An ordinance approving a conditional use permit application to allow for the re-establishment of a fraternity use located at 406, East Withrow Street, Oxford Ohio 45056, with conditions.

0:19:25.2 Mayor Snavelly: Okay. And is there a motion to adopt this ordinance?

0:19:30.0 Mr. Ellerbe: So moved.

0:19:30.7 Mr. Prytherch: Seconded.

0:19:31.5 Mayor Snavelly: Okay. It's moved by Councilor Ellerbe, and seconded... I heard... Okay, by Councilor Prytherch. Sam, anything new here?

0:19:42.2 Mr. Perry: Nothing new. Thank you.

[laughter]

0:19:45.9 Mr. Perry: I can give a summary again if you'd like.

0:19:49.0 Mayor Snavelly: I think we had it last time.

0:19:50.6 Mr. Perry: Okay.

0:19:51.6 Mayor Snavelly: Alright. If there's questions, we'll call you back. Is there anyone from the public who would like to address this ordinance? Hearing none. Councilors, is there any further discussion?

0:20:04.7 Mr. Bracken: Sure. I would just like to... So I was at the dissenting vote in the Planning Commission. I just wanted to explain that briefly. So I felt that there was some inconsistency in how we address parking regulations, but I understand, and I don't wanna get in the way of this, it's not a bias inconsistency. It's more about ticketing values. So you have the issue of not wanting to burden streets and parking, but at the same time, you want a walkable city, you want more affordable housing, you want to preserve green spaces, you wanna reduce pavement. And so it's been so many inconsistent and something that we're gonna work on the Planning Commission, but that's why I decided not because this is problematic or in any other way.

0:20:45.5 Mayor Snavelly: Okay.

0:20:46.0 Mr. Jason Bracken: That's all.

0:20:47.7 Mayor Snavelly: So this is reverting from what it was originally built as with the same owners. And so it was their fraternity. It was a church facility for a while, now it's gonna be the fraternity again.

0:21:02.8 Mr. Prytherch: And I would note that the main... I think there was agreement in almost everything except for parking in the size of the sign, and I know the applicants would wish for a sign that were larger maybe in line with what the historical non-conforming size of the sign was. But one of the things that I... When I teach planning is, it's all about fairness. And so if you extend to one person something, you have to be prepared to extend it to everyone else, and we have to try to be very careful with signage size. So I know it wasn't quite as large as the applicant would wish, but it's also not as small as our code would probably require it to be, but I think what we worked out was a compromise, and so I think it's fair.

0:21:41.0 Mayor Snavelly: Would you please call the roll.

0:21:45.8 Clerk: Mr. Bracken?

0:21:47.7 Mr. Bracken: Yes.

0:21:47.7 Clerk: Mr. Ellerbe?

0:21:48.7 Mr. Ellerbe: Yes.

0:21:49.6 Clerk: Ms. Franklin?

0:21:50.4 Ms. Franklin: Yes.

0:21:51.3 Clerk: Ms. French?

0:21:52.1 Ms. French: Yes.

0:21:52.8 Clerk: Mr. Prytherch?

0:21:53.6 Mr. Prytherch: Yes.

0:21:53.6 Clerk: Mayor Snavelly?

0:21:55.1 Mayor Snavelly: Yes. So ordinance is adopted. We'll move to announcements and communications, and I'll begin with the City Manager, Doug Elliott.

0:22:04.2 Mr. Elliott: I'll just share with you one thing I did put in my written report, but when we look at our water and sewer utility rates, they compare very favorably to statewide averages. Each year, the Ohio Environmental Protection Agency completes a survey of residential water and sewer rates, and the rates are calculated on an annual basis and are based on water consumption of 700... Excuse me, 7756 gallons per month or 1037 cubic feet per month. So the 2019 average annual residential sewer rate in Ohio was \$749, and this was a 4.5% increase over 2018. The city of Oxford's annual sewer rate for the same amount of consumption was \$544, so it's 27.4% less than the statewide average. When we look at our residential water rate, the average Ohio residential water rate was \$697, which was a 4.2% increase over 2018. The city of Oxford's annual water rate for that same amount of consumption was \$421, which is a 39.6% less than the statewide average.

0:23:21.1 Doug Elliott: I might also share with you that in comparison to the Southwest Regional Water District, their rate is \$622 for that amount of consumption, and the city's water rate in comparison to them is 32.3% less. As you probably know, the city of Oxford last raised water and sewer rates in 2016 by 2%. At that time, we also lowered refuse rates, and prior to that, we had not raised water rates since 2019, and sewer rates had not been raised since 1997. So as you can see, we have very competitive water and sewer utility rates. We're fortunate because we made some improvements back in 1992 to find a new water treatment plant, additional wells of US 127 and a transmission line. And to pay for those, we issue debt, and in 2014, we made the last debt service payment of just under \$900,000.

0:24:26.6 Doug Elliott: Those improvements were needed to increase the water capacity because, Mike had shared with me the story about the 1989 water crisis, and I think I knew some students maybe that contributed to some of that as well. So we can currently have no outstanding debt in the water or sewer funds, but we do, of course, anticipate water rate increase needed to finance the water softening project when we get into that. We're looking to develop the RFP now for the engineering for that, and we'll be having a work session with Council on that when we get to that point. But we have very competitive rates, and I just wanted to share that with the Council and the public. That's all I have this evening. Thank you.

0:25:14.2 Mayor Snavelly: Thank you.

0:25:14.3 Mr. Dreisbach: Nothing from us. Thank you.

0:25:14.7 Mayor Snavelly: Thank you. Chief?

0:25:26.7 Chief Jones: One thing I noticed not on the agenda that I should have already raised with Heather, but I thought I would make the announcement just a bit early, is on May 12th, we have police community relations and review commission meeting at 7:00 o'clock here at the courthouse. So I should have gotten that added in, but I'll just make the announcement for the public. There's still plenty of time. I just wanted to say a few comments about a situation we had last night. I'm sure you heard about it. There was a lot of media coverage where an armed suspect was barricaded along with other citizens, bystanders. So we were already pretty short-handed when that started, when it

all kicked off, but we were able to get off-duty personnel in pretty quickly to help in a quick manner. And then of course, when we called out the SWAT team, which were are a member of, we received numerous resources from all around the county. So I was just very proud of how our team operated last night. We handled that situation. We were able to gain compliance from the suspect and revolve violence situation without injury to anyone involved and really without any property damage which doesn't always happen.

0:26:46.7 Chief Jones: It doesn't always end that way, and we've seen that in other situations we've been involved in, and we don't always control how it ends either, but I just wanted to thank, say last night, it worked well, it was an efficient system, to we take time. Time is on our side, and we inconvenienced some people by keeping that area shut down, but in the end, it's worth it because there was no loss of life, no injury, and just a shout out to our team who came in and helped, and also the other agencies who came in but are kind of Sheriff's Office and all the other police departments that are part of the regional spot team.

0:27:28.4 Mayor Snavelly: You're to be congratulated, maybe it really was a successful evening in that respect. Could you remind the public who may be watching if they don't have Nixle, how to get that on their phone?

0:27:42.2 Chief Jones: Sure, so one of the things with that situation there's a lot of support around that. They don't always see and that one of those things is media and getting messaging across, and sometimes we don't always get those messages out, but last night with the prolonged situation, we were able to get a message out through Nixle, it's a public safety alerting tool if you go to Nixle, nixle.com, you can sign up and get public safety alerts, which may include things like tornado warnings, fire emergencies or road closures, and as if last night was a shelter in place to the folks who lived in that area, and also to us to avoid the area, so it's a good tool to sign up for, and I will say when we put those alerts out, we knew this was gonna cause us more work with the media, but we wanna try to spread that message just in case, so we can avoid people in the area.

0:28:44.1 Mayor Snavelly: Thank you. I encourage people to sign up for Nixle if you haven't already done so, it is not over-used and it is rare that they come out, but when they do it's important, and I think it's good for people to be aware. Thank you. Joe?

0:29:00.1 Mr. Newlin: Nothing, thank you.

0:29:03.4 Mayor Snavelly: Okay, Chief?

0:29:05.6 Chief Detherage: Nothing, sir.

0:29:09.3 Mayor Snavelly: Okay. Sam?

0:29:10.5 Mr. Perry: As several have said Oxford Tomorrow workshop went well last night, and thanks for many of those of you that attended and public, we had around 100 or so, went really well, is a very positive and organized environment for collaboration and ideas from the community, so the next several weeks will be processing, those many ideas and the hundreds of post-it notes and verbal conversations to some extent that were contributed into what will be, we hope, realistic goals and objectives that will bring back to you later, probably early fall, and then we'll have something in front of you, but there'll be some steering committee meetings and then more of a public open house

to kinda bring back all of that into a more defined plan, so looking forward to that, and there were some data that was presented for those of you that as reviewed the slides in advance at the steering committee meeting that some of the voices that we haven't heard a lot from, have been the lower income community members, but with your contributions and your leadership over the past many months, some of those ideas that we think would be helpful that are needed by the lower income community have already been folded into some of your goals, but to the extent that you can help with that and allow some of those needs to be brought forth over the next several weeks, we'd appreciate that. Thank you.

0:30:32.4 Mayor Snavelly: Thank you. Assistant City Manager, Jessica Greene, welcome.

0:30:41.6 Ms. Greene: Good evening. I just wanted to give you some updates, but first, I also wanna thank Sam and Zachary Moore from the Community Development Department for MKSK for the great visiting workshop last night and the tremendous job, and they really have been, put a lot of hours into it, so thank you. Along those same lines, the online survey for those who were not able to attend last night, we'll go out, we hope tomorrow, and that survey will be open until May 6th, so we'll start publishing that here tomorrow or the next day. Make sure people are aware of that deadline, and we encourage anyone who wasn't able to attend in person to please put their feedback on to that survey. And then just wanted to let you know that Heather and I are actively researching agenda and management tools to make sure that we're using the right one, and also Mike Dreisbach and Pat O'Malley are researching our AV equipment to make sure that we're kind of using the proper tools and research, and if we need to make any upgrades, so stay tuned on that progress.

0:31:42.6 Ms. Greene: And that's my only other update for you tonight. It's just seem like a short night to give you an opportunity to let you know what we're working on. So we are actively, from your retreat, developing a new Dora application for an extended area and setting up dates for the Red Brick Fridays, and we're developing a budget for that business, a special assessment area, so we hope to have those to be coming forward to the next couple of months. And the more longer term we'll continue, we've started researching child care availability in the city of Oxford, both in-home and commercial and vouchers and not. So that's a little bit of a longer term research project, but we're hoping to get some good data to share with you, and then we're developing models with our American rescue plan funds in both the housing category and economic development categories, so we're really trying to do a lot of research and bring forward to you what we think are gonna be some best practices for the use of those dollars, so that's what's going on behind the scenes right now. Thanks.

0:32:40.4 Mayor Snavelly: Thank you, Heather?

0:32:42.9 Clerk: Nothing, thank you.

0:32:43.8 Mayor Snavelly: Okay.

0:32:46.2 Mr. Mazer: Nothing tonight, thank you.

0:32:46.3 Mayor Snavelly: Nothing from the law department. We'll just go to Glenn.

0:32:49.1 Mr. Ellerbe: I just like to thank the City and this departments for the excellent communication that we've had so far, just as a regular citizen, I feel like I'm very informed about

the various things they've been going on, whether it's an emergency or otherwise, so thanks a lot.

0:33:05.0 Mayor Snavelly: Thank you, Glenn. Alex.

0:33:06.9 Ms. French: I'm gonna do some reiteration, the Oxford Tomorrow event kudos to everybody. It was really well run. Very well attended. I know that I'm gonna put the link to the survey on all of my social media pages, so if you're out there watching tonight and haven't had a chance to voice your opinions yet, please let us know at oxfordtomorrow.org and stay tuned to that page for any other public input sessions, Sam mentioned that we have one more public workshop session coming up that date and location is to be determined, and then I also want to tip my cap to our Oxford Police Department. I tangentially know through my work how hard it is to coordinate a crisis.

0:33:45.2 Ms. French: When counseling schools on how to handle that, to do that for a whole town and a whole apartment complex, full of people on a very highly traveled road and keep everybody safe is a huge deal. So just I... I'm very proud of our town for a lot over the last couple days. So kudos to everybody. Thank you.

0:34:06.3 Mayor Snavelly: Thank you.

0:34:07.1 Ms. Franklin: Yeah, I just like to echo what was said and to also thank Chief Jones and OPD for the excellent work in the crisis management last night. Thank you.

0:34:15.8 Mr. Bracken: Yeah, I would say the same thing, but I wanted to add how excited I am about potential childcare possibilities and affordable housing going forward. So thanks for that to staff and everybody involved in this. It's being pretty great lately. Thanks for all the work.

0:34:31.4 Mr. Prytherch: So, don't wanna reiterate other than it was a great team effort that was brought to it last night. Obviously our staff between Sam and Zach and Jessica and all the interns, Casey was there manning. So we had staff and department heads there MKSK, its doing a great job. But our citizens invested a lot of passion in that event last night. I mean, a hundred people came out who are really believing the plan. They wouldn't come out on a Wednesday night if they didn't care about the topics and they didn't really... They weren't optimistic that we would take them seriously. I know from some experience that just because you make a plan doesn't mean... Plans don't implement themselves and you have to be ready to take all those ideas and figure out how to translate them into action.

0:35:15.0 Mr. Prytherch: I think we made enormous progress that way, but you can... We just don't wanna do a disservice to our citizens, to invest all that energy in us, to not then be ready to do all that we can. So it's a long term. I mean, we're gonna write the plan, but the challenge will then be ours to figure out as a city, as an organization. How do we figure out how to... Bite, eat the elephant one bite at a time, and set realistic expectations on what possible. So I'm proud of the cultural change that we've made. But it's really possible to write a plan and not use it. So, I think given how much investment people making as the city, as our tax dollars and staff. But the public, we... It's really incumbent on us to just respect and thank the people by figuring out a mechanism for doing these things that they're asking us to do. So...

0:36:05.7 Mayor Snavelly: I want to thank chief, members of police department. I think the city of

Oxford is blessed to have such excellent employees across the board, and none are better example of that than our police department. And please convey that all of council very much appreciates them. Number of people ask, when are things gonna start happening again and things uptown. While we had Earth day, that was pretty well attended. We had this wonderful planning session last night. But coming up this Saturday, two things that you may be interested in that are big community events and that you can take part in and the weather should co-operate. It should be sunny and warm. And one of those is the 66th Annual Pancake Day put on by Oxford's Kiwanis Club. And you can get tickets or you can pay an extra dollar at the door, if you want to.

0:37:12.2 Mayor Snavelly: Almost everybody in the community tends to want to go to it and you see everybody there and the money that is spent, goes to helping kids in our community. And I think it's a really good cause, and I hope that you have an opportunity to go. This is the last pitch I'll make. I have some few tickets left. The other thing is that Electric Roots Music festival is also going to be going on and this weekend. And I hope you have a chance to go uptown and enjoy the music. And there will be music from...

0:37:48.8 Ms. Franklin: To make a note on...

0:37:49.1 Mayor Snavelly: Yeah.

0:37:49.3 Ms. Franklin: Mm-hmm.

0:37:49.4 Mayor Snavelly: There's quite a few performers. And do you know the time? It's 2:00...

0:37:54.7 Ms. Franklin: It's all day. It's like 2:00 to I believe 9:00.

0:37:56.3 Mayor Snavelly: 2:00 to 10:00 or 9:00.

0:38:00.2 Ms. Franklin: Yeah, it's a full day, so...

0:38:01.2 Mayor Snavelly: So get out there. Enjoy the music, enjoy congregating with your fellow citizens. With that, I will entertain a motion to adjourn.

0:38:13.7 Ms. Franklin: So moved.

[laughter]

0:38:14.4 Mr. Ellerbe: Seconded.

0:38:19.1 Mayor Snavelly: That was a hard one to get. Seconded, all those in favor, indicate by say aye.

0:38:22.Group: Aye.

0:38:22.7 Mayor Snavelly: Opposed? Thank you. The meeting is adjourned.



OXFORD CITY COUNCIL Meeting Minutes

Tuesday, April 19, 2022

[Link for website video here](#)
Full Transcript available online.

Roll Call [TIME 00:04](#)

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

A regular meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, April 19, 2022 at 7:30 p.m. Members in attendance were Jason Bracken, William Snavelly, Amber Franklin, Glenn Ellerbe, and Alex French. Chantel Raghu was excused.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Sam Perry, Community Development Director; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Goeff Robinson, Police Lieutenant; Mr. Ben Mazer, Assistant Law Director; and Ms. Heather Barbour, Clerk of Council.

Approval of the Agenda [TIME 00:22](#)

Motion – To Adopt

(Voice Vote) 1st Ms. French 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Public Participation [TIME 00:41](#)

- A. Proclamation “ Days of Remembrance” Page 5 of the Agenda Packet – Received by a member of Hillel at Miami University
- B. Proclamation “ Arbor Day” Page 6 of the Agenda Packet – Received by Mr. Dreisbach, Service Director

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.

Resident Name address Resident Comment / Request

Amy Shaiman 11 Heather Ridge Court Resident Comment / Request – Ms. Shaiman thanked the City Council and City Staff for the work they put into the Oxford Tomorrow program that was held yesterday. Ms. Shaiman thanked the Mayor and the City for the “Days of Remembrance” Proclamation.

Steven Snell 6 Old Stone Court Resident Comment / Request – Mr. Snell inquired about the absence of the Pledge of Allegiance at City Council Meetings.

Consent Agenda [TIME 11:19](#)

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

- A. Minutes of the April 5, 2022 City Council Meeting (Heather Barbour, Clerk of Council)
Page 7 of the Agenda Packet

Motion – To Adopt

(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolutions

Resolution No. 7393 [TIME 12:19](#)

Page 30 of the Agenda Packet

1. A Resolution Opposing the Adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, Which proposes to limit local regulation of short-term rental property. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7393

(Voice Vote) 1st Ms. French 2nd Mr. Ellerbe

AYE #6

NAY #0

ABS #0

Resolution No. 7394 [TIME 14:36](#)

Page 33 of the Agenda Packet

2. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Non-Commissioned Police Division Employees Union and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7394

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Resolution No. 7395 [TIME 17:30](#)

Page 40 of the Agenda Packet

3. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Oxford Police Officers, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7395

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. Franklin

AYE #6

NAY #0

ABS #0

Resolution No. 7396 [TIME 18:20](#)

Page 47 of the Agenda Packet

4. A Resolution Approving the Paid Parental Leave Policy Memorandum of Understanding between the Police Sergeants and Lieutenants, FOP Lodge 38 and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (Doug Elliott, City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7396

(Voice Vote) 1st Mr. Ellerbe 2nd Ms. French

AYE #6

NAY #0

ABS #0

Ordinances

Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

First Reading None

Comments from the Public – None

Second Reading

Ordinance No. 3676 [TIME 19:11](#)

Page 54 of the Agenda Packet

1. An Ordinance Approving a Conditional Use Permit Application to allow for the Re-Establishment of a Fraternity use located at 406 East Withrow Street, Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development Director)

Motion – To Adopt Ordinance No. 3676

(Roll Call Vote) 1st Mr. Ellerbe 2nd Mr. Prytherch

AYE #6

Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Mayor Snively

NAY #0

Names Here

ABS #0

Announcements & Communications

Remarks from City Council and City Staff [TIME 22:03](#)

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

Adjournment

Motion to Adjourn Meeting at 8:08 p.m. [TIME 38:10](#)

(Voice Vote) 1st Ms. Franklin 2nd Mr. Prytherch

AYE #6

NAY #0

ABS #0

0:00:00.0 Mayor Snavelly: Read the roll please.

0:00:02.4 Clerk: Mr. Prytherch?

0:00:04.8 Mr. David Prytherch: Here.

0:00:05.6 Clerk: Mr. Bracken?

0:00:06.9 Mr. Jason Bracken: Here.

0:00:07.3 Clerk: Mr. Ellerbe?

0:00:08.4 Mr. Glenn Ellerbe: Here.

0:00:08.9 Clerk: Ms. Franklin?

0:00:10.0 Ms. Amber Franklin: Here.

0:00:10.5 Clerk: Ms. French?

0:00:11.5 Ms. Alex French: Here.

0:00:12.0 Clerk: Mayor Snavelly?

0:00:13.2 Mayor Snavelly: Here. So I'm gonna call the meeting to order and move to the first item which is approval of the agenda, can I have a motion?

0:00:23.2 Ms. French: So moved.

0:00:23.8 Mayor Snavelly: Thank you Councilor French.

0:00:25.3 Ms. Franklin: Second.

0:00:25.7 Mayor Snavelly: Seconded by Councilor Franklin. Are there any changes? All those in favor indicate by saying aye.

0:00:34.3 Group: Aye.

0:00:34.6 Mayor Snavelly: Opposed? Thank you. Next, we will move to public participation. We have two proclamations. And I will read the first one. Whereas the Holocaust was the state-sponsored systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945, 6 million were murdered. Roma Gypsies, people with disabilities and Poles were also targeted for destruction or decimation for racial, ethnic or national reasons and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents also suffered grievous suppression and death under Nazi tyranny. And whereas the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individual societies and governments. And whereas we, the people of the city of Oxford should

always remember the terrible events of the holocaust and remain vigilant against hatred, persecution and tyranny.

0:01:47.1 Mayor Snavelly: And whereas we the people of the city of Oxford should actively re-dedicate ourselves to the principles of individual freedom in a just society and probably re-educate as well. And whereas the days of remembrance have been set aside for the people of the city of Oxford to remember the victims of the Holocaust, as well as to reflect on the need for respect for all people. And whereas pursuant to an act of Congress, the United States Holocaust Memorial Council designates the days of remembrance of the victims of the Holocaust to be Sunday April 24th through Sunday May 1st, 2022, including the day of remembrance known as Yom HaShoah April 28th, 2022.

0:02:38.5 Mayor Snavelly: Now therefore, I William B. Snavelly, Mayor of Oxford, Ohio do hereby proclaim the week of Sunday, April 24th through Sunday, May 1st, 2022 as days of remembrance in memory of the victims of the Holocaust. In honor of the survivors, as well as the rescuers and liberators, and further proclaim that we as citizens of the city of Oxford, should work to promote human dignity and confront hate whenever and wherever it occurs. And Amy, are you here? Oh Eli's here?

[background conversation]

0:03:53.9 Mayor Snavelly: The second 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. Parenthetically, I lived in Nebraska for three years and they needed it.

[chuckle]

0:04:22.5 Mayor Snavelly: And whereas trees can produce oxygen, provide habitat for wild life, 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 run-off. 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 sum 3510 street, park and public trees in the community, the city of Oxford has fulfilled the national Arbor Day foundations requirements for Tree City USA for 26 consecutive years. Now therefore, I William B. Snavelly Mayor of the city of Oxford, Ohio Tree City USA, do hereby proclaim that on April 29th, 2022, the last Friday of the month, the city of Oxford will recognize and participate in the national and international celebration of Arbor Day. And 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.

0:05:50.1 Mr. Dreisbach: Thank you sir. Appreciate your support.

0:06:01.2 Mayor Snavelly: When we moved to Nebraska, my wife looked around and she said, "Where are the trees?"

[laughter]

0:06:09.8 Mayor Snavelly: And when fall came, we drove to Iowa to find a forest. [chuckle] So, it's appropriate that it started in Nebraska I think. We will move now to public comments, and we welcome comments from the public. Anyone wishing to address council about items that are not on the agenda or on the consent agenda, please come forward at this time. State your name and address for the record, and we'll give you five minutes. Welcome.

0:06:47.8 Ms. Amy Shaiman: Good evening. Amy Shaiman, 11, Heather Ridge Court. I just wanted to quickly thank city council and the city staff for the Oxford Tomorrow program that happened yesterday. I really appreciated the briefing and the updates and the summaries of what was gathered previously, as well as the opportunity to continue to participate as a community. I think it's really, really valuable, and I believe that the website that was shared for people who wanted to participate, who were not able to be there last night, is oxfordtomorrow.org. I see heads nodding; for people who are listening and not watching. So I encourage people to continue to do that and participate, and I look forward to seeing those comments woven in. In addition, I wanna thank the mayor and the city for the proclamation and remembrance of Holocaust and genocide awareness.

0:07:35.8 Ms. Amy Shaiman: Unfortunately, it was neither the first nor the last of the genocides that have happened in our world, and unfortunately there are actions happening today in various parts of the world that are also genocidal. But as someone who is a member of a community that were very significantly decimated for European roots, I appreciate that it's remembered and there's... Your slip of saying reeducate is very true there. I saw a statistic, I'm not remembering it precisely off the top of my head right now, of the low percentage of current high school and college aged people who believe that the Holocaust happened or even know what it was, is sad. So, I appreciate it being something that we pay attention to in our community and that we all work to end hatred of all kinds. Thanks.

0:08:27.5 Mayor Snavelly: You're welcome. Would anyone else like to address council tonight? Welcome.

0:08:42.1 Mr. Steve Snell: Hey, thank you. My name is Steve Snell. I live here in Oxford with my wife and my young son. So I notice on the March 15th meeting that I attended and then again, April 5th, and then again tonight, I'm seeing a pattern emerge. So I'm curious. When did we stop saying the pledge of allegiance at the start of these meetings and who made that decision?

0:09:06.1 Mayor Snavelly: I did.

0:09:06.7 Mr. Steve Snell: Okay, could you tell me why?

0:09:08.0 Mayor Snavelly: Yeah, I can. All it takes, and I would support it, is a motion. What the city manager and I looked at was the rules of council, and the rules of council identify what should be on the agenda. And while that was done out of tradition not many years ago when I was on council before, but in the meantime it's not in the rules of council. And so the next time we review the rules of council, I think we can bring that up.

0:09:42.0 Mr. Steve Snell: Do you have a copy of tonight's agenda in front of you?

0:09:44.5 Mayor Snavelly: Yes, I have a copy of it.

0:09:46.3 Mr. Steve Snell: What's the line underneath the 7:30 PM start date, or start time, say?

0:09:52.7 Mayor Snavelly: I will say this. We're not having a debate and so you may make your comment...

0:09:56.7 Mr. Steve Snell: I'm not trying to debate, sir, I'm just asking you what does the agenda state?

0:10:00.5 Mayor Snavelly: Go ahead and tell me what you think the agenda states.

0:10:01.1 Mr. Steve Snell: I don't have it in front of me. Does anybody have an agenda?

0:10:04.5 Mayor Snavelly: It says roll call.

0:10:06.3 Ms. Greene: I can correct. I understand there's a discrepancy...

0:10:10.3 Mr. Steve Snell: I must be mistaken then. I'm sorry, I apologize.

0:10:12.8 Mayor Snavelly: That's okay.

0:10:13.0 Mr. Steve Snell: I'm pulling it up online, it said...

0:10:13.2 Mayor Snavelly: No, I just didn't wanna have a debate with you.

0:10:15.1 Mr. Steve Snell: I'm not trying to debate anything.

0:10:19.2 Mayor Snavelly: Thank you.

0:10:20.8 Ms. Greene: The Granicus tool that we use online does not allow us to make edits, and it's a template that's locked in and it does say pledge of allegiance online and the printed version does not so there is a discrepancy, based with the tool that we used to build the agenda.

0:10:37.6 Mr. Steve Snell: Is the Granicus online agenda valid?

0:10:41.9 Ms. Greene: It is the tool we use to publish the agenda. And we can't... We've asked for a template to be changed and they... One of the reasons we're not... We're looking at changing from Granicus.

0:10:53.2 Mr. Steve Snell: Okay, so how do the people of Oxford get a copy of the agenda?

0:10:58.4 Mayor Snavelly: Any councilor can propose changes to the rules of council.

0:11:03.3 Mayor Snavelly: Thank you.

0:11:11.5 Mayor Snavelly: Would anyone else like to address council? Okay. We will move to the consent agenda. Can I have a motion to approve the consent agenda?

0:11:21.7 Mr. Prytherch: So moved.

0:11:22.3 Ms. Franklin: So moved.

0:11:22.9 Mayor Snavelly: It's been moved by Councilor Prytherch, seconded by Councilor Franklin. Are there any items to be removed? There's only one, so I assume not. All those in favor of approving the consent agenda, indicate by saying aye.

0:11:41.0 Group: Aye.

0:11:41.5 Mayor Snavelly: Opposed? Thank you.

0:11:42.3 Mr. Prytherch: Can I just introduce some thanks? I know that the minutes have been evolving to try to improve as we try to develop a more efficient system, and I appreciate the moves to try to make them more transparent and link to the videos. So thank you to Heather and Jessica and anybody else for trying to make... We went to the straight action minutes and they were not very informative, so I like the links to the videos, and the transcript although imperfect is... I think we're moving in the right direction, so thank you.

0:12:10.7 Mayor Snavelly: Okay. We will move then to resolutions. We may read the resolution.

0:12:18.2 Clerk: A resolution opposing the adoption of House Bill 563, currently being considered by a committee of the Ohio House of Representatives, which proposes to limit local regulation of short-term rental property.

0:12:34.2 Mayor Snavelly: Is there a motion to adopt this resolution?

0:12:36.9 Ms. French: So moved.

0:12:38.9 Mayor Snavelly: Thank you.

0:12:39.4 Mr. Ellerbe: It's been seconded.

0:12:44.0 Mayor Snavelly: And seconded. French and Ellerbe. And...

0:12:44.7 Mr. Elliott: Thank you. Yes, House Bill 563, which is being considered by the Ohio House state and local government committee, they've had three hearings on it, would preempt local governments from regulating or prohibiting the use of short-term rental properties. As you know, the city of Oxford has adopted reasonable and common sense regulations of short-term rentals to protect our residential neighborhoods. We require short-term rentals to complete an application and a property inspection. We limit the maximum numbers of days that a structure may be rented to the 90 days per year. And we also require short-term rentals to pay the city's hotel and lodging tax at 6% total. So as I said earlier, it's being considered by the House, State and Local Government Committee. They've had three hearings on it. I believe they're in recess now, but we feel that this is a clear assault on our home rule authority, granted under the Ohio Constitution. And we have then on the legislative agenda, this resolution, and opposition to house bill 563. And I would urge council to adopt this resolution. Thank you.

0:14:01.1 Mayor Snavelly: Thank you. Is there anyone from the public who'd like to address this resolution? Seeing none. Councilors, any comments, questions? Okay.

0:14:14.6 Mr. Prytherch: Thank you. And I... If we have to do battle on this one with other municipalities, I hope we join with them because...

0:14:19.5 Mayor Snavelly: Yep.

0:14:19.7 Mr. Prytherch: This is our purview.

0:14:23.3 Mr. Bracken: And this is important to us.

0:14:24.7 Mayor Snavelly: All those in favor of the resolution indicate by saying "Aye."

0:14:27.3 Group: Aye.

0:14:29.7 Mayor Snavelly: Opposed? Resolution is adopted. Can you read the second?

0:14:33.1 Clerk: Sure. A resolution approving the Paid Parental Leave Policy, Memorandum of Understanding between the non-commissioned Police Division Employees Union, and the city of Oxford, and authorizing the City Manager to sign the Memorandum of Understanding on behalf of the city.

0:14:52.1 Mayor Snavelly: Is there a motion to adopt?

0:14:54.9 Mr. Ellerbe: So moved.

0:14:55.8 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:14:58.7 Ms. French: Second.

0:15:00.2 Mayor Snavelly: It's seconded by Councilor French.

0:15:01.6 Mr. Elliott: So I have basically, the same report for the next three resolutions. As you know, the city included paid parental leave in their employee handbook, and wage and salary ordinance that we adopted last year. And this provision allows for eight weeks of paid parental leave that does not require the employee to use their accrued leave. And after eight weeks of paid parental leave, the employee may use an additional four weeks of unpaid parental leave, during which an employee may substitute sick leave or vacation.

0:15:35.9 Mr. Elliott: The provision did not extend to our three Police Unions, the Sergeants and Lieutenants, the Patrol, and the Non-commissioned Officers. All three of those police contracts currently have a maternity provision, which allows the employee to use vacation, sick leave or unpaid leave. Two of the unions, the Sergeants and Lieutenants, and patrol, currently have a provision for a paternity leave. So we're recommending that we swap out that language for the language that we have in our employee handbook. And that's what you have on the agenda tonight. And this would make our policy consistent with what we have in the handbook. So we're recommending adoption of all three of these resolutions as you read them.

0:16:19.7 Mayor Snavelly: Okay. Thank you. Is there anyone from the public who would like to address this resolution? Hearing none. Councilors, any comments?

0:16:33.9 Mr. Bracken: I think this is great. I think it demonstrates our values and what we care about. And I'm happy to do it.

0:16:37.9 Mayor Snavelly: Okay. Yeah, it's good to keep all the employees on the same page. So I'm glad to bring the police force onto it.

0:16:46.8 Mr. Prytherch: I would note that it is... I mean, this is kind of an unusual situation, through a Memorandum Of Understanding, to modify a contract. Unionization it's... Adjust contracts in certain periods. But it's nice to think that unionization, and... The union and management relationship doesn't need to be adversarial all the time, and that it doesn't need to be inflexible in the face of change. So if we're able to do this, I'm glad that we're able to do this, and not have to wait until the next contract negotiations. So I agree.

0:17:19.1 Mayor Snavelly: All those in favor of the resolution indicate by saying, "Aye."

0:17:21.5 Group: Aye.

0:17:23.0 Mayor Snavelly: Opposed? Resolution is adopted. Please read number three.

0:17:28.9 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Oxford Police Officers, FOP Lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:17:45.5 Mayor Snavelly: Is there a motion?

0:17:47.2 Mr. Ellerbe: So moved.

0:17:48.1 Ms. Franklin: Second.

0:17:48.6 Mayor Snavelly: Moved and seconded. I assume the staff report is the same?

0:17:53.6 Mr. Elliott: Yeah, the staff report is the same unless you have questions?

0:17:56.2 Mayor Snavelly: Okay. Are there any comments from the public? You'll have another chance if you think of anything. Any additional discussion on the council? All those in favor of the resolution indicate by saying "Aye."

0:18:11.6 Group: Aye.

0:18:13.0 Mayor Snavelly: Opposed? That resolution is adopted. Please read number four.

0:18:19.6 Clerk: A resolution approving the Paid Parental Leave Policy, Memorandum Of Understanding between the Police Sergeants and Lieutenants, FOP lodge 38, and the city of Oxford, and authorizing the city manager to sign the Memorandum Of Understanding on behalf of the city.

0:18:35.8 Mayor Snavelly: Is there a motion?

0:18:38.0 Mr. Ellerbe: So moved.

0:18:38.6 Mayor Snavelly: It's been moved by Councilor Ellerbe.

0:18:41.2 Ms. French: Second.

0:18:41.5 Mayor Snavelly: Seconded by Councilor French. Staff report is the same?

0:18:45.4 Mr. Elliott: Yes.

0:18:47.0 Mayor Snavelly: Anyone from the public? Okay. Any, hope... Councilors on this one? All those in favor indicate by saying "Aye."

0:18:56.7 Group: Aye.

0:18:57.1 Mayor Snavelly: Opposed? And that resolution is adopted. We have no first readings. We have one second reading. And I would invite our clerk to read it when she's ready.

0:19:10.0 Clerk: An ordinance approving a conditional use permit application to allow for the re-establishment of a fraternity use located at 406, East Withrow Street, Oxford Ohio 45056, with conditions.

0:19:25.2 Mayor Snavelly: Okay. And is there a motion to adopt this ordinance?

0:19:30.0 Mr. Ellerbe: So moved.

0:19:30.7 Mr. Prytherch: Seconded.

0:19:31.5 Mayor Snavelly: Okay. It's moved by Councilor Ellerbe, and seconded... I heard... Okay, by Councilor Prytherch. Sam, anything new here?

0:19:42.2 Mr. Perry: Nothing new. Thank you.

[laughter]

0:19:45.9 Mr. Perry: I can give a summary again if you'd like.

0:19:49.0 Mayor Snavelly: I think we had it last time.

0:19:50.6 Mr. Perry: Okay.

0:19:51.6 Mayor Snavelly: Alright. If there's questions, we'll call you back. Is there anyone from the public who would like to address this ordinance? Hearing none. Councilors, is there any further discussion?

0:20:04.7 Mr. Bracken: Sure. I would just like to... So I was at the dissenting vote in the Planning Commission. I just wanted to explain that briefly. So I felt that there was some inconsistency in how we address parking regulations, but I understand, and I don't wanna get in the way of this, it's not a bias inconsistency. It's more about ticketing values. So you have the issue of not wanting to burden streets and parking, but at the same time, you want a walkable city, you want more affordable housing, you want to preserve green spaces, you wanna reduce pavement. And so it's been so many inconsistent and something that we're gonna work on the Planning Commission, but that's why I decided not because this is problematic or in any other way.

0:20:45.5 Mayor Snavelly: Okay.

0:20:46.0 Mr. Jason Bracken: That's all.

0:20:47.7 Mayor Snavelly: So this is reverting from what it was originally built as with the same owners. And so it was their fraternity. It was a church facility for a while, now it's gonna be the fraternity again.

0:21:02.8 Mr. Prytherch: And I would note that the main... I think there was agreement in almost everything except for parking in the size of the sign, and I know the applicants would wish for a sign that were larger maybe in line with what the historical non-conforming size of the sign was. But one of the things that I... When I teach planning is, it's all about fairness. And so if you extend to one person something, you have to be prepared to extend it to everyone else, and we have to try to be very careful with signage size. So I know it wasn't quite as large as the applicant would wish, but it's also not as small as our code would probably require it to be, but I think what we worked out was a compromise, and so I think it's fair.

0:21:41.0 Mayor Snavelly: Would you please call the roll.

0:21:45.8 Clerk: Mr. Bracken?

0:21:47.7 Mr. Bracken: Yes.

0:21:47.7 Clerk: Mr. Ellerbe?

0:21:48.7 Mr. Ellerbe: Yes.

0:21:49.6 Clerk: Ms. Franklin?

0:21:50.4 Ms. Franklin: Yes.

0:21:51.3 Clerk: Ms. French?

0:21:52.1 Ms. French: Yes.

0:21:52.8 Clerk: Mr. Prytherch?

0:21:53.6 Mr. Prytherch: Yes.

0:21:53.6 Clerk: Mayor Snavely?

0:21:55.1 Mayor Snavely: Yes. So ordinance is adopted. We'll move to announcements and communications, and I'll begin with the City Manager, Doug Elliott.

0:22:04.2 Mr. Elliott: I'll just share with you one thing I did put in my written report, but when we look at our water and sewer utility rates, they compare very favorably to statewide averages. Each year, the Ohio Environmental Protection Agency completes a survey of residential water and sewer rates, and the rates are calculated on an annual basis and are based on water consumption of 700... Excuse me, 7756 gallons per month or 1037 cubic feet per month. So the 2019 average annual residential sewer rate in Ohio was \$749, and this was a 4.5% increase over 2018. The city of Oxford's annual sewer rate for the same amount of consumption was \$544, so it's 27.4% less than the statewide average. When we look at our residential water rate, the average Ohio residential water rate was \$697, which was a 4.2% increase over 2018. The city of Oxford's annual water rate for that same amount of consumption was \$421, which is a 39.6% less than the statewide average.

0:23:21.1 Doug Elliott: I might also share with you that in comparison to the Southwest Regional Water District, their rate is \$622 for that amount of consumption, and the city's water rate in comparison to them is 32.3% less. As you probably know, the city of Oxford last raised water and sewer rates in 2016 by 2%. At that time, we also lowered refuse rates, and prior to that, we had not raised water rates since 2019, and sewer rates had not been raised since 1997. So as you can see, we have very competitive water and sewer utility rates. We're fortunate because we made some improvements back in 1992 to find a new water treatment plant, additional wells of US 127 and a transmission line. And to pay for those, we issue debt, and in 2014, we made the last debt service payment of just under \$900,000.

0:24:26.6 Doug Elliott: Those improvements were needed to increase the water capacity because, Mike had shared with me the story about the 1989 water crisis, and I think I knew some students maybe that contributed to some of that as well. So we can currently have no outstanding debt in the water or sewer funds, but we do, of course, anticipate water rate increase needed to finance the water softening project when we get into that. We're looking to develop the RFP now for the engineering for that, and we'll be having a work session with Council on that when we get to that point. But we have very competitive rates, and I just wanted to share that with the Council and the public. That's all I have this evening. Thank you.

0:25:14.2 Mayor Snavely: Thank you.

0:25:14.3 Mr. Dreisbach: Nothing from us. Thank you.

0:25:14.7 Mayor Snavely: Thank you. Chief?

0:25:26.7 Chief Jones: One thing I noticed not on the agenda that I should have already raised with Heather, but I thought I would make the announcement just a bit early, is on May 12th, we have police community relations and review commission meeting at 7:00 o'clock here at the courthouse. So I should have gotten that added in, but I'll just make the announcement for the public. There's still plenty of time. I just wanted to say a few comments about a situation we had last night. I'm sure you heard about it. There was a lot of media coverage where an armed suspect was barricaded along with other citizens, bystanders. So we were already pretty short-handed when that started, when it

all kicked off, but we were able to get off-duty personnel in pretty quickly to help in a quick manner. And then of course, when we called out the SWAT team, which were are a member of, we received numerous resources from all around the county. So I was just very proud of how our team operated last night. We handled that situation. We were able to gain compliance from the suspect and revolve violence situation without injury to anyone involved and really without any property damage which doesn't always happen.

0:26:46.7 Chief Jones: It doesn't always end that way, and we've seen that in other situations we've been involved in, and we don't always control how it ends either, but I just wanted to thank, say last night, it worked well, it was an efficient system, to we take time. Time is on our side, and we inconvenienced some people by keeping that area shut down, but in the end, it's worth it because there was no loss of life, no injury, and just a shout out to our team who came in and helped, and also the other agencies who came in but are kind of Sheriff's Office and all the other police departments that are part of the regional spot team.

0:27:28.4 Mayor Snavelly: You're to be congratulated, maybe it really was a successful evening in that respect. Could you remind the public who may be watching if they don't have Nixle, how to get that on their phone?

0:27:42.2 Chief Jones: Sure, so one of the things with that situation there's a lot of support around that. They don't always see and that one of those things is media and getting messaging across, and sometimes we don't always get those messages out, but last night with the prolonged situation, we were able to get a message out through Nixle, it's a public safety alerting tool if you go to Nixle, nixle.com, you can sign up and get public safety alerts, which may include things like tornado warnings, fire emergencies or road closures, and as if last night was a shelter in place to the folks who lived in that area, and also to us to avoid the area, so it's a good tool to sign up for, and I will say when we put those alerts out, we knew this was gonna cause us more work with the media, but we wanna try to spread that message just in case, so we can avoid people in the area.

0:28:44.1 Mayor Snavelly: Thank you. I encourage people to sign up for Nixle if you haven't already done so, it is not over-used and it is rare that they come out, but when they do it's important, and I think it's good for people to be aware. Thank you. Joe?

0:29:00.1 Mr. Newlin: Nothing, thank you.

0:29:03.4 Mayor Snavelly: Okay, Chief?

0:29:05.6 Chief Detherage: Nothing, sir.

0:29:09.3 Mayor Snavelly: Okay. Sam?

0:29:10.5 Mr. Perry: As several have said Oxford Tomorrow workshop went well last night, and thanks for many of those of you that attended and public, we had around 100 or so, went really well, is a very positive and organized environment for collaboration and ideas from the community, so the next several weeks will be processing, those many ideas and the hundreds of post-it notes and verbal conversations to some extent that were contributed into what will be, we hope, realistic goals and objectives that will bring back to you later, probably early fall, and then we'll have something in front of you, but there'll be some steering committee meetings and then more of a public open house

to kinda bring back all of that into a more defined plan, so looking forward to that, and there were some data that was presented for those of you that as reviewed the slides in advance at the steering committee meeting that some of the voices that we haven't heard a lot from, have been the lower income community members, but with your contributions and your leadership over the past many months, some of those ideas that we think would be helpful that are needed by the lower income community have already been folded into some of your goals, but to the extent that you can help with that and allow some of those needs to be brought forth over the next several weeks, we'd appreciate that. Thank you.

0:30:32.4 Mayor Snavelly: Thank you. Assistant City Manager, Jessica Greene, welcome.

0:30:41.6 Ms. Greene: Good evening. I just wanted to give you some updates, but first, I also wanna thank Sam and Zachary Moore from the Community Development Department for MKSK for the great visiting workshop last night and the tremendous job, and they really have been, put a lot of hours into it, so thank you. Along those same lines, the online survey for those who were not able to attend last night, we'll go out, we hope tomorrow, and that survey will be open until May 6th, so we'll start publishing that here tomorrow or the next day. Make sure people are aware of that deadline, and we encourage anyone who wasn't able to attend in person to please put their feedback on to that survey. And then just wanted to let you know that Heather and I are actively researching agenda and management tools to make sure that we're using the right one, and also Mike Dreisbach and Pat O'Malley are researching our AV equipment to make sure that we're kind of using the proper tools and research, and if we need to make any upgrades, so stay tuned on that progress.

0:31:42.6 Ms. Greene: And that's my only other update for you tonight. It's just seem like a short night to give you an opportunity to let you know what we're working on. So we are actively, from your retreat, developing a new Dora application for an extended area and setting up dates for the Red Brick Fridays, and we're developing a budget for that business, a special assessment area, so we hope to have those to be coming forward to the next couple of months. And the more longer term we'll continue, we've started researching child care availability in the city of Oxford, both in-home and commercial and vouchers and not. So that's a little bit of a longer term research project, but we're hoping to get some good data to share with you, and then we're developing models with our American rescue plan funds in both the housing category and economic development categories, so we're really trying to do a lot of research and bring forward to you what we think are gonna be some best practices for the use of those dollars, so that's what's going on behind the scenes right now. Thanks.

0:32:40.4 Mayor Snavelly: Thank you, Heather?

0:32:42.9 Clerk: Nothing, thank you.

0:32:43.8 Mayor Snavelly: Okay.

0:32:46.2 Mr. Mazer: Nothing tonight, thank you.

0:32:46.3 Mayor Snavelly: Nothing from the law department. We'll just go to Glenn.

0:32:49.1 Mr. Ellerbe: I just like to thank the City and this departments for the excellent communication that we've had so far, just as a regular citizen, I feel like I'm very informed about

the various things they've been going on, whether it's an emergency or otherwise, so thanks a lot.

0:33:05.0 Mayor Snavelly: Thank you, Glenn. Alex.

0:33:06.9 Ms. French: I'm gonna do some reiteration, the Oxford Tomorrow event kudos to everybody. It was really well run. Very well attended. I know that I'm gonna put the link to the survey on all of my social media pages, so if you're out there watching tonight and haven't had a chance to voice your opinions yet, please let us know at oxfordtomorrow.org and stay tuned to that page for any other public input sessions, Sam mentioned that we have one more public workshop session coming up that date and location is to be determined, and then I also want to tip my cap to our Oxford Police Department. I tangentially know through my work how hard it is to coordinate a crisis.

0:33:45.2 Ms. French: When counseling schools on how to handle that, to do that for a whole town and a whole apartment complex, full of people on a very highly traveled road and keep everybody safe is a huge deal. So just I... I'm very proud of our town for a lot over the last couple days. So kudos to everybody. Thank you.

0:34:06.3 Mayor Snavelly: Thank you.

0:34:07.1 Ms. Franklin: Yeah, I just like to echo what was said and to also thank Chief Jones and OPD for the excellent work in the crisis management last night. Thank you.

0:34:15.8 Mr. Bracken: Yeah, I would say the same thing, but I wanted to add how excited I am about potential childcare possibilities and affordable housing going forward. So thanks for that to staff and everybody involved in this. It's being pretty great lately. Thanks for all the work.

0:34:31.4 Mr. Prytherch: So, don't wanna reiterate other than it was a great team effort that was brought to it last night. Obviously our staff between Sam and Zach and Jessica and all the interns, Casey was there manning. So we had staff and department heads there MKSK, its doing a great job. But our citizens invested a lot of passion in that event last night. I mean, a hundred people came out who are really believing the plan. They wouldn't come out on a Wednesday night if they didn't care about the topics and they didn't really... They weren't optimistic that we would take them seriously. I know from some experience that just because you make a plan doesn't mean... Plans don't implement themselves and you have to be ready to take all those ideas and figure out how to translate them into action.

0:35:15.0 Mr. Prytherch: I think we made enormous progress that way, but you can... We just don't wanna do a disservice to our citizens, to invest all that energy in us, to not then be ready to do all that we can. So it's a long term. I mean, we're gonna write the plan, but the challenge will then be ours to figure out as a city, as an organization. How do we figure out how to... Bite, eat the elephant one bite at a time, and set realistic expectations on what possible. So I'm proud of the cultural change that we've made. But it's really possible to write a plan and not use it. So, I think given how much investment people making as the city, as our tax dollars and staff. But the public, we... It's really incumbent on us to just respect and thank the people by figuring out a mechanism for doing these things that they're asking us to do. So...

0:36:05.7 Mayor Snavelly: I want to thank chief, members of police department. I think the city of

Oxford is blessed to have such excellent employees across the board, and none are better example of that than our police department. And please convey that all of council very much appreciates them. Number of people ask, when are things gonna start happening again and things uptown. While we had Earth day, that was pretty well attended. We had this wonderful planning session last night. But coming up this Saturday, two things that you may be interested in that are big community events and that you can take part in and the weather should co-operate. It should be sunny and warm. And one of those is the 66th Annual Pancake Day put on by Oxford's Kiwanis Club. And you can get tickets or you can pay an extra dollar at the door, if you want to.

0:37:12.2 Mayor Snavelly: Almost everybody in the community tends to want to go to it and you see everybody there and the money that is spent, goes to helping kids in our community. And I think it's a really good cause, and I hope that you have an opportunity to go. This is the last pitch I'll make. I have some few tickets left. The other thing is that Electric Roots Music festival is also going to be going on and this weekend. And I hope you have a chance to go uptown and enjoy the music. And there will be music from...

0:37:48.8 Ms. Franklin: To make a note on...

0:37:49.1 Mayor Snavelly: Yeah.

0:37:49.3 Ms. Franklin: Mm-hmm.

0:37:49.4 Mayor Snavelly: There's quite a few performers. And do you know the time? It's 2:00...

0:37:54.7 Ms. Franklin: It's all day. It's like 2:00 to I believe 9:00.

0:37:56.3 Mayor Snavelly: 2:00 to 10:00 or 9:00.

0:38:00.2 Ms. Franklin: Yeah, it's a full day, so...

0:38:01.2 Mayor Snavelly: So get out there. Enjoy the music, enjoy congregating with your fellow citizens. With that, I will entertain a motion to adjourn.

0:38:13.7 Ms. Franklin: So moved.

[laughter]

0:38:14.4 Mr. Ellerbe: Seconded.

0:38:19.1 Mayor Snavelly: That was a hard one to get. Seconded, all those in favor, indicate by say aye.

0:38:22.Group: Aye.

0:38:22.7 Mayor Snavelly: Opposed? Thank you. The meeting is adjourned.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	March 18, 2022
COUNCIL MEETING DATE:	April 5, 2022
AGENDA TITLE:	PC-2021-40, 406 E Withrow, CONDITIONAL USE , to re-establish Fraternity use, Scott Webb, Architect, Applicant/Agent
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 3.30.22

Proposal Summary:

The applicant is requesting Conditional Use approval to allow a Fraternity use to occupy an existing three-story building located at 406 E Withrow, adjacent to Tallawanda Road and the Miami University campus. The building was previously occupied for a number of years by a local chapter of the Kappa Sigma fraternity. During this time, the building had a valid Rental Permit – recognized as a Fraternity House – for a maximum of 38 occupants. Should the Conditional Use request be successful, the applicant will need to obtain Building Permit approval to officially change the use back to a Fraternity, and also re-apply for a Rental Permit as a Fraternity House. As part of the request, the applicant proposes an overall occupancy of 18 maximum, down from the previous total of 38. No significant modifications to the building or site were contemplated by the applicant as part of the submission; the primary reason for the Conditional Use request is to acknowledge and approve a change in how the property is used.

Background:

The previous Fraternity use was considered grandfathered, having never gone through an official approval procedure with Planning Commission and Council as is now normally required by the Zoning Code. Following the departure of the local Kappa Sigma chapter from the premises, in 2017 the property received Conditional Use approval to be re-designated as a place of worship for a new tenant, Crossroads Church. The Church occupied all three floors and made a few cosmetic changes to the building, including the installation of a new patio and canopy. Staff believes the Church likely vacated the building sometime in 2020. The property owner now wishes for the building to be re-occupied by the Kappa Sigma fraternity, a chapter which is recognized by Miami University.



The City of Oxford
(513) 524-5200
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Planning Commission Recommendation:

On March 8, the Oxford Planning Commission held a public hearing and reviewed the proposal and the decision standards. City staff recommended approval of the application subject to 5 conditions. The Commission heard from both staff and the applicant, and also heard from Wes Bren who represents the ownership interest in the property. There were no comments from the public.

One of the primary issues discussed by the Planning Commission was parking. It is the desire of the applicant to make no changes to the existing parking configuration on-site, which presently only consists of a 9-foot wide service drive accessed from Tallawanda Road. Staff generally concurred with the applicant on this subject, and recommended off-street parking be waived on condition that if problems arose within a 1-year time period, the construction of some on-site parking spaces could be mandated. The Commission was split on whether parking requirements should be completely eliminated, but ultimately voted in favor of the waiver. However, the wording of the condition was adjusted to remove the potential for any off-street parking to be required as the result of any problems encountered in the future. Instead, new language was added to require a barrier along the south side of the drive to help prevent the parking of vehicles in the lawn area.

The other main topic of the evening was signage. The applicant had requested a waiver to allow for a 70 square foot wall sign to showcase the Kappa Sigma logo, arguing it would be the same size as a sign that previously existed on the east façade of the building. Both staff and the applicant showcased previous iterations of the Kappa Sigma logo sign which had existed in the upper left-hand corner of the east façade. Staff estimated that the most recent Kappa Sigma sign (circa 2013) measured around 50 square feet in size, but had instead recommended a 12 square foot wall sign combined with additional lettering on the canopy structure in front. After much discussion, the Commission recommended the sign area be limited to 50 square feet.

The Planning Commission ultimately voted 6-1-0 to recommend **approval** of the application subject to the following conditions:

1. The property owner or owner's agent shall obtain Building Permit approval to authorize a change of use to a fraternity. All applicable inspections must pass and a Certificate of Occupancy issued before the building is occupied.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

2. The property owner or owner's agent shall also obtain a new Rental Permit prior to occupancy.
The rental occupancy shall be capped at no more than 18 unrelated individuals.
3. As part of the Building Permit for the change of use, the applicant shall provide street trees in the tree lawn along E Withrow Street and Tallawanda Road per Service Department specifications, in accordance with the requirements of Chapter 935 of the Oxford Codified Ordinances.
4. A waiver is hereby granted to Section 1149.05 to eliminate the off-street parking requirement for this developed property on condition that a suitable barrier be installed to help prevent vehicles from parking on the lawn area.
5. A waiver to Section 1151.05(b) is hereby granted to allow the residential fraternity use to install one (1) naturally illuminated wall sign per the design reflected in the record in the upper left hand corner of the building's eastern façade which does not exceed fifty (50) square feet in area.

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT APPLICATION TO ALLOW FOR THE RE-ESTABLISHMENT OF A FRATERNITY USE LOCATED AT 406 E WITHROW STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

WHEREAS, the Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on March 8, 2022 for the purpose of considering the request of Scott Webb, Architect, Applicant/Agent, for a Conditional Use permit to allow for the re-establishment of a fraternity use at 406 E Withrow Street, Oxford, Ohio 45056; and

WHEREAS: the Planning Commission, after a public hearing and discussion, voted and approved a motion recommending approval of the Conditional Use permit application to allow a fraternity use to be re-established at 406 E Withrow Street, Oxford, Ohio 45056 with the following conditions:

- a) The property owner or owner's agent shall obtain Building Permit approval to authorize a change of use to a fraternity. All applicable inspections must pass and a Certificate of Occupancy issued before the building is occupied.
- b) The property owner or owner's agent shall also obtain a new Rental Permit prior to occupancy. The rental occupancy shall be capped at no more than 18 unrelated individuals.
- c) As part of the Building Permit for the change of use, the applicant shall provide street trees in the tree lawn along E Withrow Street and Tallawanda Road per Service Department specifications, in accordance with the requirements of Chapter 935 of the Oxford Codified Ordinances.
- d) A waiver is hereby granted to Section 1149.05 to eliminate the off-street parking requirement for this developed property on condition that a suitable barrier be installed to help prevent vehicles from parking on the lawn area.
- e) A waiver to Section 1151.05(b) is hereby granted to allow the residential fraternity use to install one (1) naturally illuminated wall sign per the design reflected in the record in the upper left hand corner of the building's eastern façade which does not exceed fifty (50) square feet in area.

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

SECTION 1: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the Conditional Use permit application to allow a fraternity use to be re-established at 406 E Withrow Street, Oxford, Ohio 45056 with the following conditions:

- a) The property owner or owner's agent shall obtain Building Permit approval to authorize a change of use to a fraternity. All applicable inspections must pass and a Certificate of Occupancy issued before the building is occupied.
- b) The property owner or owner's agent shall also obtain a new Rental Permit prior to occupancy. The rental occupancy shall be capped at no more than 18 unrelated individuals.
- c) As part of the Building Permit for the change of use, the applicant shall provide street trees in the tree lawn along E Withrow Street and Tallawanda Road per Service Department specifications, in accordance with the requirements of Chapter 935 of the Oxford Codified Ordinances.

- d) A waiver is hereby granted to Section 1149.05 to eliminate the off-street parking requirement for this developed property on condition that a suitable barrier be installed to help prevent vehicles from parking on the lawn area.
- e) A waiver to Section 1151.05(b) is hereby granted to allow the residential fraternity use to install one (1) naturally illuminated wall sign per the design reflected in the record in the upper left hand corner of the building's eastern façade which does not exceed fifty (50) square feet in area.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Location	406 E Withrow Street – Parcel ID H4000006000155
Applicant/Agent	Scott Webb, Architect
Property Owner	Theta Upsilon Housing Co Inc. c/o John Schoger
Action Request	Conditional Use to re-establish Fraternity Use with 18 occupants
Current Use	City of Oxford: Single-Family Dwelling Auditor: Religious Institution
Current Zoning	R3MS Single-, Two-, and Three-Family Mile-Square Residential District
Floor Area	Approx. 5,241 sq ft (3 floors; approx. 1,747 sq ft per floor)
Site Area	0.27 acres
Surrounding Land Uses	Two-family dwellings to west and south; Lodging Houses to north and south; University campus to east
Staff Recommendation	Approve , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting Conditional Use approval to allow for a Fraternity use to occupy an existing three-story building located at 406 E Withrow, adjacent to the Miami University campus on Tallawanda Road. The property is zoned R3MS, which designates “fraternity and sorority houses” as a Conditional Use. The Zoning Code further defines a “fraternity/sorority house” as *a building that is occupied by a group of enrolled Miami University students who are active members of a fraternal organization recognized by Miami University. These organizations shall be limited to fraternities, sororities, and like groups approved by Miami University for communal off-campus living on that site. Occupancy exception: may include employees or agents of the organization not to exceed three (3) persons.* The City received a letter of support from Miami Student Life in November 2021 documenting that Kappa Sigma is again recognized by the University.

The building was previously occupied for a number of years by a local chapter of the Kappa Sigma fraternity. The building had a valid Rental Permit – recognized as a Fraternity House – for a maximum of 38 occupants. The fraternity use at this time was considered an approved Conditional Use due to its grandfathered status, despite never going through an actual approval procedure with Planning Commission and Council as is normally required by the Zoning Code. Following the departure of the local Kappa Sigma chapter from the premises, in 2017 a church organization (Crossroads) applied for and was granted a Conditional Use to

operate on all three floors of the building. A few years later, the Church vacated the building. The property owner now wishes to reestablish the fraternity use so the Kappa Sigma fraternity may reoccupy the building, but with a reduced occupancy of 18 maximum. No substantial exterior changes to the building or to the site are anticipated by the applicant as part of this application.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. One written comment was returned expressing support for the requested Conditional Use.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Cropsenbaker, Assistant to the City Manager	Returned with Comments
• <i>The proposal for this site is to return a previous conditional use status for the building as a multi-unit residence, or "fraternity house".</i> • <i>This use is in keeping with many of the surrounding structures in this neighborhood, located in what is informally known as "fraternity row" and would not present any additional nuisance to the immediate area.</i> • <i>More recently the site has been used by Crossroads Community Church, the proposed conditional use, re-establishing this site as a "fraternity house" does not represent any significant impact on the economy of Oxford.</i> • <i>The Economic Development staff have no concerns or reservations regarding this application for conditional use at this time.</i>		
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned with Comments
<i>Per the Building Official, a sprinkler system will be required due to the change of use.</i>		
Police	John Jones, Police Chief	Not Returned

CASE HISTORY

Below is a summary of past board & commission cases pertaining to the subject property:

Case No.	Application	Decision
PC-2017-22	Conditional Use	Council approved September 19, 2017 by Ord No. 3424
According to the property owner, 406 E Withrow has been a fraternity house since its construction in 1967 and had housed the local Kappa Sigma chapter beginning in 1982. In 2015, the Kappa Sigma National Headquarters revoked the local Theta Upsilon Chapter due to member behavior violating standards. Kappa Sigma and Miami agreed to remain dormant until those students being disciplined graduated. To fill the void following Kappa Sigma's vacation of the property, the property owner (Theta Upsilon Housing Corporation) arranged a 4-year lease with Crossroads Church of Cincinnati to take up occupancy in the building. Crossroads applied for Conditional Use approval on June 23, 2017. At the time, the previous fraternity use had a grandfathered maximum occupancy of 38 per City records. Crossroads proposed converting the first and second floors into activity and meeting spaces, while retaining the third floor bedroom arrangement for student members. A new patio feature in front was also proposed, which encroached slightly into the front yard setback. The Conditional Use was approved subject to four conditions: (1) no more than 3 Church members were to reside on the third floor; (2) five off-street parking spaces were sufficient for the use [though it does not appear any modifications were later made along these lines]; (3) setback and coverage standards were waived to make way for the new patio; and (4) no additional waivers for signage unless approved by the BZA.		
BZA-2018-15	Variance	BZA voted 4-0-0 on August 15, 2018 to deny request
Atlantic Signs, c/o Tommy Reed, requested a Variance to the Code's maximum sign size and number for the new Crossroads Church tenant. The Code standards, which are still the same today, specify that a nonresidential land use in a residential zoning district be allowed no more than one (1) wall or freestanding sign, and that such sign be limited to no more than 12 square feet in area. The applicant first received Permit approval for a Code-compliant ground sign, and then attempted Variances for an additional 28 sq ft wall sign and 12 sq ft hanging sign. The applicant later revised their submission to reduce the wall sign down to 18 sq ft. Based on the available record, it appeared the hanging sign was dropped completely from consideration. For the revised application, the BZA denied the requested Variances by a 4-0-0 vote. It is evident that the applicant later submitted a new Permit to proceed with installation of a compliant wall sign and forego the ground sign entirely.		
PC-2019-11	Conditional Use Minor Amendment	Administratively approved on March 1, 2019
Crossroads Church later requested a Minor Amendment in 2019 in order to convert usage of the third floor from residential to office use to accommodate support for their ministry. The request did not involve substantial interior alteration that would have required a Permit; as their application states, only minor cosmetic updates such as painting and carpeting were anticipated. The Community Development Director and Planning Commission Chair approved the request administratively. Due to the use change making the entirety of the building non-residential, the last Rental inspection performed for the property occurred on February 1, 2018. The Rental Permit permitting up to 3 occupants on the third floor, which had been classified as a Single-Family (SF) use sharing the building with an institutional use (Crossroads) on the first and second floors, has since expired. Staff is under the impression the Church vacated the property sometime in 2020.		

COMMENTARY

Staff finds the location to be suitable and appropriate for reactivation of a fraternity use. Oxford has two major “fraternity rows,” one along Tallawanda Road and the other along S Campus Avenue; the subject site is located along the former and is directly across the street from Withrow Hall on Miami University’s campus. Seeing as how the existing building and much of the overall site is to be retained in its current form, not much additional commentary is warranted within the scope of a Zoning review.

The Zoning Code lists Potential Concerns and Requirements for fraternity houses in **Section 1147.03(b)(19)**, and is provided in Appendix A. Many of the listed items do not appear to pose a concern to staff, given the developed condition of the property as well as utility, stormwater, and waste management systems already in place. In staff’s view, the key provisions which deserve special consideration within the scope of the Conditional Use review are: (1) Parking; and (2) Signage.

- **Parking:** The original Conditional Use approval from September 2017 included a condition (#2) indicating that *five (5) off-street parking spaces are sufficient for the proposed gathering/study of the church*. However, these spaces were never shown on any site plan related to the church use and no additional changes/paving was ever made to the site as a follow-up to the approval. The existing single-wide driveway accessed from Tallawanda Road appears to have been installed as part of the Crossroads Church project.

Section 1147.03(b)(19)(B)(6) states that *parking shall meet [the] requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained*. Since this is a Conditional Use review for a *new* use, not an existing use (albeit one that previously existed), the project is either obligated to fulfill current Code requirements or request waivers be granted. **Table 1149.05-1** requires a minimum of 2 parking spaces for every 5 beds permitted by a valid City of Oxford Rental Permit. With an intended occupancy of 18, this would require a minimum of eight (8) parking spaces. The existing driveway, in its current configuration, suffices for a total of two (2) parking spaces (double-stacked). Staff believes there is enough lawn space in front of the building to install at maximum up to six (6) parking spaces without disturbing a mature tree located at the corner of the lot. The current lot coverage is estimated to be around 34.4%. With the additional surface parking (6 spaces), this would bring the coverage up to about 43.7%. Maximum lot coverage in the R3MS District is 45%.

The Planning Commission may want to consider waiving part, or even all, of this requirement in order to preserve green space and also encourage future fraternity member residents to walk, bike or take transit as a primary means of transportation. Apart from on-street parking on City streets as well as permit parking along Tallawanda, it is also possible for members to obtain long-term remote parking passes for either the Millett West Lot or Ditmer Lot on Miami’s campus. The Millett West Lot is especially close and within walking distance of the property. Staff’s main recommendation is to eliminate the parking requirement entirely, though leaving the door open for provision of on-site parking spaces should issues arise within a one year period.

- **Signage:** Crossroads Church had previously installed a vertical cabinet sign on the east façade of the building. Though the sign copy has been removed, the cabinet still remains to this day. This prior sign had been installed in accordance with the standards of **Section 1151.05(b) Nonresidential Land Use Signs in Residential Zoning Districts**, which allows for a single sign measuring up to 12 square feet in area. By switching from a non-residential (institutional/church) use to a residential use, the signage allowance is reduced by half, as the only sign type allowed by-right is a “building identification sign” measuring no greater than 6 square feet in area.

The applicant has submitted an elevation depicting a wall sign containing the Kappa Sigma emblem measuring approximately 70 square feet in size. The applicant’s request is to allow for the

installation of a wall sign resembling the size and location of the original sign. Staff has determined there have been at least two past versions of the Kappa Sigma sign, with the original version estimated at around 60 square feet in size and the latest being around 50 square feet. Staff is of the opinion that a 50 square foot sign, let alone one that is 70 square feet, would be excessive in comparison to other existing fraternity wall signs in the area. Staff recommends the new fraternity adhere to the same standards as a non-residential use in a residential zoning district, which typically allow for a wall or freestanding sign (but not both) not exceeding twelve (12) square feet in sign area. Staff also believes it would be reasonable to allow additional sign content (e.g., lettering spelling out “Kappa Sigma”) on the edge of the patio canopy as had been the case when Crossroads Church occupied the building.

DECISION CRITERIA

- A. **The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.**
Yes, *fraternity and sorority houses* are listed in the Oxford Zoning Code as a Conditional Use in the R3MS District.
- B. **The use and site will satisfy the general intent of the Zoning Code.**
Section 1143.07(a) describes the purpose of the R3MS District as being to *preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.* Returning this property to a fraternity use is in keeping with the purpose of the District and is in a location where higher density of residential use is expected and encouraged. Though no other fraternity houses are directly adjacent to the subject property, there are many located nearby on Tallawanda Road, E Vine Street, and E Church Street.
- C. **The use and site will be compatible with the general intent of the Comprehensive Plan.**
The Comprehensive Plan identifies this property as falling within the “Neighborhood General 1” Character Area, which is the densest of the three “Neighborhood General” classifications. The Plan describes this Area as being *typified by traditional urban development consisting of detached single-family homes on smaller lots, (...) [but] may also include some multi-family and mixed-use type development. Typified by a block pattern and alley use.* Staff believes the establishment of a fraternity house use at this property would not be contradictory to the current Comprehensive Plan’s vision.
- D. **The use and shape of the site are sufficient for the proposed use.**
It is evident the shape and size of the site are sufficient since the building already exists and is essentially being reactivated. However, the site’s size is probably not sufficient for meeting the Code’s minimum parking requirements.
- E. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
Surrounding property owners were notified of the requested Conditional Use. It is not expected that the impacts generated by reuse of the property as a fraternity will differ in any other substantial way as compared to other fraternity uses in proximity.
- F. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**

This criterion is most applicable to commercial or industrial uses which due to the nature of their operations produce a lot of external effects that may negatively impact neighbors. Staff does not believe the requested fraternity use falls into such a category.

- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**
There are no accessory uses present or proposed.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
All utility connections are currently in place.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
No public expenditures are anticipated. The Fire Chief has commented that due to the change of use, a sprinkler system will need to be installed in the building to bring it up to current building safety standards. The cost of installing such a system will be the responsibility of the property owner, not the City.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
The approval of this Conditional Use will ensure the existing neighborhood character is maintained.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.**
A curb cut for the existing driveway already exists off of Tallawanda Road. If additional off-street parking was required to be installed, it is not expected this will impede the movement on adjacent public streets in a significant way.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
No additional construction is proposed. The building, while not historic or part of a historic district, would be preserved and contributes to the varied mix of ages found in Oxford's housing stock.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from the existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.**
Reducing the minimum parking requirement would result in greater preservation of green space and help avoid potential disturbance to the existing mature tree at the property corner. There is a lack of street trees along both public streets, where the property could be brought up to current standards.
- N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.**
Should the Conditional Use be approved by City Council, the owner/applicant will then need to obtain Building Permit approval in order to authorize the change of use back to a fraternity. It is expected the Building Department review will dictate certain improvements be made to bring the building up to current standards. A new Rental Permit will also need to be obtained, and an

inspection performed by the City's Code Enforcement Officer to check for compliance with the Property Maintenance Code. The Code Enforcement Officer has performed a courtesy review of the provided floor plans and has determined the proposed occupancy (18) is correctly calculated based on the number and size of bedrooms.

STAFF RECOMMENDATION

In consideration of the Decision Criteria, staff recommends **approval** of the Conditional Use application subject to the following conditions:

1. The property owner or owner's agent shall obtain Building Permit approval to authorize a change of use to a fraternity. All applicable inspections must pass and a Certificate of Occupancy issued before the building is occupied.
2. The property owner or owner's agent shall also obtain a new Rental Permit prior to occupancy. The rental occupancy shall be capped at no more than 18 unrelated individuals.
3. As part of the Building Permit for the change of use, the applicant shall provide street trees in the tree lawns along E Withrow Street and Tallawanda Road per Service Department specifications, in accordance with the requirements of Chapter 935 of the Oxford Codified Ordinances.
4. A waiver is hereby granted to **Section 1149.05** to eliminate the off-street parking requirement for this developed property. However, should any problems be reported by surrounding neighbors or City departments concerning the parking situation, staff may require the property owner to install additional parking spaces on-site in a manner and number staff deems appropriate. The situation may be evaluated anytime within one (1) year of occupancy and no more than six (6) off-street parking spaces shall be required by staff. The potential for staff requiring additional off-street parking shall expire after the one year period.
5. A waiver to **Section 1151.05(b)** is hereby granted to allow the residential fraternity use to install one (1) naturally illuminated wall sign in the upper left hand corner of the building's eastern façade which does not exceed twelve (12) square feet in area. It shall also be permissible to install additional naturally illuminated sign content (e.g., lettering spelling out "Kappa Sigma") on the edge of the existing patio canopy facing E Withrow Street not extending above or below the band.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: March 2, 2022

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, **Section 1143.07** provides the base zoning standards for the R3MS District. **Section 1147.02(c)-(d)** governs the Planning Commission's decision making process on Conditional Uses. **Section 1147.03(b)(19)** provides Conditional Use provisions specific to schools.

1143.07 – R3MS Single, Two and Three-Family Mile-Square Residential District

- (a) Purpose.
The purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.
- (b) Uses.
- (1) Permitted uses.
- A. Single-family dwellings
 - B. Two-family dwellings
 - C. Three-family dwellings
 - D. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - E. Day Care Home Type B family.
- (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.
- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Fraternity and sorority houses.
 - I. Places of worship.
 - J. Parking lots.
 - K. Accessory dwelling units
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinances and shall follow the procedures for approval contained therein.

	Single-Family Dwellings	Two-Family Dwellings	Three-Family Dwellings
Lot Requirements			
Minimum Lot Area (Square Feet)	4,000	6,000	8,000
Minimum Lot Width (Feet)	40	50	60
Minimum Lot Frontage (Feet)	40	50	60

Yard Requirements	
Minimum Front Yard	15 feet
Maximum Front Yard Depth	25 feet
Minimum Rear Yard Depth	35 feet
Minimum Side Yard Width	5 feet
Structural Requirements	
Maximum Building Height	35 feet
Lot Coverage for Lots with Vehicular Access from a Public Street	
Lot Total	45 percent of lot
Front Yard	35 percent of front yard
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with No Access from a Public Street	
Lot Total Maximum	45 percent of lot
Front Yard Maximum	15 percent of front yard

(d) Mile Square Design Standards.

(1) Purpose and Applicability.

- A. The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B. The design of all new construction and exterior alteration or renovation in the R3-MS District shall conform to the following requirements.

(2) Front Façade.

- A. All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.

(3) Foundations.

- A. Any new construction, including expansions, shall not include exposed concrete block or poured concrete foundations of more than two (2) feet in height, unless parged or covered by a historically appropriate facing treatment (e.g. stucco).

(4) Siding.

- A. Brick, stone, authentic stucco, or material replicating stone Veneer are permitted building materials in all residential districts.
- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) or engineered wood

- that resembles wood siding treatments is permitted.
- D. The use of aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged.
 - E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
 - F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
 - G. All wood siding materials shall be painted.
 - H. Any additions or expansions of an existing building shall also comply with Section 1141.03(h) (Residential Building Additions).
- (5) Roofs.
- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
 - B. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
 - C. Decorative cornices and parapets are encouraged.
 - D. The addition of antennae, satellite dishes, and skylights should be placed on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible
- (6) Doors.
- A. Doors shall be made of wood or "wood appearing" types of material.
 - B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.
- (7) Windows.
- A. Windows must be proportionally vertical where practical. Examples of instances where windows are not required to be vertical include kitchens and basements. For purposes of applying this provision, the vertical proportion is required only for each individual window frame; a horizontal row of vertical windows is acceptable.
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.
- (8) Porches, Stoops and Decks.
- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.
 - B. All porches, stoops and decks shall comply with the provisions set forth in Chapter 1141.
 - C. Porches and stoops are permitted in any yard, however stoops may not exceed twenty five (25) square feet in front yards.
 - D. Decks shall only be permitted rear yards, with the exception of corner lots having frontage on two public streets, in which case a deck may be installed in the side yard so long as it is set back at least 10 feet from the front façade of the building.
 - E. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side façades.
 - F. The table below outlines the standards defining the differences and distinctions between porches, stoops and decks consistent with definitions as provided in Chapter 1159. The standards in this table shall not preclude any other applicable provisions of this Zoning Code which are more restrictive in terms of location, size, material, etc.

Standards	Porch	Stoop	Deck
Allowable Yards	Any	Any	Only Rear Yards, except per (D) above
Maximum Size	No max	No max, except in front yards max is 25 sq ft	No max
Roof	Roof required	Roof allowed	Roof not allowed
Material	Any	Any, though typically concrete or masonry	Any, though typically wood

(9) Garages & Accessory buildings.

- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C. To the maximum extent feasible, a detached garage shall be accessed from the alley if alleys are available for vehicular traffic.
- D. The architectural style and materials of any accessory building generally shall be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (5) above.

(10) Fences & Gates.

- A. Chain link fences are prohibited.
- B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 1141.01.
- C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials

(11) Chimneys.

- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. Other siding may be allowed if the entire building is sided in similar materials.

(12) Shutters.

- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

(13) Driveways & Parking Lots.

- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.

(14) Landscaping.

- A. Landscaping of the site shall comply with the requirements of Chapter 1148.

(15) Architectural Features for Three-Family Dwellings

- A. At least three of the following design features shall be provided on the front façade of each dwelling unit with frontage on a public street.
1. One or more dormer windows or cupolas;
 2. A recessed entrance;
 3. A covered porch or balcony;
 4. Pillars, posts, or pilasters;
 5. One or more bay windows with a minimum of 12 inch projection from the façade plane;
 6. A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
 7. Multiple windows with a minimum of four inch wide trim.
- B. To the maximum extent practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street.



Illustrative example of acceptable architectural design for multi-family dwellings



Illustrative example of unacceptable architectural design for multi-family dwellings

(16) Accessory Dwelling Units

In addition to the standards applicable to all conditional use reviews, any new accessory dwelling unit shall be subject to the following standards:

- A. An accessory dwelling unit may be in a stand-alone structure or may be located above a garage.
- B. In no case shall there be more than three dwelling units on any single lot, including any approved accessory dwelling unit.
- C. Accessory dwelling units shall only be allowed on lots with a area of 5,000 square feet.
- D. The maximum square footage of an accessory dwelling unit shall not exceed 1000 square feet or 50% of the footprint of the principal structure whichever is smaller, unless approved by the Planning Commission and City Council.
- E. The accessory dwelling unit shall be located in the rear yard.
- F. The accessory dwelling unit shall be designed to be smaller in mass, height, and square footage than the principal dwelling.
- G. The accessory dwelling unit structure shall be subject to the accessory building design guidelines of this section.

1147.02(c) – Planning Commission Review.

The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) **Burden of Proof.**

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

(2) **General Decision Standards.**

All Conditional Uses shall satisfy these General Decision Standards.

- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.
- N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

1147.02(d) – Action by Planning Commission.

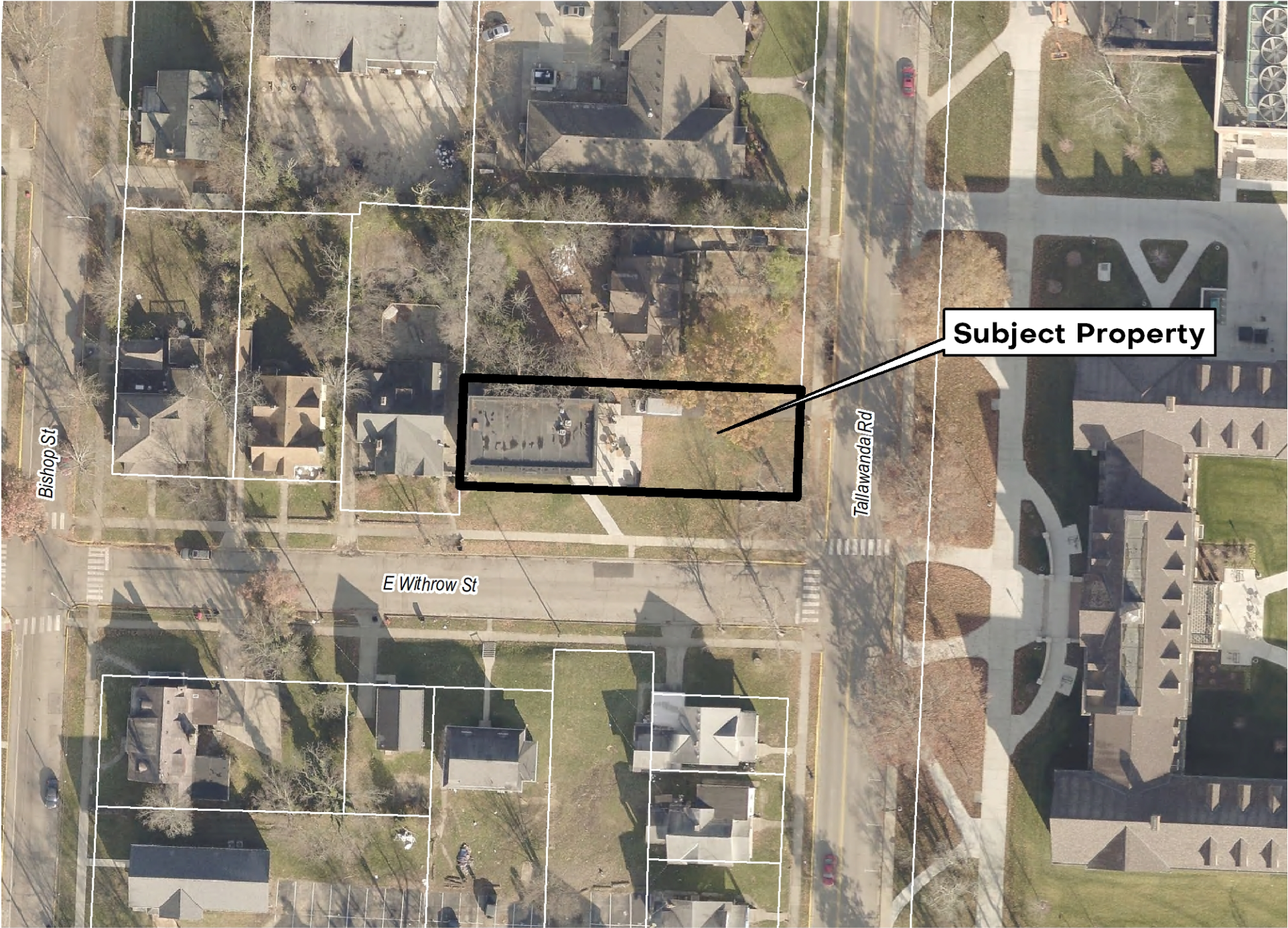
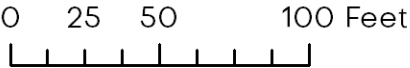
- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

1147.03(b)(19) – Fraternity and Sorority Houses.

- (19) Fraternity and Sorority Houses.
 - A. Potential Concerns.
 - 1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 - 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 - 3. Vehicle Management:
 - a. Site access.
 - b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 - 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 - 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.

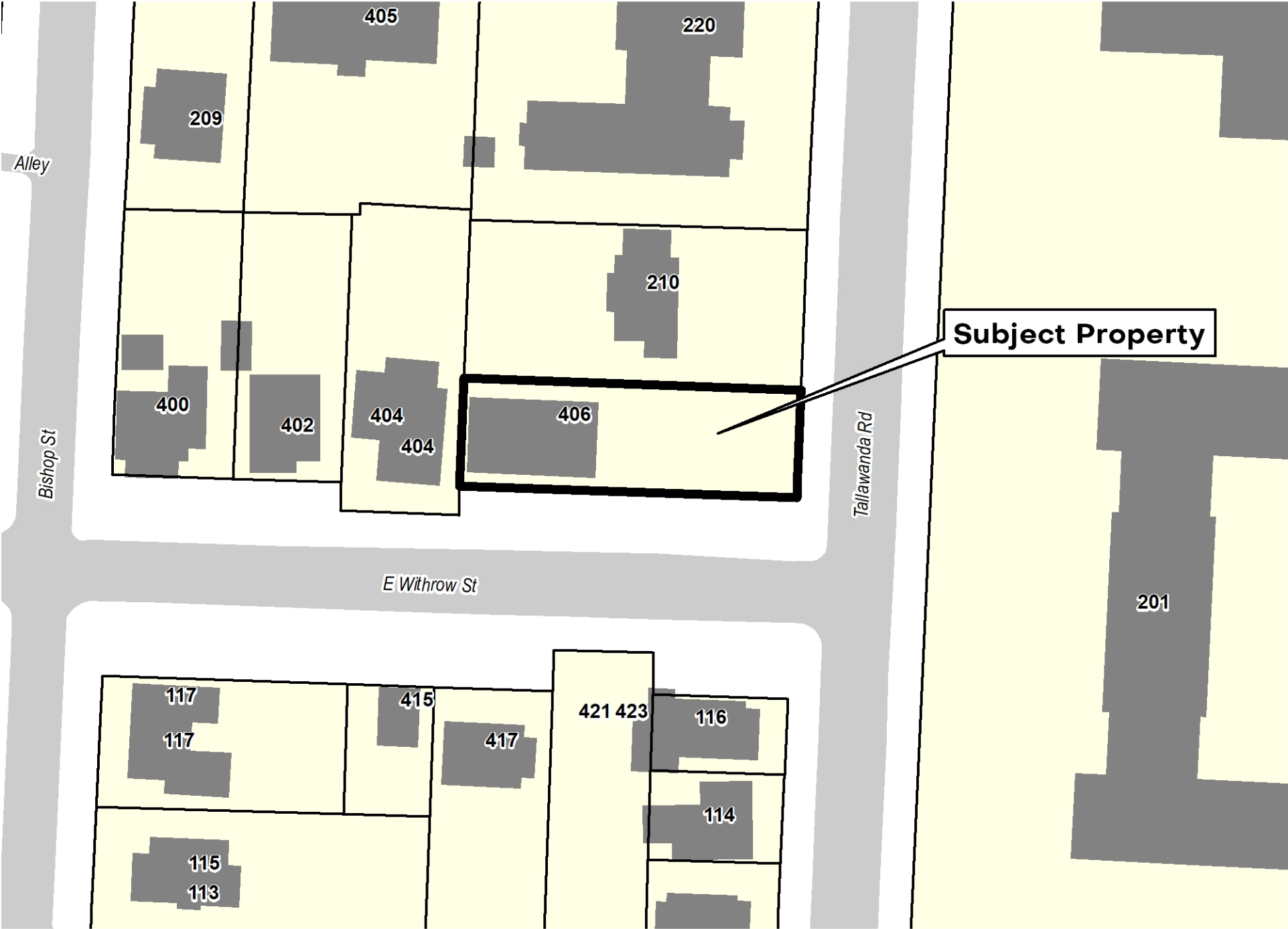
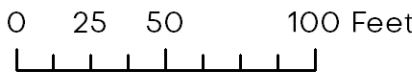
- c. Lighting and off-site impact.
- B. Requirements:
 - 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 - 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 - 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 - 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 - 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 - 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

Location Map

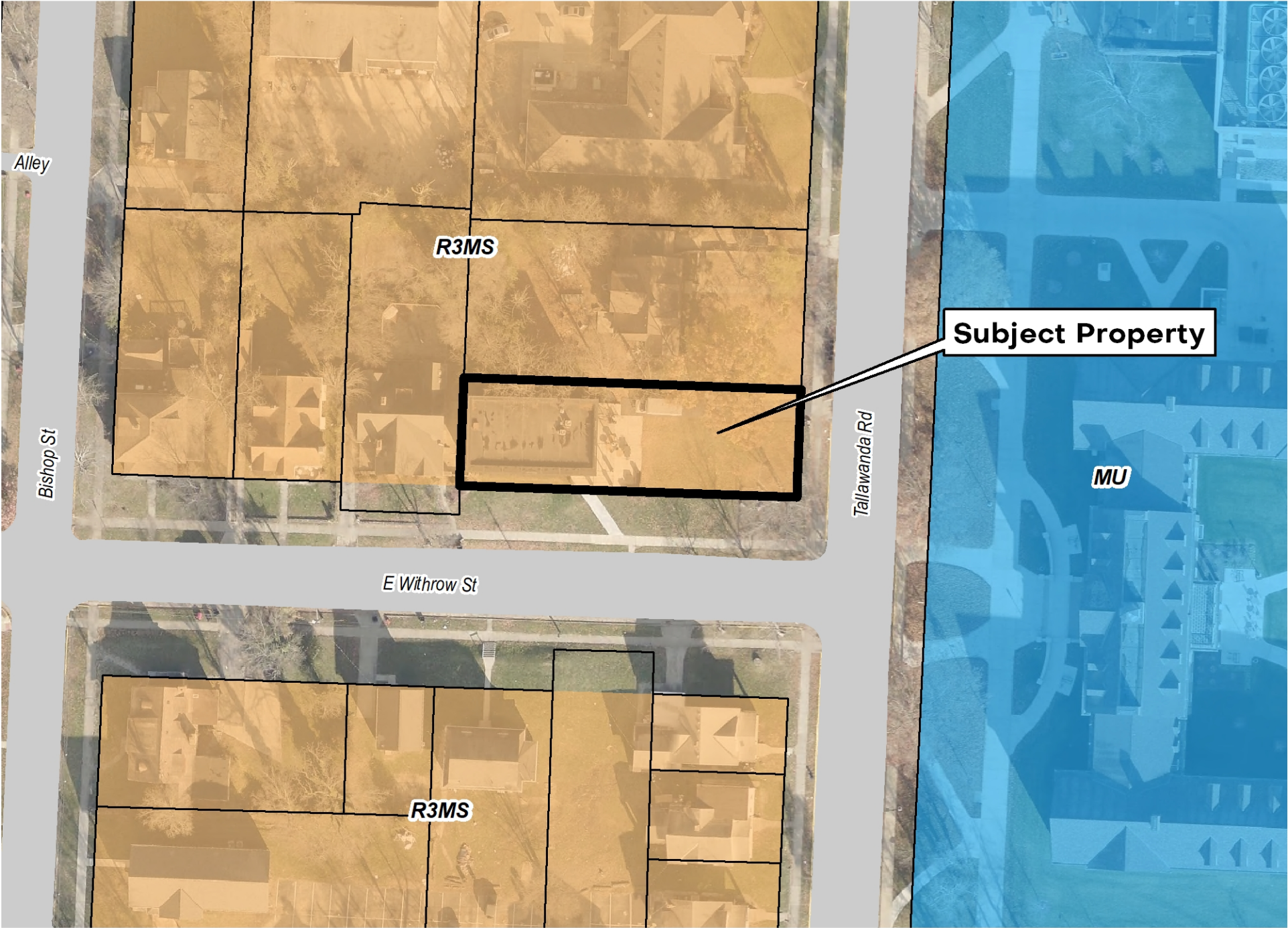
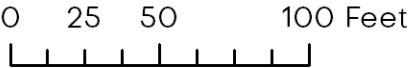


Location Map

 Site



Location Map





STUDENT LIFE
*Center for Student Engagement,
Activities, and Leadership*

November 12, 2021

Dear Mr. Moore,

This letter serves to document that Kappa Sigma Fraternity is recognized by the Cliff Alexander Office of Fraternity and Sorority Life. Chapter leadership and Advisors are in regular communication with our office and have access to the programs and resources we facilitate for the fraternity community. The chapter is rebuilding after a period of dormancy and our office is supportive of this effort. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Kimberly M. Vance'.

Kimberly M. Vance, Ed.D

Director, Center for Student Engagement, Activities, and Leadership

Cliff Alexander Office of Fraternity and Sorority Life

vancekm@miamioh.edu 513-529-1462



Community Development Department
Zoning Information
513-524-5204

December 17, 2021

Wes Bren
Kappa Sigma Fraternity

VIA EMAIL:
wes.bren@oracle.com

RE: 406 East Withrow Street Building Usage

Dear Mr. Bren:

Per our recent conversation you have informed the City of Oxford that Kappa Sigma wishes to re-occupy the above premises. We have reviewed the file and determined that is not permissible due to the 2017 Conditional Use approval by City Council Ordinance #3424. The 2017 approval was for a place of worship (church) called Crossroads Church. A place of worship and a fraternity are defined differently in Oxford Zoning Code Chapter 1159 and have different conditional use review criteria within Chapter 1147. The 2017 approval changed the allowable zoning usage.

In order for Kappa Sigma (or any fraternity) to occupy the building, even on a non-residential basis, would require the approval of a new conditional use from Planning Commission and City Council. I have provided you those dates and deadlines. Our staff look forward to working with you to assist in the processing and presentation of your application to the Planning Commission and City Council.

If you wish to appeal our decision, you may do so using the form that I have previously sent, per Oxford Code Chapter 1129.11. If you choose to do that, please be sure to include the pertinent section of code that is being incorrectly applied as well as the desired correct application of the code.

Please contact our office, including Planner Zachary Moore or myself and we will be happy to assist you or anyone in your organization with either of these processes.

Sincerely,

Sam Perry, AICP
Community Development Director
sperry@cityofoxford.org



Courtesy Notice
Community Development Department
Review & Comment Form
513-524-5204

You are receiving this notice because your property is located within 200 feet of a site set for consideration by the Oxford Planning Commission and City Council for future development that requires special approval.

CASE NO.: PC-2021-40

CASE TITLES: 406 E Withrow, CONDITIONAL USE, re-establish Fraternity use, Scott Webb, Applicant/Agent

HEARING DATE: March 8, 2022, 7:00pm

LOCATION: Oxford Courthouse, 118 West High Street, Oxford OH 45056

DESCRIPTION: The applicant is requesting approval of a Conditional Use application in order to re-establish a fraternity use at 406 E Withrow Street. The site is located at the northwestern corner of Tallawanda Road and E Withrow Street. The building was originally constructed in 1967 and occupied for many years by the Kappa Sigma fraternity. The property owner arranged for a new tenant, Crossroads Church, to occupy the building in 2017. The Church went through the Conditional Use process around that time and received approval by the City to occupy all three floors of the building. As a result of the Church approval, the allowance for a fraternity was lost. The property owner is now looking to re-establish fraternity usage with a maximum of 18 occupants.

You are welcome to attend the scheduled City of Oxford Planning Commission hearing as noted above. If you cannot attend, but would like to comment on this matter, please complete this form and return it at your earliest convenience to **Planner Zachary Moore, 15 S. College Avenue, Oxford, OH 45056**. You may also email any comments or questions to zmoore@cityofoxford.org.

You can view the most up to date meeting information and agenda at any time by going to cityofoxford.org and scrolling to the bottom of the homepage to view the **City Meetings & Events** calendar

NAME (PRINT):

BOB CARMEAN, DELTA TAU DELTA

ADDRESS:

220 TALLAWANDA

Home: 149 STONE CREEK
OXFORD

TELEPHONE:

Home 513-523-2691 Cell 513-255-0062 Work NA

COMMENT (You may attach a separate note or letter if more space is needed):

AS TREASURER OF GAMMA UPSILON HOUSE ASSOCIATION WE HAVE
HAD GOOD RELATIONS WITH KAPPA SIGMA HOUSE CORP.
I HAVE WORKED CLOSELY WITH THE ALUMNI TEAM OF KΣ
ON A PROJECT AND FIND THEM EXCELLENT PARTNERS.
AS A NEIGHBOR I LOOK FORWARD THEIR RETURN AND
CONDITIONAL USE APPROVAL.

Bob Carmean



Internal Use Only:

Case No.

PC-2021-40

Date Filed

12/27/2021

Conditional Use Permit Application

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-3838

Email Address scott@scottwebbarchitect.com

Owner Information

Name * Theta Upsilon Housing Co Inc

Mailing Address * 3007 Jamestown Ct.

City, State & Zip Code * Woodbridge, VA 22192

Telephone Number(s) * 614.354.3062

Email Address johnschoger@gmail.com

Location and Lot Information

Location of Property * 406 East Withrow

Legal Description * Parcel # H4000006000186

Zoning District * R-3MS

Total Area * .2697 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Vacant - Last used by Crossroads Community Church

Proposed Use Description * Fraternity Chapter House

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

- A. Application Fee.
- B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

4. A description of the existing uses of the site.
 5. The zoning district in which the site is located.
 6. A description of the proposed use.
 - a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - b. The hours of operation.
 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
 8. A statement about why the location proposed is more appropriate for the use than other locations.
 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
 11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see [next section](#)).
 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
1. North arrow.
 2. Scale.
 3. Vicinity map.
 4. All existing and proposed lot lines within the site.
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 6. Location, height, and use of all proposed and existing structures.
 7. Location and design of all proposed vehicle management areas.
 8. Location, size, and type of all proposed signs.
 9. Location, height, and type of all proposed screening and landscaping.
 10. Distances to residential zoning districts if within 1,000 feet.
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.
- E. Other. Photographs of the existing use and its surroundings.

See Chapter 1147, Conditional Uses, for the full text, particularly 1147.03 for use-specific regulations¹.

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Planning Commission Review

From Section 1147.02(c)¹.

The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

From Section 1147.02(c)(2) General Decision Standards¹. All Conditional Uses shall satisfy these General Decision Standards.

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

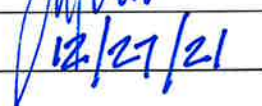
Fees & Receipt

The required fees are \$500.00 plus \$10.00 for postage. You may write a \$510.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

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

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission & City Council regarding a Conditional Use for a Fraternity at 406 East Withrow Street.

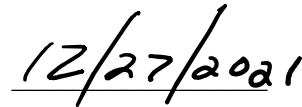
Thank you,

Signed:



President

Date:



12/27/2021

Notice of Legal Representation

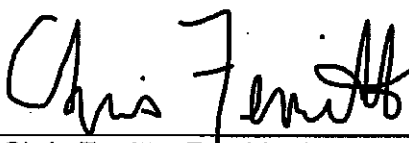
Re: Application for conditional use permit - Kappa Sigma Fraternity House
406 East Withrow Street

To the City of Oxford:

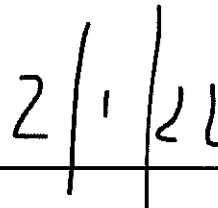
Please be advised that Jack F Grove Attorney-at-Law, Ohio Supreme Court registration number 0012508 has authority to represent the owner concerning the administrative process including hearings before Oxford City Planning Commission and Oxford City Council. Mr. Grove's representation is in addition to representation by Scott Webb, Architect with respect to the pending application dated December 27, 2021.

Thank you for your attention.

Theta Upsilon Housing Co., Inc.

by 
Chris Ferritto, President

Date



cc: Sam Perry, Community Development Director

Sam Perry
Community Development Director
City of Oxford
Municipal Building
15 South College Ave.
Oxford, Ohio 45056



SCOTT
WEBB

A R C H I T E C T

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

www.scottwebbarchitect.com

Re: Application for Conditional Use
Kappa Sigma Fraternity Chapter House
406 East Withrow

December 27, 2021

Dear Mr. Perry,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Conditional Use to reestablish a Fraternity use in their purpose-built Chapter House.

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

A. *A description of the proposed use.*

B. *Description of Use and Site*

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. *Description of Use and Site*

The name, mailing address, and telephone number of the applicant and the property owner.

Property Owners:

Theta Upsilon Housing Co Inc
3007 Jamestown Ct.
Woodbridge Virginia 22192

Architect:

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

2. *A statement from the owner that the applicant is entitled to apply on his or her behalf.*

A letter of Agency has been provided from the property owners.

3. *A legal description of the site, including all separate lots.*

Parcel # H4000006000186 is unchanged from its original platting.

4. *A description of the existing uses of the site.*

The site and building were developed as a fraternity house in 1967. In 2017 the building was leased for temporary occupancy to Crossroads Community Church. The Fraternity has since reorganized and are planning to reoccupy the building.

5. *The zoning district in which the site is located.*

The site is zoned R-3MS – Single, Two and Three-Family Mile-Square Residential district, adjacent to other fraternities and directly across from Miami University's Campus

6. *A description of the proposed use.*

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

The proposal at hand is to reestablish the expired Conditional Use for the Fraternity to return their original Chapter House.

This would be a typical fraternity use, including food service, meeting space, study rooms, & sleeping quarters for fraternity members.

b. *Hours of operation*

As a residential fraternity use, it will be occupied as a residence.

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

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

The site and building were designed for a fraternity use, on "Fraternity Row" along Tallawanda Road, among a variety of fraternities and multi-family student housing facing campus. As such, the proposed return of the fraternity appropriately located and is similar to adjacent uses.

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

The site was designed & constructed in 1967. No new construction is proposed with the return to a fraternity use.

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

The proposed return of the use of the site to a fraternity house is not expected to create potential nuisances, with no additional lighting proposed, and no production of odor, fumes, vibrations, or emissions.

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

Specific concerns for the individual Conditional Uses are addressed in following sections.

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

The issue at hand is not the construction of a new fraternity house, but simply a return to the previous use of the site. Located along "Fraternity Row" among other fraternities and student housing is the most appropriate location for this use.

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

As a University Community, Greek Life is a major component. In the original Plat of the City and decades of subsequent zoning has determined this location as ideal for this use..

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

1147.03 (19) Fraternity and Sorority Houses

A. Potential Concerns:

1. Aesthetic Concerns:

a. Historical characteristics of existing structures

The building at hand was designed for a fraternity use and remains unchanged. No new construction is proposed

b. Residential scale and character

The existing building was designed for a fraternity use and remains unchanged. No new construction is proposed

c. Yards and Landscaping

As a corner lot, the building is located to the rear and west of the site, providing expansive yard areas at the street corner.

d. Walls and fences

No new walls or fences are proposed. The existing brick wall screening the trash area will remain.

2. Activities areas:

a. Porches and patios

No new porches or patios are proposed. The existing building provides a patio at the southeast entrance, partially covered with a pergola

b. Locations of recreational areas and courts

No other recreational areas or courts are provided

c. Locations of accessory structures

There are no accessory structures

3. Vehicle Management:

a. Site Access

The site provides a single lane driveway from Tallawanda Road for short term parking.

b. Required Parking

Required parking is not provided. As a corner lot with (2) front yards, no space is available on the site to provide the (8) required parking spaces, as parking in the front yard is limited to a single parking space. No rear or side yards are available.

c. Emergency Access

As a corner lot, the building is accessible to emergency services from multiple locations.

d. Deliveries

The existing driveway is intended for deliveries.

e. Occasional and excess parking management

No area on the site is available for additional parking.

4. Adequate Public Utilities

a. Water

Adequate water service is provided to the existing building

b. Sewer

The building is currently connected to the public sanitary sewer

c. Storm water Management

No new storm water management is required.

d. Other services

Electric, cable, and broadband is currently in use on the site

5. Nuisance:

a. Waste/trash management

In its previous use as a fraternity and subsequent use as a community church, trash is collected in waste-wheelers and brought to the curb. No dumpster has ever been provided on site

b. Noise and off-site impact

As a small fraternity, noise and off-site impact should be minimal

c. Lighting and off-site impact

All lighting is existing to remain and does not cause a nuisance.

B. Requirements:

1. New Structures: Building shall be of a size and scale that approximates neighboring structures

The building has existed in its current configuration since its construction in 1967

2. Existing Structures: Exterior renovation & improvements shall be maintained to protect existing architectural details, materials, and ornamentation.

No change to the exterior of the building is proposed in this application

3. Addition: Building expansions shall be sympathetic to the architectural style of the existing building

No addition to the building is proposed in this application.

4. *Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.*

The existing site does not provide outdoor activity areas, other than lawn space in the (2) front yards.

5. *Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles*

The existing trash area accommodates waste-wheelers for trash and recycling, located along the northeast corner of the building and is provided with a screen wall.

6. *Parking and transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.*

As described above, no new parking is proposed.

11. *A list of the names and mailing addresses of all land owners within 200 feet of the site.*

List of adjacent property owners is attached.

12. *Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.*

The application at hand represents the reestablishment of an expired Conditional Use for a building that was purpose built for a fraternity. The City and the fraternity allowed Crossroads Community Church to occupy the building temporarily. The fraternity would like to return to campus in their original chapter house.

C. Site Plan

A Site Plan with the required information is included with this application.

- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.**

Photos of the existing building have been provided.

- E. Other. Photographs of the existing use and its surroundings**

Photos are included with this application.

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

Respectfully,

A handwritten signature in dark ink, appearing to read 'Scott Webb', is written over a light blue rectangular background.

Scott Webb, Architect

Sam Perry
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

A R C H I T E C T

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

www.scottwebbarchitect.com

Re: Application for Conditional Use
Kappa Sigma Fraternity Chapter House
406 East Withrow

December 27, 2021

Dear Mr. Perry,

Please accept the following description of how the proposed Conditional Use meets the decision standards of 1147.2(c) as a supplement to the application requirements of 1147.2(a).

In response to the decision standards outlined in 1147.2(c), we offer the following:

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

1143.07(b)(2)H. allows Fraternity & Sorority Houses as a Conditional Use

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

The Zoning Code allows fraternities and sororities in the R-3MS District. The proposed location along Tallawanda Road in particular, is the appropriate location for this use.

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

The Comprehensive Plan addresses the relationship between the City, its residents, and the University. As Greek life is an integral part of college life, accommodations for fraternities is necessary for the town & gown relationship.

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

The existing building and site were designed in 1967 specifically for a fraternity use.

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

The return to a fraternity use in this location should not be hazardous or disturbing to other nearby fraternities and multi-family student rentals.

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

The proposed return to a fraternity does not involve activities, processes, equipment, etc. that will be detrimental to persons, property, or the general welfare.

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

No accessory uses are proposed.

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

All utilities are existing at this location. No special provisions are required.

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

No public expense is anticipated by this project.

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

No new construction is proposed with the existing, purpose-built structure remaining.

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

The site has never provided on-site parking. The service drive is existing to remain.

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

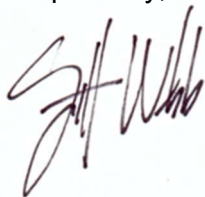
There are no scenic or natural resources in this area

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

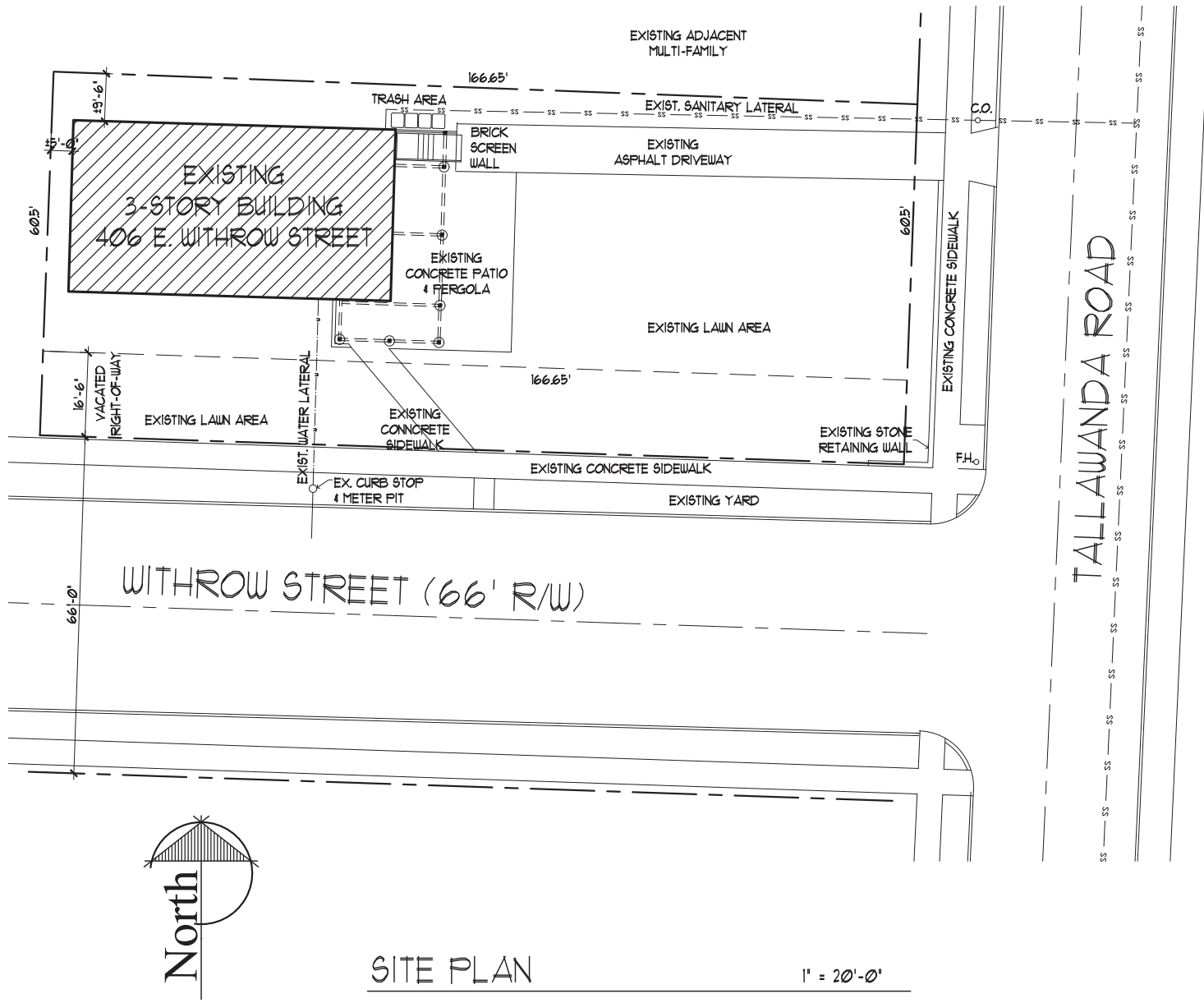
All permits will be secured for the construction of this building.

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

Respectfully,

A handwritten signature in dark ink, appearing to read 'Scott Webb', is written over a light blue rectangular background.

Scott Webb, Architect



SCOTT WEBB
ARCHITECT

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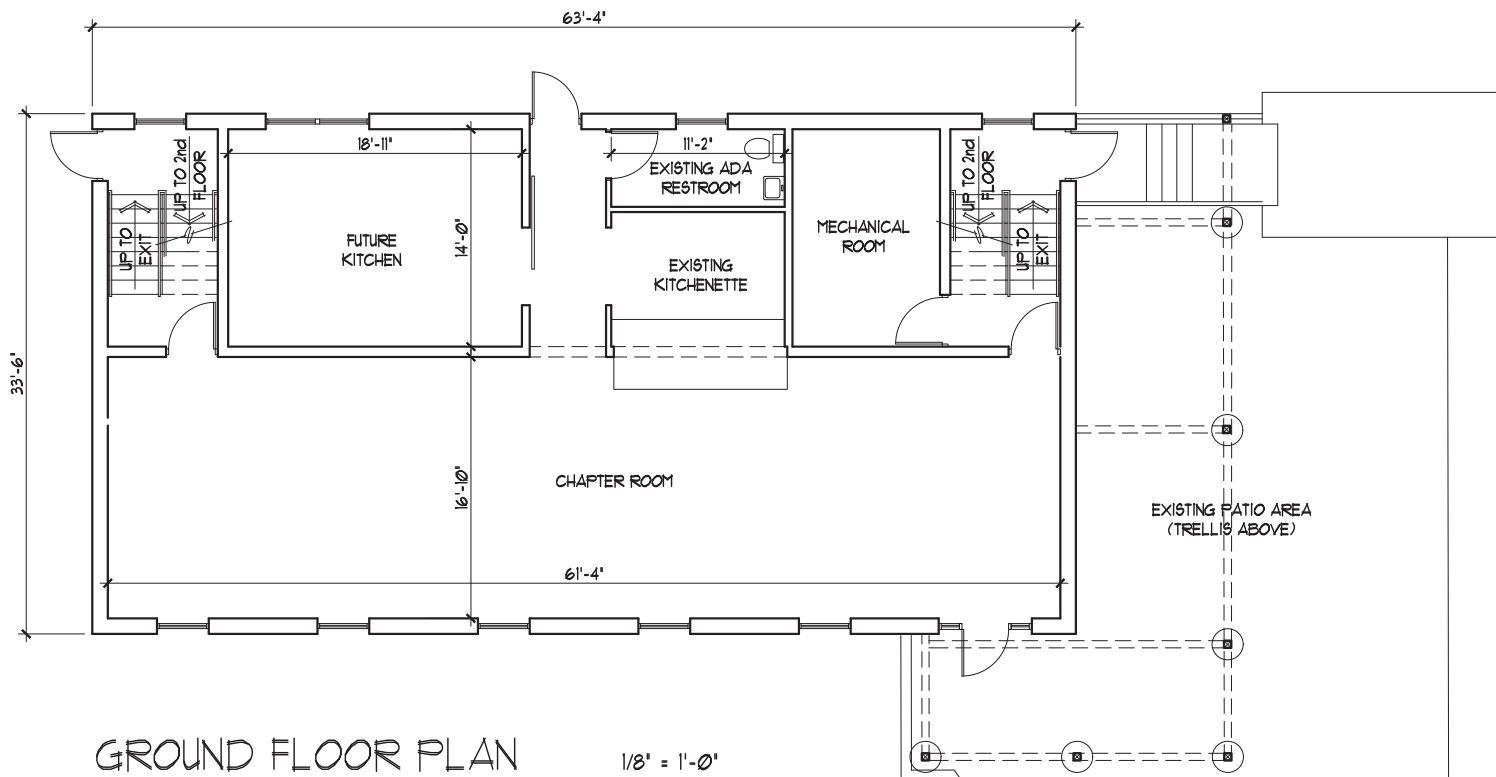
PROPOSED CONDITIONAL USE

Kappa Sigma Fraternity

406 EAST WITHROW STREET
OXFORD, OHIO 45056

DATE	
December 21, 2021	
REVISIONS	

A-1



GROUND FLOOR PLAN

1/8" = 1'-0"



PROPOSED CONDITIONAL USE

Kappa Sigma Fraternity

406 EAST WITHROW STREET
OXFORD, OHIO 45056

DATE	
December 21, 2021	
REVISIONS	

A-2

RESIDENTIAL OCCUPANCY THIRD FLOOR

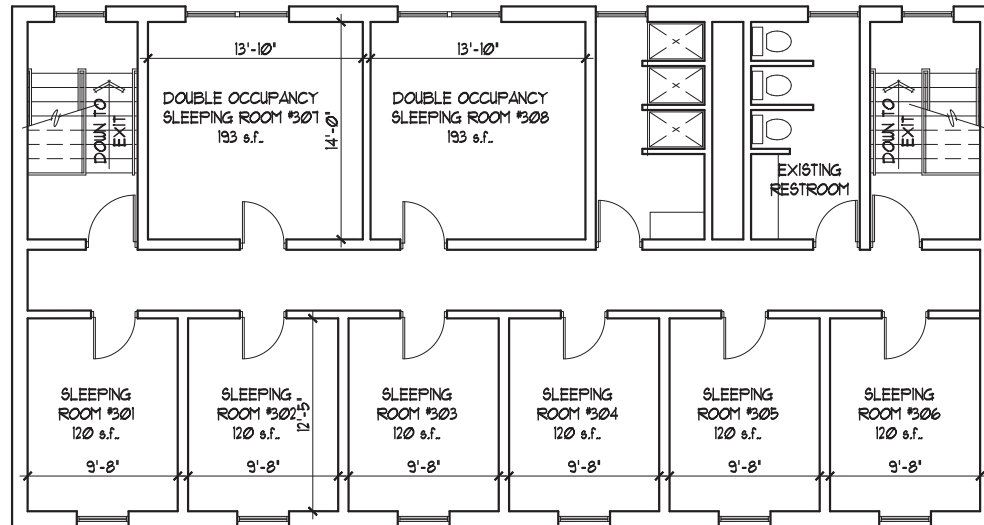
SLEEPING ROOM #301 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #302 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #303 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #304 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #305 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #306 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #307 (DOUBLE OCCUPANCY)	2 OCCUPANTS
SLEEPING ROOM #308 (DOUBLE OCCUPANCY)	2 OCCUPANTS

TOTAL 3RD FLOOR OCCUPANCY: 10 OCCUPANTS

SECOND FLOOR

SLEEPING ROOM #201 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #202 (SINGLE OCCUPANCY)	1 OCCUPANT
SLEEPING ROOM #203 (DOUBLE OCCUPANCY)	2 OCCUPANTS
SLEEPING ROOM #204 (DOUBLE OCCUPANCY)	2 OCCUPANTS
SLEEPING ROOM #205 (DOUBLE OCCUPANCY)	2 OCCUPANTS

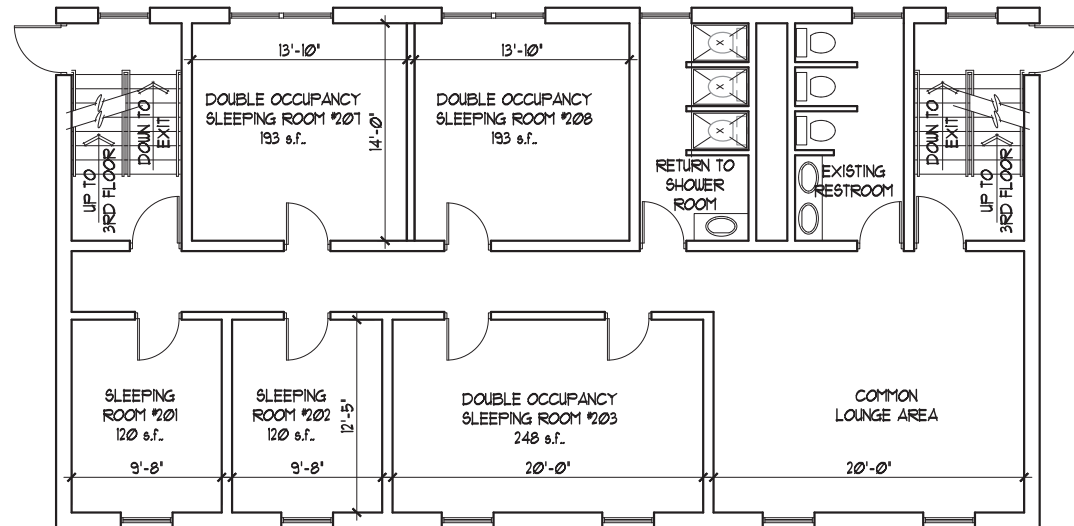
TOTAL 2ND FLOOR OCCUPANCY: 8 OCCUPANTS



THIRD FLOOR PLAN

1/8" = 1'-0"

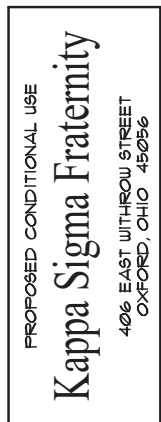
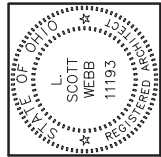
RESIDENTIAL OCCUPANCY



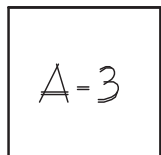
SECOND FLOOR PLAN

1/8" = 1'-0"

RESIDENTIAL OCCUPANCY

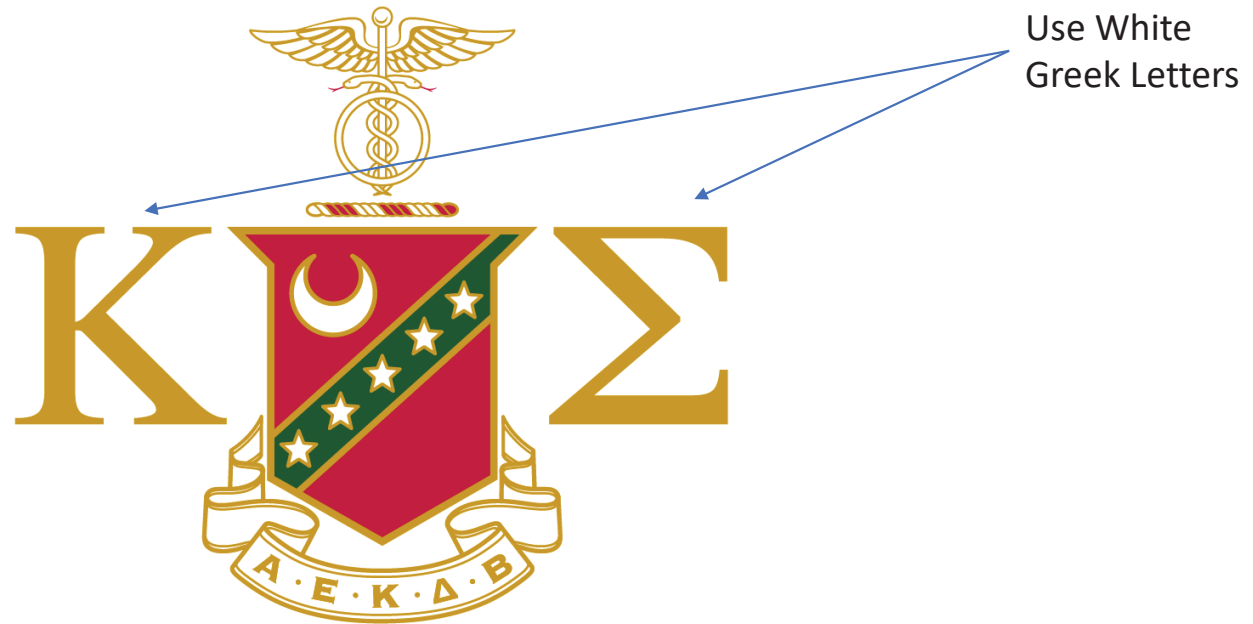


DATE
December 21, 2021
REVISIONS





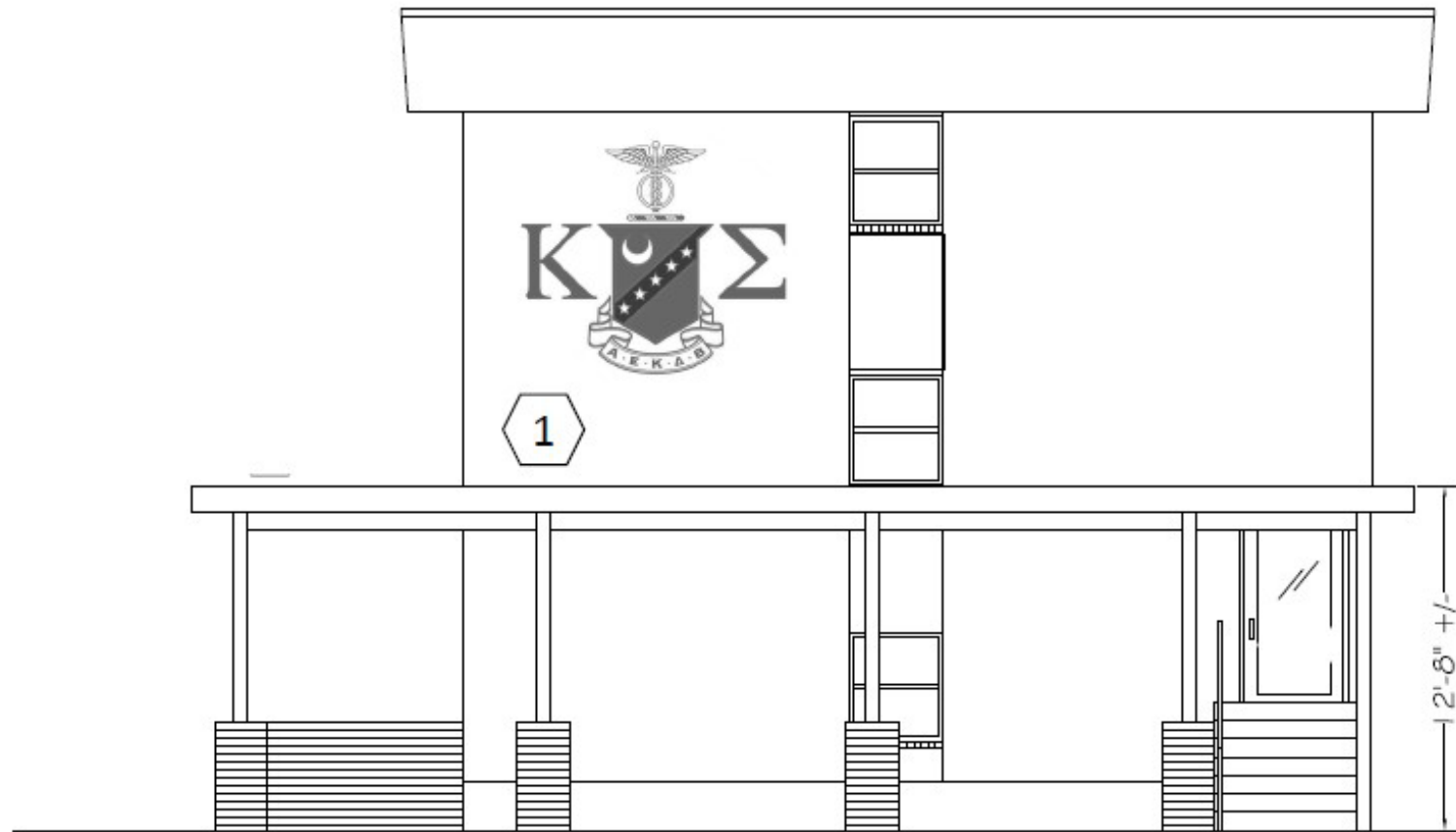
Use White
Greek Letters
Would prefer
brick to show
through within
circle on
caduceus and
from shield to
ribbon



Source file:

https://www.dropbox.com/sh/imkulef2afnleji/AABBQFTaTlnnb0RvV5Wkrom1a/ks_crest_circle_logo.eps?dl=0

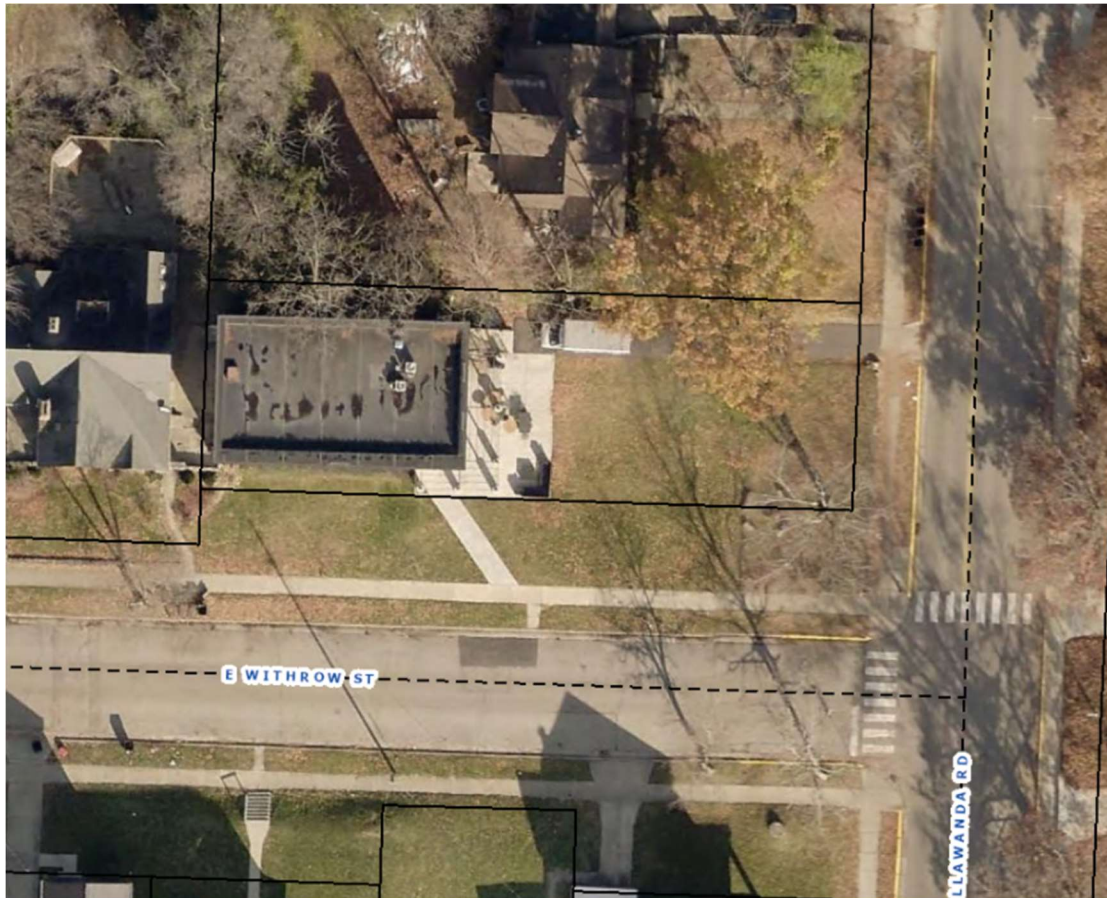
Please let me know if the Pantone colors are not specified.



Construction Notes:

- 1) Install Kappa Sigma sign at original size and location

East Elevation
Scale: $1/8" = 1'-0"$



Aerial View of Site



View from Intersection of Withrow & Tallawanda



View from Tallawanda showing



Existing Trash Area